

TREATY ESTABLISHING THE CARIBBEAN COMMUNITY

Chaguaramas, 4th July 1973

(This is the Official Text of the Treaty, the Final Act and the Agreement establishing the
Common External Tariff)

CONTENTS

PREAMBLE

CHAPTER ONE PRINCIPLES

ARTICLE

- [Establishment of the Caribbean Community](#)
- [Membership](#)
- [Definition of Less Developed and More Developed Countries](#)
- [Objectives of the Community](#)
- [General Undertaking as to Implementation](#)

CHAPTER TWO ORGANS OF THE COMMUNITY

- [Principal Organs](#)
- [The Conference - Composition](#)
- [Functions and Powers](#)
- [Voting in the Conference](#)
- [Institutions of the Community](#)
- [Composition of Institutions of the Community](#)
- [Functions and Powers](#)
- [Voting in Institutions](#)
- [Associate Institutions](#)
- [The Community Secretariat](#)
- [Functions of the Secretariat](#)

加勒比共同体成立条约

查瓜拉马斯，1973年7月4日

(此为条约正式文本、最终法案及共同对外关税协定)

目录

序言

第一章 原则

条款

- 加勒比共同体的建立
- 成员资格
- 欠发达国家和较发达国家的定义
- 共同体的目标
- 实施的一般承诺

第二章 共同体机构

- 主要机构
- 会议 - 组成
- 职能与权力
- 会议中的投票
- 共同体机构
- 共同体机构的组成
- 职能与权力
- 机构中的投票
- 联合机构
- 共同体秘书处
- 秘书处的职能

CHAPTER THREE
COORDINATION AND FUNCTIONAL COOPERATION

17. [Coordination of Foreign Policies](#)
18. [Functional Cooperation](#)
19. [Settlement of Disputes](#)

CHAPTER FOUR
GENERAL AND FINAL PROVISIONS

20. [Legal Capacity](#)
21. [Privileges and Immunities](#)
22. [Signature](#)
23. [Ratification](#)
24. [Entry into Force](#)
25. [Registration](#)
26. [Amendments](#)
27. [Withdrawal](#)
28. [Negotiation and Conclusion of Agreements](#)
29. [Accession to the Treaty](#)
30. [Associate Membership](#)
31. [Saving](#)
32. [Status of the Annex and Schedule](#)
33. [General Provisions of the Common Market](#)

ANNEX TO THE TREATY -[THE CARIBBEAN COMMON MARKET](#)

TREATY ESTABLISHING THE CARIBBEAN
COMMUNITY

PREAMBLE

The Governments of the contracting States,

Determined to consolidate and strengthen the bonds which have historically existed among their peoples;

Sharing a common determination to fulfil the hopes and aspirations of their peoples for full employment and improved standards of work and living;

第三章 协调与功能合作

17. [外交政策协调](#)18. [功能合作](#)
19. [争端解决](#)

第四章 一般及最终条款

20. 法律能力 21. 特权与豁免 22. 签署 23.
批准 24. 生效 25. 登记 26. 修正 27. 退出
28. 协议的谈判与缔结 29. 加入条约 30. 准
成员资格 31. 保留 32. 附件与附表的状态
33. 共同市场的一般条款

条约附件 -[加勒比共同市场](#)

条约 建立加勒比共同体

序言

缔约国政府,

决心巩固和加强其人民之间历史上存在的纽带;

怀着共同决心, 实现其人民对充分就业及提高工作和生活水平的希望与抱负;

Conscious that these objectives can most rapidly be attained by the optimum utilisation of available human and natural resources of the Region; by accelerated, coordinated and sustained economic development, particularly through the exercise of permanent sovereignty over their natural resources; by the efficient operation of common services and functional cooperation in the social, cultural, educational and technological fields; and by a common front in relation to the external world;

Convinced of the need to elaborate an effective regime by establishing and utilising institutions designed to enhance the economic, social and cultural development of their peoples;

Have Agreed as Follows:

CHAPTER I
PRINCIPLES

ARTICLE 1
ESTABLISHMENT OF THE CARIBBEAN COMMUNITY

By this Treaty the Contracting Parties establish among themselves a Caribbean Community (hereinafter referred to as "the Community") having the membership, powers and functions hereinafter specified.

ARTICLE 2
MEMBERSHIP

1. Membership of the Community shall be open to--

- (a)
- (i) Antigua
 - (ii) Bahamas
 - (iii) Barbados
 - (iv) Belize
 - (v) Dominica
 - (vi) Grenada
 - (vii) Guyana
 - (viii) Jamaica
 - (ix) Montserrat
 - (x) St. Kitts-Nevis-Anguilla
 - (xi) St. Lucia
 - (xii) St. Vincent
 - (xiii) Trinidad and Tobago.

意识到这些目标可通过以下方式最迅速地实现：最佳利用该地区可用的人力和自然资源；通过加速、协调和可持续的经济发展，特别是通过对其自然资源行使永久主权；通过社会、文化、教育和技术领域共同服务的高效运作及功能合作；以及通过面对外部世界时采取共同阵线；

深信有必要通过设立并利用旨在促进其人民经济、社会和文化发展的机构，来制定一套有效制度；

达成如下协议：

第一章原则

第一条 加勒比共同体的建立

缔约方根据本条约在彼此之间建立一个加勒比共同体（以下简称“共同体”），其成员资格、权力和职能如下所述。

第二条 成员资格

1. 共同体的成员资格应向以下对象开放——

- (a)
- (i) 安提瓜 (ii) 巴哈马
 - (iii) 巴巴多斯 (iv) 伯利兹
 - (v) 多米尼加 (vi) 格林纳达 (vii) 圭亚那 (viii) 牙买加 (ix) 蒙特塞拉特 (x) 圣基茨-尼维斯-安圭拉 (xi) 圣卢西亚 (xii) 圣文森特 (xiii) 特立尼达和多巴哥。

(b) any other State of the Caribbean Region that is in the opinion of the Conference able and willing to exercise the rights and assume the obligations of membership in accordance with Article 29 of this Treaty.

2. States listed in paragraph (a) of this Article the Governments of which sign this Treaty in accordance with Article 22 and ratify it in accordance with Article 23 shall become Member States of the Community.

ARTICLE 3
DEFINITION OF LESS DEVELOPED COUNTRIES
AND MORE DEVELOPED COUNTRIES

For the purposes of this Treaty the States specified in paragraph 1 (iii), (vii), (viii) and (xiii) of Article 2 shall be designated More Developed Countries and the remainder listed in the said Paragraph, other than the Bahamas, shall be designated Less Developed Countries until such time as the Conference otherwise determine by majority decision.

ARTICLE 4
OBJECTIVES OF THE COMMUNITY

The Community shall have as its objectives--

(a) the economic integration of the Member States by the establishment of a common market regime (hereinafter referred to as "the Common Market") in accordance with the provisions of the Annex to this Treaty with the following aims:--

(i) the strengthening, coordination and regulation of the economic and trade relations among Member States in order to promote their accelerated harmonious and balanced development;

(ii) the sustained expansion and continuing integration of economic activities, the benefits of which shall be equitably shared taking into account the need to provide special opportunities for the Less Developed Countries;

(iii) the achievement of a greater measure of economic independence and effectiveness of its Member States in dealing with States; groups of states and entities of whatever description;

(b) the coordination of the foreign policies of Member States; and

(c) functional cooperation, including--

(i) the efficient operation of certain common services and activities for the benefit of its peoples;

(b) 会议认为能够并愿意根据本条约第29条行使成员权利并承担成员义务的加勒比地区任何其他国家。

2. 本条款(a)段所列国家，其政府依照第22条签署本条约并依照第23条予以批准者，应成为共同体的成员国。

第三条 欠发达国家与较发达国家的定义

就本条约而言，第二条1款(iii)、(vii)、(viii)及(xiii)项所指定的国家应被认定为较发达国家，该款所列其余国家（巴哈马除外）应被认定为欠发达国家，直至会议通过多数决定另行规定为止。

第四条 共同体的目标

共同体的目标应包括——

(a) 通过建立共同市场制度（下称"共同市场"）实现成员国的经济一体化，该制度应根据本条约附件的规定设立，并旨在实现以下目标：——

(i) 加强、协调和规范成员国之间的经济与贸易关系，以促进其加速实现和谐与平衡发展；

(ii) 持续扩大并深化经济活动的一体化进程，确保利益得到公平分配，同时充分考虑为欠发达国家提供特殊机遇的需求；

(iii) 使成员国在处理与其他国家、国家集团及各类实体关系时获得更高程度的经济独立性和行动效力；

(b) 协调成员国的外交政策；及

(c) 功能合作，包括——

(i) 某些共同服务与活动的高效运作，以增进其人民利益；

(ii) the promotion of greater understanding among its peoples and the advancement of their social, cultural and technological development;

(iii) activities in the fields specified in the Schedule and referred to in Article 18 of this Treaty.

ARTICLE 5
GENERAL UNDERTAKING AS TO IMPLEMENTATION

Member States shall take all appropriate measures, whether general or particular, to ensure the carrying out of obligations arising out of this Treaty or resulting from decisions taken by the Organs of the Common Market. They shall facilitate the achievement of the objectives of the Common Market. They shall abstain from any measures which could jeopardise the attainment of the objectives this Treaty.

CHAPTER II
ORGANS OF THE COMMUNITY

ARTICLE 6
PRINCIPAL ORGANS

The principal organs of the Community shall be--

(a) the Conference of Heads of Government (hereinafter referred to as "the Conference");

(b) The Common Market Council established under the Annex (hereinafter referred to as "the Council").

ARTICLE 7
THE CONFERENCE

COMPOSITION

The Conference shall consist of the Heads of Government of Member States.

Any member of the Conference may, as appropriate, designate an alternate to represent him at any meeting of the Conference.

ARTICLE 8
FUNCTIONS AND POWERS

1. The primary responsibility of the Conference shall be to determine the policy of the Community.

(ii) 促进其人民之间的更深理解，并推动其社会、文化和技术发展；

(iii) 附表指定领域的活动以及本条约第十八条所述活动。

第五条 关于实施的一般承诺

成员国应采取一切适当措施，无论是普遍性还是特定性的，以确保履行本条约产生的义务或共同市场机构作出的决定所衍生的义务。它们应促进共同市场目标的实现，并避免采取任何可能危及本条约目标达成的措施。

第二章 共同体机构

第六条 主要机构

共同体的主要机构应为——

(a) 政府首脑会议（以下简称“会议”）；(b) 根据附件设立的共同市场理事会（以下简称

“理事会”）

第七条 会议

组成

会议应由成员国政府首脑组成

任何会议成员均可酌情指定一名代表其出席任何会议的代表

第八条 职能与权力

1. 会议的主要职责应为确定共同体的政策。

2. The Conference may establish, and designate as such, institutions of the Community in addition to those specified in paragraphs (a) to (g) of Article 10 of this Treaty, as it deems fit for the achievement of the objectives of the Community.

3. The Conference may issue directions of a general or special character as to the policy to be pursued by the Council and the Institutions of the Community for the achievement of the objectives of the Community, and effect shall be given to any such directions.

4. Subject to the relevant provisions of this Treaty, the Conference shall be the final authority for the conclusion of treaties on behalf of the Community and for entering into relationships between the Community and International Organisations and States.

5. The Conference shall take decisions for the purpose of establishing the financial arrangements necessary for meeting the expenses of the Community and shall be the final authority on questions arising in relation to the financial affairs of the Community.

6. The Conference may regulate its own procedure and may decide to admit at its deliberations observers, representatives of non-Member States or other entities.

7. The Conference may consult with entities and other organisations within the region and for this purpose may establish such machinery as it deems necessary.

ARTICLE 9
VOTING IN THE CONFERENCE

1. Each member of the Conference shall have one vote.

2. The Conference shall make decisions and recommendations by the affirmative vote of all its members.

3. A decision shall be binding upon each Member State to which it is directed. A recommendation shall have no binding force. Where, however, a Member State fails to observe a recommendation of the Conference, it shall submit a report to the Conference as early as practicable and in any event not later than six months thereafter, giving reasons for its non-compliance.

4. For the purposes of this Article, abstentions shall not be construed as impairing the validity of decisions or recommendation of the Conference provided that not less than three-quarters of its members including at least two of the More Developed Countries vote in favour of any decision or recommendation.

ARTICLE 10
INSTITUTIONS OF THE COMMUNITY

Institutions of the Community shall be--

2. 会议可酌情设立并指定除本条约第十条(a)至(g)段落所述之外的共同体机构，以实现共同体的目标。

3. 会议可发布具有普遍性或特殊性的指示，以指导理事会和共同体机构为实现共同体的目标而采取的政策，并应执行任何此类指示。

4. 在不违反本条约相关规定的前提下，会议应是代表共同体缔结条约以及共同体与国际组织和国家建立关系的最终权力机构。

5. 会议应作出决定，以建立必要的财务安排来支付共同体开支，并应是处理与共同体财务事务相关问题的最终权力机构。

6. 会议可自行规定其程序，并可决定允许观察员、非成员国代表或其他实体参与其审议。

7. 会议可与地区内的实体和其他组织进行磋商，并为此目的设立其认为必要的机制。

第九条 会议中的投票

1. 每个会议成员应拥有一票。

2. 会议应通过其全体成员的赞成票作出决定和建议。

3. 决定对每个被指向的成员国具有约束力。建议不具有约束力。然而，当某一成员国未能遵守会议的建议时，应尽早且在任何情况下不迟于六个月后向会议提交报告，说明其不遵守的理由。

4. 就本条而言，弃权不应被视为损害会议决定或建议的有效性，前提是不少于四分之三的成员，包括至少两个较发达国家，对任何决定或建议投赞成票。

第十条 共同体机构

共同体机构应包括——

- (a) the Conference of Ministers responsible for Health
- (b) the Standing Committee of Ministers responsible for Education
- (c) the Standing Committee of Ministers responsible for Labour
- (d) the Standing Committee of Ministers responsible for Foreign Affairs
- (e) the Standing Committee of Ministers responsible for Finance
- (f) the Standing Committee of Ministers responsible for Agriculture
- (g) the Standing Committee of Ministers responsible for Mines
- (h) any other institution that may be established and designated as such by the Conference in accordance with Article 18.

