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FOOD



Treaty Series No. 58 (1979)

Protocol
of 23 March 1973 further extending
the International Olive Oil Agreement,
1963, with Amendments

Geneva, 23 March 1973

[The Protocol was ratified by the United Kingdom on 27 April 1974 and entered
into force definitively on 31 January 1975]

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by the Secretary of State for Foreign and Commonwealth Affairs
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PROTOCOL
OF 23 MARCH 1973 FURTHER EXTENDING THE INTERNATIONAL
OLIVE OIL AGREEMENT, 1963, WITH AMENDMENTS

THE PARTIES TO THIS PROTOCOL,

CONSIDERING That the International Olive Oil Agreement, 1963⁽¹⁾ (which succeeded that of 1956), extended by the Protocols adopted in Geneva on 30 March 1967⁽²⁾ and on 7 March 1969 ⁽³⁾, including the amendments which entered into force on 1 November 1971⁽⁴⁾ (these three instruments being hereinafter referred to as "the Agreement") is due, in principle, to expire on 31 December 1973;

DESIRING to continue the Agreement in force beyond that date,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. The Agreement, as amended by this Protocol, shall, as between the Parties to the Protocol, continue in force until 31 December 1978.

2. Any Government which becomes a Party to this Protocol shall be a Party to the Agreement as amended thereby.

3. So far as the Parties to this Protocol are concerned, the Agreement and this Protocol shall be read and interpreted as one single instrument and shall be known as the International Olive Oil Agreement, 1963, as amended, 1973.

ARTICLE 2

The relevant provisions of the Agreement are amended as follows:

PREAMBLE

Delete the first paragraph under heading (i) and substitute therefor:

"—Is a perennial fruit tree which, under conditions regarded as normal, begins to produce at an age varying between 6 and 15 years and on an average comes into full production when approximately 30 years old,"

Amend (iv) to read:

"Considering that it is essential to continue and develop the work undertaken within the framework of the International Olive Oil Agreement, 1956."

⁽¹⁾ Treaty Series No. 53 (1964), Cmnd. 2483.

⁽²⁾ Treaty Series No. 40 (1968), Cmnd. 3620.

⁽³⁾ Treaty Series No. 65 (1970), Cmnd. 4432.

⁽⁴⁾ Treaty Series No. 91 (1972), Cmnd. 5041.

CHAPTER I. GENERAL OBJECTIVES

ARTICLE 1

Delete paragraph 1 and substitute therefor :

“ 1. To promote international co-operation in connexion with world olive oil problems, to prevent the occurrence of any unfair competition in the world olive oil trade and to ensure the delivery of a commodity that conforms to all the specifications of the contracts concluded.”

Insert a new paragraph 5 reading as follows :

“ 5. To examine the possibility of taking necessary action with regard to other products of the olive tree;”

Re-number paragraph 5 as paragraph 6 and modify it to read as follows :

“ 6. To continue and extend the work undertaken under the International Olive Oil Agreement, 1956.”

CHAPTER II. PARTICIPATION

ARTICLE 2

Replace the text of the Article by the following :

“ Each Contracting Party shall constitute a single Member of the Council except as otherwise provided in paragraph 2 of Article 24 of this Agreement.”

CHAPTER III. DEFINITIONS

ARTICLE 3

Delete paragraph 1 and substitute therefor :

“ 1. The ‘ Council ’ means the International Olive Oil Council referred to in Article 21 of this Agreement.”

Delete paragraph 4 and substitute therefor :

“ 4. ‘ Mainly producing Member ’ means a Member whose production of olive oil has, during the 1965/66–1970/71 olive crop years, exceeded its imports from 1966 to 1971, inclusive.”

Delete paragraph 5 and substitute therefor :

“ 5. ‘ Mainly importing Member ’ means a Member whose production of olive oil has, during the 1965/66–1970/71 olive crop years, inclusive, been smaller than its imports from 1966 to 1971, inclusive, or for which no production of olive oil was recorded during the same crop years.”

Insert new paragraph 6 as follows :

“ 6. ‘ Member ’ means a Contracting Party or a territory or group of territories given separate representation under paragraph 2 of Article 24 of this Agreement.”

