GENERAL AGREEMENT ON TARIFFS AND TRADE

SUB-COMMITTEE ON SUPERSESSION

REPORT TO THE CONTRACTING PARTIES

Suggestions by the Australian Delegation

1. In order to bring Article XXXII into conformity with the phrasing of Article 17, paragraph 4 (b) it is suggested that line 3 of Article XXXII, paragraph 1 be amended to read:

"provisions of this Agreement under Article XXVI, Article XXXIII or pursuant".

2. Article XXIV of the G.A.T.T. is not suspended on the coming into force of the Charter. Consequently the CONTRACTING PARTIES would retain its functions under this Article after the Charter has come into force and at a time when the I.T.O. would be making discussion under Article 42B.

It is suggested that paragraph 2 (b) of Article XXIX be retained or alternatively that provision also be made in Article XXIX for the suspension of Article XXIV.

3. Article XXIX, paragraph 6 as recommended by the Sub-Committee is written in wide terms. It would apparently relate to the use of Article I or Article II to render ineffective decisions by the I.T.O. under Articles 15 and 13 respectively. It may have a much wider interpretation. If it is intended to refer to positive decisions of the I.T.O. it is suggested that paragraph 6 read:

"No contracting party shall invoke the provisions of this Agreement so as to render ineffective a decision made by the International Trade Organization in accordance with the provisions of the Havana Charter, when it has entered into force".