TARIFF NEGOTIATIONS
Torquay

PREPARATIONS FOR TORQUAY

Note by the Executive Secretary

I - Lists of Offers

In accordance with the timetable laid down in the Memorandum on Tariff Negotiations (GATT/CP/43), governments will shortly receive lists of requests for tariff concessions to be negotiated at Torquay. The receipt of requests will enable a government to prepare its response in the form of lists of offers which it is prepared to make; these offers should be based on the assumption that the requests which it has made upon the other party to the negotiation will be fully met. If a government receives a request from a country to which no request was sent, it may wish to re-examine the possibility of exchanging mutually advantageous concessions, and if it decides to enter into negotiations it should submit a list of requests at the earliest possible date.

It is desirable that lists of offers be drawn up in a standard form; for this purpose the model set out in the Annex hereto may be found useful. In order that negotiations may start promptly after the opening of the Conference on 28 September, it is essential that all lists of offers be completed in advance with a sufficient number of copies (45) for distribution to other participating governments.

II - Negotiations in advance of Torquay

The Memorandum on Tariff Negotiations provides that lists of offers may be submitted to the governments to which they are addressed and that the bilateral negotiations may be commenced prior to the opening of the Conference. Copies of all offers thus exchanged should be supplied to the Secretariat on 28 September for distribution to other participating governments.
III - Exploratory Talks to be completed before Torquay

The date of the Torquay Conference is to be considered as the time for the formal opening of negotiations. Much time was lost in the negotiations at Annecy by delegations holding exploratory talks before exchanging offers.

It may be that governments are experiencing difficulty in obtaining all the information they require to prepare for the negotiations or to determine whether a basis exists in their trade with some countries for the exchange of concessions. In these circumstances governments may wish to hold preliminary consultations, but all such exploratory work should be carried out through diplomatic channels in advance of the Torquay meeting, so that the exchange of offers may take place without delay.

It is expected that some 400 bilateral negotiations will take place at Torquay. In order that the operation will not be protracted over many months it is essential that all participating governments should complete their preparations before the departure of their delegations for Torquay and that delegations should be sufficiently large to be able to carry out a number of negotiations concurrently.

IV - The Opening and Conduct of Negotiations

The Secretariat will propose the appointment of a Tariff Negotiations Committee as the managing body of the Conference. Draft rules of procedure for this committee will be distributed later. The Committee will probably wish to appoint a Tariff Negotiations Working Party to superintend the negotiations and to ensure administrative coordination.

The Working Party will arrange for each delegation to hold its first meeting with each other delegation with which it intends to negotiate. All first meetings should take place during the first week of the Conference. At each first meeting the two delegations will formally enter into negotiation by exchanging the offers prepared by their governments in response to the requests received. Thereafter, each pair of delegations will be expected to proceed with the negotiation as quickly as possible. The delegations will fix the times for their meetings and the Conference Secretariat will allocate the meeting rooms; the Working Party will exercise general supervision over the scheduling of meetings.

As each bilateral negotiation is completed the results will be announced to other participating governments, but these results will not be regarded as final until the end of the Conference when the results of all other negotiations are known. This procedure will allow delegations to conclude negotiations on a provisional basis subject to review in the light of the indirect benefits which they will receive through the conclusion of negotiations between other pairs of countries affecting the rates of duty on products of which they are not the principal suppliers.
V - Modification of Existing Schedules

Rules for negotiations to modify treatment provided for in the existing schedules to the General Agreement were drawn up by the Contracting Parties at their Fourth Session (GATT/CP.4/25). Notification of the desire to modify a concession provided for in an existing schedule should be sent to the contracting party with which the concession was initially negotiated (and as far as possible to the other contracting parties believed to be substantially interested) by 1 August 1950. Each notification should be accompanied by a statement of compensatory adjustments which may be offered. Forty-five copies of each notification are to be sent to the Secretariat for distribution to other participating governments.

VI - The Final Act of Torquay

The tariff concessions agreed upon at Torquay will be incorporated in the General Agreement by means of appropriate instruments, drafts of which will be distributed in advance of the Conference. It is proposed that a Final Act, which will authenticate the texts of instruments to cover the following points, be prepared for signature at the conclusion of the Conference:

(1) a protocol to provide (a) for the accession of governments which are not yet contracting parties, and (b) for the bringing into force of the concessions negotiated at Torquay with and by the acceding governments (which are to remain valid until 1 January 1954) and the additional concessions negotiated by pairs of contracting parties;

(2) a protocol modifying Article XXVIII to prolong the assured life of the Genova and Annecy concessions until 1 January 1954, so that they shall remain valid for the same period as the new concessions negotiated at Torquay;

(3) a declaration by which the present contracting parties will waive their right to modify their Genova and Annecy Schedules prior to 1 January 1954. Annexed to this declaration will be the modifications of the Genova and Annecy Schedules negotiated at Torquay under the procedure provided for in Article XXVIII.
VII - **Powers of Representatives**

As the Final Act will do no more than authenticate the texts of the instruments described above, participating governments should be prepared to append their signatures at the conclusion of the Conference. Representatives at Torquay should be in possession of powers, issued by or on behalf of their Ministers of Foreign Affairs, authorising them to participate in the negotiations and to sign, either finally or ad referendum in accordance with their constitutional requirements, the Final Act and any other instrument submitted for signature. In particular, the representatives of contracting parties should have powers to sign the aforementioned declaration and, if possible, the protocol prolonging the assured life of the existing schedules.
GENERAL AGREEMENT ON TARIFFS AND TRADE

TARIFF NEGOTIATIONS 1950

LIST OF OFFERS

<table>
<thead>
<tr>
<th>Tariff Item Numbers</th>
<th>Description of Products</th>
<th>Present Rates of Concessions Duty</th>
<th>Concessions Requested</th>
<th>Concessions Offered</th>
</tr>
</thead>
</table>

Tariff Concessions offered by the Government of .................
in response to requests received from the Government of ..........
(Based on the assumption that all concessions requested by the
former are fully met)

1 Each page should be marked "SECRET"
2 In addition, the statistical number may be indicated
3 Indicate the unit of measurement or "ad valorem"