

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED

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Group of Negotiations on Goods (GATT)

Negotiating Group on GATT Articles

ARTICLE XXV:5 (WAIVER POWER)

Note by the Secretariat

Addendum

In its note dated 4 September 1987 on Article XXV:5 (MTN.GNG/NG7/W/18) the secretariat listed waivers granted by the CONTRACTING PARTIES from the inception of GATT up to 1 September 1987. During the Negotiating Group's discussion of this document at its meeting of 27-30 June 1988, it was noted that many of the waivers listed had expired, and the secretariat was asked to identify those waivers which are still effectively in force. The present addendum was prepared in response to this request.

The table which follows differs from that contained in the earlier document in some respects. It lists all waivers granted under Article XXV:5 since the inception of GATT, up to 30 June 1988. It will be seen that during the period 1 September 1987 - 30 June 1988 four new waivers have been granted, to Israel, Malaysia, Thailand and Yugoslavia. Further research has indicated that a number of waivers granted before 1952 had not been included in the original secretariat document. These appear as waiver numbers 4, 10, 14, 19, 25, 34, 41, 59, 63, 70, 71, 72 and 73 in the following table. Waiver number 44 of the earlier document, which was listed under the category of waivers granted to one contracting party, now appears as waiver number 76 under the category of waivers granted to more than one contracting party, because three contracting parties were beneficiaries of this waiver. The earlier document showed the United States agriculture waiver as involving a waiver of Article II alone; as the table now shows, Article XI was also waived. Similarly, the earlier document showed the waiver granted to the United Kingdom, in respect of imports from dependent overseas territories, as involving only Article I; Article XVI was also waived.

It should be noted that references to particular Articles in the table relate to the relevant texts as they existed at the time of the granting of the waiver.

The table indicates by means of asterisks (**) all those waivers which have expired or which would appear to be no longer required. In the explanatory notes which follow the table the reason why particular waivers have been thus identified is explained wherever necessary. It will be clear that the waivers marked in this way fall into different categories: -

- (1) Many waivers have expired, in the sense that they were subject to dates of expiry falling before 30 June 1988. This date has been used as the cut-off deadline because at the 1987 Session of Contracting Parties a number of waivers were granted or extended until 30 June 1988 and some of these are now the subject of requests for renewal;
- (2) Some waivers were granted subject to expiry not on a specific date but rather on the fulfilment of a specific condition; thus, the waiver granted to France and the Federal Republic of Germany in 1957 relating to trade with the Saar was to expire when EEC intra-trade became duty-free, which happened in 1970;
- (3) In some cases, waivers were granted when a contracting party notified the GATT that it had previously breached a procedural requirement under an Article. The waivers amounted to a post facto sanction by the CONTRACTING PARTIES and can be deemed to have expired from the time they were granted;
- (4) In other cases, waivers which are still formally in force would appear not to be required in current circumstances, either because the measures to which they relate are not currently in force or because the measures are now covered by some other decision of the CONTRACTING PARTIES; for example, many preferences formerly covered by waivers are now covered by the Enabling Clause.

It will also be noted that in one case where a waiver has not been asterisked, (waiver number 21), an explanatory note is nevertheless provided, because it seemed to the secretariat that clarification would be helpful.

In summary, the table shows that, of the seventy-eight waivers granted since the inception of GATT, forty-nine have expired, falling into one of the categories (1) (2) or (3) above. Fifteen would appear to be redundant (category (4) above). The remaining fourteen waivers (those without asterisks in the table) are still operational.

