CONSIDERING that the CONTRACTING PARTIES, by Decision of 21 November 1958 and subject to specified terms and procedures, waived certain provisions of Article I and Article II of the General Agreement on Tariffs and Trade to the extent necessary to allow the Government of Peru to maintain, as an emergency measure designed to overcome the existing threat to its monetary reserves and to ensure the success of its stabilization programme, surcharges under the Peruvian Law of 5 May 1958 additional to the specific duties provided for in Schedule XXXV, and to exempt from those surcharges products originating in countries with which Peru is entitled under the General Agreement to maintain preferential arrangements;

CONSIDERING that the Government of Peru has, pursuant to the Peruvian Law of 7 April 1959, and for the same purpose, imposed further surcharges additional to the ad valorem duties on products not provided for in Schedule XXXV, but has exempted from these surcharges products originating in countries with which Peru is entitled to maintain preferential arrangements in accordance with paragraph 2(d) of Article I of the General Agreement;

CONSIDERING that the Government of Peru has expressed its intention to refuse or eliminate the surcharges pursuant to the Law of 7 April 1959 as soon as possible; and

CONSIDERING that the International Monetary Fund has confirmed that Peru's net gold and foreign exchange position has further deteriorated and that reserves remain very low;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 of the General Agreement, in accordance with procedures adopted by them on 1 November 1956, and on the basis of the considerations set forth in their Decision of 21 November 1958:

DECIDE that their Decision of 21 November 1958 is amended as follows:

A. By substituting the following language for the paragraph of the Decision and for the heading and first paragraph of the Terms and Conditions:
"DECRDE to waive the provisions of paragraph 4 of Article I and of paragraph 1 of Article II to the extent necessary to allow the Government of Peru as an emergency measure designed to overcome the existing threat to its monetary reserves and to ensure the success of its stabilization programme:

"(a) To maintain surcharges not in excess of the maxima laid down in the Peruvian Law of 5 May 1958 additional to the specific duties provided for in Schedule XXXV, and to exempt from these surcharges products originating in countries with which Peru is entitled to maintain preferential arrangements in accordance with paragraph 2(d) of Article I of the General Agreement.

"(b) To exempt imports of the products originating in the latter countries and covered by the Peruvian Tariff Items enumerated in the Annex to this Decision from surcharges imposed, pursuant to the Law of 7 April 1959, at rates not exceeding the rates specified for such products in the Annex.

"1. This Decision is subject to the terms and conditions set forth in the following paragraphs."

B. By adding the following Annex at the end of the Decision:

ANNEX

20 per cent ad valorem

Tariff Item Numbers 81; 82; 83; 86; 87; 88; 91; 92; 176; 179; 183; 226; 227; 3009

10 per cent ad valorem

Tariff Item Numbers 195; 196; 197; 198; 199; 201; 202; 203; 204; 207; 3166; 3166A