

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

AIR/W/33

2 September 1982

Special Distribution

Agreement on Trade in Civil Aircraft

MODIFICATION AND RECTIFICATION TO THE ANNEX TO THE AGREEMENT

Note by the Secretariat

This note is in response to a request by the Committee on Trade in Civil Aircraft (AIR/M/8).

The secretariat envisages as follows the application, mutatis mutandis, of the Procedures for Modification and Rectification of Schedules (BISD/27S, p.25) to the Annex to the Aircraft Agreement:

1. Changes in the authentic text of the Annex to the Agreement which reflect modifications resulting from negotiations under Article 8.3 or any other relevant Article of the Aircraft Agreement, or any relevant Article of the General Agreement, shall be made by means of Certification. A draft of such changes shall be communicated to the Director-General within three months after the action is completed.
2. Changes in the authentic text of the Lists in the Annex shall be made when amendments or rearrangements which do not alter the scope of an item are introduced in a Signatory's national customs tariff. Such changes and other rectifications of a purely formal character shall be made by means of Certification. A draft of such changes shall be communicated to the Director-General as soon as circumstances permit, but not later than six months after amendment or rearrangement of the national customs tariff.
3. The draft containing changes described above shall be circulated by the Director-General to all Signatories and contracting parties, and shall become a Certification provided no objection has been raised by a Signatory within three months on the grounds that, in the case of changes described in paragraph 1, the draft does not correctly reflect the modification or, in the case of changes described in paragraph 2, the proposed rectification is not within the terms of that paragraph.

It is proposed to circulate changes in draft form in the AIR/ document series.

A sample Certification is attached.

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Because the Lists in the Annex are short, it is proposed that Certification of Changes to any one of the three Lists, be made in consolidated form, i.e. the Certification would reproduce the complete List concerned. For instance, final Certification of changes requested in document AIR/34 would consist of the full "List of Items from the Tariff Schedules of the United States"; it would not reproduce the unchanged Canadian or CCCN Lists.

Sample Certification

ANNEX TO THE AGREEMENT ON TRADE IN CIVIL AIRCRAFT

CERTIFICATION OF MODIFICATIONS AND RECTIFICATIONS

WHEREAS the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade adopted, on 26 March 1980, a Decision on Procedures for Modification and Rectification of Schedules of Tariff Concessions;

WHEREAS the Signatories to the Agreement on Trade in Civil Aircraft decided, on 17 December 1980, to apply these Procedures, mutatis mutandis, in respect of the Annex to the Agreement;

WHEREAS in accordance with the provisions of the above-mentioned Decisions a draft containing [modifications] [rectifications] to the Annex has been communicated to all the Signatories and contracting parties with document of, and no objection has been raised by any Signatory within the prescribed time-limit;

IT IS HEREBY CERTIFIED that the attached [e.g. "List of Items from the Tariff Schedules of the United States"] is established in conformity with paragraph 3 of the Decision of 26 March 1980, and constitutes the [consolidated] authentic text of that part of the Annex to the Agreement on Trade in Civil Aircraft;

This certification is deposited with the Director-General to the CONTRACTING PARTIES, who shall promptly furnish a certified true copy to each Signatory to the Agreement on Trade in Civil Aircraft and to each contracting party to the General Agreement. It shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this [thirtieth day of June one thousand nine hundred and eighty one.]

Authentic text

A. Dunkel
Director-General