ARTICLE 11
COMPOSITION OF INSTITUTIONS OF THE COMMUNITY

- 1. Each Institution of the Community as set out in paragraphs (a) to (h) of Article 10 of this Treaty shall consist of representatives of Member States. Each Member State shall designate a Minister of Government as its representative on each such institution.
- 2. Where the Minister designated under paragraph 1 of this Article is unable to attend a meeting of the institution the Member State may designate any other person as an alternate to attend such meeting in his stead.
- 3. Where the Conference establishes any other institutions in the exercise of the power conferred on it by paragraph 2 of Article 8 of this Treaty, the composition of such institution shall be determined by the Conference.

ARTICLE 12
FUNCTIONS AND POWERS

- 1. Subject to the relevant provisions of Article 8 of this Treaty, the institutions of the Community shall formulate such policies and perform such functions as are necessary for the achievement of the objectives of the Community within their respective spheres of competence.
- 2. The institutions of the Community may regulate their own procedure and--
 - (a) may establish such subsidiary committees, agencies and other bodies as they consider necessary for the efficient performance of their functions; and

- (a) 卫生部长会议 (b) 教育部长常务委员会 (c) 劳动部长常务委员会 (
- d) 外交部长常务委员会 (e) 财政部长常务委员会 (f) 农业部长常务委员
- 会 (g) 矿业部长常务委员会 (h) 共同体可能设立并指定的任何其他机构

会议根据第十八条。

第11条 共同体机构的组成

- 1. 如本条约第十条(a)至(h)段所述，共同体的每个机构应由成员国代表组成。每个成员国应指定一名政府部长作为其在每个此类机构的代表。
- 2. 如根据本条第1段指定的部长无法出席机构会议，成员国可指定任何其他人员作为替代者代其出席此类会议。
- 3. 如会议在行使本条约第八条第2段授予的权力时设立任何其他机构，此类机构的组成应由会议决定。

第12条 职能与权力

- 1. 在遵循本条约第八条相关规定的前提下，共同体机构应在其各自职权范围内制定必要政策并履行必要职能，以实现共同体的目标。
- 2. 共同体机构可自行规范其程序，且-
 - (a) 可设立其认为对有效履行其职能所必需的附属委员会、机构和其他机构；以及

(b) may decide to admit at their deliberations observers, representatives of non-Member States or other entities.

ARTICLE 13
VOTING IN INSTITUTIONS

1. Each Member State represented on an Institution shall have one vote.
2. Unless otherwise provided for, decisions of an Institution shall be made by an affirmative vote of all its members. For the purposes of this paragraph, abstentions shall not be construed as impairing the validity of decisions of an Institution provided that not less than three-quarters of its members including at least two of the More Developed Countries vote in favour of such decisions.
3. Recommendation shall be made by a two-thirds majority vote of all its members including at least two of the More Developed Countries and shall have no binding force. Where a Member State fails to observe a recommendation of an Institution in whole or in part, it shall submit a report to the Institution making the recommendation as early as practicable and in any event not later than six months after receiving notice of such recommendation giving reasons for its non-compliance.
4. Observers at meetings of Institutions shall not have the right to vote.

ARTICLE 14
ASSOCIATES INSTITUTIONS

1. The following institutions shall be recognised as Associate Institutions of the Community--
 - (a) the Caribbean Development Bank;
 - (b) the Caribbean Investment Corporation;
 - (c) the West Indies Associated States Council of Ministers;
 - (d) the East Caribbean Common Market Council of Ministers;
 - (e) the Caribbean Examinations Council
 - (f) the Council of Legal Education;
 - (g) the University of Guyana;
 - (h) the University of the West Indies;
 - (I) the Caribbean Meteorological Council;
 - (j) the Regional Shipping Council;
 - (k) any other institution designated as such by the Conference.

2. The Community shall seek to establish such relationships with its Associate Institutions as will promote the achievement of its objectives.

ARTICLE 15
THE COMMUNITY SECRETARIAT

(b) 可决定接纳观察员、非成员国代表或其他实体参与其审议。

第13条 机构投票

1. 各成员国在机构中代表享有一票。
2. 除非另有规定，机构的决定应由全体成员国的赞成票通过。就本段落而言，弃权不应被解释为损害机构决定的有效性，前提是不少于四分之三的成员国（包括至少两个较发达国家）投票赞成此类决定。
3. 建议应由全体成员国（包括至少两个较发达国家）的三分之二多数票通过，且不具有约束力。若成员国全部或部分未遵守机构的建议，应尽早并在任何情况下不迟于收到该建议通知后六个月内，向提出建议的机构提交报告，说明其不遵守的理由。
4. 机构会议的观察员无表决权。

第14条 关联机构

1. 下列机构应被认可为共同体的联合机构——

(a) 加勒比开发银行；(b) 加勒比投资公司；(c) 西印度群岛联系国部长理事会；(d) 东加勒比共同市场部长理事会；(e) 加勒比考试委员会；(f) 法律教育委员会；(g) 圭亚那大学；(h) 西印度群岛大学；(i) 加勒比气象委员会；(j) 区域航运委员会；(k) 会议指定的任何其他机构。

2. 共同体应寻求与其联合机构建立此类关系，以促进其目标的实现。

第15条 共同体秘书处

1. The Commonwealth Caribbean Regional Secretariat shall be recognised as the Community Secretariat. The Community Secretariat (hereinafter referred to as "the Secretariat") shall be the principal administrative organ of the Community. The headquarters of the Secretariat shall be located in Georgetown, Guyana.
2. The Secretariat shall comprise a Secretary-General and such staff as the Community may require. The Secretary-General shall be appointed by the Conference (on the recommendation of the Council) for a term not exceeding 5 years and may be re-appointed by the Conference. He shall be the chief administrative officer of the Community.
3. The Secretary-General shall act in that capacity in all meetings of the Conference, the Council and of the institutions of the Community. Then Secretary-General shall make an annual report to the Conference on the work of the Community.
4. In the performance of their duties the Secretary-General and his staff shall neither seek nor receive instructions from any government whether of Member States or otherwise or from any other authority. They shall refrain from any action which might reflect on their position as officials of the Community, and shall be responsible only to the Community.
5. Each Member State undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and his staff and shall not seek to influence them in the discharge of their responsibilities.
6. The Conference shall approve the staff Regulations governing the operation of the Secretariat.
7. The Secretary-General shall approve Staff Rules far the operation of the Secretariat.

ARTICLE 16
FUNCTIONS OF THE SECRETARIAT

1. The functions of the Secretariat shall be as follows:--
- (a) to service meetings of the Community and any of its Institutions or Committees as may from time to time be determined by the Conference;
- (b) to take appropriate follow-up action on decisions made at such meetings;
- (c) to initiate, arrange and carry out studies on questions of economic and functional co-operation relating to the region as a whole;
- (d) to provide services to Member States at their request in respect of matters relating to the achievement of the objectives of the Community;

1. 英联邦加勒比地区秘书处应被认可为共同体秘书处。共同体秘书处（以下简称“秘书处”）应是共同体的主要行政机构。秘书处的总部应设在圭亚那乔治敦。
2. 秘书处应由秘书长及共同体所需之工作人员组成。秘书长由会议（根据理事会建议）任命，任期不超过5年，并可获会议连任。秘书长为共同体首席行政官。
3. 秘书长应以该身份出席会议、理事会及共同体机构的所有会议。秘书长应向会议提交关于共同体工作的年度报告。
4. 秘书长及其工作人员在执行关税职责时，不得寻求或接受任何成员国政府或其他政府及任何其他当局的指示。他们应避免任何可能影响其作为共同体官员身份的行为，且仅对共同体负责。
5. 各成员国承诺尊重秘书长及其工作人员职责的纯粹国际性质，且不得试图影响其履行责任。
6. 会议应核准规范秘书处运作的工作人员条例。
7. 秘书长应核准规范秘书处运作的工作人员细则。

条款16 秘书处的职能

1. 秘书处的职能如下： --
- (a) 为共同体及其任何机构或委员会（由会议不时确定）的会议提供服务；
- (b) 对此类会议作出的决定采取适当的后续行动；
- (c) 发起、安排并开展关于整个地区经济和功能合作问题的研究；
- (d) 应成员国要求，在与实现共同体目标相关的事项上向成员国提供服务；

(e) to undertake any other duties which may be assigned to it by the Conference or any of the Institutions of the Community.

CHAPTER III

COORDINATION AND FUNCTIONAL COOPERATION

ARTICLE 17

COORDINATION OF FOREIGN POLICES

- 1. To the end that Member States aim at the fullest possible coordination of their foreign policies within their respective competences and seek to adopt as far as possible common positions in major international issues, there is hereby established a Standing Committee of Ministers responsible for Foreign Affairs.
- 2. The Committee shall have the power to make recommendations to the Governments of Member States represented on the Committee.
- 3. Only member States possessing the necessary competence with respect to the matters under consideration from time to time may take part in the deliberations of the Committee.
- 4. Where after the coming into force of the Treaty Member State achieves full sovereign status such State shall elect whether it wishes to be bound by the provisions of this Article.
- 5. The recommendations of the Committee shall be made by an affirmative vote of all the Member States competent and participating in the deliberations.
- 6. The provisions of Article 13 shall not apply to this Article.

ARTICLE 18

FUNCTIONAL COOPERATION

Without prejudice to the requirements of any other provision of this Treaty, Member States, in furtherance of the objectives set out in Article 4 of this Treaty, undertake to make every effect to cooperate in the areas set out in the Schedule to this Treaty.

ARTICLE 19

SETTLEMENT OF DISPUTES

Any dispute concerning the interpretation or application of this Treaty, unless otherwise provided for and particularly in Articles 11 and 12 of the Annex, shall be determined by the Conference.

(e) 承担会议或任何共同体机构可能分配的其他关税。

第三章

协调与功能合作

第17条 外交政策协调

- 1. 为使成员国在其各自权限范围内尽可能充分协调其外交政策，并力求在重大国际问题上尽可能采取共同立场，特此设立外交部长常务委员会。
- 2. 该委员会有权向委员会代表的成员国政府提出建议。
- 3. 只有对审议事项具备必要权限的成员国方可参与委员会审议。
- 4. 在本条约生效后，若某成员国取得完全主权地位，则该国应选择是否愿意受本条条款约束。
- 5. 委员会的建议须经所有具备资格且参与审议的成员国一致投赞成票通过。
- 6. 第十三条的规定不适用于本条。

第十八条 功能合作

在不影响本条约其他条款要求的前提下，为推进本条约第四条所述目标，成员国承诺竭尽全力在本条约附表所列领域开展合作。

第十九条 争端解决

任何关于本条约解释或适用的争端，除非另有规定，尤其是附件第11条和第12条中的规定，应由会议裁决。

CHAPTER IV

GENERAL AND FINAL PROVISIONS

ARTICLE 20
LEGAL CAPACITY

- The Community shall have full juridical personality.
- Each Member State shall in its territory accord to the Community the most extensive legal capacity accorded to legal persons under its municipal laws including the capacity to acquire and transfer moveable and immovable property and to sue and be sued in its own name. In any legal proceedings the Community shall be represented by the Secretary General of the Secretariat.
- The Community may enter into agreement with Member States, non-Member States and International Organisations.
- Each Member State hereby agrees to take such action as is necessary to make effective in its territory the provisions of this Article and shall promptly inform the Secretariat of such action.

ARTICLE 21
PRIVILEGES AND IMMUNITIES

- The privileges and immunities to be recognised and granted by the Member States in connection with the Community shall be laid down in a Protocol to this Treaty.
- The Community shall conclude with the Government of the Member States in which the headquarters of the Secretariat is situated an agreement relating to the privileges and immunities to be recognized and granted in connection with the Secretariat.

ARTICLE 22
SIGNATURE

This Treaty shall be open for signature on the 4th July, 1973 by any State mentioned in paragraph 1 (a) of Article 2 of this Treaty.

ARTICLE 23
RATIFICATION

This Treaty and any amendments thereto shall be subject to ratification by the Contracting States in accordance with their respective constitutional procedures. Instruments of ratification shall be deposited with the Secretariat which shall transmit certified copies to the Government of each Member State.

