

GENERAL AGREEMENT ON
TARIFFS AND TRADE

1960-61 TARIFF CONFERENCE
Tariff Negotiations Committee

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FINAL ACT
AND
PROTOCOL TO THE GENERAL AGREEMENT ON TARIFFS
AND TRADE EMBODYING THE RESULTS OF 1960-61
TARIFF CONFERENCE

In accordance with arrangements made by the Tariff Negotiations Committee, the secretariat has prepared the texts of the Final Act Authenticating the Results of the 1960-61 Tariff Conference held under the auspices of the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade and the Protocol to the General Agreement on Tariffs and Trade Embodying the Results of the 1960-61 Tariff Conference. The texts of these documents are contained in Annexes A and B attached hereto.

ANNEX A

Final Act Authenticating the Results of the
1960-61 Tariff Conference Held under the Auspices of the
CONTRACTING PARTIES to the General Agreement on Tariffs and Trade

1. The CONTRACTING PARTIES to the General Agreement on Tariffs and Trade on 29 May 1959 decided to arrange for a tariff conference to convene on 1 September 1960.
2. The negotiations at that conference, which opened on that date and was concluded on 16 July 1962, included:
 - (a) Negotiations directed towards the accession of countries to the General Agreement pursuant to Article XXXIII;
 - (b) Renegotiation of existing concessions pursuant to paragraph 6 of Article XXIV of the General Agreement resulting from the institution of the European Economic Community;
 - (c) The negotiation of new concessions pursuant to Article XXVIII bis between contracting parties, and between contracting parties and the European Economic Community;
 - (d) Renegotiations by contracting parties of existing concessions pursuant to Article XXVIII of the General Agreement;
 - (e) New negotiations and renegotiations, between contracting parties and Switzerland in relation to the Declaration for the Provisional Accession of Switzerland to the General Agreement, of 22 November 1958; and
 - (f) The negotiation of new concessions compensatory for action taken with respect to certain existing concessions.
3. As a result of these negotiations, and of other modifications of Schedules to the General Agreement effected pursuant to procedures established by the CONTRACTING PARTIES, the following instruments have been prepared:
 - (a) The Protocol Embodying the Results of the 1960-61 Tariff Conference (Annex I);
 - (b) The Protocol for the Accession of Israel to the General Agreement on Tariffs and Trade (Annex II), a decision for the accession of Israel having been taken on 9 December 1961;

(c) The Protocol for the Accession of Portugal to the General Agreement on Tariffs and Trade (Annex III), a decision for the accession of Portugal having been taken on 9 December 1961;

(d) The Protocol for the Accession of Cambodia to the General Agreement on Tariffs and Trade (Annex IV), a decision for the accession of Cambodia having been taken on 5 June 1962.

4. The texts of these instruments in the English and French languages are annexed hereto, and are hereby authenticated; and it is hereby certified that, in each case in which a schedule in Annex A, B or C to the Protocol in Annex I to this Final Act results for any product in treatment less favourable than was provided for such product in the Schedules to the General Agreement or to the Swiss Declaration of 22 November 1958 existing on 1 September 1960, appropriate action has been undertaken pursuant to paragraph 6 of Article XXIV or Article XXVIII of the General Agreement, or under some other provision of that Agreement or procedure thereunder, to enable effect to be given to such change.

5. Done at Geneva this sixteenth day of July one thousand nine hundred and sixty-two, in a single copy in the English and French languages, both texts being authentic.

[Signatures]

ANNEX B

I. Protocol to the General Agreement on
Tariffs and Trade Embodying Results
of the 1960-61 Tariff Conference

The governments which are contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "contracting parties" and "the General Agreement", respectively), the European Economic Community, and the Government of the Swiss Confederation (hereinafter referred to as "Switzerland"),

HAVING carried out at the 1960-61 Tariff Conference negotiations pursuant to paragraph 6 of Article XXIV, Article XXVIII, Article XXVIII bis, and other relevant provisions of the General Agreement,

HAVE through their representatives agreed as follows:

1. The schedule in Annex A relating to any contracting party shall, upon the entry into force of this Protocol with respect to such contracting party, become a Schedule to the General Agreement relating to that contracting party.
2. The schedule in Annex B relating to the European Economic Community shall, upon the entry into force of this Protocol with respect to the Community, become a Schedule to the General Agreement relating to the European Economic Community.
3. The schedule in Annex C relating to any contracting party, the European Economic Community, or Switzerland shall, upon the date on which both the Declaration on the Provisional Accession of the Swiss Confederation to the General Agreement on Tariffs and Trade, of 22 November 1958 (hereinafter referred to as the Swiss Declaration of 22 November 1958) and this Protocol shall have entered into force with respect to such contracting party, the European Economic Community, or Switzerland, as the case may be, become a schedule to the Swiss Declaration of 22 November 1958 relating to such contracting party, the European Economic Community, or Switzerland.
4. In each case in which a schedule in Annex A or C to this Protocol provides for any product imported into a contracting party treatment less favourable than was provided for such product in a schedule applicable to such contracting party on 1 September 1960, such provision for less favourable treatment in the schedule annexed to this Protocol shall, when such schedule becomes a Schedule to the General Agreement pursuant to paragraph 1 or 3, terminate the provision for such product in such prior schedule.

5. (a) In each case in which paragraph 1 of Article II of the General Agreement refers to the date of that Agreement:

(i) The applicable date in respect of each product which is the subject of a concession provided for in the schedule annexed to this Protocol of a contracting party or of Switzerland, if such product was not the subject of a concession provided for in the same part or section, of a Schedule to the General Agreement of such contracting party or Switzerland on 1 September 1960, shall be the date of this Protocol.