Insert new paragraph 7 as follows :

“ The European Economic Community, if it becomes a Contracting Party, shall be considered both as a ‘ mainly producing Member ’ and a ‘ mainly importing Member ’, provided that :

- (i) the provisions of Article 16 of this Agreement shall not apply to the Community;
- (ii) Notwithstanding paragraph 1 of Article 28 of this Agreement, the Community shall be entitled, in all matters falling within Community jurisdiction, to cast the votes in the Council allotted to each of its member States which are Contracting Parties, whether they are mainly producing or mainly importing Members;
- (iii) The Community shall also be entitled, in all matters falling within Community jurisdiction, to cast in any committee of the Council the votes of its member States which are members of that committee; and
- (iv) Notwithstanding Article 33 of this Agreement, the contribution of the Community to the Administrative Budget for each calendar year shall be fixed by the Council on the basis of the number of votes in the Council allotted to States members of the Community which are Contracting Parties; such contributions shall replace individual contributions by those States.”

CHAPTER IV. GENERAL OBLIGATIONS

ARTICLE 4

Delete the phrase “ Participating Governments ” and substitute therefor :
“ Members ”.

ARTICLE 5

Delete the phrase “ Participating Governments ” and substitute therefor :
“ Members ”.

ARTICLE 6

Delete the phrase “ Participating Governments ” and substitute therefor :
“ Members ”.

Delete the phrase “ and to avoid the introduction of unfair competitive practices in world trade in olive oil ”.

ARTICLE 7

Delete the phrase "Participating Governments", and in each case, substitute therefor: "Members".

CHAPTER V

Delete the title of the Chapter and substitute therefor:

"DESIGNATIONS AND DEFINITIONS OF OLIVE OILS AND OF OLIVE-RESIDUE OILS. INDICATIONS OF SOURCE AND APPELLATIONS OF ORIGIN."

ARTICLE 8

Paragraph 1: Delete paragraph 1 and substitute therefor:

"1. The designation olive oil shall be restricted to the oil obtained exclusively from the olive, excluding oils obtained by solvents or reesterification processes, as well as any mixture with oils of any other nature."

Paragraph 2 of this Article is redrafted as follows:

"Members shall undertake to suppress both in domestic and in international trade, with the least possible delay in any case before the expiry of this Agreement any use of the designation olive oil alone or in combination with other words, which is not in conformity with this Article."

ARTICLE 9

Paragraph 1: Delete paragraph 1 and substitute therefor:

"1. The designations of olive oils and of olive-residue oils of different qualities are given in Annex A to this Agreement, which specifies the corresponding definition for each designation, taking into account for each such quality, the recommendations passed under paragraph 2 of Article 22 of this Agreement, covering standards for the physical and chemical characteristics of olive oil and olive-residue oil."

Paragraph 2: Delete paragraph 2 and substitute therefor:

"2. Such designations, which are compulsory for international trade purposes, must be used for each quality of olive oil and of olive-residue oil and they shall appear in clearly legible characters on all containers."

ARTICLE 10

Paragraph 1: Delete the phrase "Participating Governments" and substitute therefor: "Members".

After the word "adopt" insert: "at the earliest possible date and before the expiry of this Agreement".

Delete the phrase "Articles 8, 9, 11 and 12 of this Agreement" and substitute therefor: "Articles 9 and 11 of this Agreement and shall endeavour to apply them in their domestic trade".

Paragraph 2: Delete the phrase "of appellations of origin, indications of source and designations of olive oils" and substitute therefor: "of indications of source, appellations of origin and designations of olive oils and of olive-residue oils".

After the phrase "used in the international marketing of olive oils" add: "and olive-residue oils".

At the end of the paragraph insert the words "and olive-residue oils".

ARTICLE 11

Paragraph 1: Delete the phrase "Appellations of origin or indications of source" and substitute therefor: "Indications of source or appellations of origin".

ARTICLE 12

Paragraph 1: Delete the paragraph and substitute therefor:

Any disputes on the subject of indications of source and appellations of origin arising from interpretation of the clauses of this chapter of this Agreement, or from difficulties in applying these provisions which have not been settled by direct negotiation shall be examined by the Council.

Paragraph 2: Delete the paragraph and substitute therefor:

"2. The Council shall endeavour to bring about conciliation after the Advisory Commission provided for in paragraph 1 of Article 35 of this Agreement has expressed its opinion and prior consultation with the World Intellectual Property Organization, the International Federation of Olive Growers, and with a competent professional organization of a mainly importing Member and, should the need arise, with the International Chamber of Commerce and the international institutions specialized in analytical chemistry; should it be unsuccessful and after all efforts to reach agreement have been exhausted, the members concerned shall have the right of recourse, as a last resort, to the International Court of Justice."

CHAPTER VI. WORLDWIDE PUBLICITY TO PROMOTE OLIVE OIL CONSUMPTION

ARTICLE 13

Paragraph 1: Delete the phrase "The Participating Governments" and substitute the following therefor: "The Members contributing to the Publicity Fund referred to in paragraph 3 of this Article".

