Correction
E/PC/T/C.6/79, Page 1. Delete the sentence beginning with "Another footnote..." and insert:

"The Sub-Committee considered a text based on the suggestion of the United Kingdom Delegation (E/PC/T/C.6/W.15) and prepared by Mr. LEDDY (United States), at its request. The following text, to be incorporated in the general agreement as a second footnote to paragraph 1 (E/PC/T/C.6/W.58) was approved."

The Sub-Committee continued discussion on Article XX

At the suggestion of Mr. SHACKLE (United Kingdom) it was agreed to amend paragraphs 1 and 6 of this Article to read:

"Paragraph 1. An Interim Trade Committee is hereby established, on which each contracting party shall have one representative".

"Paragraph 6. As soon as the International Trade Organization has been established and is capable of exercising its functions, the Committee may be dissolved by the procedure laid down in paragraph 3 of Article XXI and its assets and functions transferred to the International Trade Organization".

Article XXI

The following text, presented by the United Kingdom Delegate, was approved for incorporation in the General Agreement:
"Article XXI. Amendments, Revisions and Termination

1. This Agreement may be amended or revised, by the procedure laid down in paragraph 3 of this Article, in the light of the provisions of the Charter for the International Trade Organization, drafted by the International Conference on Trade and Employment, or otherwise.

2. In the event of the dissolution of the Committee under paragraph 6 of Article XX, this Agreement shall be terminated, provided that those contracting parties which become Members of the International Trade Organization may provide that such obligations under this Agreement as they may specify shall continue in force between themselves as part of the relevant provisions of the Charter of the International Trade Organization.

3. A decision of the Committee to amend, revise or terminate this Agreement under this Article or to dissolve the Committee under Article XX (6) shall become effective upon its formal acceptance by two-thirds of the contracting parties, communicated to the Secretary-General of the United Nations within one month of the date of the meeting at which the decision was taken.

4. Any contracting party, which does not communicate its acceptance of such decision within the time specified, shall cease to be a member of the Committee and a party to this Agreement provided that it may be re-admitted with the concurrence of all the contracting parties, which have accepted such decision, upon such conditions as they may prescribe."

Article XXII (S/PC/T/C.6/W.58)

Paragraphs 1, 2 and 3 of this Article were approved.

Paragraph 4, line 2: The words "the oversea" and the square brackets enclosing the words "such other" were deleted.

Paragraph 4, line 5: The words "the Agreement" were replaced by "this Agreement".

Paragraph 5, line 3: Square brackets enclosing the word "subsidiary" and the word "local" were deleted.

Paragraph 6:
Paragraph 6: The Secretariat was requested to re-draft this paragraph in accordance with the revised wording of Article 89 of the Charter.

The Sub-Committee approved of the incorporation of Article XXII in the General Agreement. Mr. GARCIA DE SOUZA (Brazil), supported by Mr. FRESQUET (Cuba), suggested that a new paragraph with a wording similar to that of I. B. in document E/PC/T/C.6/V.40 should be added to this Article. The two Delegates reserved the position of their Governments on this question.

Article XIII (E/PC/T/C.6/65)

The Article was amended to read:

"The Committee shall evolve procedures under which not parties to this Agreement may accept it on terms to be agreed between such governments and the Committee".

The Sub-Committee agreed to incorporate the Article as re-drafted in the General Agreement.

Interpretation and Settlement of Disputes

The Sub-Committee considered the question of incorporating an article covering interpretation and settlement of disputes in the General Agreement in the light of document E/PC/T/C.6/65/Rev.2, page 5. The following text was approved for incorporation in the General Agreement.

"1. Texts of this Agreement in the official languages of the United Nations shall be regarded as equally authoritative.

"2. Any dispute arising out of the interpretation or operation of this Agreement shall be referred to the Committee which shall deal with it in such manner as it deems appropriate."

The CHAIRMAN introduced a white paper giving a tentative re-draft of "The Protocol to the General Agreement on Tariffs and Trade" (formerly called the "Declaration").

Mr. MAYER (Czechoslovakia) pointed out the danger involved in dividing the Charter into two parts, the one effectively binding the contracting parties and the other only binding them to the fullest extent of their executive authority.
The text of the Protocol, as drafted by a small drafting group, was approved by the Sub-Committee. In the absence of instructions from his Government, Mr. BAYER (Czechoslovakia) wished to reserve his position on this text.

The Preamble to the General Agreement on Tariffs and Trade

The Preamble was discussed on the basis of the papers submitted by the United States Delegation (E/PC/T/C.6/W.58) and the Secretariat (E/PC/T/C.5/65/Rev.2). The Secretariat was requested to prepare a re-draft of the Preamble in the light of the discussion of the Sub-Committee. It was understood that the re-draft should cover Article VII (E/PC/T/C.6/W.58) which previously was provisionally deleted from the Articles of the General Agreement.

Article 4 of the Charter

The CHAIRMAN reminded the Sub-Committee of its previous decision to incorporate this Article in the General Agreement and drew attention to document E/PC/T/C.6/W.68 containing Article 4 as re-drafted by the Legal Drafting Sub-Committee. Mr. LENNY (United States) maintained his reservation with regard to the incorporation of Article 4.

Article 12 of the Charter

The Delegates for Brazil, China and Cuba suggested that this Article should be incorporated in the General Agreement. As the Sub-Committee maintained its decision not to include this Article, the three Delegates reserved the position of their Governments.

Article XIII (Article 30 of the Charter)

Mr. WHITE (New Zealand) and Mr. GARCIA DE SOUZA (Brazil) were of the opinion that provisions relating to the elimination of export subsidies should be inserted in this Article and reserved the position of their Governments on this question.

The Sub-Committee agreed that there would need to be some provision made for the provisional generalization to the trade of governments not parties to the General Agreement of the tariff concessions granted under the Agreement pending consideration by the International Conference of the question whether...
benefits under the Charter should be extended to non-Members of the organization.
However, as the Drafting Committee had not considered the terms of Article 36 of the Charter relating to non-Members, it was decided to defer consideration of this question until a later stage.

The CHAIRMAN requested the Secretariat to prepare a draft of the General Agreement which will be considered by the Sub-Committee at its next meeting on 18 February, at 2:45 p.m.