WAIVERS GRANTED BY THE CONTRACTING PARTIES UNDER ARTICLE XXV:5
 (up to 30 June 1988)

(a) Waivers Granted to One Contracting Party

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
1.	Australia ¹ ***	Products of Papua New Guinea	I	24.10.1953 25.11.1955 13.11.1956 30.05.1959	Orig. dec. Amend. dec. Amend. dec. Amend. dec.	2S/18 4S/14 5S/34 8S/28	No date	Annual
2.	Australia ² ***	Tariff preferences for less-developed countries	I	28.03.1966	Orig. dec.	14S/23	No date	Annual
3.	Belgium ***	Certain agricultural products (under "hard-core" waiver)	XI	03.12.1955	Orig. dec.	4S/22 and 31.12.1962	03.12.1960 Annual	
4.	Brazil ***	Withdrawal of certain concessions	II	07.08.1948 22.04.1949	Orig. dec. Extension	GATT/CP/1, P.29 GATT/CP/32, 15.06.1949 P.19	15.12.1948 None	

No.	Beneficiary	Subject	Article(s) waived	GATT Decision	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
5.	Brazil ***	New customs tariff	II	16.11.1956	Orig. dec.	5S/36	12 months after new tariff enactment	None	
				10.07.1958	Extension	7S/129		31.07.1959	
				29.05.1959	Extension	8S/179		20.11.1959	
				06.11.1959	Extension	8S/179		04.06.1960	
				03.06.1960	Extension	9S/267		03.08.1960	
				03.08.1960	Extension	9S/267		02.09.1960	
6.	Brazil ***	New Schedule III	II	19.11.1960	Orig. dec.	9S/36	01.05.1961	None	
7.	Brazil ***	Renegotiation of schedule revision	II	27.02.1967 29.02.1968	Orig. dec. Extension	15S/75 16S/19	29.02.1968 25th sess.	None	
				25.11.1968 19.05.1969	Extension	16S/20 17S/23	30.03.1969 26th sess.	CPS	
				20.02.1970	Extension	17S/24	27th sess.	CPS	
				19.11.1971 30.01.1973	Extension	18S/28 20S/25	31.12.1972 31.12.1973		
				01.02.1974	Extension	21S/24	31.03.1974		
				30.04.1974	Extension	21S/24	30.04.1974		
				26.11.1975	New decision (Suspension of Part II)	22S/10	31.03.1977		
				31.03.1977 17.04.1978	Extension	24S/13 25S/10	31.03.1978 31.03.1979		

