MULTILATERAL

PROTOCOL AMENDING THE CONVENTION CONCERNING THE CREATION OF AN INTERNATIONAL UNION FOR PUBLICATION OF CUSTOMS TARIFFS AS WELL AS THE REGULATIONS FOR THE EXECUTION INSTITUTING AN...

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Note: The Convention was concurred in by the Senate, S.R. No. 23, May 18, 1950. The Philippine instrument of acceptance was signed by the President, June 29, 1950 and was deposited with the Brussels Government, July 26, 1950. The Convention as amended entered into force. May 5, 1950 and with respect to the Philippines, August 26, 1950.

Reference: The Convention is also published in 107 LNTS, p. 564. The amended Convention is published in 72 UNTS, p. 3.

The Representatives of the signatory Governments:

CONVINCED of the importance of the work of the International Bureau for the Publication of Customs Tariffs instituted by the Convention of July 5, 1890,

CONSIDERING that the funds authorized by the said Convention are not sufficient to enable the Bureau to carry out its task adequately,

DULY authorized, HEREBY AGREE to make the following modifications to the Convention of July 5, 1890, concerning the creation of an international Union for the Publication of Customs Tariffs and to the Regulations for the execution of the Convention instituting an International Bureau for the Publication of Customs Tariffs as well as the memorandum of signature:

CONVENTION OF JULY 5, 1890, CONCERNING THE CREATION OF AN INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS.

Articles 8 to 10 are replaced by the following articles:

ARTICLE 8

The annual budget of expenditure of the International Bureau is fixed at the maximum figure of 500,000 gold francs.

ARTICLE 9

With the view of fairly assessing the contributive share of the Contracting States, these will be divided according to the amount of their respective trade, into seven classes each contributing in the proportion of a certain number of units, namely:

1st Class. Countries whose trade regularly amounts to more than 5,000 millions of gold francs: 53 units.

2nd Class. Countries whose trade regularly amounts from 3,000 to 5,000 millions of gold francs: 36.5 units

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3rd Class. Countries whose trade regularly amounts from 1,500 to 3,000 millions of gold francs: 25 units.

4th Class. Countries whose trade regularly amounts from 500 to 1,500 millions of gold francs: 20 units.

5th Class. Countries whose trade regularly amounts from 300 to 500 millions of gold francs: 13 units

6th Class. Countries whose trade regularly amounts from 100 to 300 millions of gold francs: 8 units.

7th Class. Countries whose trade regularly amounts to less than 100 millions of gold francs: 3 units.

ARTICLE 10

In regard to countries whose language will not be used by the International Bureau the foregoing figures will respectively be reduced by two-fifths, so that they will stand namely:

For the 1st class: at 21.8 units
For the 2nd class: at 21.9 units
For the 3rd class: at 15 units
For the 4th class; at 12 units
For the 5th class: at 8 units
For the 6th class: at 5 units
For the 7th class: at 1 unit

REGULATIONS FOR THE EXECUTION OF THE CONVENTION
INSTITUTING AN INTERNATIONAL BUREAU FOR THE
PUBLICATION OF CUSTOMS TARIFFS

Articles 7, 8 and 10 are replaced by the following articles:

ARTICLE 7

The amount of the proportional contribution of each State will be returned in the shape of subscriptions to the International Journal calculated at the rate of 100 gold francs each.

ARTICLE 8

The expenses are approximately calculated as follows:

A. Salaries of the functionaries and employees of the International Bureau (including an additional 15%)

gold fr. 250,000

B. Expenses of printing and distributing the Customs Journal

gold fr.180,000

C. Provisions for Staff Pensions Fund

gold fr. 25,000

D. Rental and repair of the premises occupied by the International Bureau, fuel, light, supplies, office expenses,

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etc.

gold fr. 30,000

E. Contingency fund

gold fr. 15,000

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TOTAL

gold fr. 500,000

ARTICLE 10

The head of the International Bureau is authorized, subject to the approbation of the Minister of Foreign Affairs of Belgium, to carry over to the current year unemployed sums of the previous year. These sums will so far as they extend be applied towards the formation of a reserve fund intended to provide for contingent expenses, but said reserve fund shall in no case exceed 100,000 gold francs. The surplus will if so deemed for enable the price of the subscription to the Journal to be reduced but it shall not be used to increase the number of copies guaranteed by the Contracting States; such surplus may also go towards payment of the expenses involved by the translation into another language besides those enumerated in Article 1.

This last mentioned measure can only be carried out subject to the joint assent of the States and Colonies parties to the Union.

MEMORANDUM OF SIGNATURE

The Memorandum of Signature annexed to the Convention of July 5, 1890, is replaced by the following:

The undersigned delegates this day assembled for the purpose of modifying the Convention and Regulations concerning the International Union for the Publication of Customs Tariffs, have exchanged the following declarations:

1. Regarding the classification of the countries of the Union in respect to the quota of expenses of the International Bureau (Articles 9, 10 and 11 of the Convention):

The delegates declare that the adhering countries are divided into the following classes and shall respectively be bound to contribute in the proportion of the number of units hereinafter set forth.

