

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Limited Distribution

SIGNATURE OF THE TORQUAY PROTOCOL

Requests for Further Extension of the Time Limit for Signature

1. The time limit for signature of the Torquay Protocol was fixed originally at 21 October 1951, but when the status of the Protocol was reviewed by the Contracting Parties at their Sixth Session, it was found that five contracting parties and two acceding governments would not be able to affix their signatures by that date. Accordingly, the time limit was extended, by a Decision of 24 October 1951, for the governments which were then contracting parties until 31 December, for the Government of the Republic of Korea until 31 March 1952 and for the Government of the Republic of the Philippines until 22 May 1952.
2. Of the original contracting parties, Brazil, Chile and Nicaragua failed to sign the Protocol within the new time limit of 31 December and the Governments of Korea and the Philippines did not sign the Protocol by the final dates fixed for them.
3. A separate Decision of 24 October 1951 granted to the Government of Uruguay an extension to 30 April 1952 for signature of the Ancey and Torquay Protocols. Neither Protocol was signed by Uruguay within the time fixed and no communication has been received from that Government in this connection.
4. Requests for further extension of the time limit have been received from the Governments of Chile, Korea and Philippines and are annexed hereto.
5. On 28 May a draft decision extending the time limit to 15 October 1952 was submitted to the contracting parties for vote by postal ballot (GATT/AIR/20). On 15 July 1952, last day for voting, the results were: 28 contracting parties in favour of the draft decision and none against. The majority requirements having been met, the draft decision is therefore approved and an extension of time to sign the Torquay Protocol up to 15 October 1952 is thereby granted to the Governments of Brazil, Chile, Nicaragua, Korea and the Philippines.

ANNEX

a) Request by the Government of Chile (27 December 1951)

"I have the honour to inform you in accordance with special instructions from my government that the National Congress has not yet approved the Torquay Protocol and that Chile will not be able to ratify the Protocol by 31 December 1952.

"Consequently at the next session of the Contracting Parties, Chile will have to request an extension of the time limit of at least three months to enable it to sign the instrument in question. I should be grateful if you could kindly circulate this statement to contracting parties and to give it any follow-up that might be necessary."

b) Request by the Government of Korea (4 April 1952)

"On the instruction of my Government, I have the honour to forward to you my Government's request that a six-months' extension of time be granted to the Republic of Korea for signing the General Agreement on Tariffs and Trade. This request is necessitated by the current wartime situation which has disrupted our trade relations, thereby making extremely difficult any careful appraisal of the trade problem at this time."

c) Request by the Government of the Philippines (20 May 1952)

"I have the honour to inform you that because of unforeseen developments the Philippines is not as yet in a position to accede to the General Agreement on Tariffs and Trade. Because of its desire to stabilize the economy of the country particularly in anticipation of the difficult years of adjustment coincident with the gradual decline of preferences for Philippine products in the United States market starting from July 4, 1954, the Philippine Government has recently created a Committee on Tariff Revision which has been charged with the task of totally revising the Philippine Tariff Act.

"The present Philippine Tariff Act was passed by the United States Congress as far back as 1909 when the Philippines was still a dependency of the United States. In view of the length of time that has since passed, the changed political relation between the Philippines and the United States, and the more recent changes that have taken place in the economic conditions of the Philippines and the world at large, it has been deemed only proper to make a realistic revision of Philippine tariff law and regulations now in effect in order to make them serve the best interests of the country by providing for its advancement on a more enduring basis.

"Pending completion of the current study being made along this line, therefore, particularly as it might bear on its tariff agreements at Torquay, the Philippine Government has for the present deemed it proper to withhold its accession to the GATT.

"This does not mean that the Philippines is now reversing its official position with respect to the principles for which the GATT has been conceived. It simply means that the Philippines seeks to join it on more stable and permanent terms after taking due account of its present and future economy in relation to those of others thereby precluding unnecessary readjustments which it might later be compelled to make should it prematurely accede to the GATT prior to revising its outmoded tariff.

"In view of the foregoing considerations, the Philippine Government requests the Contracting Parties that the deadline within which it may accede to the GATT be extended further to May 21, 1953, the last day of the next regular session of the Philippine Congress."