CREDENTIALS

Note by the Executive Secretary

I. Credentials to participate in the Torquay Tariff Negotiations

In order to take part in the tariff negotiations, credentials in the form of a communication from or on behalf of the Minister of Foreign Affairs (or the Head of State or the Prime Minister) appointing the representatives are required. Such credentials would be adequate to sign the Final Act since this only authenticates the texts of the documents embodying the results of the Conference.

All the delegations of countries participating in the tariff negotiations have deposited with the Secretariat credentials enabling them to participate in those negotiations with the exception of Brazil, Burma and Liberia whose credentials will be deposited shortly. The credentials of the Australian delegation, however, are not strictly in conformity with the rules of procedure of the Tariff Conference and they have advised the Secretariat that a formal communication will be submitted to the Executive Secretary before the end of the Conference.

In the case of Korea and Turkey, the credentials are in the form of a telegram sent by the Minister of Foreign Affairs, and it would be desirable to obtain formal confirmation of these telegrams.

II. Powers to sign the Torquay Protocol and the Declaration

Full powers (in the form of a communication from the Foreign Minister, Prime Minister, or Head of State, specifically authorizing signature) will be necessary to sign these instruments, and the following delegations have already deposited with the Secretariat full powers to sign any instrument drawn up at this Conference:

Denmark
Dominican Republic
Finland
Greece
Haiti
Netherlands
New Zealand
Peru
Philippines
Southern Rhodesia
United Kingdom
Uruguay

Some of these powers are qualified as ad referendum. Insofar as this means that signature would be ad referendum to the executive authority and equivalent only to initialling the text, such a signature is provided for in the Final Act and would, therefore, be inadequate for the Protocol. Where the reservation refers to subsequent ratification and does not prevent a government from affixing a binding signature as a contracting party pursuant to the Protocol of Provisional application, the full powers are considered to be adequate. If any questions arise at the time of signature of the Protocol as to the scope of the powers of any delegation, a small credentials committee will be set up to investigate the matter before the signature ceremony.

(1) Full powers are not necessary to sign the Final Act. See paragraph 1.
III. Decisions under Article XXXIII relating to the Accession to the General Agreement

Strictly speaking, full powers are not required to accept the decisions taken by Contracting Parties. However, as it is contemplated that these decisions are to be deposited with the Secretary-General of the United Nations, it would be desirable that full powers be produced by the delegations which intend to sign these decisions at Torquay, in view of the fact that such credentials would normally be required of those contracting parties which sign the Declaration at the Headquarters of the United Nations.