Paragraph 2: After the phrase: "chemical characteristics and" insert: ", if necessary,".

ARTICLE 14

Delete this article and substitute therefor:

"The general and more limited publicity campaigns to be undertaken under Article 13 above shall be decided on by the Council according to the resources made available to it for the purpose and having regard to the following considerations and opinions:

- (a) Priority shall be given to action in the mainly producing countries and in countries where the consumption of olive oil is likely to increase;
- (b) The execution of campaigns may not be envisaged before the date on which the actual payments into the publicity fund total 70 per cent of the contributions due;
- (c) Consultation of appropriate agencies and institutions.

ARTICLE 16

Paragraph 1:

First clause: In the first sentence, delete the phrase "The Participating Governments of the mainly producing countries" and substitute therefor: "The mainly producing Members".

In the second sentence, delete the word "Government" and substitute therefor: "Member".

Second clause: Delete the word "country's" and substitute therefor: "Member's".

Delete the phrase "any modification in the coefficients set out in Annex B of the Agreement shall require a unanimous decision in view of paragraph 2 of this Article" and substitute therefor: "any modification which may be made on that occasion in the coefficients set out in Annex B to the Agreement as amended, 1973, shall require a unanimous decision of the mainly producing Members".

Third clause: In the first sentence, delete the words "countries which are parties to this Agreement" and substitute therefor: "Members". In the second sentence, delete the words "countries which are parties to this Agreement" and substitute therefor: "Members".

Fourth clause: in the first sentence, delete the words, "the Governments of other participating countries" and substitute therefor: "the mainly importing Members".

In the English text, delete the second sentence of this clause.

Paragraph 2:

First sentence: Delete the words "The Participating Governments of the mainly producing countries" and substitute therefor: "The mainly producing Members".

Delete the words "Annex B to this Agreement" and substitute therefor: "Annex B to the Agreement as amended, 1973".

In the English text, after the first sentence add the following: "The coefficients in question, determined according to the average production and average net exports or imports of olive oil of each of the Members during the olive crop years referred to in Article 3 of the Agreement as amended, 1973, in the proportion of 20 per cent for production and 80 per cent for net exports or imports, shall be subject to revision by the Council in 1976 for the purpose of their application with effect from 1 January 1977. Such revision shall be effected by a decision taken by a majority of four-fifths of the votes cast, including the votes of at least 70 per cent of the number of mainly producing Members, taking into consideration the average production and average net exports or imports of olive oil of each of the mainly producing Members during the olive crop years 1968/1969 to 1973/74, in the same proportion as specified above for such production and such net exports or imports."

Paragraph 3: Delete the words "Governments of mainly producing countries" and substitute therefor: "mainly producing Members". Delete the word "Government" and substitute therefor: "Member". Delete the words "Annex B to this Agreement" and substitute therefor: "Annex B to the Agreement as amended, 1973". Delete the word "Governments" and substitute therefor: "Members".

Paragraph 7: Delete the paragraph and substitute the following therefor:

"7. With regard to the collection of contributions to the Publicity Fund and in the event of delay in the payment of same, the provisions of paragraph 5 of Article 33 of this Agreement shall apply."

Paragraph 8: Delete the phrase "Participating Governments" and substitute therefor: "Members".

Paragraph 9:

First clause: Delete the phrase "Participating Government of a mainly producing country" and substitute therefor: "Mainly producing Member".

Second clause: Delete the word "country" and substitute therefor: "Member".

CHAPTER VII. ECONOMIC MEASURES

ARTICLE 19

Paragraph 1: Delete the phrase "Participating Government" and substitute therefor: "Member".

Delete the phrase "non-participating Governments" and substitute therefor: "Governments of States not Members of this Agreement".

Paragraph 2: Delete the phrase "Participating Governments" and substitute therefor: "Members".

Delete the phrase "held in their countries" and substitute therefor: "held in their territory".

Delete the phrase "to export to participating or other countries" and substitute therefor: "to export to Members or to non-Members of this Agreement".

Paragraph 3: Delete the phrase "Governments of countries" and substitute therefor: "Members".

Paragraph 4: In the first sentence delete the phrase "Participating Governments" and substitute therefor: "Members".

Delete the phrase "member and other countries" and substitute therefor: "Members and non-Members of this Agreement".

Delete the phrase "participating countries" and substitute therefor: "Members".

In the second sentence, delete the phrase "Participating Government" and substitute therefor: "Members".

Paragraph 5: Delete the phrase "Participating Governments" and substitute therefor: "Members".

ARTICLE 20

Delete the phrase "Participating Governments" and substitute therefor: "Members".

