

Committee on Specific Commitments

DRAFT

**PROCEDURES FOR THE CERTIFICATION OF RECTIFICATIONS OR
IMPROVEMENTS TO SCHEDULES OF SPECIFIC COMMITMENTS**

1. Modifications in the authentic texts of Schedules annexed to the GATS not resulting from action under the procedures for the implementation of Article XXI of the GATS (modification of schedules) adopted by the Council for Trade in Services on 19 July 1999, which consist of new commitments, improvements to existing ones, or rectifications or changes of a purely technical character that do not alter the scope or the substance of the existing commitments, shall take effect by means of certification. A Member intending to modify its schedule in accordance with this paragraph shall submit to the Secretariat for circulation to all Members a draft schedule clearly indicating the details of the modifications. The draft schedule containing the modifications shall enter into force upon the conclusion of a period of 45 days from the date of its circulation by the Secretariat, or on a later date specified or to be specified by the modifying Member, provided no objection has been raised by any other Member. At the end of the 45-day period, if no objection has been raised, the Secretariat shall issue a communication to all Members to the effect that the certification procedure has been concluded, indicating the date of entry into force of the modifications.
2. Any Member wishing to object to the certification shall submit a notification to that effect to the Secretariat for circulation to all Members. A Member making an objection should to the extent possible identify the specific elements of the modifications which gave rise to that objection. The objecting Member(s) and the modifying Member shall enter into consultation as soon as possible and shall endeavour to reach a satisfactory solution of the matter within 45 days after the expiry of the period in which objections may be made. When an objection has been notified, the certification procedure shall be deemed concluded upon the withdrawal of the objection by the objecting Member or the expiry of the 45-day period as referred to in paragraph 1, whichever comes later. Such a withdrawal shall be communicated to the Secretariat. When more than one objection has been raised, the certification procedure shall be deemed concluded upon the withdrawal of the objections by all objecting Members or the expiry of the 45-day period as referred to in paragraph 1, whichever comes later. The Secretariat shall issue a communication informing all Members of the withdrawal of the objection(s) and the conclusion of the certification procedure, indicating the date of entry into force of the modifications.
3. If as a result of the consultations mentioned in paragraph 2 of the present decision, the draft schedule originally submitted for certification were to be modified, the modifying Member shall initiate again the procedure described in paragraph 1 of the present decision.
4. If any of the objections raised under paragraph 2 are not withdrawn, these procedures shall cease to apply and the modifying Member may withdraw its proposed modifications or initiate the procedures for the implementation of Article XXI of the GATS (modification of schedules), adopted by the Council for Trade in Services on 19 July 1999, by submitting a notification to that effect.
5. Following the lapse of three years from the date of entry into force of these procedures, the Council for Trade in Services shall, at the request of any Member, review the operation of these procedures. In such a review, the Council for Trade in Services may agree to amend this decision.