第四章

一般和最终条款

第二十条 法律能力

- 共同体应具有完全的法人资格。
- 各成员国应在其领土内赋予共同体最广泛的法律能力，包括根据其国内法赋予法人的能力，涵盖获取和转让动产与不动产的权利，以及以自身名义起诉和被诉的权利。在任何法律程序中，共同体应由秘书处秘书长代表。
- 共同体可与成员国、非成员国及国际组织签订协议。
- 各成员国特此同意采取必要措施，使本条条款在其领土内生效，并应迅速将此行动通知秘书处。

第21条 特权与豁免

- 成员国应承认并授予与共同体相关的特权与豁免，具体规定见本条约的议定书。
- 共同体应与秘书处总部所在的成员国政府缔结一项协议，规定与秘书处相关的特权与豁免的承认与授予。

第22条 签署

本条约将于1973年7月4日开放供本条约第2条第1款(a)项所述任何国家签署。

第23条 批准

本条约及其任何修正须经各缔约国依照各自宪法程序批准。批准书应交存秘书处，秘书处应将经核证的副本转交各成员国政府。

ARTICLE 24
ENTRY INTO FORCE

This Treaty shall enter into force on the 1st August 1973; if instruments of ratification have been previously deposited in accordance with Article 23 of this treaty by the States mentioned in Article 2 paragraph 1 (a) (iii), (vii), (viii) and (xiii), and if not, then on such later date on which the fourth such instrument has been so deposited.

ARTICLE 25
REGISTRATION

This Treaty and any amendments thereto shall be registered with the Secretariat of the United Nations.

ARTICLE 26
AMENDMENTS

- Save as otherwise provided for in Article 66 of the Annex, upon a decision of the Conference for this purpose, this Treaty may be amended by the Contracting Parties.
- Any such amendment shall enter into force one month after the date on which the last of the instruments of Ratification is deposited.
- Notwithstanding paragraph 1 hereof no amendments may be made to the Treaty prior to May 1, 1974.

ARTICLE 27
WITHDRAWAL

- A Member State may withdraw from the Community by giving notice in writing to the Secretariat and the Secretariat shall promptly notify the other Member States. Such withdrawal shall take effect 12 months after the notice is received by the Secretariat.
- A Member State so withdrawing undertakes to honour any financial obligations duly assumed during its membership of the Community.

ARTICLE 28
NEGOTIATION AND CONCLUSION OF AGREEMENTS

- For the purpose of negotiating agreements, the Conference may designate any institution of the Community to carry out negotiations.
- Unless otherwise determined by the Conference in any particular case, the conclusion of agreements by the Community shall be undertaken by the Conference.

第24条 生效

本条约应于1973年8月1日生效；若第2条第1款(a)项(iii)、(vii)、(viii)和(xiii)所述国家已依照本条约第23条提前交存批准书，则按此执行；若未满足此条件，则于第四份此类批准书交存之日生效。

第25条 登记

本条约及其任何修正应在联合国秘书处登记。

第26条 修正

- 除附件第66条另有规定外，经会议为此目的作出决定后，本条约可由缔约方修正。
- 任何此类修正应于最后一份批准书交存之日起一个月后生效。
- 尽管有本条款第一款规定，在1974年5月1日之前不得对本条约进行任何修正。

第27条 退出

- 成员国可通过向秘书处提交书面通知退出共同体，秘书处应立即通知其他成员国。此类退出应于秘书处收到通知12个月后生效。
- 退出成员国承诺履行其在共同体成员资格期间正式承担的所有财政义务。

第28条 协议的谈判与缔结

- 为谈判协议之目的，会议可指定任何共同体机构负责开展谈判。
- 除非会议在任何特定情况下另有决定，否则共同体缔结协议应由会议负责。

ARTICLE 29
ACCESSION TO THE TREATY

- 1. Any State or Territory of the Caribbean Region may apply to the Conference to become a member of the Community and may, if the Conference so decides, be admitted to membership in accordance with paragraph 2 of this Article.
- 2. Admission to membership shall be upon such terms and conditions as the Conference may decide and shall take effect from the date on which an appropriate instrument of accession is deposited with the Secretariat.

ARTICLE 30
ASSOCIATE MEMBERSHIP

- 1. Any State which in the opinion of the Heads of Government Conference is qualified for membership of the Community in accordance with paragraph l(b) of Article 2 of this Treaty may, upon application to the Conference for associate membership of the Community, be admitted as an associate member of the Community in accordance with paragraph 2 of this Article.
- 2. On an application made under paragraph I of this Article the Conference shall determine the conditions under which the applicant State may be associated with the Community.

ARTICLE 31
SAVING

- 1. Member States that are not also members of the Common Market shall not be entitled to participate in the decisions taken under the Treaty relating to the Common Market.
- 2. Decisions taken under this Treaty requiring such action shall be subject to the relevant constitutional procedures of the respective Member States.
- 3. Where necessary, Member States undertake to take steps as expeditiously as possible to give full effect in law to all decisions of the organs and institutions of the Community which are binding on them.
- 4. Member States shall not participate in decisions with respect to the subject of which they do not possess the necessary competence.

ARTICLE 32
STATUS OF THE ANNEX AND SCHEDULE

The Annex and Schedule to this Treaty shall form an integral part of this Treaty.

第29条 加入条约

- 1. 加勒比地区任何国家或领土均可向会议申请成为共同体成员，若会议作出决定，可依照本条款第2段被接纳为成员。
- 2. 接纳成员资格应由会议决定的条款和条件为准，并在加入书交存秘书处之日起生效。

第30条 准成员资格

- 1. 任何国家，若政府首脑会议认为其符合本条约第二条第一款**(b)**项规定的共同体成员资格条件，可向会议申请共同体的准成员资格，并根据本条第二款被接纳为准会员。
- 2. 对于根据本条第一款提出的申请，会议应确定申请国与共同体建立联系的条件。

第31条 保留

- 1. 非共同市场成员国的成员国无权参与根据条约作出的与共同市场相关的决定。
- 2. 根据本条约作出的需要此类行动的决定，应遵守各成员国相关宪法程序。
- 3. 必要时，成员国承诺尽快采取步骤，在法律上全面落实共同体机关和机构对其具有约束力的所有决定。
- 4. 成员国不得参与其不具备必要权限事项的决定。

第32条 附件和附表的状态

本条约附件及本条约附表应构成本条约的组成部分。

ARTICLE 33
GENERAL PROVISIONS OF THE COMMON MARKET

The provisions of the Annex shall govern the establishment, membership and operation of the Common Market.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, being duly authorised thereto by their respective Governments, have affixed their signatures below this Treaty.

Done at Chaguaramas on the fourth day of July in the year one thousand nine hundred and seventy-three.

Signed by ERROL W. BARROW
for the Government of Barbados on 4TH JULY 1973.

Signed by L.F.S. BURNHAM
for the Government of Guyana on 4TH JULY 1973.

Signed by MICHAEL MANLEY
for the Government of Jamaica on 4TH JULY 1973.

Signed by ERIC WILLIAMS
for the Government of Trinidad and Tobago on 4TH JULY, 1973.

ANNEX TO THE TREATY
THE CARIBBEAN COMMON MARKET
CONTENTS

PREAMBLE

Chapter 1
PRINCIPLES

ARTICLE

- Establishment of the Caribbean Common Market
- Membership

第33条 共同市场一般规定

附件条款应管辖共同市场的设立、成员资格及运作。

作为见证，下列签署的全权代表，经各自政府正式授权，在本条约下方签署。

1973年7月4日订于查瓜拉马斯。

巴巴多斯政府代表埃罗尔·W·巴罗于1973年7月4日签署。

圭亚那政府代表L·F·S·伯纳姆于1973年7月4日签署。

牙买加政府代表迈克尔·曼利于1973年7月4日签署。

由埃里克·威廉姆斯代表特立尼达和多巴哥政府于1973年7月4日签署。

条约附件

加勒比共同市场

目录

序言

第一章原则

第一条 加勒比共同市场的设立2. 成员资格

- 3. [Objectives of the Common Market](#)
- 4. [General Undertaking as to Implementation](#)

Chapter II ORGANS OF THE COMMON MARKET THE COUNCIL

- 5. [Establishment](#)
- 6. [Composition](#)
- 7. [Functions and Powers](#)
- 8. [Voting](#)
- 9. [The Common Market Secretariat](#)
- 10. [Functions of the Secretariat](#)
- 11. [Disputes Procedures within the Common Market](#)
- 12. [Reference to Tribunal](#)

Chapter III TRADE LIBERALISATION

- 13. [Exclusion From This Annex](#)
- 14. [Common Market Origin](#)
- 15. [Import Duties](#)
- 16. [Export Drawback](#)
- 17. [Revenue Duties and Internal Taxation](#)
- 18. [Prohibition of Export Duties](#)
- 19. [Dumped and Subsidized Imports](#)
- 20. [Freedom of Transit](#)
- 21. [Quantitative Import Restrictions](#)
- 22. [Quantitative Export Restrictions](#)
- 23. [General Exceptions](#)
- 24. [Security Exceptions](#)
- 25. [Government Aids](#)
- 26. [Public Undertakings](#)
- 27. [Cooperation in Customs Administration](#)
- 28. [Import Restrictions Arising From Balance of Payments Difficulties](#)
- 29. [Difficulties in Particular Industries](#)
- 30. [Restrictive Business Practices](#)

Chapter IV COMMON PROTECTIVE POLICY

- 31. [Establishment of Common External Tariff](#)
- 32. [Operation of the Common External Tariff](#)
- 33. [Treatment of Imports from Third Countries](#)
- 34. [External Trade Policy](#)

Chapter V ESTABLISHMENT SERVICES AND MOVEMENT OF CAPITAL

- 3. 共同市场的目标4. 实施的一般承诺

Chapt er II 共同市场机构 理事会

- 5. 设立6. 组成7. 职能与权力8. 表决9. 共同市场秘书处10. 秘书处的职能11. 共同市场内部争端解决程序12. 提交法庭

第三章 贸易自由化

- 13. 本附件除外14. 共同市场原产地15. 进口关税16. 出口退税17. 财政关税与国内税18. 禁止出口关税19. 倾销与补贴进口20. 过境自由21. 进口数量限制22. 出口数量限制23. 一般例外24. 安全例外25. 政府援助26. 公共企业27. 海关管理合作28. 国际收支困难导致的进口限制29. 特定行业困难30. 限制性商业行为

第四章 共同保护政策

- 31. 共同对外关税的设立32. 共同对外关税的实施33. 第三国进口待遇34. 对外贸易政策

第五章 设立服务与资本流动

- 35. [Establishment](#)
- 36. [Right to Provide Services](#)
- 37. [Movement of Capital](#)
- 38. [Saving in Respect of Movement of Persons](#)

Chapter VI COORDINATION OF ECONOMIC POLICIES AND DEVELOPMENT PLANNING

- 39. [Consultation on Economic Policies](#)
- 40. [Harmonisation of Fiscal Incentives](#)
- 41. [Intra-Regional and Extra-Regional Double Taxation Agreements](#)
- 42. [Harmonisation of Laws](#)
- 43. [Monetary, Payments and Exchange Rate Policies](#)
- 44. [Ownership and Control of Regional Resources](#)
- 45. [Coordination of National Development Planning](#)
- 46. [Common Market Industrial Programming](#)
- 47. [Joint Development of Natural Resources](#)
- 48. [Marketing or Agricultural Products](#)
- 49. [Rationalisation of Agricultural Production](#)
- 50. [Cooperation in Tourism](#)

Chapter VII SPECIAL REGIME FOR THE LESS DEVELOPED COUNTRIES

- 51. [Purposes of the Chapter](#)
- 52. [Import Duties, Revenue Duties and Internal Taxation](#)
- 53. [Common Market Origin](#)
- 54. [Harmonisation of Fiscal Incentives](#)
- 55. [The Common External Tariff and Common Protective Policy](#)
- 56. [Promotion of Industrial Development in the Less Developed Countries](#)
- 57. [Government Aids](#)
- 58. [Public Undertakings](#)
- 59. [Financial Assistance from More Developed Countries](#)
- 60. [Use of Technological and Research Facilities in More Developed Countries](#)
- 61. [Additional Special Arrangements for Belize](#)
- 62. [Review of Mechanisms for the Less Developed Countries](#)

Chapter VIII GENERAL AND FINAL PROVISIONS

- 63. [Legal Capacity](#)
- 64. [Privileges Immunities](#)
- 65. [Accession](#)
- 66. [Amendments](#)
- 67. [Recognition of Existing Integration Arrangements Within the Common Market](#)
- 68. [Participation in Other Arrangements](#)
- 69. [Withdrawal](#)

- 35. 设立36. 提供服务权37. 资本流动38. 人员流动储蓄

第六章 经济政策与发展规划的协调

- 39. 经济政策协商40. 财政激励措施的协调41. 区域内与区域外双重征税协议42. 法律的协调43. 货币、支付与汇率政策44. 区域资源的所有权与控制45. 国家发展规划的协调46. 共同市场工业规划47. 自然资源联合开发48. 农产品营销49. 农业生产的合理化50. 旅游合作

第七章 欠发达国家的特殊制度

- 51. 本章的目的52. 进口税、收入税与国内税收53. 共同市场原产地54. 财政激励措施的协调55. 共同外部关税与共同保护政策56. 促进欠发达国家的工业发展57. 政府援助58. 公共企业59. 来自较发达国家的财政援助60. 较发达国家技术和研究设施的使用61. 伯利兹的额外特殊安排62. 欠发达国家机制的审查

第八章 一般和最终条款

- 63. 法律能力64. 特权与豁免65. 加入66. 修正67. 承认共同市场内现有的整合安排68. 参与其他安排69. 退出

70. [Relations With Other States and International Organisations](#)
71. [Transitional Provisions](#)
72. [Associate Membership](#)
73. [Status of Schedules](#)

70. 与其他国家和国际组织的关系71. 过渡条款72. 准成员资格73. 附表状态

ANNEX TO
THE TREATY

THE CARIBBEAN COMMON
MARKET

PREAMBLE

The Governments of the Contracting States:

Noting that the Agreement establishing the Caribbean Free Trade Association had expressly foreshadowed "the ultimate creation of a viable economic community of Caribbean Territories";

Recognising that over the past five years the Caribbean Free Trade Association has laid the foundation for further progress in regional economic integration;

Convinced that closer economic integration among Member States will contribute to the creation of a viable economic community of the Commonwealth Caribbean Countries;

Acknowledging that it is the intention to establish a Common External Tariff as an integral feature of the Caribbean Common Market;

Have Agreed as follows:--

CHAPTER I
PRINCIPLES

ARTICLE 1
ESTABLISHMENT OF THE CARIBBEAN COMMON MARKET

条约附件

加勒比 共同市场

序言

缔约国政府:

注意到《建立加勒比自由贸易协会的协议》已明确预示"最终建立一个可行的加勒比领土经济共同体";

认识到过去五年中, 加勒比自由贸易协会为区域经济一体化的进一步发展奠定了基础;

深信成员国之间更紧密的经济一体化将有助于建立一个可行的英联邦加勒比国家经济共同体;

承认建立共同对外关税作为加勒比共同市场的一个基本特征是既定目标;

达成如下协议: --

第一章原
则

第一条 加勒比的共同市场的建立

There is hereby established a Caribbean Common Market (hereinafter referred to as the 'Common Market') which shall have membership powers and functions hereinafter specified.