First Class

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France

53 units

Great Britain

53 units

Germany

53 units

United States of America

53 units

Second Class

Australia

36.5 units

Japan

29.9 units

Belgium

36.5 units

Netherlands

29.9 units

Canada

36.5 units

Pakistan

29.9 units

China

21.9 units

Sweden

21.9 units

Indian Union

36.5 units

USSR

21.9 units

Italy

36.5 units

Third Class

Argentina

25 units

South Africa

25 units

Brazil

15 units

Spain

25 units

Czechoslovakia

15 units

Switzerland

25 units

Denmark

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15 units

Fourth Class

Austria

20 units

Norway

12 units

Chile

20 units

Philippines

20 units

Columbia

20 units

Poland

12 units

Cuba

20 units

Portugal

12 units

Egypt

12 units

Rumania

12 units

Finland

12 units

Turkey

12 units

Greece

12 units

Venezuela

20 units

Iran

12 units

Yugoslavia

12 units

Mexico

20 units

Fifth Class

Bolivia

13 units

Peru

13 units

Bulgaria

8 units

Siam

8 units

Hungary

8 units

Uruguay

13 units

Sixth Class

Iraq

5 units

Belgian Congo

5 units

Seventh Class

Albania

1 unit

Lebanon
1 unit

Costa Rica

3 units

Luxembourg

3 units

Dominican Republic

3 units

Panama

3 units

Ecuador

3 units

Paraguay

3 units

Haiti

3 units

Syria
1 unit

Honduras

3 units

The amounts of the contributions are established provisionally according to the following table. These contributions shall be revised when circumstances significantly change and in any event before 31st May 1954.

First Class

Yearly Contribution (in gold francs)

Number of copies of the Journal to which the adhering countries are entitled

Yearly Contribution

(in gold francs)

Number of copies of the Journal to which the adhering countries are entitled

France

26,500

265

United States of

26,500

265

Germany

26,500

265

America

Great Britain

26,500

265

Second Class

Australia

18,250

182

Japan

10,950

110

Belgium

18,250

182

Netherlands

10,950

110

Canada

18,250

182

Pakistan

10,950

110

China

10,950

110

Sweden

10,950

110

Indian Union

18,250

182

USSR

10,950

110

Italy

18,250

182

Third Class

Argentins

12,500

127

South Africa

12,500

125

Brazil

7,500

75

Spain

12,500

125

Czechoslovakia

7,500

75

Switzerland

12,500

125

Denmark

7,500

75

Fourth Class

Austria

10,000

100

Finland

6,000

60

Chile

10,000

100

Greece

6,000

60

Columbia

10,000

100

Iran

6,000

60

Cuba

10,000

100

Mexico

6,000

60

Egypt

6,000

60

Norway

6,000

60

Philippines

10,000

100

Turkey

6,000

60

Poland

6,000

60

venezuela

10,000

100

Portugal

6,000

60

Yugoslavia

6,000

60

Rumania

6,000

60

Fifth Class

Bolivia

6,500

65

Peru

6,500

65

Bulgaria

4,000

40

Siam

4,000

40

Hungary

4,000

40

Uruguay

6,500

65

Sixth Class

Belgian Congo

2,500

25

Iraq

2,500

25

Seventh Class

Albania

500

5

Honduras

1,500

15

Costa Rica

1,500

15

Lebanon

500

5

Dominican Republic

1,500

15

Luxembourg

1,500

15

Ecuador

1,500

15

Panama

1,500

15

Haiti

1,500

15

Paraguay

1,500

15

Syria

500

5

2. Regarding the payment of the contributions to become by the contracting parties:

The delegates declare that the same shall be paid in Brussels during the first quarter of each financial year and in

money of legal tender in Belgium.

Should any of the Contracting Parties leave outstanding more than two yearly contributions, in spite of the reminders addressed to such Party by the Belgian Government, it will be the right of the International Customs Tariffs Bureau temporarily to discontinue the dispatch of its publications to the said Contracting Party.

The Present Protocol shall remain open for signature at the Ministry of Foreign Affairs of Belgium until 31st March, 1950, inclusive.

As from that date, the present Protocol shall be deposited in the Archives of the Belgian Government.

The present Protocol shall become effective between the States which have signed, notified their acceptance or sent in their ratifications, at such date as the aggregate of their annual contributions to the International Customs Tariffs Bureau shall exceed one half of the authorized budget of expediture of the said Bureau, as specified in the present Protocol.

After the present Protocol has come into effect the States which have not signed the present Protocol or who have signed it with a reservation as to acceptance, may adhere to it upon request. These adhesions shall be notified through diplomatic channels to the Belgian Government which in turn shall notify the Governments of each of the other Contracting States; these adhesions shall enter into effect thirty days after the dispatch of the notifications by the Belgian Government.

DONE at Brussels, in a single copy, on the 16th day of December, 1949.

Parties to the Protocol as of December 31, 1965:

Australia Italy

Austria Japan

Belgium Jordan

Brazil Lebanon

Bulgaria Libya

Canada Luxembourg

Chile Malaysia

Colombia Mexico

Costa Rica Morocco

Cuba Netherlands

Czechoslovakia[1] Norway

Denmark Pakistan

Dominican Republic Peru

Finland Philippines

France Portugal

Federal Republic of Germany Rumania

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Greece Saudi Arabia

Haiti South Africa

Hungary Spain

Iceland Sweden

India Switzerland

Indonesia Syrian Arab Republic

Iran Thailand

Iraq Turkey

Israel Union of Soviet Socialist Republics

United Arab Republic Venezuela

United Kingdom Viet-Nam

United States Yugoslavia

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[1] Does not recognize that Germany, taken as a whole, is legally bound by the signature affixed "for Germany".

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