

GENERAL AGREEMENT ON TARIFFS AND TRADE

GATT
RESPECTED
DIVISION N. 56/W/3/Rev. 1
17 February 1956
COPIES D'ARCHIVES
NE PAS DÉCOUPER
Special Distribution

TARIFF CONFERENCE - 1956

Tariff Negotiations Working Party

DRAFT PROTOCOL OF SUPPLEMENTARY CONCESSIONS TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE

(Following the preparation of TN.56/W/3 a large number of delegations have indicated their preference for a Protocol which would incorporate the notification procedure referred to in the Note at the end of that document. The following revision of the draft Protocol has therefore been prepared in order to incorporate such a provision. This new paragraph (paragraph 2) has required consequential changes in other paragraphs of the draft Protocol. Paragraph 1 has been completely rewritten, and the former paragraph has not been reproduced herein. Changes in paragraphs 2, 3 and 4 of the previous draft are indicated below by placing deleted words in square brackets and by underlining words that have been added.)

The governments which are contracting parties to the General Agreement on Tariffs and Trade (hereinafter referred to as "the contracting parties" and "the General Agreement" respectively), having agreed upon procedures for the conduct of tariff negotiations by two or more contracting parties under the General Agreement and for putting into effect under the General Agreement the results of such negotiations.

The governments of _____ which are contracting parties to the General Agreement (hereinafter referred to as "negotiating contracting parties") having carried out tariff negotiations under these procedures and being desirous of so giving effect to the results of these negotiations,

IT IS AGREED:

1. The schedule of each negotiating contracting party annexed to this Protocol shall upon its entry into force in accordance with the provisions of paragraph 2 be regarded as a schedule to the General Agreement relating to that contracting party.

2. Subsequent to the signature of this Protocol by a negotiating contracting party the annexed schedule which relates to that contracting party shall enter into force thirty days after notification has been received by the Executive Secretary from that contracting party of its intention to apply its concessions in that schedule or on such earlier date as may be specified by the contracting party giving such notification, and the rates included in that schedule shall except as specified therein then enter into force.

3. Any negotiating contracting party which has signed this Protocol given the notification referred to in paragraph 2 shall be free at any time to withhold or to withdraw in whole or in part any concession provided for in the appropriate schedule annexed to this Protocol, in respect of which such contracting party determines that it was initially negotiated with a negotiating contracting party which has not signed this Protocol, given such notification Provided that

- (i) the negotiating contracting party withholding in whole or in part any such concessions shall give notice to all contracting parties within thirty days after the date of such withholding or withdrawal and, upon request, shall consult with any contracting party having a substantial interest in the product involved;
- (ii) the negotiating contracting party withdrawing in whole or in part any such concessions shall, before taking such action, give not less than thirty days advance notice to all contracting parties as far in advance as may be practicable and, upon request, shall consult with any contracting party having a substantial interest in the product involved; and
- (iii) any concession so withheld or withdrawn shall be applied on and after the thirtieth day following the day upon which the notification referred to in paragraph 2 relating to the a contracting party with which it was initially negotiated signs this Protocol is received by the Executive Secretary.

4. (a) In each case in which Article II of the General Agreement refers 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 , except as otherwise provided in such schedules .

4. (b) A contracting party to which any schedule annexed to this Protocol relates shall upon signature of this Protocol giving the notification referred to in paragraph 2 be deemed to have signed with respect to such schedule the Declaration of 10 March 1955 on the Continued Application of Schedules to the General Agreement.

5. (a) This Protocol shall be deposited with the Executive Secretary and shall be open for signature at the Headquarters of the CONTRACTING PARTIES in Geneva from ____ May 1956 until 31 December 1956.

5. (b) The Executive Secretary shall promptly furnish a certified copy of this Protocol, and a notification of each signature of this Protocol and of each notification referred to in paragraph 2, to each contracting party to the General Agreement.

[Paragraph 4(c) of the model protocol has been omitted in the light of the Resolution of 29 October 1955 (L/447). The Secretary-General of the United Nations has informed the Executive Secretary that the Resolution makes an authorizing paragraph unnecessary in future instruments of the CONTRACTING PARTIES which are hereafter drawn up by them and deposited with the Executive Secretary.]

6. The date of this Protocol shall be _____ May 1956.

DONE at Geneva, in a single copy in the English and French languages, both texts authentic except as otherwise specified in schedules annexed hereto.

Annex

SCHEDULES OF CONTRACTING PARTIES