SUB-GROUP A OF WORKING PARTY IV

PART II - STRUCTURE OF THE ORGANIZATION

Article 4
The Organization shall consist of an Assembly and a Council. There shall also be an Executive Secretary and a Staff.

The Assembly

Article 5
The Assembly shall consist of the members of the Organization.

Article 6
It shall be the responsibility of the Assembly to carry out the functions of the Organization as set forth in Article 3.

Article 7
The Assembly shall meet in regular annual session and in such special sessions as may be convened in accordance with the rules of procedure.

Article 8
The Assembly shall establish its own rules of procedure and the rules of procedure of the Council and of subsidiary bodies.

The Council

Article 9
The Council shall consist of 16 members of the Organization elected by the Assembly.

Article 10
(a) The Council shall include the members of chief economic importance, in the determination of which particular regard shall be paid to their shares in international trade.

1The United Kingdom reserves its position.

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(b) The Council shall be representative of the broad geographical areas to which the members belong.

(c) The Council shall be representative of different degrees of economic development and different economic interests.

Article 11

The Council shall exercise the powers and perform the duties assigned to it by the Assembly.

Article 12

Any member of the Organization which is not a member of the Council shall be invited to participate, without the right to vote, in the discussion by the Council of any matter of particular concern to it.

The Executive Secretary and the Staff

Article 13

The Assembly shall appoint an Executive Secretary as chief administrative officer of the Organization. The powers, duties, conditions of service and terms of office of the Executive Secretary shall conform to regulations approved by the Assembly.

Article 14

The Executive Secretary shall appoint members of the staff and shall fix their duties and conditions of service in accordance with regulations approved by the Assembly.

Article 15

The Executive Secretary or his representative shall be entitled to participate, without the right to vote, in all meetings of the Assembly and subsidiary bodies of the Organization.

Article 16

The Executive Secretary and the members of the staff shall have the status of international officials. In carrying out their duties they shall neither solicit nor accept instructions from any government or any authority outside the Organization. They shall refrain from any act incompatible with their position as international officials. Member states shall respect the international status of these officials and shall not seek to influence them in the carrying out of their duties.

1 Chile reserves its position that any assignments of powers from the Assembly should be by a two-thirds vote. This was proposed by the United States.

2 The United States reserves its position.
Article 17

The selection of the members of the staff shall as far as possible be made on a wide geographical basis and with due regard to the various types of economy represented by Member countries. The paramount consideration in the selection of candidates and in determining the conditions of service of the staff shall be the necessity of securing the highest standards of efficiency, competence, impartiality and integrity.

Voting

Article 18

At meetings of the Assembly each member of the Organization shall be entitled to have one vote and, except as otherwise provided for in the General Agreement or in this Agreement, decisions of the Assembly shall be taken by a majority of the votes cast.

Members of the Council and other subsidiary bodies shall have one vote therein.

In the exercise by the Organization of any function under the General Agreement, unless such agreement provides otherwise, only Members which are also parties to such agreement shall be counted thereunder in determining the fulfilment of the respective voting requirements.

PART III - BUDGET AND ADMINISTRATIVE PROVISIONS

Budget

Article 19

The General Secretary shall present to the Assembly the annual budget estimates and financial statements of the Organization. The Assembly shall approve the accounts and the budget. It shall apportion the expenditures of the Organization among the members in accordance with a scale of contributions to be fixed by the Assembly, and each member shall contribute promptly to the Organization its share of these expenditures. The Assembly shall take necessary measures to ensure that the contributions are paid by all members.

1 The United States reserves its position.
2 See the note to Article 11.
3 Consideration by the sub-group of this paragraph, proposed by the United States, is awaiting its consideration of membership.
Relations with other organizations

Article 20

The Organization shall make arrangements with intergovernmental bodies and agencies which have related responsibilities to provide for effective co-operation and the avoidance of unnecessary duplication of activities.

Article 21

In pursuance of the provisions of the preceding Article, the Organization may, by an agreement approved by the Assembly, be brought into relationship with the United Nations, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations.

Article 22

The Organization may make suitable arrangements for consultation and co-operation with non-governmental organizations concerned with matters within the scope of the Organization.

Status

Article 23

The Organization shall have legal personality and shall enjoy in the territory of each of the members such legal capacity, privileges and immunities as may be necessary for the exercise of its functions.

Article 24

The representatives of the members and the officials of the Organization shall similarly enjoy such privileges and immunities as may be necessary for the independent exercise of their functions in connection with the Organization.

Article 25

The privileges and immunities of the Organization, representatives and officials shall be similar to those accorded by members to specialized agencies of the United Nations under the Convention on the Privileges and Immunities of the United Nations.

PART IV - SPECIAL FUNCTIONS RELATING TO THE GENERAL AGREEMENT

Article 26

In exceptional circumstances, not provided for in this Agreement or in the General Agreement, the Assembly may waive an obligation imposed upon a contracting party by the General Agreement; provided that any such decision shall be approved by a two-thirds majority of the votes cast and that such majority shall comprise more than half of the members.

The United States reserves its position.
The Assembly may also by such a vote (i) define certain categories of exceptional circumstances to which other voting requirements shall apply for the waiver of obligations imposed by the General Agreement upon a contracting party thereto, and (ii) prescribe such criteria as may be necessary for the application of this Article.