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
8.	Canada ***	Delay in the implementation of certain concessions in Geneva (1967) Protocol	II	25.07.1968	Orig. dec.	16S/20	01.01.1969	None
9.	Canada	CARIBCAN	I	26.11.1986	Orig. dec.	L/6102 SR.42/4	15.06.1998	Annual
10.	Ceylon ***	Release under Article XVIII:8	XVIII	13.08.1949	Orig. dec.	II/26	4th sess. CPS	None
11.	Ceylon ³ ***	Temporary duty increases; increase in margins of preference	II, I	10.04.1961 15.11.1962 25.03.1965 06.04.1966 21.01.1967 25.11.1968 21.05.1971	Orig. dec. New decision Extension Extension New decision Decision Extension	10S/35 11S/60 13S/21 14S/31 15S/76 16S/22 18S/29	31.12.1962 31.12.1964 31.12.1966 31.12.1966 31.12.1968 31.12.1970 31.12.1971	Annual
12.	Chile ***	Import surcharges	II	27.05.1959 18.11.1960 08.12.1961 13.11.1962 21.06.1963 15.03.1965	Orig. dec. Extension Extension Extension Extension Extension	8S/29 9S/38 10S/43 11S/68 12S/52 13S/22	31.12.1960 31.12.1961 31.12.1962 31.12.1963 31.12.1964 31.12.1966	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
13.	Chile ***	Renegotiation of schedule	II	30.12.1966 20.11.1967	Decision on new schedule Extension	15S/83 15S/85	31.12.1967 25th sess. CPs	None
			II	25.11.1968 23.06.1969	Extension Extension	16S/27 17S/25	30.06.1969 26th sess. CPs	
				20.02.1970	Extension	17S/26	31.12.1970	
14.	Cuba ⁴ ***	Negotiations under Article XXVIII:1	XXVIII	22.11.1951	Orig. dec.	GATT/CP / 130, p.5	7th sess. CPs	Report on negotiations
15.	Cuba ⁵ ***	Import controls during renegotiation of schedule	XI	30.11.1957	Orig. dec.	6S/27	30 days after renegotiation concluded	
16.	Cuba	Provisions of Article XV:6	XV	07.08.1964	Orig. dec.	13S/23	No date	No regular reporting
17.	Czechoslovakia	Provisions of Article XV:6	XV	05.03.1955 30.11.1957	Orig. dec. Amendment	3S/43 6S/28	No date	No regular reporting
18.	Finland ***	Adjustment of specific duties	II	03.03.1955	Orig. dec.	3S/28	04.04.1955	None
19.	France ⁶ ***	Customs union with Italy	XXIV	20.03.1948	Orig. dec.	GATT/1/53 pp. 7-8	No date	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
20.	France ⁷ ***	Trade with the Saar	I	22.11.1957	Orig. dec.	6S/30	When EEC intratrade is duty-free	Annual
21.	France ⁸	Trade with Morocco	I	19.11.1960	Orig. dec.	9S/39	No date	None
22.	Germany ⁷ , Fed. Rep. ***	Trade with the Saar	I	22.11.1957	Orig. dec.	6S/30	When EEC intratrade is duty-free	Annual
23.	Germany, Fed. Rep. ***	Import restrictions	XI	30.05.1959	Orig. dec.	8S/31	Nov. 1962	Annual
24.	Greece ***	Renegotiation of concessions	II	12.11.1959 02.06.1960	Orig. dec. Extension	8S/51 9S/40	16th sess. (Nov. 1959) 17th sess. CPs (Nov. 1960)	None
25.	Haiti ***	Extension of time limit for submission of statement under Article XVIII:12	XVIII	21.03.1950	Orig. dec.	GATT/CP/61, p.5	27.11.1950	None
26.	India ***	Regulatory duty	II	18.04.1972 29.07.1972	Orig. dec. New decision	19S/7 19S/7	30.06.1972 15.05.1973	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
27.	India ***	Auxiliary duty of customs	II	15.11.1973 30.04.1974 05.05.1974 30.07.1976 31.08.1977 28.06.1978 30.04.1979 30.04.1980 13.04.1981 03.05.1982 11.04.1983 16.04.1984 03.06.1985	Orig. dec. Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension	20S/26 21S/25 22S/12 23S/6 24S/14 25S/11 26S/226 27S/11 28S/19 29S/25 30S/9 31S/18 32S/18	31.03.1974 31.03.1975 30.06.1976 30.06.1977 31.03.1978 31.03.1979 31.03.1980 31.03.1981 31.03.1982 31.03.1983 31.03.1984 31.03.1985 31.03.1986	None
28.	India ***	Renegotiation of schedule XII	II	16.03.1973 31.03.1974	Orig. dec. Extension	20S/26 21S/26	30.06.1974 30th sess. CPS	None
29.	Indonesia ***	Renegotiation of schedule	II	10.04.1961 25.07.1961	Orig. dec. Amendment	10S/43 10S/45	09.12.1961 09.12.1961	Annual
30.	Indonesia ⁹ ***	Provisions of Article XV:6	XV	28.02.1966	Orig. dec.	14S/33	No date	No regular reporting
31.	Indonesia ***	Renegotiation of schedule XXI	II	13.11.1973 26.11.1975	Orig. dec. Extension	20S/28 22S/13	31.12.1975 31.12.1976	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
32.	Indonesia ***	Establishment of a new Schedule XXI	II	22.11.1976 29.11.1977 27.11.1978 29.02.1980 25.11.1980 24.11.1981	New decision Extension Extension Extension Extension Extension	23S/9 24S/15 25S/12 27S/12 27S/13 28S/20	31.12.1977 31.12.1978 31.12.1979 31.12.1980 31.12.1981 31.12.1982	Regular reporting
33.	Israel	Establishment of new Schedule XLII	II	03.12.1987	Orig. dec.	34S/29	30.06.1988	None
34.	Italy ***	Measures notified under Article XVIII:11	VIII	13.08.1949	Orig. dec.	GATT/CP/ 32, p.23	No date	None
35.	Italy ***	Imports from Libya	I	26.10.1951 09.10.1952 17.11.1954 25.11.1955 20.11.1958 16.11.1961 25.01.1965 21.11.1967	Orig. dec. Extension Amendment Extension Extension Extension Extension Extension	II/10 1S/14 3S/21 4S/16 7S/34 10S/45 13S/24 15S/85	30.09.1952 31.12.1955 	Annual
36.	Italy ***	Imports from Somalia	I	19.11.1960 01.04.1966 21.11.1967	Orig. dec. Extension Extension	9S/40 14S/34 15S/87	31.12.1965 31.12.1967 30.06.1968 and 31.12.1969	None

