THIRD COMMITTEE: COMMERCIAL POLICY

SUB-COMMITTEE D (ARTICLES 4C, 4I AND 43)

NOTES ON FOURTH MEETING

Held Saturday, 10 January 1948, 5.45 p.m.


Chairman: Mr. R. J. SHACKLE (United Kingdom)

ARTICLE 43, PARAGRAPH I

New Item (Turkey): The representative of the International Monetary Fund made a statement to the effect that in his view under Section 3 of Article VI of the Articles of Agreement of the Fund and paragraph 9 (b) of Article 24 of the Charter, quantitative restrictions on goods including platinum were permitted as part of legitimate exchange control arrangements. The delegate of Turkey stated that he would raise the matter in connection with the balance of payments provisions.

Item 24 (Cuba): The delegate of Cuba not being present, discussion was deferred.

New Item (Netherlands): The delegate of the Netherlands having explained the amendment, it was pointed out that the protection of plant and livestock breeders' rights, insofar as royalties were concerned, was a matter for an international convention, and that the authorization of export prohibitions, if this was the aim of the proposal, would not be achieved by its inclusion in sub-paragraph (d). The delegate of Netherlands having entered a provisional reservation, it was decided to defer discussion until the next meeting at which a FAO representative would be asked to attend.

Item 25 (Australia): No representative of Australia attended.

New Item (Committee V): Following the recommendation of Committee V, it was decided to insert, after sub-paragraph (g), a new sub-paragraph as follows:

"undertaken in pursuance of any inter-governmental agreement relating solely to the conservation of fisheries resources, migratory birds and wild animals; Provided, that these measures comply with the requirements of paragraph 1 (d) of Article 67,"

/and to include
and to include a note in the report to the effect that the Central Drafting Committee should examine the drafting as well as the question whether the purpose of the provision had to be expressed in a separate sub-paragraph or might be incorporated in the present sub-paragraph (h).

**New Item (Committee V):** The recommended drafting change was adopted, sub-paragraph (h) to read as follows:

"(h). undertaken in pursuance of obligations under the terms of inter-governmental commodity agreements concluded in accordance with....."

It was agreed to include in the Report a note making this change subject to review by the Central Drafting Committee.

**New Item (Iraq):** In connection with sub-paragraph (d), the delegate of Iraq suggested that the Sub-Committee make a recommendation for a provision to be included in the Charter, authorizing the Organization to ask members to co-operate in respect of measures to prevent smuggling. The Sub-Committee felt that it was not competent to deal with the proposal which was outside the scope of Section F. The delegate of Iraq did not insist on the proposal, but reserved the right to raise it in relation to the appropriate Section of the Charter.