

AIRGRAM**TÉLÉGRAMME PAR AVION**

GATT/AIR/20

28 MAY 1952

SUBJECT: SIGNATURE OF THE TORQUAY PROTOCOL

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 ALSO THE GOVERNMENTS OF KOREA AND THE PHILIPPINES DID NOT SIGN THE PROTOCOL BY THE FINAL DATES FIXED FOR THEM. CHILE AND KOREA HAVE ASKED FOR A FURTHER EXTENSION OF TIME.

3. THE CONTRACTING PARTIES WILL NO DOUBT WISH TO REVIEW AGAIN THE STATUS OF THIS PROTOCOL DURING THE SEVENTH SESSION AND THEY MAY, MEANWHILE, WISH TO GRANT THE FURTHER EXTENSION OF TIME REQUESTED BY CHILE AND KOREA. ACCORDINGLY I AM SUBMITTING FOR VOTE BY POSTAL BALLOT THE ATTACHED DRAFT DECISION EXTENDING THE TIME FOR SIGNATURE TO 15 OCTOBER 1952. THIS DECISION HAS BEEN DRAFTED SO AS TO ACCORD AN EXTENSION ALSO TO BRAZIL, NICARAGUA AND THE PHILIPPINES TO PROVIDE FOR THE EVENTUALITY THAT THESE GOVERNMENTS MIGHT BE ABLE TO SIGN THE PROTOCOL AND IN ORDER THAT THE STATUS OF THE PROTOCOL MAY BE FINALLY KNOWN AND SETTLED DURING THE SEVENTH SESSION.

4. CONTRACTING PARTIES ARE INVITED TO RECORD THEIR VOTE ON THIS PROPOSED DECISION NOT LATER THAN 15 JULY. AS THIS DECISION IS TAKEN PURSUANT TO ARTICLE XXXIII OF THE AGREEMENT IT REQUIRES A TWO-THIRDS MAJORITY.

E. WYNDHAM WHITE

¹ SEE GATT/CP/112/Add.12

ATTACHMENT

Sent to: Chairman of Contracting Parties
34 contracting parties

Copies to: Usual liaison officers, U.N. representatives, etc.

28 May 1952

DRAFT

DECISION OF - JULY 1952 GRANTING A FURTHER EXTENSION OF
THE TIME LIMIT FOR SIGNATURE OF THE TORQUAY PROTOCOL

CONSIDERING that paragraph 10 of the Torquay Protocol to the General Agreement on Tariffs and Trade provided that the Protocol would be open for signature by contracting parties and acceding governments until 21 October 1951, and that the Decision of 24 October 1951 provided for an extension of this time limit,

CONSIDERING that certain governments were unable to sign the Protocol by the respective dates fixed in the aforementioned Decision, and

CONSIDERING the desirability of affording an opportunity to those governments to sign the Protocol before the status of the Protocol comes up for review by the Contracting Parties at their Seventh Session,

The CONTRACTING PARTIES,

ACTING pursuant to Article XXXIII of the General Agreement,

DECIDE that, notwithstanding the provisions of paragraph 10 of the Torquay Protocol, signature of the Protocol shall be deemed to be effective for all purposes of that Protocol if affixed by the Government of the United States of Brazil, the Government of the Republic of Chile, the Government of the Republic of Korea, the Government of the Republic of Nicaragua or the Government of the Republic of the Philippines not later than 15 October 1952, and

INSTRUCT the Executive Secretary to forward a copy of the present Decision to the Secretary-General of the United Nations.