No. 8904

AUSTRALIA, AUSTRIA, BELGIUM, BOLIVIA, CANADA, etc.

Third International Tin Agreement (with annexes and Declaration, signed at London on 19 September 1966, correcting an error found in paragraph 6 of article IX of the English, French and Spanish texts of the above-mentioned Agreement). Open for signature, at London, from 1 June to 31 December 1965

Official texts: English, French and Spanish.

Registered by the United Kingdom of Great Britain and Northern Ireland on 10 January 1968.

AUSTRALIE, AUTRICHE, BELGIQUE, BOLIVIE, CANADA, etc.

Troisième Accord international sur l'étain (avec annexes et Déclaration rectificative, signée à Londres le 19 septembre 1966, concernant une erreur trouvée à l'article IX, paragraphe 6, des textes anglais, français et espagnol de l'Accord susmentionné). Ouvert à la signature, à Londres, du 1er juin au 31 décembre 1965

Textes officiels anglais, français et espagnol.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 10 janvier 1968.

No. 8904. THIRD INTERNATIONAL TIN AGREEMENT.[1] OPEN FOR SIGNATURE, AT LONDON, FROM 1 JUNE TO 31 DECEMBER 1965[2]

The Contracting Governments recognizing :

(*a*) That commodity agreements, by helping to secure short-term stabilization of prices and steady long-term development of primary commodity markets, can significantly assist economic growth, especially in developing producing countries;

(*b*) The value of continued co-operation between producing and consuming countries within the framework of an international commodity agreement to help resolve problems relevant to tin;

(*c*) The exceptional importance of tin to numerous countries which are heavily dependent upon favourable and equitable conditions for its production, consumption or trade;

(*d*) The need to protect and foster the health and growth of the tin industry, especially in the developing producing countries, and so to ensure adequate supplies of tin to safeguard the interests of consumers in the importing countries; and

(*e*) The importance to tin producing countries of maintaining and expanding their import purchasing power;

Have agreed as follows :

Article I

OBJECTIVES

The objectives of this Agreement are :

(*a*) To provide for adjustment between world production and consumption of tin and to alleviate serious difficulties arising from surplus or shortage of tin;

(*b*) To prevent excessive fluctuations in the price of tin;

[1] Came into force provisionally on 1 July 1966, in accordance with paragraph 4 (*a*) of article XXIV, and definitively on 21 March 1967, in accordance with paragraph 3 (*a*) of the same article. For particulars concerning the entry into force of the Agreement, see p. 468 of this volume.

[2] For the International Tin Agreement done at London on 1 March 1954, see United Nations *Treaty Series*, Vol. 256, p. 31, and Vol. 326, p. 312. For the Second International Tin Agreement done at London on 1 September 1960, see *ibid.*, Vol. 403, p. 3; Vol. 425, p. 372; Vol. 456, p. 510, and Vol. 466, p. 406.

(*c*) To make arrangements which will help maintain and increase the export earnings from tin, especially those of the developing producing countries, thereby helping to provide such countries with resources for accelerated economic growth and social development, while at the same time taking into account the interests of consumers in importing countries;

(*d*) To ensure conditions which will help achieve a dynamic and rising rate of production of tin on the basis of a remunerative return to producers, which will help secure an adequate supply at prices fair to consumers and which will help provide a long-term equilibrium between production and consumption;

(*e*) To prevent or alleviate widespread unemployment or underemployment and other serious difficulties which may result from maladjustments between the supply of and the demand for tin;

(*f*) In the event of a serious shortage of supplies of tin occurring or being expected to occur, to take steps to secure an increase in the production of tin and a fair distribution of tin metal at equitable prices;

(*g*) In the event of a serious surplus of supplies of tin occurring or being expected to occur, to take steps to mitigate serious difficulties which might arise in producing countries;

(*h*) To review disposals of non-commercial stocks of tin by Governments and to formulate the criteria applicable to such disposals which would eliminate any uncertainties and difficulties which might arise;

(*i*) To make arrangements for the continuing study of the short-term and long-term problems of the world tin industry;

(*j*) To keep under review the need for the development of new deposits of tin and for the protection of existing deposits against unnecessary waste or premature abandonment;

(*k*) To encourage wider participation in organizations devoted to research to promote the consumption of tin; and

(*l*) To continue the work of the International Tin Council under the First and Second International Tin Agreements.