CHAPTER VIII. ADMINISTRATION

ARTICLE 21

In the title preceding this Article, delete the phrase "Olive Oil Council" and substitute therefor: "International Olive Oil Council"*.

Delete the text and substitute the following: "The International Olive Oil Council shall be entrusted with the administration of this Agreement".

ARTICLE 22

Paragraph 2: After the phrase "ways and means of securing" insert: "the development of international trade and".

Delete the phrase "Participating Governments" and substitute therefor: "Members".

Paragraph 2:

Sub-paragraph (I): At the end of the sub-paragraph insert: "and olive-residue oil;".

Sub-paragraph (II): Delete the phrase "International Arbitration Boards" and substitute therefor: "an International Reconciliation and Arbitration Board".

* This change affects only the English, French and Spanish versions.

After the phrase "of olive oil" insert: "and olive-residue oil".

Sub-paragraph (III): At the end of the sub-paragraph insert: "and of olive-residue oils;"

Sub-paragraph (IV): Delete the words "of olive oil".

Paragraph 3: After the words "olive oil" insert: "and olive-residue oil".

Paragraph 5:

First clause: After the words "relating to olive oil" insert "and olive-growing,".

Second clause: Delete the phrase "Suggestions and recommendations" and substitute therefor: "recommendations and suggestions".

Delete the word "aims" and substitute therefor: "objectives"*

Third clause: After the word "countries" insert "or groups of countries".

Paragraph 6: Delete the paragraph and substitute the following:

"The Council shall establish procedures under which the Members shall inform the Council of the conclusions at which they have arrived after considering the recommendations and suggestions referred to in this Article or arising from application of this Agreement."

ARTICLE 24

Paragraph 1: Delete the first sentence and substitute therefor: "Subject to the provisions of paragraph 2 of this Article, each Contracting Party shall be a Member of the Council with a right to vote".

In the third sentence, delete the phrase "Participating Government" and substitute therefor: "Member".

Paragraph 2: Delete the words "Participating Government" and substitute therefor: "Contracting Party".

Paragraph 3: In the first sentence, delete the words "Participating Governments" and substitute therefor: "Contracting Parties".

In the second sentence, delete the words "of the delegation of his Government" and substitute therefor: "of his delegation".

Paragraph 4: Delete the words "Participating Governments" and substitute therefor: "Contracting Parties".

ARTICLE 25

Paragraph 1: Insert the following sentence at the end of the paragraph:

"Should a Member invite the Council to meet elsewhere than at its seat and if a decision is taken agreeing to the invitation, said Member shall bear the extra expenditure resulting from such invitation for the budget of the Council."

* In the English text only.

Paragraph 3:

Sub-paragraph (I): Delete the phrase "Participating Governments" and substitute therefor: "Members".

Sub-paragraph (II): Delete the phrase "Participating Governments" and substitute therefor: "Members".

ARTICLE 26

Delete the phrase "Governments of the countries" and substitute therefor: "Members". Delete the phrase "Participating Governments" and substitute therefor: "Members".

ARTICLE 27

In the first sentence, delete the phrase "Participating Governments" and substitute therefor: "Members" and delete the words "Participating Government" and substitute therefor: "Member".

In the second sentence, delete the words "Participating Governments" and substitute therefor: "Members".

ARTICLE 28

Paragraph 1: Delete the phrase "participating country" and substitute therefor: "Member".

Add the following phrase to the present text: ". . . , no State Member being entitled to more than 450 votes and no Member to less than 5 votes".

Paragraph 2: Delete this paragraph.

Paragraph 3: Renumber as paragraph 2.

ARTICLE 29

Paragraph 1: Delete the word "countries" and substitute therefor: "Members".

Add the following sentence: "The votes of abstaining Members shall not be counted".

Paragraph 2: Delete the phrase "The Government of a participating mainly producing country" and substitute therefor: "A mainly producing Member".

Delete the phrase "another mainly producing country" and substitute therefor: "another mainly producing Member".

Paragraph 3: Delete the phrase "a mainly producing country" in both instances and substitute therefor: "a mainly producing Member".

Delete the phrase "held by his own country" and substitute therefor: "held by that Member".

Paragraph 4: Delete the phrase "The Government of a participating mainly importing country" and substitute therefor: "A mainly importing Member".

Delete the word "country" and substitute therefor: "Member".

Paragraph 5: Delete the phrase "a mainly importing country" and substitute therefor: "a mainly importing Member".

Delete the phrase "held by his country" and substitute therefor: "held by that Member".

Delete the phrase "mainly importing countries" and substitute therefor: "mainly importing Members".