No.	Beneficiary	Subject	Article(s) waived	GATT Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
36.	Italy *** (cont'd)			14.01.1970 28.02.1970	Extension Amendment to correct the extension date	17S/27 17S/28	28.02.1970 31.12.1970	
37.	Jamaica	Margins of preference	I	02.03.1971	Orig. dec.	18S/33	No date	None
38.	Luxembourg ¹⁰ ***	Import restrictions on certain agricultural products	XI	03.12.1956	Orig. dec.	4S/27	To be reviewed in 1960	Annual
39.	Malawi ***	Renegotiation of schedule	I II	20.11.1967 19.11.1968	Orig. dec. Extension	15S/89 16S/27	31.12.1968 30.06.1969	None
40.	Malaysia	Establishment of a new Schedule XXXIX	II	03.12.1987	Orig. dec.	34S/30	30.06.1988	None
41.	Netherlands ¹¹ ***	Import restrictions	XVIII	14.09.1948	Orig. dec.	GATT/CP/1 P.33	-	None
42.	New Zealand ¹² ***	Provisions of Article XV:6	XV	20.01.1955 30.11.1957	Orig. dec. Amendment	3S/42 6S/32	No date	No regular reporting

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
43.	New Zealand ***	Renegotiations of Schedule XIII	II	30.11.1957	Orig. dec.	6S/34	Nov. 1958 (end of 13th sess. CPs)	None
				10.11.1958	Extension	7S/36	Nov. 1959 (end of 15th sess. CPs)	
				04.06.1960	New decision	9S/42	31.12.1960	
				18.11.1960	Extension	9S/44	31.12.1961	
				06.12.1961	Extension	10S/46	31.12.1962	
				31.10.1962	Extension	11S/69	31.12.1963	
				31.01.1964	Extension	12S/53	31.12.1964	
44.	New Zealand ¹³ ***	Tariff-free quotas for handicrafts from South Pacific Islands	I	13.11.1973	Orig. dec.	20S/30	31.12.1976	Annual
45.	Nicaragua ¹⁴ ***	Temporary increase in import duties	II	20.11.1959 09.11.1962	Orig. dec. Extension	8S/52 11S/70	30.06.1962 30.11.1963	Annual
46.	Nicaragua ¹⁵ ***	Increase in rates of duty specified in Schedule XXIX	II	23.11.1961 17.03.1965	Orig. dec. Extension	10S/48 13S/26	22.11.1964 23.11.1967	None
47.	Pakistan ***	Flood relief surcharge	II	28.01.1974	Orig. dec.	21S/27	31.12.1974	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
48.	Pakistan	Renegotiation of Schedule	II	29.11.1977 27.11.1979 25.11.1980 24.11.1981 22.11.1982 07.11.1983 30.11.1984 26.11.1985 24.11.1986 03.12.1987	Orig. dec. Extension Extension Extension Extension Extension Extension Extension Extension Extension	24S/15 26S/227 27S/14 28S/21 29S/26 30S/10 31S/19 32S/17 33S/99 34S/34	31.12.1979 31.12.1980 31.12.1981 31.12.1982 31.12.1983 31.12.1984 31.12.1985 31.12.1986 31.12.1987 31.12.1988	None
49.	Peru ***	Import surcharges	I II	21.11.1958 17.11.1959	Orig. dec. Amendment decision	7S/37 8S/56	08.06.1961	Annual
				19.11.1960 06.12.1961	Extension Extension	9S/45 10S/50	08.06.1962 30.04.1963	
50.	Peru ***	Import surcharges	II	20.03.1964	Orig. dec.	12S/54	March 1965 (end of 22nd sess. CPs)	None
51.	Peru ***	Renegotiation of schedule	II	25.03.1965 01.04.1966	Orig. dec. Extension	13S/27 14S/36	31.03.1966 31.12.1966	None
52.	Rhodesia ¹⁶ *** and Nyasaland, Fed. of	Customs tariff and agreements with South Africa and Australia	I	03.12.1955 13.11.1956 20.11.1958 29.05.1959	Orig. dec. Resolution Extension Extension	4S/17 5S/39 7S/40 L/1012	01.07.1958 - 01.07.1959 01.07.1960	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
53.	Rhodesia ¹⁷ *** and Nyasaland, Fed. of	Products of United Kingdom territories	I	19.12.1960	Orig. dec.	9S/47	No date	Annual
54.	South Africa ***	Treatment of Rhodesia and Nyasaland products	I	04.06.1960	Orig. dec.	9S/51	30.06.1965	Annual
55.	Thailand	Establishment of a new Schedule LXXIX	II	03.12.1987	Orig. dec.	34S/31	30.06.1988	None
56.	Turkey ***	Renegotiation of Schedule XXXVII	II	10.11.1960	Orig. dec.	9S/49	18th sess. of CPS	None
				19.05.1961	Extension	10S/51	19th sess. of CPS	
57.	Turkey ***	Renegotiation of Schedule XXXVII	II	22.08.1964 01.04.1966	Orig. dec. Extension	13S/29 14S/36	31.10.1965 30.09.1966	None
58.	Turkey	Stamp duty	II	20.07.1963 11.11.1967	Orig. dec. Amendments to extension	12S/55 15S/90	31.12.1967 31.12.1972	Annual
				24.08.1969	Amendment	17S/28	-	
				30.01.1973	Extension	20S/31	31.05.1973	
				03.07.1973	Extension	20S/32	30.06.1975	
				15.05.1975	Extension	22S/13	31.12.1977	
				17.04.1978	Extension	25S/12	31.12.1979	

