Tariff Negotiations
Torquay

NEGOTIATIONS UNDER ARTICLE XXVIII
Benelux

There is herewith circulated a letter addressed to the Executive Secretary by the Benelux Delegations:

"With reference to our letters of the 6th October 1950 (TS/15) and 25th October 1950 (123/Sch), in which we informed you of the proposal by the Governments of the Benelux Countries to modify the concession contained in Section A of Schedule II in respect of backpedal brake gear (tariff item 896 b ex 1), we have the honour to inform you that the Governments of the Benelux Countries have given further consideration to their proposal in the light of the discussion at the 24th Meeting, on 15th December last, of the Contracting Parties (pages 5 and 6 of Document GATT/CP.5/SR.24) of the proposed reservation by the Australian Delegation to the proposal to extend to 1st January, 1954, the date by which a contracting party would be free to avail itself of the provisions of Article XXVIII of the G.A.T.T. in order to modify any of the concessions contained in its Geneva or Annecy Schedules.

"In this connection we have to state that the Governments of the Benelux Countries have received an application from the domestic manufacturers concerned for a review of the tariff on backpedal brake gear. Until this review has been completed the Governments of the Benelux Countries will not be in a position to decide whether any and, if so, what alteration in the present rate of duty is required. Their purpose in proposing a modification at this time in their commitment on backpedal brake gear was to secure sufficient latitude to enable them to adjust the current rate of duty in case they should decide, as a result of the tariff review referred to above, to increase the rate beyond the limit of the present commitment before the 1st January, 1954.

"In these circumstances the Governments of the Benelux Countries would be prepared, for their part and for the time being, not to apply Article XXVIII in respect of this product and eventually even to revalidate their present commitment, subject to their overall policy, provided they could have the assurance that, if and when they should decide that an adjustment in the commitment is necessary to enable them to implement the result of the tariff review referred to above, the Contracting Parties would give sympathetic consideration to a request by the Governments of the Benelux Countries for an opportunity, before the 1st January, 1954, to negotiate, in accordance with the procedures of Article XXVIII of the G.A.T.T., the necessary adjustment in the commitment. They assume that, in accordance with their practice on previous occasions when a contracting party has made a request of this kind and having regard to the facility which has been accorded to the Governments of Australia and Pakistan, the Contracting Parties would be prepared to give sympathetic consideration to such a request by the Governments of the Benelux Countries,"
"We have to add that this matter has been discussed with the United Kingdom Delegation as representing the contracting party with whom the concession was initially negotiated and that they, for their part, would be prepared to accept the procedure outlined in paragraph 3 above.

"We should be grateful if you would arrange for copies of this letter to be circulated as a secret document to the Delegations participating in the present Conference."