



TREATY SERIES 2009
N° 16

**Protocol Amending the Convention signed at Brussels, on 5
July 1890, concerning the Creation of an International
Union for the Publication of Customs Tariffs as well as the
Regulations for the Execution of the Convention instituting
an International Bureau for the Publication of Customs
Tariffs, and the Memorandum of Signature**

Done at Brussels on 16 December 1949

Ireland's instrument of accession deposited with the Government of
Belgium on 26 September 1969

Entered into force with respect to Ireland on 5 November 1969

Ireland's instrument denouncing the Protocol deposited with the
Government of Belgium on 25 March 1988

Ceased to be in force with respect to Ireland on 1 April 1989

Presented to Dáil Éireann by the Minister for Foreign Affairs

PROTOCOL AMENDING THE CONVENTION SIGNED AT BRUSSELS, ON 5 JULY 1890, CONCERNING THE CREATION OF AN INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS AS WELL AS THE REGULATIONS FOR THE EXECUTION OF THE CONVENTION INSTITUTING AN INTERNATIONAL BUREAU FOR THE PUBLICATION OF CUSTOMS TARIFFS, AND THE MEMORANDUM OF SIGNATURE

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 to 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:

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|------------|---|
| 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. |
| 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 millions 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 31.8 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 <i>Customs Journal</i>	gold fr, 180,000
C. Provision 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, etc.....	gold fr. 30,000
E. Contingency Fund.....	gold fr. 15,000
TOTAL.....	gold fr. 500,000

Article 10

The head of the International Bureau is authorized, subject to the approbation of the Minister for 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 fit 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

France	53 units	Great Britain	53 units
Germany	53 units	United States of America	53 units

Second Class

Australia	36.5 units	Japan	21.9 units
Belgium	36.5 units	Netherlands	21.9 units
Canada	36.5 units	Pakistan	21.9 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
Czecho-Slovakia	15 units	Switzerland	25 units
Denmark	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	Roumania	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

Belgian Congo	5 units	Iraq	5 units
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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 March 1954.

<i>First Class</i>					
	<i>Yearly contribution (in gold francs)</i>	<i>Number of copies of the Journal to which the adhering countries are entitled</i>		<i>Yearly contribution (in gold francs)</i>	<i>Number of copies of the Journal to which the adhering countries are entitled</i>
France	26,500	265	United States of		
Germany	26,500	265	America	26,500	265
Great Britain	26,500	265			
<i>Second Class</i>					
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			
<i>Third Class</i>					
Argentina	12,500	125	South Africa	12,500	125
Brazil	7,500	75	Spain	12,500	125
Czecho-Slovakia	7,500	75	Switzerland	12,500	125
Denmark	7,500	75			
<i>Fourth Class</i>					
Austria	10,000	100	Norway	6,000	60
Chile	10,000	100	Philippines	10,000	100
Columbia	10,000	100	Poland	6,000	60
Cuba	10,000	100	Portugal	6,000	60
Egypt	6,000	60	Roumania	6,000	60
Finland	6,000	60	Turkey	6,000	60
Greece	6,000	60	Venezuela	10,000	100
Iran	6,000	60	Yugoslavia	6,000	60
Mexico	10,000	100			
<i>Fifth Class</i>					
Bolivia	6,500	65	Peru	6,500	65
Bulgaria	4,000	40	Siam	4,000	40
Hungary	4,000	40	Uruguay	6,500	65
<i>Sixth Class</i>					
Belgian Congo	2,500	25	Irak	2,500	25
<i>Seventh Class</i>					
	<i>Yearly contribution (in gold francs)</i>	<i>Number of copies of the Journal to which the adhering countries are entitled</i>		<i>Yearly contribution (in gold francs)</i>	<i>Number of copies of the Journal to which the adhering countries are entitled</i>
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
Haïti	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 despatch 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 Tariff Bureau shall exceed one half of the authorized budget of expenditure 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 single copy, on the 16th of December, 1949.

For Germany:

Federal Republic of Germany
signed subject to the approval of the
Allied High Commissioner
Dr. Ludwig IMHOFF

For Argentina:

Ad referendum
E. Moss

For Australia:

J. P. QUINN

For Austria:

K. FARBOWSKY
Subject to final approval
by the Austrian Government

For Belgium:¹

M. SUETENS

For Bolivia:

For Brazil:

Ad referendum to the Brazilian Parliament
R. DE LACERDA LAGO

For Canada:

Bruce MACDONALD

For Chile:

For China:

For Colombia:

A. GOMEZ JARAMILLO

For Denmark:

B. F. FALKENSTJERNE

For the Dominican Republic:

Dr. T. FRANCO FRANCO
ad referendum

For Egypt:

A. RACHID

For Spain:

MERRY DEL VAL DE MORALES

For the United States of America:

For Finland:

R. J. NUMELIN

For France:

ad referendum
LÉCUYER

¹ Subject to ratification. (See Memorandum of signature, page 21.)

For the United Kingdom of Great Britain and Northern Ireland:

G. COCKERHAM

For Greece:

T. N. TRIANTAFYLLAROS
subject to ratification

For Haiti:

E. SYLVAIN

For Iraq:

T. AL-PACHACHI

For Iran:

For Italy:

E. CACCIALUPI

For Japan:

T. ISHIDA

For Lebanon:

J. HARFOURCHE

For Luxembourg¹:

J. P. KREMER

For Mexico:

ad referendum
F. A. DE ICAZA

For Norway:

Subject to ratification
J. RAEDER

For Pakistan:

H. ALI

For the Netherlands:

B. Ph. VAN HARINXMA THOE SLOOTEN

For Sweden:

Subject to approval by the Parliament
G. VON OTTER

¹ Subject to ratification. (See Memorandum of signature, page 21.)