ARTICLE 30

Paragraphs 1 and 2: Delete these paragraphs and substitute therefor a paragraph 1 reading as follows:

"1. The Council may appoint an Executive Committee composed of three-fifths and two-fifths respectively of representatives of mainly producing and mainly importing Members."

Paragraph 3: Renumber this paragraph as paragraph 2 and delete in it the words "on the proposal of each of the two groups mentioned in paragraph 1 of this Article".

Paragraphs 4, 5, 6 and 7: Renumber these paragraphs as "3", "4", "5" and "6" respectively.

Paragraph 8: Renumber this paragraph as paragraph 7. Delete the phrase "Participating Government" and substitute therefor: "Member".

ARTICLE 31

Paragraph 4: Delete the phrase "Participating Governments" and substitute therefor: "Members".

CHAPTER IX. STATUTE, IMMUNITIES AND PRIVILEGES

Delete the title of the chapter and substitute therefor:

"PRIVILEGES AND IMMUNITIES".

ARTICLE 32

Paragraph 1: Delete the phrase "each Participating State" and substitute therefor: "the territory of each Member".

Insert new paragraph 3 as follows:

"3. The Council, the Director and staff of the secretariat are granted the privileges, immunities and facilities set out in the Agreement concerning the Seat of the Council between the Council and the Government of the State in which the Seat is located."

CHAPTER X. FINANCIAL PROVISIONS

ARTICLE 33

Paragraph 1: Delete the phrase "their respective Governments" and substitute therefor: "the Members concerned".

Delete the phrase "Participating Government" and substitute therefor: "Member".

Paragraph 2: In the first sentence, delete the phrase "Participating Government" and substitute therefor: "Member".

In the second sentence, delete the word "Government" and substitute therefor: "Member".

Paragraph 3: In the first sentence, delete the phrase "Participating Government" and substitute therefor: "Member"; delete the words "under Article 36"; delete the word "country" and substitute therefor: "Member".

In the second sentence, delete the phrase "Participating Governments" and substitute therefor: "Members".

Paragraph 5: Delete the paragraph and substitute the following:

"5. Should a Member not fully settle its contribution to the Administrative Budget within six months from the outset of the financial year, the Director shall request it to do so as soon as possible. If said Member does not settle its contribution within three months of the above time-limit, its right to vote in Council sessions and Committee meetings shall be suspended until its contribution has been fully settled. Nevertheless, except by a vote of the Council, it shall not be deprived of any of its other rights nor released from any of its obligations under this Agreement. It cannot be exonerated by any vote from financial obligations under this Agreement."

CHAPTER XI. CO-OPERATION WITH OTHER ORGANIZATIONS

Delete the title and substitute therefor:

"CO-OPERATION WITH OTHER ORGANIZATIONS AND THE ADMISSION OF OBSERVERS".

ARTICLE 34

Delete the Article and substitute therefor:

"1. The Council may make whatever arrangements are appropriate for consultation or co-operation with the United Nations and its organs, in particular the United Nations Conference on Trade and Development (UNCTAD) and with the Food and Agriculture Organization and such other specialized agencies of the United Nations and intergovernmental organizations as may be appropriate. It may also make such arrangements as are appropriate in respect of its co-operation with governmental and non-governmental agencies or institutions. It may also invite any

of the organizations referred to in this Article to attend any of its meetings as an observer.

2. The Council, bearing in mind the particular role of UNCTAD in international commodity trade, will, as it considers appropriate, keep that Organization informed of its activities and programmes of work.

3. The Council may also invite any State which is a member of the United Nations or of one of its specialized agencies or of the International Atomic Energy Agency but not yet Party to this Agreement to attend any of its meetings as an observer."

CHAPTER XII. DISPUTES AND COMPLAINTS

ARTICLE 35

Paragraph 1: Delete the phrase "Participating Government" and substitute therefor: "Member".

Paragraph 3: Delete the phrase "Participating Government" in both instances, and substitute therefor: "Member".

After the phrase "decision on the subject", insert the phrase "after consulting the Members concerned".

Paragraph 4: Delete the phrase "Participating Government" and substitute therefor: "Member".

Paragraph 5: Delete the phrase "Participating Government" and substitute therefor: "Member".

Delete the word "Government" and in each instance substitute therefor: "Member".*

CHAPTER XIV. DURATION, AMENDMENT, SUSPENSION, WITHDRAWAL, EXPIRY, RENEWAL

ARTICLE 37

Paragraph 2: delete the phrase "Participating Governments" and substitute therefor: "Members".

ARTICLE 38

Paragraph 1: Delete the phrase "Participating Government" and substitute therefor: "Member".