ARTICLE 2
MEMBERSHIP

(a) Membership of the Common Market shall be open to--

- (i) Antigua
- (ii) Barbados
- (iii) Belize
- (iv) Dominica
- (v) Grenada
- (vi) Guyana
- (vii) Jamaica
- (viii) Montserrat
- (ix) St. Kitts-Nevis-Anguilla
- (x) St. Lucia
- (xi) St. Vincent
- (xii) Trinidad and Tobago

(b) any other state of the Caribbean region that is in the opinion of the Conference of Heads of Government (hereinafter referred to as the 'Conference') mentioned in Article 6 of the Treaty establishing the Caribbean Community, able and willing to exercise the rights and assume the obligations of membership in accordance with Article 65 of this Annex.

2. States listed in paragraph 1(a) of this Article the Governments of which are parties to the Treaty establishing the Caribbean Community (hereinafter referred to as the 'Treaty') shall become members of the Common Market.

ARTICLE 3
OBJECTIVES OF THE COMMON MARKET

The Common Market shall have as its objectives--

- (a) the strengthening, coordination and regulation of the economic and trade relations among Member States in order to promote their accelerated harmonious and balanced development;
- (b) the sustained expansion and continuing integration of economic activities, the benefits of which shall be equitably shared taking into account the need to provide special opportunities for the Less Developed Countries;

兹此建立加勒比共同市场（以下简称'共同市场'），其成员资格、权力和职能将在下文具体规定。

第二条 成员
资格

(a) 共同市场的成员资格应向以下国家开放——

- (i) 安提瓜 (ii) 巴巴多斯
- (iii) 伯利兹 (iv) 多米尼加
- (v) 格林纳达 (vi) 圭亚那
- (vii) 牙买加 (viii) 蒙特塞拉特 (ix) 圣基茨-尼维斯-安圭拉 (x) 圣卢西亚 (xi) 圣文森特 (xii) 特立尼达和多巴哥

(b) 加勒比地区任何其他国家，若经《加勒比共同体成立条约》第六条所述的政府首脑会议（以下简称“会议”）认定，有能力并愿意行使成员权利并承担本附件第六十五条规定的成员义务。

2. 本条第一(a)款所列国家，其政府为《加勒比共同体成立条约》（以下简称“条约”）缔约方者，应成为共同市场成员。

第三条 共同市场的目标

共同市场的目标应包括——

- (a) 加强、协调和规范成员国之间的经济与贸易关系，以促进其加速实现和谐与平衡发展；
- (b) 经济活动的持续扩张和不断整合，其利益应公平分享，同时考虑到为欠发达国家提供特殊机会的需要；

(c) the achievement of a greater measure of economic independence and effectiveness of its Member States in dealing with states, groups of states and entities of whatever description.

ARTICLE 4
GENERAL UNDERTAKING AS TO IMPLEMENTATION

Member States shall take all appropriate measures, whether general or particular, to ensure the carrying out of the obligations arising out of this Annex or resulting from decisions taken by the Organs and Institutions of the Common Market. They shall facilitate the achievement of the objectives of the Common Market. They shall abstain from any measures which could jeopardise the attainment of the objectives of this Annex.

CHAPTER II
ORGANS OF THE COMMON MARKET

THE COUNCIL

ARTICLE 5
ESTABLISHMENT

- There shall be established a Common Market Council (hereinafter referred to as "the Council") which, subject to paragraph 3 of Article 8 of the Treaty, shall be the principal organ of the Common Market.
- Each Member State shall be represented on the Council.

ARTICLE 6
COMPOSITION

- The Council shall consist of one Minister of Government designated by each Member State.
- Where the Minister designated under paragraph 1 of this Article is unable to attend a meeting of the Council the Member State may designate any person as an alternate to attend in his stead.

ARTICLE 7
FUNCTIONS AND POWERS

- The Council shall, in order to ensure the achievement of the objectives set out in this Annex and in accordance with the provisions thereof, be responsible for:

(a) exercising such powers and performing such duties as are conferred or imposed upon it by this Annex;

(c) 使成员国在与国家、国家集团及任何性质的实体打交道时，取得更大程度的经济独立和效能。

第四条 实施的一般承诺

成员国应采取一切适当措施，无论是普遍性还是特定性的，以确保履行本附件所产生的义务或共同市场机构所作决定带来的责任。它们应促进共同市场目标的实现，并避免采取任何可能危及本附件目标达成的措施。

CHAPTER II 共同市场机构

理事会

第五条 设立

- 应设立一个共同市场理事会（以下简称“理事会”），根据条约第八条第3段的规定，该理事会将成为共同市场的主要机构。
- 每个成员国应在理事会中拥有代表。

第六条 组成

- 理事会应由各成员国指定的一名政府部长组成。
- 若根据本条款第1段落指定的部长无法出席理事会会议，成员国可指定任何人员作为替代者代为出席。

第七条 职能与权力

- 为确保实现本附件所列目标并遵循其规定，理事会应负责：

(a) 行使本附件授予的权力并履行本附件施加的职责；

(b) ensuring the efficient operation and development of the Common Market including the settlement of problems arising out of its functioning;

(c) keeping this Annex under constant review with a view to making proposals to the Conference for the progressive development of the Common Market; .

(d) receiving and considering references alleging breaches of any obligations arising under this Annex and deciding thereon;

(e) considering what further action should be taken by Member States and the Common Market and making proposals to the Conference to facilitate the establishment of closer economic and commercial links with other States, association of States or international organisations.

2. The Council may regulate its own procedure including the establishment of such committees and other bodies as it may deem necessary to perform its functions and may decide to admit to its deliberations observers, representatives of non-Member States or other entities.

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ARTICLE 8
VOTING

- 1. Each Member State represented on the Council shall have one vote.
- 2. Except in so far as this Annex provide otherwise, decisions and recommendations of the Council shall be made by an affirmative vote of all its representatives.
- 3. A decision shall be binding upon each Member State to which it is directed. A recommendation shall have no binding force.
- 4. For the purposes of this Article, abstentions shall not be construed as impairing the validity of decisions or recommendations of the Council provided that not less than three-quarters of its members including at least two of the More Developed Countries vote in favour of any decision or recommendation.

ARTICLE 9
THE COMMON MARKET SECRETARIAT

The Secretariat referred to in Article 15 of the Treaty shall be the Secretariat responsible for the administrative functions of the Common Market.

(b) 确保共同市场的高效运作和发展， 包括解决其运作过程中产生的问题；

(c) 持续审查本附件， 以便向会议提出逐步发展共同市场的建议；

(d) 接收并审议关于违反本附件所产生任何义务的指控， 并就此作出决定；

(e) 考虑成员国和共同市场应采取的进一步行动， 并向会议提出建议， 以促进与其他国家、 国家联盟或国际组织建立更紧密的经济和商业联系。

2. 理事会可自行规范其程序， 包括设立其认为履行职能所必需的委员会和其他机构， 并可决定允许观察员、 非成员国代表或其他实体参与其审议。

2. 理事会可自行规范其程序， 包括设立其认为履行职能所必需的委员会和其他机构， 并可决定允许观察员、 非成员国代表或其他实体参与其审议。

第八条 表决

- 1. 理事会中的每个成员国代表拥有一票。
- 2. 除本附件另有规定外， 理事会的决定和建议须经所有代表一致投赞成票通过。
- 3. 决定对所指明的每个成员国具有约束力。 建议无约束力。
- 4. 就本条而言， 弃权不应被视为损害理事会决定或建议的有效性， 前提是不少于四分之三的成员（包括至少两个较发达国家）对任何决定或建议投赞成票。

第九条 共同市场秘书处

条约第15条款所述的秘书处应为负责共同市场行政职能的秘书处。

ARTICLE 10
FUNCTIONS OF THE SECRETARIAT

The Secretariat shall--

- (a) service meetings of the Common Market and any of its Committees;
- (b) take appropriate follow-up action on decisions arrived at such meetings;
- (c) initiate, arrange, and carry out studies on questions of economic integration relating to theregion;
- (d) provide services to Member States at their request in respect of matters relating to the achievement of the objectives of the Common Market;
- (e) undertake any other duties which may be assigned to it by the Council.

ARTICLE 11
DISPUTES PROCEDURE WITHIN THE COMMON MARKET

1. If any Member State considers that any benefit conferred upon it by this Annex or any objective of the Common Market is being or may be frustrated and if no satisfactory settlement is reached between the Member States concerned any of those Member States may refer the matter to the Council.
2. The Council shall promptly, make arrangements for examining the matter. Such arrangements may include a reference to a Tribunal constituted in accordance with Article 12 of this Annex.The Council shall refer the matter at the request of any Member State concerned to the Tribunal. Member States shall furnish all information which may be required by the Tribunal or the Council in order that the facts may be established and the issue determined.
3. If in pursuance of the foregoing provisions of this Article the Council or the Tribunal, as the case may be, finds that any benefit conferred on a Member State by this Annex or any objective of the Common Market is being or may be frustrated, the Council may, by majority vote, make to the Member State concerned such recommendations as it considers appropriate.
4. If a Member State to which a recommendation is made under paragraph 3 of this Article does not or is unable to comply with such recommendation the Council may, by majority vote, authorise any Member State to suspend to the Member State which has not complied with the recommendation the application of such obligations under this Annex as the Council considers appropriate.
5. Any Member State may at any time while any matter is under consideration under this Article request the Council to authorise, as a matter of urgency, interim measures to

第十条 秘书处的职能

秘书处应——

- (a) 为共同市场及其任何委员会提供会议服务；
- (b) 对上述会议作出的决定采取适当后续行动；
- (c) 发起、安排并开展有关该地区经济一体化问题的研究；
- (d) 应成员国请求，就与实现共同市场目标相关的事项提供服务；
- (e) 承担理事会可能分配的任何其他职责。

第11条 共同市场内的争端解决程序

1. 若任何成员国认为本附件授予其的任何利益或共同市场的任何目标正在或可能受挫， 且相关成员国之间未能达成令人满意的解决方案， 则任一相关成员国可将该事项提交理事会。
2. 理事会应立即作出安排审查该事项。此类安排可包括将事项提交根据本附件第12条设立的法庭。理事会应任一相关成员国的请求将该事项提交法庭。成员国应向法庭或理事会提供为查明事实和裁定争议所需的所有信息。
3. 若理事会或法庭（视情况而定）根据本条前述条款认定本附件授予成员国的任何利益或共同市场的任何目标正在或可能受挫， 理事会可通过多数表决向相关成员国提出其认为适当的建议。
4. 若某成员国未遵守或无法遵守根据本条款第3段落所作建议， 理事会可通过多数表决， 授权任一成员国对未遵守建议的成员国暂停实施本附件中理事会认为适当的义务。
5. 任何成员国在本条款审议任何事项期间， 可随时请求理事会紧急授权采取临时措施以

safeguard its position. If the matter is being considered by the Tribunal such request shall be referred by the Council to the Tribunal for its recommendation. If it is found by a majority vote of the Council that the circumstances are sufficiently serious to justify interim action, and without prejudice to any action which it may subsequently take in accordance with the preceding paragraphs of this Article, the Council may, by majority vote, authorise a Member State to suspend its obligations under this Annex to such an extent and for such period as the Council considers appropriate.