(ii) The applicable date in respect of each product which is the subject of a concession provided for in the schedule of the Community shall, when imported into the Kingdom of Belgium, the French Republic, the Federal Republic of Germany, the Republic of Italy, the Grand Duchy of Luxemburg, or the Kingdom of the Netherlands, be:

(I) If the product was provided for in Part I of a schedule (or of a relevant section of a schedule) applicable to such contracting party on 1 September 1960: the date of the instrument by which such product was first provided for therein: Provided, that a concession on such product has been continuously in effect since the entry into force of the concession provided for in such instrument.

(II) If the product was not so provided for on 1 September 1960: the date of this Protocol.

(b) For the purpose of the reference in paragraph 6(a) of Article II of the General Agreement to the date of that Agreement, the applicable date in respect of the schedules annexed to this Protocol shall be the date of this Protocol.

6. Any contracting party, the European Economic Community, and Switzerland, after a schedule relating to it annexed to this Protocol has become a Schedule to the General Agreement or to the Swiss Declaration of 22 November 1958 pursuant to the provisions of paragraph 1, 2, or 3, of this Protocol, shall be free at any time to withhold or to withdraw in whole or in part any concession in such schedule which it determines to have been initially negotiated with a contracting party, the European Economic Community, or Switzerland, the schedule relating to which annexed to this Protocol has not yet become a Schedule to the General Agreement or to the Swiss Declaration of 22 November 1958, as the case may be: Provided that:

(a) This paragraph shall only apply to concessions negotiated pursuant to Article XXVIII bis of the General Agreement.

(b) Written notice of any such withholding of a concession shall be given to the CONTRACTING PARTIES (or to the parties to the Swiss Declaration of 22 November 1958, in the case of a concession in a schedule to that Declaration) within thirty days after the date of such withholding.

(c) Written notice of intention to make any such withdrawal of a concession shall be given to the CONTRACTING PARTIES (or to the parties to the Swiss Declaration of 22 November 1958) at least thirty days before the date of such intended withdrawal.

(d) Consultations shall be held, upon request, with any contracting party, the European Economic Community, or Switzerland, the relevant schedule relating to which has become a Schedule to the General Agreement or the Swiss Declaration of 22 November 1958, as the case may be, and which has a substantial interest in the product involved.

(e) Any concession so withheld or withdrawn shall be applied on and after the day on which the schedule of the contracting party, the European Economic Community, or Switzerland with which such concession was initially negotiated becomes a Schedule to the General Agreement or to the Swiss Declaration of 22 November 1958, as the case may be, or if it should be a later date, on and after the thirtieth day following the day on which this Protocol shall have been accepted by such contracting party, the European Economic Community, or Switzerland, as the case may be.

7. (a) This Protocol shall be deposited with the Executive Secretary of the CONTRACTING PARTIES. It shall be open to acceptance, by signature or otherwise, by contracting parties, by the European Economic Community, and by Switzerland.

(b) Acceptance of this Protocol by a contracting party, to the extent that it shall not have already taken final action to become a party to the following instruments and except as it may otherwise notify the Executive Secretary in writing at the time of such acceptance, shall constitute final action to become a party to each of the following instruments:

- (i) Protocol Amending Part I and Article XXIX and XXX, Geneva, 10 March 1955;
- (ii) Protocol Amending the Preamble and Parts II and III, Geneva, 10 March 1955;
- (iii) Protocol of Rectifications to the French Text, Geneva, 15 June 1955;

- (iv) Procès-Verbal of Rectifications Concerning the Protocol Amending Part I and Articles XXIX and XXX, the Protocol Amending the Preamble and Parts II and III and the Protocol of Organizational Amendments, Geneva, 3 December 1955;
- (v) Fifth Protocol of Rectifications and Modifications to the Texts of the Schedules, Geneva, 3 December 1955;
- (vi) Sixth Protocol of Rectifications and Modifications to the Texts of the Schedules, Geneva, 11 April 1957;
- (vii) Seventh Protocol of Rectifications and Modifications to the Texts of the Schedules, Geneva, 30 November 1957;
- (viii) Protocol Relating to the Negotiations for the Establishment of New Schedule III - Brazil, Geneva, 31 December 1958;
- (ix) Eighth Protocol of Rectifications and Modifications to the Texts of the Schedules, Geneva, 18 February 1959; and
- (x) Ninth Protocol of Rectifications and Modifications to the Texts of the Schedules, Geneva, 17 August 1959.

8. This Protocol shall enter into force for any contracting party, Switzerland or the European Economic Community, on the thirtieth day following the day upon which it shall have been accepted by that contracting party, Switzerland or the European Economic Community, or on such earlier date following such acceptance as may be notified to the Executive Secretary in writing at the time of such acceptance.

9. The Executive Secretary shall promptly furnish a certified copy of this Protocol, a notification of each acceptance thereof pursuant to sub-paragraph (a) of paragraph 7, and of each notice or notification pursuant to sub-paragraph (b) or (c) of paragraph 6, sub-paragraph (b) of paragraph 7, or paragraph 8, to each contracting party, to each government which has negotiated during the 1960-61 Tariff Conference for accession to the General Agreement, to the European Economic Community, to each government which shall have acceded provisionally to the General Agreement, and to each other government with respect to which an instrument establishing special relations with the CONTRACTING PARTIES to the General Agreement shall have entered into force.

Done at Geneva this sixteenth day of July, one thousand nine hundred and sixty-two, in a single copy in the English and French languages, both texts being authentic except as otherwise specified with respect to Schedules annexed hereto.

/Signatures/