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
58.	Turkey (cont'd)			27.11.1979 24.11.1981 21.11.1983 26.11.1985 09.11.1987	Extension Extension Extension Extension Extension	265/228 285/22 305/11 325/18 345/35	31.12.1981 31.12.1983 31.12.1985 31.12.1987 31.12.1989	
59.	United Kingdom ¹⁷ ***	Import restrictions	XVIII	14.09.1948	Orig. dec.	GATT/CP/1 P.33	-	None
60.	United Kingdom ¹⁸ ***	Traditional duty-free items from Commonwealth	I	24.10.1953 05.03.1955	Orig. dec. Amendment	25/20 35/25	No date	Annual
61.	United Kingdom ¹⁹ ***	Problems of dependent overseas territories	I, XVI	05.03.1955	Orig. dec.	35/21	No date	Annual
62.	United States ²⁰ ***	Trust territory of Pacific Islands	I	08.09.1948	Orig. dec.	II/9	No date	None
63.	United States ***	Temporary modification of a concession on potatoes	II	03.04.1950	Orig. dec.	GATT/CP/6/ P.10	15.09.1951	None
64.	United States	Products covered under Agricultural Adjustment Act	II, XI	05.03.1955	Orig. dec.	35/32	No date	Annual

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
65.	United States	Imports of automotive products	I	20.12.1965	Orig. dec.	14S/37	No date	Annual
66.	United States ***	Tariff classification	II	20.07.1963 26.06.1964 30.06.1965 01.12.1965	Orig. dec. Extension Extension Amendment	12S/47 13S/30 14S/43 14S/43	30.06.1964 30.06.1965 30.06.1966	None
67.	United States	Caribbean Basin Economic Recovery Act	I	15.02.1985	Orig. dec.	31S/20	30.09.1995	Annual
68.	Uruguay	Import surcharges	II	08.05.1961 18.03.1964 23.03.1965 14.12.1965 17.11.1967 26.07.1968	Orig. dec. Extension Extension Extension Extension Extension	10S/51 12S/59 13S/31 14S/44 15S/93 16S/28	01.07.1963 31.03.1965 31.12.1965 24th sess. of CPS 30.06.1968 End of last sess. of CPS in 1969	Annual
				20.02.1970 28.08.1970 10.08.1971 19.11.1971 15.07.1972 24.10.1972 22.07.1974	Extension Extension Extension Extension Extension New decision Extension	17S/31 18S/34 18S/35 18S/36 19S/8 19S/9 21S/28	01.08.1970 30.06.1971 27th sess. of CPS 31.05.1972 30.09.1972 30.06.1974 30th sess. of CPS	