For Switzerland:

A. MARCIONELLI

For Syria:

For Czechoslovakia:

For Turkey:

For the Union of South Africa:

Ph. R BOTHA

For the Indian Union:

B. F.-H. B. TYABJI

For Venezuela:

For Yugoslavia:

Subject to later approval
M. RISTIC

MEMORANDUM OF SIGNATURE

On 16 December 1949, at 2345 hours, the Protocol was opened and the plenipotentiaries of the following countries successively affixed their signature thereto:

for the FEDERAL REPUBLIC OF GERMANY, initialled by Dr. Ludwig Imhoff, subject to approval by the Allied High Commission for Germany;

for ARGENTINA, *ad referendum*, by Mr. Enrique Moss, Acting Chargé d'Affaires of Argentina at Brussels;

for BELGIUM, subject to ratification, by Mr. Max Suetens, Envoy Extraordinary and Minister Plenipotentiary;

for DENMARK, by H.E. Mr. Bent Fritz Falkenstjerne, Envoy Extraordinary and Minister Plenipotentiary of Denmark at Brussels;

for the DOMINICAN REPUBLIC, *ad referendum*, by Dr. Tulio Franco Franco, Envoy Extraordinary and Minister Plenipotentiary of the Dominican Republic at Berne;

for SPAIN, by the Marquis de Merry del Val, Acting Chargé d'Affaires of Spain at Brussels;

for FRANCE, *ad referendum*, by Mr. Lécuyer, Technical Counsellor to the Ministry of Foreign Affairs;

for GREAT BRITAIN and NORTHERN IRELAND, by Mr. G. Cockerham;

for IRAQ by Mr. Taher al-Pachachi, Chargé d'Affaires of Iraq at Brussels;

for ITALY, by Mr. Emilio Caccialupi, Commercial Counsellor to the Italian Embassy at Brussels;

for JAPAN¹, by Mr. Tadashi Ishida, Head of the Customs Section of the Ministry of Finance;

for LEBANON, by Mr. Joseph Harfouche, Chargé d'Affaires of Lebanon at Brussels;

for LUXEMBOURG, subject to ratification, by Mr. Jean-Pierre Kremer, Counsellor of the Luxembourg Legation at Brussels;

for MEXICO, *ad referendum*, by H.E. Mr. Francisco A. de Icaza, Envoy Extraordinary and Minister Plenipotentiary of Mexico at Brussels;

¹ Subject to the approval required by the Japanese Constitution. (This reservation results from the wording of the credentials)

for SWITZERLAND, by Mr. A. Marcionelli, Counsellor of the Swiss Legation at Brussels;

for YUGOSLAVIA, subject to subsequent approval, by Mr. Mihajlo Ristic, Assistant Commercial Attaché at the Legation of Yugoslavia at Brussels:

on 12 January 1950, subject to ratification, by H.E. Mr. Tryphon Triantaphyllakos, Envoy Extraordinary and Minister Plenipotentiary of GREECE at Brussels;

on 25 January 1950, by Mr. Edmond Sylvain, Acting Charge d'Affaires of the Republic of HAITI at Brussels;

on 2 February 1950, by H.E. Mr. Ragnar Numelin, Envoy Extraordinary and Minister Plenipotentiary of FINLAND at Brussels;

on 7 February 1950, by H.E. Mr. Ahmed Bey Rachid, Envoy Extraordinary and Minister Plenipotentiary of EGYPT at Brussels;

on 9 February 1950, by Mr. B. F.-H. B. Tyabji, Acting Chargé d'Affaires of the INDIAN UNION at Brussels;

on 15 February 1950, subject to approval by Parliament, by Baron Göran von Otter, First Secretary at the Legation of SWEDEN at Brussels;

on 27 February 1950, by Mr. John Paul Quinn, Acting Chargé d'Affaires of AUSTRALIA at The Hague;

on 7 March 1950, subject to ratification, by H.E. Mr. Johan Raeder, Minister of NORWAY at Brussels;

on 8 March 1950, by Mr. Miguel Espeluis y Pedroso, Count de Morales, Acting Chargé d'Affaires of SPAIN at Brussels;

on 17 March 1950, *ad referendum* to the Brazilian Parliament, by H.E. Mr. Renato de Lacerda Lago, Ambassador of the UNITED STATES OF BRAZIL at Brussels;

on 20 March 1950, by Mr. Hamid Au, Commercial Attaché of PAKISTAN at London;

on 27 March 1950, by Mr. Arturo Gómez Jaramillo, Commercial Attaché at the Legation of COLOMBIA at Brussels;

on 28 March 1950, by H.E. B. Ph. Baron van Harinxma thoe Slooten, Ambassador of the NETHERLANDS at Brussels;

on 31 March 1950, subject to final agreement of the Austrian Government, by Mr. Kurt Farbowsky, Acting Chargé d'Affaires of AUSTRIA at Brussels;

by Mr. Bruce Macdonald, Commercial Counsellor to the CANADIAN Embassy at Brussels;

by H.E. Mr. Philip Rudolph Botha, Envoy Extraordinary and Minister Plenipotentiary of the UNION OF SOUTH AFRICA at Brussels;

The present memorandum closed at Brussels on 31 March 1950 at 18 hours shall remain attached to the original Protocol.

Director
Head of the Treaties Section
of the Ministry of Foreign Affairs
and of Foreign Trade
(Signed) Jul. A. DENOEL