MALAWI SCHEDULE — RENEGOTIATION

Decision of 20 November 1967

Considering that the Government of Malawi acceded to the General Agreement on Tariffs and Trade pursuant to paragraph 5(c) of Article XXVI and thereby committed itself to the tariff concessions specified in Schedule XVI — Federation of Rhodesia and Nyasaland which constituted from that time Schedule LVIII — Malawi;

Considering that the Government of Malawi after careful study put into force on 1 January 1967, a new customs tariff drawn up in accordance with the Brussels Nomenclature which, in its view, more closely reflects its economic situation and its plans for economic development;

Considering that the new customs tariff in some instances involves increases in rates of duty bound in Schedule LVIII — Malawi, and also involves increases in margins of preference;

Considering that the Government of Malawi considers it necessary to gain some experience of the operation of its customs tariff and so have time to renegotiate existing trade agreements before this tariff is submitted to the CONTRACTING PARTIES for examination and before starting the renegotiation of increased duties which are at present bound in Schedule LVIII — Malawi;

The CONTRACTING PARTIES, acting pursuant to the provisions of Article XXV:5 of the General Agreement and in accordance with the procedures adopted by them on 1 November 1956,

Decide, in view of the exceptional circumstances, to suspend the application of the provisions of Articles I and II of the General Agreement to the extent necessary to enable the Government of Malawi to apply new rates of duty, pending examination by the CONTRACTING PARTIES of the new customs tariff and conclusion of renegotiations for the modification or withdrawal of concessions in Schedule LVIII — Malawi; subject to the following conditions:

1. The Government of Malawi shall, as soon as it is in a position to do so, notify the CONTRACTING PARTIES that it is ready to initiate renegotiations and submit a list of the bound duties it has modified or withdrawn, together with appropriate statistical and other relevant documentation.

2. The Government of Malawi will thereafter enter into negotiations or consultations with interested contracting parties following the rules and procedures contained in paragraphs 1 to 3 of Article XXVIII. These negotiations or consultations shall be completed by 31 December 1968.
3. Pending the entry into force of the results of the negotiations or consultations mentioned above, the other contracting parties will be free to suspend concessions in which Malawi has initial negotiating rights to the extent that they consider that adequate compensation is not offered within a reasonable time by the Government of Malawi (subject to the right of any third contracting party having a principal supplying interest or a substantial interest therein to withdraw substantially equivalent concessions initially negotiated with such other contracting parties).

4. As soon as practicable, but not later than 31 December 1968, the CONTRACTING PARTIES shall examine the extent and nature of any changes in preferential margins arising out of the new customs tariff.