

1 ARTICLE XIV OF THE MARRAKESH AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION

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1 ARTICLE XIV OF THE MARRAKESH AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION

1.1 Text of Article XIV

Article XIV

Acceptance, Entry into Force and Deposit

1. This Agreement shall be open for acceptance, by signature or otherwise, by contracting parties to GATT 1947, and the European Communities, which are eligible to become original Members of the WTO in accordance with Article XI of this Agreement. Such acceptance shall apply to this Agreement and the Multilateral Trade Agreements annexed hereto. This Agreement and the Multilateral Trade Agreements annexed hereto shall enter into force on the date determined by Ministers in accordance with paragraph 3 of the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations and shall remain open for acceptance for a period of two years following that date unless the Ministers decide otherwise. An acceptance following the entry into force of this Agreement shall enter into force on the 30th day following the date of such acceptance.

2. A Member which accepts this Agreement after its entry into force shall implement those concessions and obligations in the Multilateral Trade Agreements that are to be implemented over a period of time starting with the entry into force of this Agreement as if it had accepted this Agreement on the date of its entry into force.

3. Until the entry into force of this Agreement, the text of this Agreement and the Multilateral Trade Agreements shall be deposited with the Director -General to the CONTRACTING PARTIES to GATT 1947. The Director -General shall promptly furnish a certified true copy of this Agreement and the Multilateral Trade Agreements, and a notification of each acceptance thereof, to each government and the European Communities having accepted this Agreement. This Agreement and the Multilateral Trade Agreements, and any amendments thereto, shall, upon the entry into force of this Agreement, be deposited with the Director-General of the WTO.

1.4 Article XIV:3

1.4.1 Depository functions of the Director -General of the GATT 1947

7. The Agreement on the Transfer of Assets, Liabilities, Records, Staff and Functions from the Interim Commission of the International Trade Organization and the GATT to the WTO, approved by the CONTRACTING PARTIES to the GATT 1947 on 8 December 1994 and by the General Council on 31 January 1995, provides :

"The Director -General of the WTO shall perform the depository functions of the Director-General of the GATT 1947 after the date on which the legal instruments through which the contracting parties apply the GATT 1947 are terminated. On that date the records of the GATT 1947 shall be transferred to the WTO." ⁹

8. The Status of WTO Legal Instruments publication ¹⁰ contains continuously updated information on WTO treaty developments and depository action related thereto.

1.5 Article XIV:4

1.5.1 Acceptance and entry into force of the Plurilateral Trade Agreements

1.5.1.1 Agreement on Government Procurement

9. The Agreement on Government Procurement entered into force on 1 January 1996, in accordance with the provisions of Article XXIV:1 of that Agreement on acceptance and entry into force.¹¹ By application of Article XXIV, the governments and the European Communities whose agreed coverage was listed in the Agreement were eligible to accept the Agreement on 15 April 1994 or to accept it subject to ratification and then ratify the Agreement before 1 January 1996.

1.5.1.2 Agreement on Trade in Civil Aircraft

10. The Agreement on Trade in Civil Aircraft entered into force on 1 January 1980. Acceptance of the Agreement is governed by the provisions of Article 9.1 of that Agreement thereof, which provides: "This Agreement shall be open for acceptance by signature or otherwise by governments contracting parties to the GATT and by the European Economic Community". ¹²

1.5.1.3 International Dairy Agreement and International Bovine Meat Agreement

11. Acceptance of the International Dairy Agreement was governed by the provisions of Article VIII of that Agreement. ¹³