

**GENERAL AGREEMENT ON
TARIFFS AND TRADE**

RESTRICTED

L/347

6 March 1955

Limited Distribution

CONTRACTING PARTIES
Ninth Session

DRAFT DECLARATION ON THE CONTINUED APPLICATION OF SCHEDULES

(Alternative Draft proposed by the
United States Delegation)

The United States delegation suggests that the Declaration on the Continued Application of Schedules, the Decision on Procedures for Completing Article XXVIII Negotiations, the Decision on Authority to Negotiate Concessions in Special Circumstances and the Decision on Application of Article XVIII:A, as proposed in the secretariat drafts L/343, L/342, L/341 and L/340 respectively, should be combined in one instrument and has submitted the following draft for consideration by the CONTRACTING PARTIES.

DRAFT DECLARATION ON THE CONTINUED APPLICATION
OF SCHEDULES TO THE GENERAL AGREEMENT

(Declaration of ___ March 1955)

The contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement"),

CONSIDERING that, pursuant to the Declaration of 24 October 1953, the assured life of the concessions embodied in the Schedules annexed to the General Agreement will expire on 30 June 1955, in the sense that thereafter it will become possible for a contracting party by negotiation with other contracting parties to modify or cease to apply the treatment which it has agreed to accord under Article II to any products described in its Schedule,

CONSIDERING that, although by the terms of the General Agreement the Schedules would retain their full validity even if their assured life were to expire, the contracting parties are desirous of continuing the assured life of the Schedules as a means of contributing to the stability which has been one of the principle achievements of the General Agreement,

CONSIDERING that the CONTRACTING PARTIES have, at their Ninth Session, drawn up and submitted to contracting parties for acceptance, a protocol modifying Article XXVIII, and Section A of Article XVIII of the General Agreement,

RECOGNIZING the desirability that the procedures embodied therein which have been agreed upon for the conduct of renegotiations under specified circumstances could appropriately be applied during the period of the continued life of the Schedules,

HEREBY DECLARE

1. That they will not invoke after 1 July 1955 and prior to 1 January 1958 the provisions of Article XXVIII of the General Agreement to modify or cease to apply the treatment which they are required to accord under Article II (which is being amended to Article III) of the General Agreement to any product described in the appropriate schedule annexed thereto; PROVIDED

(a) the provisions of this Declaration shall not apply to concessions initially negotiated with a contracting party with respect to which this Declaration is not in effect;

(b) A contracting party which has entered into negotiations under the procedures of Article XXVIII prior to 1 July 1955 shall be authorized to pursue such negotiations up to and including 30 September 1955, and any modification or withdrawal of a concession following such negotiations may be made effective in accordance with the provisions of Article XXVIII if it is notified to the contracting parties not later than 1 October 1955 and 30 days notice is given of the date on which such modification or withdrawal will become effective;

(c) From 2 July 1955 until 31 December 1957, or until the day on which the amendments to Articles XVIII and XXVIII of the General Agreement, provided for in the Protocol amending Parts II and III of the General Agreement dated ___ March 1955, have entered into force, whichever is the earlier date, a contracting party desiring to enter into renegotiations may do so under the conditions and in accordance with the procedures which are the same as those set forth in Section A of Article XVIII and paragraph 4 of Article XXVIII, together with the applicable notes thereto, as set forth in that Protocol, and any contracting party which has previously been authorized to enter into such negotiations pursuant to procedures adopted by the contracting parties shall have the option to continue such negotiations under the procedures provided for in this sub-paragraph; and

2. That in any situation of the type described in paragraph 7(b) of the amended Article XVIII they will not invoke the provisions of paragraph 2 of Article XXVIII of the General Agreement with respect to the withdrawal of equivalent concessions.