ARTICLE 12
REFERENCE TO TRIBUNAL

1. The establishment and composition of the Tribunal referred to in Article11 of this Annex shall be governed by the following provisions of this Article.
2. For the purposes of establishing an ad hoc tribunal referred to in Article 11 of this Annex, a list of arbitrators consisting of qualified jurists shall be drawn up and maintained by the Secretary-General. To this end, every Member State shall be invited to nominate two persons, and thenames of the persons so nominated shall constitute the list. The term of an arbitrator, including that of any arbitrator nominated to fill a vacancy, shall be five years and may be renewed.
3. Each party to the dispute shall be entitled to appoint from the list an arbltrator to an ad hoc tribunal. The two arbitrators chosen by the parties shall be appointed within 30 days following the date on which the notification was received by the Secretary-General. The two arbitrators shall within 15 days following the date of the last of their own appointments, appoint a third arbitrator from the list who shall be the chairman; as far as practicable the chairman shall not be a national of any of the parties to the dispute.
4. Where the first two arbitrators fail to appoint a chairman within the period prescribed, the Secretary-General shall within 15 days following the expiry of that period appoint a chairman. If any party fails to appoint an arbitrator within the period prescribed for such an appointment, the Secretary-General shall appoint an arbitrator within 15 days following the expiry of such period. Any vacancy shall be filled in the manner specified for the initial appointment.
5. Where more than two Member States are parties to a dispute, the parties concerned shall agree among themselves on the two arbitrators to be appointed from the list. In the absence of such appointment within the prescribed period, the Secretary-General shall appoint a sole arbitrator whether from the list or otherwise, for the purpose.
6. An ad hoc tribunal shall decide its own procedure and may, with the consent of the parties to the dispute, invite any party to this Annex to submit its views orally or in writing.
7. The Secretary-General shall provide the ad hoc tribunal with such assistance and facilities as it may require.

维护其立场。若该事项正由法庭审理，则理事会应将此请求转交法庭以获取其建议。若理事会经多数表决认定情况足够严重以致需采取临时行动，且不影响其根据本条款前述段落可能采取的任何后续行动，则理事会可通过多数表决授权一成员国暂停其在本附件下的义务，暂停范围及期限由理事会酌情决定。

第12条 提交法庭

1. 本附件第11条所指法庭的设立与组成应遵循本条条款的规定。
2. 为设立本附件第11条所述特设法庭，秘书长应拟定并维护一份由合格的法学家组成的仲裁员名单。为此，应邀请每个成员国提名两人，被提名者姓名即构成该名单。仲裁员（包括填补空缺的提名仲裁员）任期五年，可连任。
3. 争议各方均有权从名单中任命一名仲裁员加入特设法庭。双方选定的两名仲裁员应于秘书长收到通知后30日内完成任命。两名仲裁员应在其各自任命后15日内, 从名单中共同任命第三名仲裁员担任主席；在可行情况下，主席不得为争议任何一方的国民。
4. 若前两名仲裁员未能在规定期限内任命主席，秘书长应在该期限届满后15日内任命一名主席。若任何一方未能在规定的任命期限内任命仲裁员，秘书长应在该期限届满后15日内任命一名仲裁员。任何空缺均应按初始任命的指定方式填补。
5. 若两个以上成员国为争议各方，相关各方应共同商定从名单中任命的两名仲裁员。若未能在规定期限内完成此类任命，秘书长应为该目的任命一名独任仲裁员, 无论其是否来自名单。
6. 特设法庭应自行决定其程序，并可在征得争议各方同意后，邀请本附件任何缔约方以口头或书面形式提交意见。
7. 秘书长应向特设法庭提供其可能需要的协助和设施。

8. The expenses of-the ad hoc tribunal shall be defrayed in such manner as determined by the Council.

9. Member States undertake to employ the procedures set out in this Article for the settlement of any dispute specified in paragraph1 of Article11 and to refrain from any other method of disputes settlement.

CHAPTER III
TRADE LIBERALISATION

ARTICLE 13
EXCLUSION FROM THIS ANNEX

1. Subject to the provisions of this Article, nothing in this Annex shall be taken to prevent the Member State concerned from imposing import duties or quantitative restrictions on the products listed in Schedule I to this Annex for such periods as are specified therein for the purpose of giving effect to any undertaking by such Member State respecting import duties or quantitative restrictions.

2. Each Member State shall take all reasonable steps open to it in connection with any undertaking referred to in paragraph l of this Article in order to implement any of its obligations under this Annex respecting import duties or quantitative restrictions on such products.

3. Where no expiry date is specified in Schedule I to this Annex, the Member State concerned shall take all reasonable steps open to it to implement any of its obligations in respect of commodities under this Annex respecting corresponding import duties or quantitative restrictions on such products at the earliest practicable date.

4. Where in consequence of any Member State availing itself of any exemption under paragraphs 1 to 3 any other Member State considers that a benefit conferred on it by this Annex respecting import duties or quantitative restrictions on such products is being or may be frustrated that other Member State may refer the matter to Council.

5. Upon reference under paragraph 4 of this Article the Council may unless the matter is otherwise resolved, authorise upon such terms and conditions as it thinks fit the Member State making the reference to suspend, in relation to the Member State availing itself of the exemption, the performance of such of its obligations in respect of commodities under this Annex respecting import duties or quantitative restrictions on such products as the Council considers appropriate.

6. The Council shall keep under continuous review the observance by Member States of the provisions of paragraphs 2 and 3 Of this Article and may from time to time, by majority vote, recommend to any Member State such measures as it thinks fit for the purposes of those paragraphs.

8. 特设法庭的费用应由理事会确定的方式支付。

9. 成员国承诺采用本条条款规定的程序解决第十一条第1段中规定的任何争端，并避免使用任何其他争端解决方法。

第三章贸易自由化

第十三条 本附件除外

1. 在不违反本条条款的前提下，本附件不得解释为阻止相关成员国对本附件附表一所列产品实施进口关税或数量限制，期限按表中规定执行，以履行该成员国关于进口关税或数量限制的任何承诺。

2. 各成员国应采取一切合理可行措施，履行本条第1段所述承诺，以实施本附件中关于此类产品进口关税或数量限制的任何义务。

3. 若本附件附表一未指定到期日，相关成员国应采取一切合理可行措施，在最早可行日期履行本附件中关于商品对应进口关税或此类产品数量限制的任何义务。

4. 若因任何成员国依据第1至3段行使任何豁免权，导致其他成员国认为本附件授予其关于此类产品进口关税或数量限制的利益正在或可能受到损害，则该其他成员国可将此事提交理事会。

5. 根据本条款第4段提交的事项，除非已通过其他方式解决，理事会可酌情授权提出申请的成员国，在理事会认为适当的条款和条件下，对行使豁免权的成员国暂停履行本附件中关于此类产品进口关税或数量限制的商品相关义务。

6. 理事会应持续审查成员国对本条款第2段和第3段规定的遵守情况，并可不定期通过多数表决向任何成员国建议其认为适合实现这些段落目的的措施。

ARTICLE 14
COMMON MARKET ORIGIN

1. Subject to Schedule II to this Annex, in this Annex goods shall be treated as being of Common Market origin if they are consigned from a Member State to a consignee in another Member State and comply with any one of the following conditions, that is to say, the goods must--

(a) have been wholly produced within the Common Market;

(b) fall within a description of goods listed in a Process List to be established by the decision of Council and have been produced within the Common Market by the appropriate qualifying process described in that List, or

(c) have been produced within the Common Market and the value of any materials imported from outside the Common Market or of undetermined origin which have been used at any stage of the production of the goods does not exceed--

(i) In a Less Developed Member Country 60 per cent of the export price of the goods;

(ii) In any other Member State 50 per cent of the export price of the goods.

2. For the purposes of sub-paragraphs (a) to (c) of paragraph 1 of this Article, materials listed in the Basic Materials List which forms the Appendix to Schedule II to this Annex which have been used in the state described in that List in a process of production within the Common Market shall be deemed to contain no element from outside the Common Market.

3. Nothing in this Annex shall prevent a Member State from treating as of Common Market origin any imports consigned from another Member State, provided that the like imports consigned from any other Member State are accorded the same treatment.

4. The Council shall keep Schedule II and the Process List established under sub-paragraph (b) of Paragraph 1 of this Article under continuous review and may amend them in order to ensure the smooth operation of the rules of origin of the Common Market.

ARTICLE 15
IMPORT DUTIES

1. Except as provided in Article 52 and Schedule III to this Annex Member States shall not apply any import duties on goods of Common Market origin.

2. Nothing in paragraph 1 of this Article shall be construed to extend to the imposition of non-discriminatory internal charges on any products or a substitute not produced in the importing Member State.

第14条 共同市场原产地

1. 在本附件中，除本附件附表二另有规定外，若货物从一成员国发运至另一成员国的收货人，并符合下列任一条件，则该货物应被视为具有共同市场原产地，即货物必须——

(a) 完全在共同市场内生产；

(b) 属于理事会决定设立的加工清单所列商品描述范围，并在共同市场内通过该清单规定的适当合格加工流程生产，或

(c) 在共同市场内生产，且用于商品生产任何阶段的自共同市场外进口或来源不明的材料价值不超过——

(i) 在欠发达成员国，不超过货物出口价格的60%；

(ii) 在其他任何成员国，不超过货物出口价格的50%。

2. 就本条款第1段落(a)至(c)子段落而言，列于本附件附表二附录的基本材料清单中的材料，若在共同市场内以其清单所述状态用于生产过程，则应视为不含共同市场以外的成分。

3. 本附件任何规定不得阻止成员国将从另一成员国发运的进口货物视为共同市场原产，前提是同类进口货物从任何其他成员国发运时均享有相同待遇。

4. 理事会应持续审查附表二及根据本条款第1段落(b)子段落制定的加工清单，并可对其进行修订，以确保共同市场原产地规则的顺畅运作。

第15条 进口关税

1. 除本附件第52条及附表三另有规定外，成员国不得对共同市场原产货物征收任何进口关税。

2. 本条款第1段中的任何内容均不得解释为适用于对进口成员国未生产的任何产品或替代品征收非歧视性国内费用。

3. For the purposes of this Article and Schedule III to this Annex the term "import duties" means any tax or surtax of customs and any other charges of equivalent effect whether fiscal, monetary or exchange, which are levied on imports except duties notified under Article 17 of this Annex and other charges which fall within that Article.

4. Nothing in Paragraph 3 of this Article shall be construed to exclude from the application of paragraph 1 of this Article any tax or surtax of Customs on any product or a substitute not produced in the importing State.

5. This Article does not apply to fees and similar charges commensurate with the cost of services rendered.

ARTICLE 16
EXPORT DRAWBACK

1. Each Member State may refuse to treat as of Common Market origin goods which benefit from export drawback allowed by Member States in which the goods have undergone the processes of production which form the basis of the claim to Common Market origin. In applying this paragraph, each Member State shall accord the same treatment to imports consigned from all other Member States.

2. For the purposes of this Article--

(a) "export drawback" means any arrangement for the refund or remission, wholly or in part, of import duties applicable to imported materials, provided that the arrangement, expressly or in effect, allows refund or remission if certain goods or materials are exported, but not if they are retained for home use;

(b) "remission" includes exemption for materials brought into free ports and other places which have similar customs privileges;

(c) "duties" means

(i) all charges on or in connection with importation, except fiscal charges to which Article 17 of this Annex applies; and

(ii) any protective element in such fiscal charges;

(d) "materials" and "process of production" have the meanings assigned to them in Rule 1 of Schedule II to this Annex.

ARTICLE 17
REVENUE DUTIES AND INTERNAL TAXATION

1. Except as provided in Article 52 of Schedule IV to this Annex Member States shall not--

3. 就本条款及本附件附表三而言，“进口关税”一词指对进口货物征收的任何关税或附加税及任何其他等效费用，无论其为财政性、货币性还是汇兑性费用，但不包括根据本附件第17条通知的关税及属于该条款范围的其他费用。

4. 本条款第3段任何规定不得解释为将任何产品或进口国未生产的替代品所适用的关税或附加税排除在本条款第1段的适用范围之外。

5. 本条款不适用于与服务提供成本相称的费用及类似收费。

第十六条 出口退税

1. 各成员国可拒绝将享受出口退税利益的货物视为共同市场原产货物，此类退税由货物经历生产过程所在成员国准许，而该生产过程构成主张共同市场原产地的基础。在适用本段落时，各成员国应对从所有其他成员国发运的进口货物给予同等待遇。

2. 就本条而言——

(a) "出口退税"指全部或部分退还或减免进口材料适用进口关税的任何安排，但该安排明示或实质上规定仅当特定货物或材料出口时可予退还或减免，若留作国内使用则不予退还或减免；

(b) "减免"包括对进入自由港及其他享有类似海关特权场所的材料给予的豁免；

(c) "关税"指

(i) 所有与进口有关的税费，但本附件第17条适用的财政费用除外；及

(ii) 此类财政费用中包含的任何保护性要素；

(d) "材料"及"生产过程"的含义与本附件附表二第1条所赋予的定义相同。

第17条 财政关税与国内税

1. 除本附件附表四第52条另有规定外，成员国不得——

(a) apply directly or indirectly to imported goods any fiscal charges in excess of those applied directly or indirectly to like domestic goods, or otherwise apply such charges so as to protect like domestic goods; or

(b) apply fiscal charges to imported goods of a kind which they do not produce, or which they do not produce in substantial quantities, in such a way as to protect the domestic production of substitutes which enter into direct competition with them and which do not bear, directly or indirectly, in the country of importation, fiscal charges of equivalent incidence.

2. A Member State shall notify the Council of all fiscal charges applied by it where, although the rates of charge, or the conditions governing the imposition or collection of the charge, are not identical in relation to the imported goods and to the like domestic goods, the Member State applying the charge considers that the charge is, or has been made, consistent with sub-paragraph (a) of paragraph 1 of this Article. Each Member State shall, at the request of any other Member State, supply information about the application of paragraph 1 of this Article.