Delete "this Agreement" and substitute therefor: "The Agreement as amended, 1973".

Delete the phrase "Participating Governments" and substitute therefor: "Contracting Parties".

Paragraph 2: Delete the word "Government" and substitute therefor: "Member".

* This change affects only the English, French and Italian versions of the Agreement.

Paragraph 3: Delete the phrase "Participating Government shall notify depositary Government" and substitute therefor: "Contracting Party shall notify the depositary Government".

Paragraph 4: Delete the phrase "Participating Governments" and substitute therefor: "Contracting Parties".

Paragraph 5: Delete the phrase "Participating Governments" and substitute therefor: "Contracting Parties".

Paragraph 6: Delete the phrase "by the Governments of the participating countries" and substitute therefor: "by or on behalf of Members".

Delete the phrase "by the Governments of all the participating countries" and substitute therefor: "by or on behalf of all Members".

Sub-paragraph (a): Delete the phrase "Participating Governments" and substitute therefor: "Contracting Parties".

Sub-paragraph (b): Delete and substitute therefor:

"(b) The Council shall decide immediately whether the amendment is of such importance that Members which have not accepted the amendment must be suspended from participation in the Agreement as amended, 1973, as from the date on which such amendment comes into force in accordance with sub-paragraph (a) above, and shall inform all Members accordingly. Should the Council decide that the amendment is of such importance the Members which have not accepted it shall inform the Council before the date on which the amendment is to enter into force in accordance with sub-paragraph (a) above, whether they still consider such an amendment unacceptable; the participation in the Agreement as amended, 1973, of Members which have so decided and those which have not given notice of their decision shall then be automatically suspended from the date of entry into force of the amendment. Nevertheless, should any such Member satisfy the Council that it was prevented from accepting the amendment before its entry into force, in accordance with sub-paragraph (a) above, on account of constitutional or institutional difficulties beyond its control, the Council may defer suspension until such difficulties have been overcome and the Member has notified the Council of its decision."

Paragraph 7: delete the phrase "Participating Government suspended" and substitute therefor: "Member whose participation has been suspended".

ARTICLE 39

Paragraph 1: Delete and substitute therefor:

1. "Should a Contracting Party consider its interest seriously endangered by the fact that a signatory fails to ratify, accept or approve this Agreement as amended, 1973, or because of conditions or reservations attached to a signature, ratification, acceptance or approval, it shall so notify the depositary Government. On receipt of such notification, the depositary Government shall inform the Council which shall

examine the question during its first session following receipt of such notification. If, after examination of the question by the Council, the Contracting Party continues to consider its interests seriously endangered it may withdraw from the Agreement as amended by giving notice of its withdrawal to the depositary Government within the period of thirty days after being notified of the Council's decision."

Paragraph 2:

Sub-paragraph (a): Delete the phrase "Participating Government" and substitute therefor: "Contracting Party".

Sub-paragraph (b): Delete the phrase, in the first two instances, "Participating Government" and substitute therefor: "Contracting Party".

Delete the phrase "or by the withdrawal under Article 42, paragraph 2, of all or some of the non-metropolitan territories represented by another Participating Government".

Sub-paragraph (c): Delete the phrase "Participating Government" in both instances and substitute therefor: "Contracting Party".

Sub-paragraph (d): Delete the phrase "Participating Government" and substitute therefor: "Contracting Party".

Paragraph 3: Delete the phrase "Participating Government" and substitute therefor: "Contracting Party".

ARTICLE 40

Delete the phrase "Participating Governments" and substitute therefor: "Members".

ARTICLE 41

Paragraph 1: Delete the phrase "Participating Government which withdraws, or is suspended from the Agreement" and substitute therefor: "Contracting Party which withdraws from the Agreement and any Member whose participation in the Agreement is suspended".

Add after "Agreement" the phrase "as amended, 1973".

Paragraph 2: Delete the phrase "Participating Government" and substitute therefor: "Contracting Party".

Add after "Agreement" the phrase "as amended, 1973".

CHAPTER XV. TERRITORIAL APPLICATION

ARTICLE 42

Delete this chapter, consisting of Article 42, paragraphs 1, 2 and 3.

ANNEX A

Delete the title and substitute therefor: "DESIGNATIONS AND DEFINITIONS OF OLIVE OILS AND OLIVE-RESIDUE OILS".

Paragraph 1: After the words "olive oils produced", insert the word "solely".

Delete the words "types of oils or oils extracted in a different manner", and substitute therefor the word "oils".