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
68.	Uruguay (cont'd)			19.11.1974 09.09.1976 18.07.1978 31.08.1979 25.11.1980 24.11.1981 30.07.1982 22.11.1982 27.06.1983 21.11.1983 16.07.1984 08.07.1985 18.06.1986 20.08.1987	Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension Extension	21S/29 23S/11 25S/14 26S/229 27S/15 28S/23 29S/27 29S/28 30S/13 30S/14 31S/23 32S/20 33S/100 1/6207	30.06.1976 30.06.1978 31.12.1978 31.12.1979 31.12.1981 30.06.1982 31.12.1982 30.06.1983 31.12.1983 30.06.1984 30.06.1985 30.06.1986 30.06.1987 30.06.1988	
69.	Yugoslavia	Establishment of a new Schedule LVII	II	03.12.1987	Orig. dec.	34S/32	30.06.1988	None
70.	Cuba, ¹ Nether- lands ***	Import Restrictions	XVIII	14.09.1948	Orig. dec.	GATT/CP/1 P.34	3rd sess. CPs	None
71.	Lebanon, Syria ***	Measures notified under Article XVIII:11	XVIII	10.08.1949	Orig. dec	GATT/CP/32	21.03.1950	None p.10

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
72.	Cuba, France, Haiti ***	Negotiations under Article XXVIII:1	XXVIII	03.04.1951	Orig. dec.	GATT/CP/ 130 pp. 3-4	01.07.1951	Report on negotiations
73.	All contracting parties ***	Extension of time limit in Article XX:II	XX	30.11.1950	Orig. dec.	GATT/CP/94 P.5 II/28	01.01.1952 01.01.1954	None
74.	Members of the European Coal and Steel Community ***	Coal and steel products	I	10.11.1952	Orig. dec.	1S/17	10.02.1958	Annual
75.	All contracting parties which had maintained import restrictions for balance-of payments reasons ***	"Hard core"	XI	05.03.1955 01.11.1957 05.11.1958 19.11.1959 19.11.1960 08.12.1961	Orig. dec. Extension Extension Extension Extension Extension	3S/38 6S/32 7S/33 8S/27 9S/35 10S/35	31.12.1957 31.12.1958 31.12.1959 31.12.1960 31.12.1961 31.12.1962	None
76.	Australia, Rhodesia and Nyasaland, Fed. of, South Africa ***	Base dates under Article I:4	I	19.11.1960	Orig. dec.	9S/46	No date	None

No.	Beneficiary	Subject	GATT Article(s) waived	Date of Decision	Type of Decision	Reference	Date of expiry	Reporting requirement
77.	All developed contracting parties ***	Generalized system of preferences	I	25.06.1971	Orig. dec.	18S/24	25.06.1981	None
78.	Participants in the "Protocol relating to Trade Negotiations among Developing Countries" ***	Trade negotiations among developing countries	I	26.11.1971	Orig. dec.	18S/26	No date	No regular reporting