3. For the purposes of this Article and Schedule IV to this Annex --

(a) "fiscal charges" means revenue duties, internal taxes and other internal charges on goods;

(b) revenue duties" means customs duties and other similar charges applied primarily for the purpose of raising revenue; and "imported goods" means goods which are treated as of Common Market origin.

ARTICLE 18
PROHIBITION OF EXPORT DUTIES

1. Member States shall not apply any export duties.

2. Nothing in this Article shall preclude any Member State from taking such measures as are necessary to prevent evasion, by means of re-export of duties, which it applies to exports to territories outside the Common Market.

3. For the purposes of this Article, "export duties" means any duties or charges with equivalent effect imposed on or in connection with the exportation of goods from any Member State to a consignee in any other Member State.

4. Notwithstanding paragraph 1 of this Article, a Member State may for a period not exceeding 5 years from the date of entry into force of this Annex, apply to any commodity listed in Schedule V, export duties not exceeding those applied immediately before that date.

(a) 对进口商品直接或间接征收超过同类国内商品的财政费用，或以其他方式征收此类费用以保护同类国内商品；或

(b) 对本国不生产或未大量生产的进口商品征收财政费用，以保护与之直接竞争且未在进口国直接或间接承担同等财政费用的替代品的国内生产。

2. 成员国应向理事会通报其征收的所有财政费用， 尽管这些费用的税率或征收条件对进口商品和同类国内商品并不相同， 但征收该费用的成员国认为该费用符合本条款第1段子段落(a)的规定。每个成员国应其他成员国的要求， 提供关于本条款第1段执行情况的信息。

3. 就本条款及本附件附表四而言——

(a) "财政费用"指对商品征收的税收、国内税及其他国内费用；

(b) "税收"指主要用于增加财政收入而征收的关税及其他类似费用； "进口商品"指被视为具有共同市场原产地的商品。

第十八条 禁止出口关税

1. 成员国不得施加任何出口关税。

2. 本条任何规定均不妨碍成员国采取必要措施， 防止通过再出口方式逃避其对出口至共同市场以外地区的商品所征收的关税。

3. 就本条而言， "出口关税"指对从任一成员国向其他任一成员国收货人出口的商品所施加的、或与之相关的任何关税或具有同等效力的费用。

4. 尽管有本条款第1段的规定， 成员国可在本附件生效之日起不超过5年的期限内， 对附表五所列的任何商品征收不超过该日期前实施的出口关税。

5. Any Member State that pursuant to paragraph 4 of this Article, applies export duties to any commodity listed in Schedule V shall notify the Council of such duties. The Council shall keep such export duties under review and may at any time by majority vote make recommendations to the Member State concerned so as to avoid as far as possible any adverse consequences on any other Member State.

ARTICLE 19
DUMPED AND SUBSIDIZED IMPORTS

1. Nothing in this Annex shall prevent any Member -State from taking action against dumped or subsidized imports that conforms with any other international obligations.
2. Any products which have been exported from one Member State to a consignee in another Member State and have not undergone any manufacturing process since exportation shall, when re-imported into the first Member State be admitted free of quantitative restrictions or measures with equivalent effect. Such products shall also be admitted free of customs duties or charges with equivalent effect except that any allowance by way of drawback, relief from duty or otherwise, given by reason of the exportation from the Member State, may be recovered.
3. If any industry in a Member State is suffering or is threatened with material injury as the result of the import of dumped or subsidized products into any other Member State, the latter Member State shall, at the request of the former Member State, examine the possibility of taking in conformity with any other international obligations action to remedy the injury or prevent the threatened injury.

ARTICLE 20
FREEDOM OF TRANSIT

1. Products imported into, or exported from, a Member State shall enjoy freedom of transit within the Common Market and shall only be subject to the payment of the normal rates for services rendered.
2. For the purposes of paragraph I of this Article, 'transit' means transit within the meaning of Article V. of the General Agreement on Tariffs and Trade.

ARTICLE 21
QUANTITATIVE IMPORT RESTRICTIONS

1. Except where otherwise provided in this Annex, and particularly in Articles 13, 23, 24, 28, 29 and 56, and in Schedules vii, viii, ix, x, and xi a Member State shall not apply any quantitative restrictions on the import of goods which are of Common Market Origin.
2. "Quantitative restrictions" means prohibitions or restrictions on imports into, or exports from, any other Member State as the case may be, whether made effective

5. 任何依据本条款第4段对附表五所列商品征收出口关税的成员 国， 应将该等关税通知理事会。理事会应对此类出口关税进行持续审查， 并可在任何时候通过多数表决向相关成员国提出建议， 以尽可能避免对其他成员国造成不利影响。

第十九条 倾销与补贴进口

1. 本附件任何规定不得阻止任何成员国针对符合其他国际义务的倾销或补贴进口采取行动。
2. 任何从一成员国出口至另一成员国收货人且自出口后未经任何加工的产品，在重新进口至原成员国时， 应免除数量限制或具有同等效力的措施。此类产品还应免除关税或具有同等效力的税费， 但因该产品从成员国出口而给予的任何退税、关税减免或其他形式的补贴可予以追回。
3. 若一成员国产业因倾销或补贴产品进口至其他成员国而遭受实质损害或实质损害威胁， 后者应在前者请求下， 依照其他国际义务审查采取补救损害或防止损害威胁行动的可能性。

第二十条 过境自由

1. 输入或输出成员国的产品应在共同市场内享有过境自由， 且仅需支付所提供服务的正常费率。
2. 就本条款第一款而言， “过境”系指《关税及贸易总协定》第五条所定义的过境。

第21条 进口数量限制

1. 除本附件另有规定， 特别是第十三条、第二十三条、第二十四条、第二十八条、第二十九条及第五十六条， 以及附表七、八、九、十和十一所列情形外， 成员国不得对共同市场原产地的货物实施任何进口数量限制。
2. "数量限制" 指对从其他成员国进口或向其出口的禁止或限制， 无论是通过

through quotas, import licences or other measures with equivalent effect, including administrative measures and requirements restricting imports or exports.

3. This Article shall not prevent any Member State from taking such measures as are necessary to prevent evasion of any prohibitions or restrictions which it applies to imports from outside the Common Market. In taking action in pursuance of the foregoing provisions, a Member State shall not accord to products imported from other Member States treatment less favourable than that accorded to products imported from third countries.

ARTICLE 22
QUANTITATIVE EXPORT RESTRICTIONS

1. Except where otherwise provided in this Annex and particularly in Articles 23 and 24 and in Schedules viii, ix and xi a Member State shall not apply any quantitative restrictions on exports to any other Member State.

2. This Article shall not prevent any Member State from taking such measures as are necessary to prevent evasion of any prohibitions or restrictions which it applies to exports outside the Common Market, provided that less favourable treatment is not granted to Member States than to countries outside the Common Market.

ARTICLE 23
GENERAL EXCEPTIONS

Nothing in Articles 21 and 22 of this Annex shall prevent the adoption or enforcement by any Member State of measures--

- (a) necessary to protect public morals;
- (b) necessary for the prevention of disorder or crime;
- (c) necessary to protect human, animal or plant life or health;
- (d) necessary to secure compliance with laws or regulations relating to customs enforcement, or to the classification, grading or marketing of goods, or to the operation of monopolies by means of state enterprise or enterprises given exclusive or special privileges;
- (e) necessary to protect industrial property or copyrights or to prevent deceptive practices;
- (f) relating to gold or silver;
- (g) relating to the products of prison labour;

配额、进口许可证或其他具有等效效果的措施（包括行政措施和限制进出口的要求）来实现的。

3. 本条款不得阻止任何成员国采取必要措施，以防止规避其对从共同市场以外的国家进口产品实施的任何禁止或限制。成员国根据前述规定采取行动时，不得给予从其他成员国进口的产品比从第三国进口的产品更不利的待遇。

第22条 出口数量限制

1. 除非本附件特别是第23条和第24条以及附表viii、ix和xi另有规定，成员国不得对其他成员国实施任何出口数量限制。

2. 本条款不得阻止任何成员国采取必要措施，以防止规避其对向共同市场以外国家出口产品实施的任何禁止或限制，但条件是不得给予成员国比共同市场以外的国家更不利的待遇。

第23条 一般例外

本附件第21条和第22条的任何规定均不得阻止任何成员国采取或实施以下措施——

- (a) 为保护公共道德所必需；
- (b) 为防止混乱或犯罪所必需；
- (c) 为保护人类、动物或植物的生命或健康所必需；
- (d) 为确保遵守与海关执法、商品的分类、分级或销售、或通过国有企业或享有独占或特殊特权的企业进行垄断经营相关的法律或法规所必需；
- (e) 为保护工业产权或版权或防止欺诈行为所必需；
- (f) 与黄金或白银相关；
- (g) 与监狱劳动产品相关；

(h) imposed for the protection of national treasures of artistic, historic or archaeological value;

(i) necessary to prevent or relieve critical shortages of foodstuffs in any exporting Member State; or

(j) relating to conservation of exhaustible natural resources; but only if such measures are not used as a means of arbitrary or unjustifiable discrimination between Member States, or as a disguised restriction on trade within the Common Market.

ARTICLE 24
SECURITY EXCEPTIONS

1. Nothing in this Annex shall prevent any Member State from taking action which it considers necessary for the protection of its essential security interests.

2. Nothing in this Annex shall prevent any Member State from taking action in pursuance of any obligations to which it is subject for the purpose of maintaining international peace and security.

ARTICLE 25
GOVERNMENT AIDS

1. Except as provided in this Annex, a Member State shall not maintain or introduce--

(a) the forms of aid to export of goods to any other part of the Common Market of the kinds which are described in Schedule VI to this Annex; or

(b) any other forms of aid, the main purpose or effect of which is to frustrate the benefits expected from such removal or absence of duties and quantitative restrictions as is required by this Annex.

2. If the application of any form of aid by a Member State, although not contrary to paragraph 1 (b) of this Article, nevertheless frustrates the benefits expected from such removal or absence of duties and quantitative restrictions as is required by this Annex, the Council may, by majority decision, authorize any Member State to suspend to the Member State which is applying the aid the application of such obligations under this Annex as the Council considers appropriate, provided always that the procedure set out in paragraphs 3 to 5 of Article 11 of this Annex has been followed.

3. This Article--
Shall not apply in respect of trade within the Common Market in any agricultural products until such time as Member States agree upon a Common Market policy with respect to the production and marketing, including the subsidization, of agricultural products.

(h) 为保护具有艺术、历史或考古价值的国家珍宝而施加；

(i) 为防止或缓解任何出口成员国食品严重短缺所必需；或

(j) 与保护可耗尽的自然资源相关；但前提是此类措施不得用作在成员国之间实施任意或不合理的歧视的手段，或作为共同市场内变相的贸易限制。

第24条 安全例外

1. 本附件中的任何规定均不得阻止任何成员国采取其认为保护其基本安全利益所必需的行动。

2. 本附件中的任何规定均不得阻止任何成员国为履行其所承担的任何义务以维护国际和平与安全而采取行动。

第25条 政府援助

1. 除 非本附件另有规定，成员国不得维持或实施——

(a) 本附件附表六所述类型的、对出口至共同市场其他地区的商品提供的援助形式；或

(b) 任何其他形式的援助，其主要目的或效果是破坏本附件所要求的取消或免除关税及数量限制后预期获得的利益。

2. 若成员国实施的任何援助形式虽不违反本条款第1款(b)项，但仍破坏了本附件所要求的取消或免除关税及数量限制后预期获得的利益，理事会可通过多数决定，授权任一成员国对实施该援助的成员国暂停履行理事会认为适当的本附件项下义务，但须始终遵循本附件第11条第3至第5款规定的程序。

3. 本条款-- 不适用于 i

在成员国就农产品（包括补贴）的生产和销售达成共同市场政策之前，不得在共同市场内进行任何农产品的贸易。

4. The Council may amend the provisions of Schedule VI of this Annex.

ARTICLE 26
PUBLIC UNDERTAKINGS

1. Member States shall ensure the elimination in the practices of public undertakings, of

(a) measures the effect of which is to afford protection to domestic production which would be inconsistent with this Annex if achieved by means of a duty or charge with equivalent effect or quantitative restrictions or Government aid; or

(b) trade discrimination on grounds of territorial origin in so far as it frustrate the benefits expected from such removal or absence of duties and quantitative restrictions as is required by this Annex.

2. In so far as Article 25 of this Annex is relevant to the activities of public undertakings, that Article shall apply to them in the same way as it applies to other enterprises.

3. Member States shall ensure that new practice of the kind described in paragraph 1 of this Article are not introduced.

4. For the purposes of this Article, 'public undertakings' means central, regional, or local government authorities, public enterprises and any other organization by means of which a Member State by law or in practice controls or appreciably influences imports from, or exports to any other part of the Common Market.

5. This Article shall not apply in respect of trade within the Common Market in agricultural products until such time as Member States agree upon a Common Market Policy with respect to the production and marketing, including the subsidization, of agricultural products.

ARTICLE 27
COOPERATION IN CUSTOMS ADMINISTRATION

Member States shall take appropriate measures, including arrangements regarding administrative co-operation to ensure that the provisions of Articles 14, 15, 16 and 17, and Schedules II, III and IV of this Annex are effectively and harmoniously applied, taking account of the need to reduce as far as possible the formalities imposed on trade and of the need to achieve mutually satisfactory solutions of any difficulties arising out of the operation of these provisions.

