

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

MTN/NTM/W/250

13 June 1979

Special Distribution

Multilateral Trade Negotiations

AGREEMENT ON INTERPRETATION AND APPLICATION OF ARTICLES VI, XVI AND XXIII 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 airgram (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/236.

Page 6, Article 2:8, second sentence - insert "relevant" before "records".

Page 6, Article 2:9, fourth line - replace "affirmative" by "positive".

Page 6, Article 2:10 should read:

"10. The procedures set out above are not intended to prevent the authorities of a signatory, in accordance with relevant provisions of this Agreement, from proceeding expeditiously with regard to initiating an investigation, reaching preliminary or final findings, whether positive or negative, or from applying provisional or final measures."

Page 8, footnote to Article 3:2, second line - replace "affirmative" by "positive".

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).

Page 8, Article 3:3, fifth line - replace "affirmative" by "positive"

Page 19, Article 8:3(a) should read:

"(a) injury to a domestic industry of another signatory¹";

Page 19, footnote to Article 8:3(a) should read:

¹"The terms "injury" and "domestic industry" are used here in the same sense as they are used in Part I of this Agreement."

Page 20, footnote to Article 10, . second line - replace "enumerated" by "referred to".

Page 23, Article 11 - in the second and third sub-paragraphs of paragraph 3 and in paragraph 4 add the word "possible" before "forms of subsidy".

Page 28, Article 15 and the footnote: replace "constructed value" by "computed value".

Page 29, Article 16:3, first sentence - insert "relevant" before "information".

Page 29, Article 16:3 - add at the end "It shall obtain the consent of the signatory and any firm to be consulted".

Page 33, Article 19:2 - sub-paragraph (b) will become sub-paragraph (c), sub-paragraph (c) will be deleted and replaced by a new sub-paragraph (d), a new sub-paragraph (b) will be added. The revised text will read:

- "(b) This Agreement shall be open for acceptance by signature or otherwise by governments having provisionally acceded to the GATT, on terms related to the effective application of rights and obligations under this Agreement, which take into account rights and obligations in the instruments providing for their provisional accession.
- (c) This Agreement shall be open to accession by any other government on terms, related to the effective application of rights and obligations under this Agreement, to be agreed between the government and the signatories by the deposit with the Director-General to the CONTRACTING PARTIES to the GATT of an instrument of accession which states the terms so agreed.
- (d) In regard to acceptance, the provisions of Article XXVI:5(a) and (b) of the General Agreement would be applicable."

Page 37, item (d), last line - replace "its" by "their".

Page 42, Note 3 - in the first line delete comma after "value-added tax systems" and insert a comma after "in lieu thereof".

Footnotes: It is suggested that all footnotes be numbered continuously throughout the text.