

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

MTN/NTM/W/248

13 June 1979

Special Distribution

Multilateral Trade Negotiations

AGREEMENT ON IMPLEMENTATION OF ARTICLE VI OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Suggested Rectifications of a Formal Character

Note by the Secretariat

In the Procès-Verbal embodying the results of the Multilateral Trade Negotiations, representatives acknowledged that the texts listed therein might be subject to rectifications of a purely formal character that did not affect the substance or meaning of the texts (MTN/28, paragraph 1). An airmail (GATT/AIR/1565) inviting delegations to communicate suggestions for formal rectifications to the secretariat by 1 June 1979 was circulated on 8 May 1979.

Listed below are suggested rectifications¹ to document MTN/NTM/W/232/Rev.1.

- I. Suggested rectifications of a general nature
1. "Code" should be replaced by "Agreement" wherever there is a reference thereto throughout the Agreement.
2. "GATT" should be spelt out as "the General Agreement" wherever there is a reference thereto throughout the Agreement.

¹Corresponding rectifications to the French and Spanish texts are being circulated. Rectifications to the French and Spanish texts concerning only the alignment of those texts to the English text are being communicated directly to delegations using these languages. Other delegations wishing to have copies of these texts are invited to inform the secretariat (Tel. 31.02.31, ext. 2385).

II. Suggested rectifications on specific points

1. Table of contents

Delete "Anti-Dumping Code" in the second line.

2. Preamble

(a) First line

Put quotation marks around "the Parties" at the end of the line.

(b) Third preambular paragraph

Insert a comma between "trade" and "development"

(c) Fourth preambular paragraph

The second line should read:

"... Agreement on Tariffs and Trade (hereinafter referred to as "the General Agreement" or "GATT") and to elaborate rules for their application in order to provide ..."

3. Heading of "PART I"

Delete "ANTI-DUMPING CODE" in the heading.

4. Article 2

(a) Paragraph 1

Add the following footnote to "another country" in the second line:

"It is understood that the term "country" as used hereinafter means a Party to this Agreement unless otherwise required by the context".

(b) Paragraph 5

Replace "constructed" in the fourth line by "computed".

(c) Paragraph 7

Replace "the second Supplementary Provision to paragraph 1 of Article VI in Annex I of the General Agreement" by "the Notes and Supplementary Provisions of the General Agreement (point 2 of paragraph 1 of Article VI in Annex 1)."

5. Paragraph 3 of Article 3

Replace "or" in the fifth line by "and"

6. Article 4

(a) Paragraph 1

Insert a comma between "products" and "except" in the fifth line.

(b) Paragraph 1(i)

Insert a comma between "product" and "the industry" in the second line.

(c) Paragraph 1(ii)

Insert commas between "industry" and "if" in the fourth line and between "injured" and "provided" in the tenth line.

(d) Paragraph 2

Replace "importing Party" by "importing country" in the sixth line, and insert a comma between "limitation" and "only" in the seventh line.

7. Paragraph 1 of Article 5

Insert "of the General Agreement" between "Article VI" and "as interpreted" in the fifth line.

8. Article 6

(a) Paragraph 6

This paragraph should be moved into Article 5 as paragraph 2 of that Article.

(b) Paragraph 8

Replace "affirmative" by "positive" in the last line and add the following footnote to the word "finding" at the end of the third line:

"Because of different terms used under different systems in various countries the term "finding" is hereinafter used to mean a formal decision or determination."

(c) Paragraph 9

Replace "affirmative" by "positive" in the fourth line and move the words in the last line "in accordance with the relevant provisions of this Code" up to the second line, between "Party" and "from", and insert commas before "in" and after "Code".

9. Article 7

(a) Paragraph 2

Move the words "of the importing country" in the fourth line up to the second line between "authorities" and "have".

(b) Paragraph 4

Replace "in" by "of" in the first line.

10. Article 8

(a) Paragraph 3

Insert a comma between "margin" and "the amount" in the fourth line.

(b) Paragraph 4

(i) Insert a comma after "apply" in the first line.

(ii) Replace the semi-colon in the third line by a full-stop.

(iii) Insert commas between "that" and "for products" in the eighth line and between "price" and "a new" in the ninth line.

(c) Paragraph 5

This paragraph should be moved into Article 5 as the last paragraph of that Article.

11. Paragraph 2 of Article 10

Insert a comma between "measure" and "provided" in the fifth line.

12. Paragraph 1(i) of Article 11

Insert a comma between "is made or" and "in the case" in the third line.

13. Paragraph 1 of Article 14

Insert "(hereinafter referred to as the "Committee")" after the words "Anti-Dumping Practices" in the second line.

14. Article 15

(a) Heading

Replace "resolution of disputes" by "dispute settlement". Move the indication of footnote 1 from "Article 15" to "settlement".

(b) Paragraph 2

Insert a comma between "impeded" and "by" in the third line.

(c) Paragraph 5

Insert "from the date of the request for conciliation" after the words "within three months" in the second line.

(d) Paragraph 5(a)

Insert "written" between "a" and "statement" in the first line.

(e) Paragraph 7

(a) Replace "1-5" in the first line by "1-6".

(b) Replace "the signatory countries" in the fourth and fifth lines by "Parties".

14. Article 16

(a) Heading of paragraph 5

Delete the words "of acceptance".

(b) Paragraph 7

Replace "reviews" in the fourth line by "review".

15. Footnotes

All the footnotes shall be numbered continuously throughout the Agreement.