ARTICLE 28
IMPORT RESTRICTIONS ARISING FROM BALANCE OF PAYMENTS
DIFFICULTIES

4. 理事会可修订本附件附表六的条款。

第二十六条 公共企业

1. 成员国 应确保在公共企业的经营中消除以下行为：

(a) 采取具有保护国内生产效果的措施， 若通过具有同等效力的关税或费用、数量限制或政府援助实现， 则与本附件规定相抵触； 或

(b) 基于地域来源的贸易歧视， 只要该行为阻碍了本附件所要求的关税及数量限制取消或免除后预期获得的利益。

2. 在本附件第二十五条涉及公共企业活动的范围内， 该条款应同等适用于公共企业与其他企业。

3. 成员国应确保不引入本条款第1段所述类型的新做法。

4. 就本条款而言，“公共企业”指中央、地区或地方政府当局、公共企业以及成员国通过法律或实践控制或显著影响来自共同市场任何其他部分的进口或向其出口的任何其他组织。

5. 在成员国就农产品（包括补贴）的生产和销售达成共同市场政策之前， 本条款不适用于共同市场内的农产品贸易。

第二十七条 海关行政合作

成员国应采取适当措施， 包括关于行政合作的安排， 以确保本附件第十四条、第十五条、第十六条和第十七条以及附表二、附表三和附表四的规定得到有效和协调的实施， 同时考虑到需要尽可能减少对贸易施加的手续， 以及需要就这些规定实施过程中出现的任何困难达成相互满意的解决方案。

第二十八条 因国际收支困难而产生的进口限制

1. Notwithstanding Article 21 of this Annex a Member State may consistently with any international obligations to which it is subject introduce quantitative restrictions on imports for the purpose of safeguarding its balance of payments.

2. A Member State taking measures in accordance with paragraph 1 of this Article shall notify them to the Council, if possible, before they come into force. The Council shall examine the situation and keep it under review and may at any time by majority vote make recommendations designed to moderate any damaging effect of these restrictions or to assist the Member State concerned to overcome its difficulties. If the balance of payments difficulties persist for more than 18 months and the measures applied seriously disturb the operation of the Common Market, the Council shall examine the situation and may, taking into account the interests of all Member States, by majority vote, devise special procedures to attenuate or compensate for the effect of such measures.

3. A Member State which has taken measures in accordance with paragraph I of this Article shall have regard to its obligations to resume the full application of Article 21 of this Annex and shall, as soon as its balance of payments situation improves, make proposals to the Council on the way in which this should be done. The Council, if it is not satisfied that these proposals are adequate, may recommend to Member States alternative arrangements to the same end. Decisions of the Council pursuant to this paragraph shall be made by majority vote.

ARTICLE 29
DIFFICULTIES IN PARTICULAR INDUSTRIES

1. If, in a Member State--

(a) any industry or particular sector of an industry experiences serious difficulties due to a substantial decrease in internal demand for a domestic product; or

(b) this decrease in demand is due to an increase in imports consigned from other Member States as a result of the establishment of the Common Market, that Member State may, notwithstanding any other provisions of this Annex--

(i) limit those imports by means of quantitative restrictions to a rate not less than the rate of such imports during any period of 12 months which ended within 12 months of the date on which the restrictions came into force; the restrictions shall not be continued for a period longer than 18 months, unless the Council, by majority vote, authorize their continuance for such further period and on such conditions as the Council considers appropriate; and

(ii) take such measures, either instead of or in addition to restriction of imports in accordance with sub-paragraph (I) of this paragraph, as the Council, may by majority vote authorize.

1. 尽管有本附件第21条的规定，成员国在遵守其所承担的任何国际义务的前提下，可为保障其国际收支而对进口实施数量限制。

2. 成员国根据本条款第一款采取措施时，应尽可能在该措施生效前通知理事会。理事会应审查该情况并持续监督，且可随时通过多数表决提出建议，以减轻这些限制的破坏性影响或协助相关成员国克服其困难。若国际收支困难持续超过18个月且所采取措施严重干扰共同市场的运作，理事会应审查该情况，并可在考虑所有成员国利益的基础上，通过多数表决制定特别程序，以减轻或补偿此类措施的影响。

3. 已根据本条款第一款采取措施的成员国，应注意其恢复全面适用本附件第21条的义务，并应在其国际收支状况改善后，立即向理事会提出关于如何实现这一目标的建议。若理事会认为这些建议不够充分，可向成员国推荐实现相同目的的其他安排。理事会根据本段落作出的决定应以多数表决通过。

第29条 特定产业困难

1. 如在一成员国境内——

(a) 任何产业或某一产业的特定部门因国内产品的内部需求大幅下降而遭遇严重困难；或

(b) 该需求下降是由于共同市场的设立导致从其他成员国发运的进口增加所致，则该成员国可不顾本附件任何其他条款——

(i) 通过数量限制将此类进口限制在不低于限制措施生效之日前12个月内任何12个月期间进口速率的水平；此类限制的实施期限不得超过18个月，除非理事会以多数表决授权其按理事会认为适当的条件继续实施更长期限；且

(ii) 采取此类措施，无论是替代还是补充根据本款第一子款实施的进口限制，均需由理事会以多数表决授权。

2. In applying measures in accordance with paragraph I of this Article a Member State shall give like treatment to imports consigned from all Member States.

3. A Member State applying restrictions in accordance with sub-paragraph (i) of paragraph 1 of this Article shall notify them to the Council, if possible, before they come into force. The Council may at any time consider these restrictions and may, by majority vote, make recommendations designed to moderate any damaging effect of those restrictions or to assist the Member State concerned to over-come its difficulties.

ARTICLE 30
RESTRICTIVE BUSINESS PRACTICES

1. Member States recognize that the following practices are incompatible with this Annex in so far as they frustrate the benefits expected from such removal or absence of duties and quantitative restrictions as is required by this Annex--

(a) agreements between enterprises, decisions by associations of enterprises and concerted practices between enterprises which have as their object or result the prevention, restriction distortion of competition within the Common Market;

(b) actions by which one or more enterprises taken unfair advantage of a dominant position, within the Common Market or a substantial part of it.

2. If any practice of the kind described in paragraph 1 of this Article is referred to the Council in accordance with Article 11 of this Annex the Council may, in any recommendation in accordance with paragraph 3 or in any decision in accordance with paragraph 4 of that Article, make provision for publication of a report on the circumstances of the matter.

3. (a) In the light of experience, the Council shall, as soon as practicable, consider whether further or different provisions are necessary to deal with the effect of restrictive business practices or dominant enterprises on the trade within the Common Market.

(b) Such review shall include consideration of the following matters--

(i) specification of restrictive business practices or dominant enterprises with which the Council should be concerned;

(ii) methods of securing information about restrictive business practices or dominant enterprises;

(iii) procedures for investigation; (iv) whether the right to initiate inquiries should be conferred on the Council.

The Council may decide to make the provisions found necessary as a result of the review envisaged in sub-paragraphs (a) and (b) of this paragraph.

2. 在根据本条款第一款实施措施时，成员国应对来自所有成员国的进口货物给予同等待遇。

3. 根据本条款第1段子段落(i)实施限制的成员国，应在限制措施生效前尽可能通知理事会。理事会有权随时审议这些限制措施，并可通过多数表决提出建议，以减轻这些限制措施的破坏性影响，或协助相关成员国克服困难。

第三十条 限制性商业行为

1. 成员国确认下列行为与本附件相抵触，只要这些行为阻碍了本附件所要求的关税及数量限制的取消或免除预期带来的利益——

(a) 以阻碍、限制或扭曲共同市场内部竞争为目的或效果的企业间协议、企业协会决定及企业间协同行为；

(b) 一个或多个企业滥用其在共同市场或其重大部分的支配地位谋取不公平优势的行为。

2. 若本条款第1段所述任何行为根据本附件第11条提交至理事会，理事会可依照该条款第3段的建议或第4段的决定，规定公布关于该事项情况的报告。

3. (a) 根据经验，理事会应尽快考虑是否需要进一步或不同的规定来处理限制性商业行为或主导企业对共同市场内部贸易的影响。

(b) 此类审查应包括对以下事项的考虑——

(i) 明确理事会应关注哪些限制性商业行为或主导企业；

(ii) 获取有关限制性商业行为或主导企业信息的方法；

(iii) 调查程序；(iv) 是否应授予理事会启动调查的权利。

理事会可决定根据本款(a)和(b)子段落所设想的审查结果，制定被认为必要的条款。

4. Member States undertake to introduce as soon as practicable uniform legislation for the control of restrictive practices by business enterprises giving particular attention to the practices referred to in paragraph I of this Article.

CHAPTER IV: COMMON PROTECTIVE POLICY

ARTICLE 31
ESTABLISHMENT OF COMMON EXTERNAL TARIFF

1. Member States agree to establish and maintain a Common External Tariff in respect of all commodities imported from third countries in accordance with a plan and Schedule to be adopted by the Conference immediately upon the entry into force of this Annex, provided that:

(a) In so far as the Less Developed Countries, except Belize and Montserrat are concerned, their existing Tariffs under the East Caribbean Common Market Agreement shall be deemed as fulfilling their initial obligations in relation to the Common External Tariff of the Caribbean Common Market.

(b) Wherever the Plan and Schedule of rates in the existing customs tariff of the East Caribbean Common Market Agreement differ from those in the Common External Tariff of the Caribbean Common Market, the Plans and Schedules of rates in both the East Caribbean Common Market and the Caribbean Common Market Tariffs will be subject to annual review in the light of the prevailing economic situation of the Less Developed Countries for the purpose of determining the appropriate Plan and Schedule that will be introduced provided that the introduction of such a Plan and Schedule will commence not later than 1st August, 1977 and the phasing period will end not later than 1st August, 1981.

(c) In so far as Belize and Montserrat are concerned, their existing Tariffs on 1st May, 1974, shall be deemed as fulfilling their initial obligations in relation to the Common External Tariff of the Caribbean Common Market. They shall progressively phase their tariffs in accordance with the annual reviews mentioned in paragraph (b) of this proviso provided that in the case of Montserrat the introduction of the Plan and Schedule will commence not later than 1st August, 1981, and the phasing period will end not later than 1st August, 1985.

ARTICLE 32
OPERATION OF THE COMMON EXTERNAL TARIFF

1. Any alteration or suspension of the Common External Tariff on any item shall be decided by the Council by unanimous vote.

4. 成员国承诺尽快引入统一立法，以控制商业企业的限制性做法，并特别关注本条款第一款所述的做法。

第四章：共同保护政策

第31条 共同对外关税的设立

1. 成员国同意根据本附件生效后由会议立即通过的计划及附表，针对从第三国进口的所有商品设立并维持一项共同对外关税，但须满足以下条件：

(a) 就欠发达国家（伯利兹和蒙特塞拉特除外）而言，其在东加勒比共同市场协定项下的现行关税应视为已履行其对加勒比共同市场共同对外关税的初始义务。

(b) 若东加勒比共同市场协定现行关税中的税率计划及附表与加勒比共同市场共同对外关税的税率计划及附表存在差异，则东加勒比共同市场和加勒比共同市场关税中的税率计划及附表将根据欠发达国家的当前经济形势进行年度审查，以确定拟实施的适当计划及附表，但该计划及附表的实施不得迟于1977年8月1日启动，且过渡期不得迟于1981年8月1日结束。

(c) 就伯利兹和蒙特塞拉特而言，其1974年5月1日的现行关税应视为已履行其对加勒比共同市场共同对外关税的初始义务。两国应根据本但书段落(b)所述的年度审查逐步调整关税，但蒙特塞拉特实施该计划及附表的时间不得晚于1981年8月1日，且过渡期结束时间不得晚于1985年8月1日。

第三十二条 共同对外关税的实施

1. 对任何项目的共同对外关税的任何修改或暂停，应由理事会以一致投票决定。

2. During the transitional period in respect of any item, a Member State may decide as a temporary measure to reduce or suspend a duty in its national tariff for the purpose of domestic price control provided that goods originating from Member States on which duties are payable are accorded treatment no less favourable. Any such action shall be promptly reported to the other Member States through the Secretariat. If any Member State so requests, the Council shall hold consultations on the matter and may by majority vote make such recommendations as it considers appropriate to mitigate any damaging effects of such reduction or suspension of duty on the exports of the Member States concerned.

3. Where a commodity is not being produced in one or more Member States or is being produced but in insufficient quantities to satisfy the requirements of the Common Market, the Council may decide to authorize the reduction or suspension of the tariff in respect of imports of that commodity subject to such terms and conditions as it may decide, provided that in no case the commodity imported from third countries be accorded more favourable treatment than similar products produced by Member States.

4. Within two weeks of the coming into force of this Annex, every member State shall notify to the Council the duties applied on all goods imported from non-member countries immediately before the entry into force of this Annex.

5. Upon the expiration of the period of three years from the entry into force of the Common External Tariff the Council shall review such rates as are posing or as are likely to pose difficulties in their application.

ARTICLE 33
TREATMENT OF IMPORTS FROM THIRD COUNTRIES

1. During the transitional period, that is, until the 1st August, 1981, Member States individually or otherwise undertake to pursue such policies regarding quantitative restrictions on imports from third countries as would facilitate the implementation of a common protective policy for the Common Market as soon as practicable after the transitional period. The Council may make recommendations to Member States for this purpose.

2. As soon as possible after the entry into force of this Annex Member States shall notify to the Council all existing quantitative restrictions applied on imports from third countries. Any new quantitative restrictions shall be promptly notified to the Council.