ANNEX B

Delete the list of countries and their co-efficients and replace by the following:

Algeria	...	...	...	...	...	...	1·47
Arab Republic of Egypt	...	...	...	...	...	...	0·17
Argentina	...	...	...	...	...	...	2·07
Greece	...	...	...	...	...	...	5·77
Israel	...	...	...	...	...	...	0·17
Italy	...	...	...	...	...	...	33·67
Lebanon	...	...	...	...	...	...	0·47
Morocco	...	...	...	...	...	...	1·61
Portugal	...	...	...	...	...	...	3·07
Spain	...	...	...	...	...	...	37·07
Syrian Arab Republic	...	...	...	...	...	...	0·82
Tunisia	...	...	...	...	...	...	10·07
Turkey	...	...	...	...	...	...	3·57
Total	...	...	...	...	...	...	<u>100·00</u>

ANNEX C

Delete the contents of the Annex and replace by the following :

Mainly producing Members :

Algeria	27
Arab Republic of Egypt	5
Argentina	21
European Economic Community :	
—Italy	450
Greece	187
Israel	8
Lebanon	12
Morocco	42
Portugal	78
Spain	450
Syrian Arab Republic	28
Tunisia	88
Turkey	104

Mainly importing Members :

Dominican Republic	5
European Economic Community :	
—Belgium/Luxembourg	5
—Denmark	5
—Federal Republic of Germany	8
—France	25
—Ireland	5
—Netherlands	5
—United Kingdom	8
Gabon	5
Libyan Arab Republic	28
Uruguay	5

ANNEX D

Delete

ARTICLE 3

1. Any Government which is a member of the United Nations Conference on Trade and Development may become a Party to this Protocol in accordance with its constitutional or institutional procedures:

- (a) by signing it; or
- (b) by ratifying, accepting or approving it after having signed it subject to ratification, acceptance or approval; or
- (c) by acceding to it.

2. Each signatory Government shall, on signing this Protocol state whether, according to its constitutional or institutional procedures, its signature is, or is not, subject to ratification, acceptance or approval.

ARTICLE 4

This Protocol shall be open in Madrid with the Government of Spain, the depositary Government of the Agreement and of this Protocol, until 30 October 1973 inclusive, for signature by any Government which is on that date a party to the Agreement.

ARTICLE 5

In cases where ratification, acceptance or approval is required, the appropriate instrument shall be deposited with the depositary Government of the Agreement not later than 31 December 1973, on the understanding that the Council may grant an extension or extensions of this time to any signatory Government which has not deposited the said instrument by this date.

ARTICLE 6

Any non-signatory Government entitled to accede to this Protocol under Article 9, may notify the depositary Government that it is undertaking to satisfy the constitutional or institutional procedures required to accede to this Protocol as rapidly as possible.

ARTICLE 7

1. Any signatory Government which has not been able to deposit its instrument of ratification, acceptance or approval by 31 December 1973 and has been granted an extension of time under Article 5 of this Protocol and any non-signatory Government which has made a notification pursuant to Article 6 of this Protocol may indicate to the depositary Government that they will provisionally apply the Agreement as amended by this Protocol.

2. During the entire period when the Agreement as amended by this Protocol is in force, either definitively or provisionally, a signatory Government which has been granted an extension of time under Article 5 of this Protocol or a non-signatory Government which has given an indication under paragraph 1 of this Article shall be a provisional Member with all the rights and duties of a Member until that Government becomes a Contracting Party.

ARTICLE 8

1. This Protocol shall enter definitively into force on 1 January 1974, or on any date within the following twelve months⁽⁹⁾, between the Governments which have signed it, and, in cases where their constitutional or institutional procedures so require, have ratified, accepted or approved it, or have acceded to it, if these Governments include those of six mainly producing countries, together accounting for at least 60 per cent of worldwide olive oil production during the reference period stipulated in Article 3 of this Agreement, as well as those of three mainly importing countries. If this Protocol has not definitively entered into force in accordance with the preceding sentence, it shall do so at any time after it is provisionally in force when the numerical and production percentage requirements of this paragraph are satisfied by the deposit of instruments of ratification, acceptance, approval or accession.

2. This Protocol shall enter provisionally into force on 1 January 1974 or on any day within the following twelve months, between the Governments which have signed it and, in cases where their constitutional or institutional procedures so require, have ratified, accepted or approved it, or have acceded to it, or have indicated that they will apply it provisionally, if these Governments include those of six mainly producing countries together accounting for at least 60 per cent of worldwide olive oil production during the reference period stipulated in Article 3 of the Agreement, as well as those of three mainly importing countries.