EXPLANATORY NOTES

1. The waiver may have become redundant because the tariff preferences are now granted within the framework of the Papua New Guinea/Australia Trade and Commercial Relations Agreement which entered into force on 1 February 1977 and which has been presented to the GATT as a free trade area in the terms of Article XXIV (L/5138).
2. Waiver may have become redundant as from 1 January 1974 on account of introduction by Australia of its GSP Scheme (L/3982).
3. Prior to the decision of 25 November 1968, the waiver was relevant to temporary duty increases inconsistent with Article II. As some of these changes resulted in margins of preference higher than those existing on 10 April 1947, Article I:4 had also to be waived.
4. These waivers were required because of an amendment to Article XXVIII, in paragraph six of the Torquay Protocol, whereby contracting parties waived their right to invoke Article XXVIII:1 prior to 1 January 1954.
5. The waiver was not invoked.
6. A waiver from the provisions of Article XXIV (original text, before the Special Protocol Relating to Article XXIV entered into force) was granted to enable France to enter into a customs union with Italy which at the time was not a contracting party to the GATT. The waiver became redundant as a result of Italy's accession to the GATT.
7. The waiver was granted to France and the Federal Republic of Germany for special treatment applied in their trade relations with the Saar. It expired when EEC intra-trade became duty-free in 1970 (C/M/60).
8. Waiver is applicable for those products not covered by the Cooperation Agreement between the EEC and Morocco (Exchange of letters attached to Final Act, L/4381).
9. The waiver was required because Indonesia ceased to be a member of the IMF. As it resumed membership in 1967 the waiver is no longer required.
10. The waiver is no longer required as Luxembourg liberalised all products covered by the waiver as from 1 May 1970 (L/3452).
11. Dates of expiry do not appear to be relevant to these waivers; the waivers amounted to a post facto sanction of delays by contracting parties, which breached the notification requirement under Article XVIII:6.
12. The waiver was required because New Zealand was neither a member of the IMF nor had entered into a special exchange agreement in terms of the text of the Resolution of 20 June 1949. As New Zealand became a member of the IMF in 1961 the waiver is no longer required.
13. The waiver has expired; the products concerned have been included in New Zealand's GSP scheme (L/4444 and L/4366).

14. The temporary duty increase was terminated for all but two items, in the process of alignment of external customs duties under the Central American Economic Integration (L/2256).

15. The renegotiations required as a consequence of the tariff changes were not carried out.

16. The decision of 20 November 1958, in respect of this waiver, allowed for the extension of preferences granted in the original decision to the Portuguese territories of Mozambique and Angola.

17. It is not clear whether the Government of Zimbabwe continues to grant tariff preferences for these products. Even if it did, the waiver would not appear to be required because of the Enabling Clause.

18. The waiver may no longer be required because the preferences granted by the waiver are now possibly granted within the framework of the EEC's GSP scheme, maintained under the Enabling Clause, and the Lomé Convention, presented to the GATT as an arrangement in the terms of Article XXIV.

19. The waiver may no longer be required because of the Lomé Convention, presented to the GATT as an arrangement in the terms of Article XXIV.

20. The waiver may no longer be required because of the US GSP Scheme, maintained under the Enabling Clause.

21. In the original text of Article XX, there was a provision which allowed contracting parties to maintain, under Part II of the Article, measures which were inconsistent with other provisions of the General Agreement, until such time as the conditions giving rise to them had ceased, and not later than 1 January 1951. The waiver extended the time limit contained in this provision of the Article.

22. The waiver from the base dates under Article I:4, granted to Australia and South Africa, applied only in respect of imports from the Federation of Rhodesia and Nyasaland. The waiver to the Federation of Rhodesia and Nyasaland covered all imports specified in the Decision of 1 July 1955, which introduced new tariff levels. This waiver may no longer be required for Australia and South Africa because such preferences would be covered by the Enabling Clause. The waiver to the Federation of Rhodesia and Nyasaland is now applicable to Malawi which acceded to the GATT under Article XXVI:5(c) and thereby committed itself to the tariff concessions specified in Schedule XVI - Federation of Rhodesia and Nyasaland which constituted from that time Schedule LVIII - Malawi. The Government of Malawi may no longer require the waiver, if all the preferences maintained under it benefit other developing countries.

23. The waiver authorising tariff preferences granted under the Generalised System of Preferences expired on 25 June 1981, but had been superseded in 1979 by the CONTRACTING PARTIES' adoption of the Enabling Clause, under which the GSP preferences may be granted.

24. The waiver may no longer be required on account of the Enabling Clause.