Article II

DEFINITIONS

For the purpose of this Agreement :

« Tin » means tin metal, other refined tin or the tin content of concentrates or of ore which has been extracted from its natural occurrence. For the purposes of this definition, " ore " shall be deemed to exclude (*a*) material which has been extracted from the ore body for a purpose other than that of being dressed and (*b*) material which is discarded in the process of dressing.

" Tin metal " means refined tin of good merchantable quality assaying not less than 99.75 per cent.

" Buffer stock " means the buffer stock established and operated in accordance with the provisions of Articles X and XI of this Agreement.

" Tin metal held, " when used in relation to the buffer stock holding, includes metal which has been bought for the buffer stock but has not yet been received by the Manager of the buffer stock and excludes metal which has been sold from the buffer stock but which has not yet been delivered by the Manager.

" Ton " means a long ton of 2,240 pounds avoirdupois.

" Net exports " means the amount exported in the circumstances set out in Part One of Annex C to this Agreement less the amount imported as determined in accordance with Part Two of the same Annex.

" Participating country" means, as the context may require, the Government of a country which has ratified, approved or accepted this Agreement or given notification of intention to ratify, approve or accept it or acceded to it on its own behalf for all or part of its territories or on behalf of a country or territory or countries or territories which it is empowered so to engage or the Government of a country or territory or countries or territories on whose behalf separate participation has been declared in accordance with Article III or Article XXV hereof, or the country or territory or countries or territories themselves.

" Producing country " means a participating country which, in its instrument of ratification, approval, acceptance, notification or accession, has declared itself to be, or in the instrument relating to it has been declared to be, a producing country.

" Consuming country " means a participating country which, in its instrument of ratification, approval, acceptance, notification or accession, has declared itself to be, or in the instrument relating to it has been declared to be, a consuming country.

" Contributing country " means a participating country which has contributions in the buffer stock.

" Simple majority " means a majority of the votes cast by participating countries, counted together.

" Simple distributed majority " means a majority of the votes cast by producing countries and a majority of the votes cast by consuming countries, counted separately.

" Two-thirds distributed majority " means a two-thirds majority of the votes cast by producing countries and a two-thirds majority of the votes cast by consuming countries, counted separately.

" Entry into force " means, except when qualified, the initial entry into force of this Agreement, whether such entry into force is provisional in accordance with paragraph 4 of Article XXIV or definitive in accordance with paragraph 3 of the same Article.

" Control period " means a period which has been so declared and for which a total permissible export amount has been fixed.

" Quarter " means a calendar quarter beginning on 1 January, 1 April, 1 July, or 1 October.

Article III

CATEGORY OF PARTICIPATING COUNTRIES

1. Each Contracting Government shall, in its instrument of ratification, approval or acceptance or in its notification of intention to ratify, approve or accept, deposited under Article XXIV, or in its instrument of accession deposited under Article XXV, declare that it desires to participate in this Agreement as a producing country or as a consuming country. Where a Contracting Government has ratified, approved, accepted, given notification of intention to ratify, approve or accept, or acceded to this Agreement, it may in its instrument of ratification, approval, acceptance, notification or accession, or at any time thereafter in accordance with and subject to the provisions of paragraph 2 of Article XXV, declare the separate participation as a producing or as a consuming country, as may be appropriate, of a country or territory or countries or territories interested in the production or consumption of tin, which it is empowered so to engage.

2. The Council shall, upon request by a participating country which is considering a change in its category from a consuming country to a producing country or from a producing country to a consuming country, as the case may be, determine provisionally as soon as possible for such country such tonnages and/or percentages, as the case shall require.

3. Following such provisional determination, the Government of the participating country concerned may state to the Council that the declaration which it has made under paragraph 1 is amended so as to provide for a change in its category.

4. After receipt of such statement the Council shall determine the date when the provisional tonnages and/or percentages, as the case shall require, arrived at under paragraph 2 shall become definitive and come into effect.

5. From the date of coming into effect determined by the Council under paragraph 4, the Contracting Government concerned shall cease to hold any of the rights and privileges in, or to be bound by any of the obligations under,