3. If by 1 January 1974 this Protocol has not entered into force either provisionally or definitively in the manner described in paragraphs 1 and 2 of this Article, but has received a sufficient number of signatures to enable it to enter into force after ratification, acceptance or approval in conformity with the relevant provisions of this Protocol, then the Agreement shall, in accordance with paragraph 4 of Article 37, continue in force beyond 1 January 1974 until the date of the provisional or definitive entry into force of this Protocol, provided that the period of such extension shall not exceed twelve months.

4. If by 30 October 1973 this Protocol has not received a number of signatures sufficient for it to enter into force after ratification, acceptance or approval, the Governments which have signed it and, where their constitutional or institutional procedures so require, have ratified, accepted, approved or acceded to the said Protocol or have stated that they will apply it provisionally, may decide by common agreement that this Protocol shall enter into force among themselves, or may take whatever other action they consider is required by the circumstances.

(9) The Protocol entered into force definitively on 31 January 1975.

ARTICLE 9

1. This Protocol shall be open for accession by any non-signatory Government which is a member of the United Nations Conference on Trade and Development.

2. Accession to this Protocol shall be deemed to be accession to the Agreement as amended, 1973.

3. Accession shall be effected by deposit of an instrument of accession with the depositary Government of the Agreement and shall take effect from the date of deposit of such instrument or on the date of entry into force of this Protocol, whichever date is the later.

ARTICLE 10

If by 31 December 1978 a new agreement to extend or renew the Agreement as continued in force by this Protocol has been negotiated and has received a sufficient number of signatures to enable it to enter into force after ratification, acceptance or approval in conformity with the relevant provisions of the Agreement and if that new agreement has not entered into force, either provisionally or definitively, the present Protocol shall continue in force beyond 31 December 1978 until the entry into force of the new agreement, provided that the period of such extension shall not exceed twelve months.

ARTICLE 11

1. Any Government may, upon signature, or upon deposit of its instrument of ratification, acceptance or approval of this Protocol, or upon accession thereto, declare by notice addressed to the depositary Government that the Agreement as amended, 1973, shall extend to any of the territories for whose international relations that Government is for the time being ultimately responsible. The said Agreement shall extend to the territories named in the notification from the date of such notification or from the date on which the present Protocol enters into force for that Government, whichever is the later.

2. Any Contracting Party which has made a declaration pursuant to paragraph 1 of this Article may at any later time, by notification to the depositary Government, declare that the Agreement as amended, 1973, shall cease to extend to the territory named in the notification and the said Agreement shall cease to extend to such territory from the date of such notification.

3. When a territory to which the Agreement as amended, 1973, has been extended under paragraph 1 of this Article subsequently attains independence, its Government may, within 90 days after the attainment of independence, declare by notification to the depositary Government that it has assumed the rights and obligations of a Contracting Party to the Agreement as amended, 1973. It shall become a Contracting Party to the said Agreement from the date of such notification.

ARTICLE 12

The depositary Government of the Agreement shall without delay inform the signatory and acceding Governments of any signature, ratification acceptance or approval of, or accession to, this Protocol, of any notification and any indication made under Articles 6 and 7 of this Protocol, and of the date of entry into force of this Protocol.

ARTICLE 13

The European Economic Community shall have the same rights and powers as the Governments referred to in the present Protocol, including those referred to in Articles 3 and 9 thereof.

IN WITNESS WHEREOF, the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Protocol on the dates appearing opposite their signatures.

The texts of the present Protocol in the Arabic, English, French, Italian and Spanish languages shall all be equally authentic, the originals being deposited with the Government of Spain which shall furnish certified true copies thereof to all Governments that have signed or acceded to this Protocol.

DONE at Geneva, on 23 March 1973.

SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of Signature</i>	<i>Date of Ratification Acceptance(A) or Approval(AP)</i>
Algeria	29 Oct. 1973	14 Feb. 1975
Belgium	9 Oct. 1973	14 Oct. 1975
France*	22 Aug. 1973	
Germany, Federal Republic of	25 Oct. 1973	
Greece	29 Oct. 1973	31 Jan. 1975
Italy		17 Feb. 1978
Libya	29 Oct. 1973	17 Feb. 1976
Luxembourg	9 Oct. 1973	14 Oct. 1975
Morocco	30 Oct. 1973	27 Apr. 1976
Portugal	26 Oct. 1973	20 Dec. 1974
Spain	21 July 1973	16 Dec. 1974
Syria*	20 Sept. 1973	
Tunisia	28 Sept. 1973	14 Mar. 1974
Turkey	11 Oct. 1973	8 May 1974
United Kingdom	30 Oct. 1973	27 Apr. 1974

* Not subject to ratification.