3. The Council of Ministers shall keep under continuous review the application of quantitative restrictions by Member States whether on an individual, sub-group or Common Market basis and shall make such recommendations to Member States as it considers necessary.

ARTICLE 34
EXTERNAL TRADE POLICY

2. 在针对任何项目的过渡期内，成员国可出于国内价格控制的目的，作为临时措施决定降低或暂停其国家关税中的某项关税，前提是需对来自成员国且应缴纳关税的商品给予不低于优惠的待遇。任何此类行动应立即通过秘书处向其他成员国报告。如有成员国提出请求，理事会应就此事项进行磋商，并可通过多数表决提出其认为适当的建议，以减轻此类关税降低或暂停对相关成员国出口造成的损害影响。

3. 若某一商品未在一个或多个成员国生产，或虽生产但数量不足以满足共同市场需求，理事会可决定授权降低或暂停该商品的进口关税，并附加其认为适当的条款和条件，但无论如何，从第三国进口的商品所获待遇不得优于成员国生产的类似产品。

4. 本附件生效后两周内，各成员国应向理事会通报本附件生效前对非成员国进口商品实施的全部关税。

5. 共同对外关税生效三年期满后，理事会应审查在实施过程中已造成或可能造成困难的关税税率。

第三十三条 第三国进口待遇

1. 在过渡期内（即截至1981年8月1日），各成员国应单独或共同承诺执行关于第三国进口数量限制的政策，以促进过渡期结束后尽快实施共同市场的共同保护政策。为此目的，理事会可向成员国提出建议。

2. 本附件生效后，成员国应尽快向理事会通报其对第三国进口实施的所有现行数量限制。任何新的数量限制均应及时通知理事会。

3. 部长理事会应持续审查成员国在个体、次级集团或共同市场基础上实施的数量限制，并向成员国提出其认为必要的建议。

第三十四条 对外贸易政策

1. Member States shall seek a progressive co-ordination of their trade relations with third countries or groups of third countries.

2. Member States undertake to transmit to the Secretariat particulars of any trade or aid agreements entered into after the entry into force of this Annex.

CHAPTER V: ESTABLISHMENT, SERVICES AND MOVEMENT OF CAPITAL

ARTICLE 35
ESTABLISHMENT

1. Each Member State recognizes that restrictions on the establishment and operation of economic enterprises therein by nationals of other Member States should not be applied, through accord to such persons of treatment which is less favourable than accorded in such matters to nationals of that Member State, in such a way as to frustrate the benefits expected from such removal or absence of duties and quantitative restrictions as is required by this Annex.

2. Member States shall not apply new restrictions in such a way that they conflict with the principle set out in paragraph 1 of this Article.

3. A Member State shall notify the Council within such period as the Council may decide of particulars of any restrictions which it applies in such a way that persons belonging to another Member State are accorded in the first-mentioned State less favourable treatment in respect of the matters set out in paragraph 1 of this Article than is accorded to persons belonging thereto.

4. The Council shall consider from time to time, whether further or different provisions are necessary to give effect to the principles set out in paragraph 1 of this Article.

5. Nothing in this Article shall prevent the adoption and enforcement by a Member State of measures for the control of entry, residence, activity and departure of persons where such measures are justified by reasons of public order, public health or morality, or national security of that Member State.

6. For the purposes of this Article and Articles 36 and 38 of this Annex--

(a) a person shall be regarded as a national of a Member State if such person--

(i) is a citizen of that State; (ii) has a connection with that State of a kind which entitles him to be regarded as belonging to, or, if it be so expressed, as being a native or resident of the State for the purposes of such laws thereof relating to immigration as are for the time being in force; or

(iii) is a company or other legal person constituted in the Member State in conformity with the law thereof and which that State regards as belonging to it, provided that such

1. 成员国应寻求逐步协调其与第三国或第三国集团的贸易关系。

2. 成员国承诺向秘书处通报本附件生效后签订的任何贸易或援助协定的具体内容。

第五章：设立、服务和资本流动

第三十五条 设立

1. 各成员国认识到，不应通过对其他成员国国民在该国设立和经营经济企业施加限制——即给予此类人员低于本国国民在该等事项上所获待遇——来阻碍本附件所要求的关税及数量限制取消或免除后预期利益的实现。

2. 成员国实施新限制时不得违背本条第一款所述原则。

3. 若某成员国实施的限制导致另一成员国国民在前述成员国境内就本条第一款所列事项所获待遇低于该国国民，则该成员国应在理事会决定的期限内向理事会通报该限制的具体内容。

4. 理事会应不时考虑是否需要进一步或不同的规定，以落实本条款第1段所述原则。

5. 本条款任何规定均不得阻止成员国基于公共秩序、公共卫生或道德，或~该成员国国家安全的理由，采取并执行关于人员入境、居留、活动及离境管制的措施。

6. 就本条款及本附件第三十六条和第三十八条而言——

(a) 符合下列条件之一者，应视为成员国国民—— -

(i) 系该国公民；或 (ii) 与该国存在某种关联，根据该国现行移民法律，该关联使其有权被视为属于该国，或（若法律如此表述）为该国民或居民；或

(iii) 是根据成员国法律成立的公司或其他法人，且该成员国视其为本国所属，但前提是此类

company or other legal person has been formed for gainful purposes and has its registered office and central administration, and carries on substantial activity, within the Common Market and which is substantially owned and effectively controlled by persons falling under (i) and (ii) above.

(b) "economic enterprises" means any type of economic enterprises for production of or commerce in goods which are of Common Market origin, whether conducted by individuals or through agencies, branches or companies or other legal persons.

ARTICLE 36
RIGHT TO PROVIDE SERVICES

1. Each Member State agrees as far as practicable to extend to persons belonging to other Member States preferential treatment over persons belonging to States outside the Common Market with regard to the provision of services.
2. For the purposes of this Article the term "services" shall be considered as services for remuneration provided that they are not governed by provisions relating to trade, the right of establishment or movement of capital and includes, in particular, activities of an industrial or commercial character, artisan activities and activities of the professions, excluding activities of employed persons.

ARTICLE 37
MOVEMENT OF CAPITAL

The Council shall examine ways and means for the introduction of a scheme for the regulated movement of capital within the Common Market, giving particular attention to the development needs of the Less Developed Countries and shall recommend to Member States proposals for the establishment of such a scheme.

ARTICLE 38
SAVING IN RESPECT OF MOVEMENT OF PERSONS

Nothing in this Treaty shall be construed as requiring, or imposing any obligation on, a Member State to grant freedom of movement to persons into its territory whether or not such persons are nationals of other Member States of the Common Market.

CHAPTER VI: COORDINATION OF ECONOMIC POLICIES AND
DEVELOPMENT PLANNING

ARTICLE 39
CONSULTATION ON ECONOMIC POLICIES

1. Member States recognize that the economic and financial policies of each of them affect the economies of other Member States and intend to pursue those policies in a manner which serves to promote the objectives of the Common Market. In particular but

公司或其他法人以营利为目的成立，并在共同市场内设有注册办事处和中央管理机构，且开展实质性活动，同时主要由符合上述(i)和(ii)项的人员实质拥有和有效控制。

(b) "经济企业" 指从事共同市场原产地商品的生产或贸易的任何类型的经济企业，无论是由个人还是通过机构、分支机构、公司或其他法人进行。

第36条 提供服务权

1. 各成员国同意在可行范围内，在提供服务方面，对属于其他成员国的人员给予优于属于共同市场以外国家人员的优惠待遇。
2. 就本条而言，“服务”一词应视为有偿提供的服务，前提是这些服务不受与贸易、设立权或资本流动相关的条款约束，尤其包括工业或商业性质的活动、手工业活动和专业活动，但不包括受雇人员的活动。

第37条 资本流动

理事会应研究在共同市场内引入资本规范流动计划的方式和方法，特别关注欠发达国家的发展需求，并向成员国建议设立此类计划的提案。

第38条 人员流动的保留

本条约任何内容不得解释为要求或施加义务于成员国，使其必须授予人员进入其领土的流动自由，无论该人员是否为共同市场其他成员国的国民。

第六章：经济政策与发展规划的协调

第39条 经济政策协商

1. 成员国认识到，其中任一成员国的经济和财政政策都会影响其他成员国的经济体，并拟以促进共同市场目标的方式执行这些政策。特别是但

without prejudice to the generality of the foregoing, Member States shall seek as far as practicable to--

- (i) co-ordinate their economic policies and for this purpose facilitate collaboration between appropriate ministries, administrative departments and agencies;
- (ii) co-ordinate their statistical services in matters affecting the operation of the Common Market; and
- (iii) co-ordinate their positions and presentations at all international economic, financial and trade meetings at which they are represented.

2. The Council may make recommendations to Member States on matters relating to those policies and on how best to achieve such co-ordination and collaboration.

ARTICLE 40
HARMONISATION OF FISCAL INCENTIVES

- 1. Member States shall seek to harmonize, such legislation and practices as directly affect fiscal incentives to industry.
- 2. Member States shall seek also to establish regimes for the harmonization of fiscal incentives to Agriculture and Tourism with appropriate differentials in favour of the Less Developed Countries.
- 3. Member States agree to study the possibility of approximating income tax systems and rates with respect to companies and individuals.

ARTICLE 41
INTRA-REGIONAL AND EXTRA-REGIONAL DOUBLE TAXATION AGREEMENTS

- 1. Member States shall approach their negotiations for Agreements for the avoidance of Double Taxation with countries outside the Common Market on the basis of a set of mutually agreed principles.
- 2. With a view to encouraging the regulated movement of capital within the Common Market, particularly to the Less Developed Countries, Member States agree to adopt among themselves Agreements for the Avoidance of Double Taxation.

ARTICLE 42
HARMONISATION OF LAWS

- 1. Member States recognise the desirability to harmonise as soon as practicable such provisions imposed by law or administrative practices as affect the establishment and operation of the Common Market in the following areas:

在不影响前述一般性原则的情况下， 成员国应尽可能寻求——

- (i) 协调其经济政策， 并为此促进相关部委、 行政部门和机构之间的协作；
- (ii) 在影响共同市场运作的事务上协调其统计服务； 以及
- (iii) 协调其在国际经济、 金融和贸易会议上的立场和陈述， 只要它们在这些会议上有代表。

2. 理事会可就这些政策相关事项以及如何最好地实现此类协调和协作向成员国提出建议。

第40条 财政激励措施的协调

- 1. 成员国应寻求协调直接影响工业财政激励措施的立法和实践。
- 2. 成员国还应寻求建立农业和旅游业财政激励措施的协调机制， 并适当向欠发达国家倾斜。
- 3. 成员国同意研究协调公司和个人所得税制度及税率的可能性。

第41条 区域内与区域外双重征税协议

- 1. 成员国应根据一套共同商定的原则， 与共同市场以外的国家进行避免双重征税协定的谈判。
- 2. 为鼓励资本在共同市场内， 特别是向欠发达国家的规范流动， 成员国同意彼此间采用避免双重征税协议。

第42条 法律的协调

- 1. 成员国认识到有必要尽快协调由法律或行政惯例施加的、 影响共同市场设立和运作的以下领域的规定：

- (a) companies;
- (b) trade marks;
- (c) patents;
- (d) designs and copyrights;
- (e) industrial standards;
- (f) marks of origin;
- (g) labeling of food and drugs;
- (h) plant and animal quarantine restrictions;
- (i) restrictive business practices;
- (j) dumping and subsidization of exports.

2. The Council shall keep the provisions of this Article under review and may make recommendations for the achievement of this objective.

ARTICLE 43
MONETARY, PAYMENTS AND EXCHANGE RATE POLICIES

1. Member States undertake to permit within the Common Market freedom of payments on

(a) current account and

(b) capital account necessary to further the objectives of the Common Market.

2. Member States recognizing that exchange-rate stability as between themselves is necessary to promote the smooth functioning of the Common Market agree to--

(a) a policy of continuing consultation and the fullest possible exchange of relevant information on monetary payments and exchange rate matters, and

(b) to examine ways and means of harmonizing their monetary and exchange-rate and payments policies in the interest of the smooth functioning of the Common Market.

3. Member States further agree --

(a) to the policy whereby through arrangements by their Central Banks or Monetary Authorities the notes and coins of other Member States shall be exchanged within their own States at official par value without exchange commission.

(b) to develop arrangements for co-operation in other monetary matters including the operation of a clearing arrangement by their Central Monetary Authorities.

ARTICLE 44
OWNERSHIP AND CONTROL OF REGIONAL RESOURCES

(a) 公司；(b) 商标；(c) 专利；(d) 设计和版权；(e) 工业标准；(f) 原产地标记；(g) 食品和药品标签；(h) 动植物检疫限制；(i) 限制性商业行为；(j) 出口倾销和补贴。

2. 理事会应持续审查本条条款，并可为实现该目标提出建议。

条款43 货币、支付与汇率政策

1. 成员国承诺在共同市场内允许以下支付自由：

(a) 经常账户；

(b) 为推进共同市场的目标所必需的资本账户。

2. 成员国认识到彼此间的汇率稳定对促进共同市场平稳运行至关重要，兹同意——

(a) 一项持续磋商的政策，并就货币支付和汇率事务尽可能充分交换相关信息，以及

(b) 研究协调其货币、汇率及支付政策的途径与方法，以利于共同市场的顺利运作。

3. 成员国进一步同意——

(a) 采取如下政策：通过其中央银行或货币当局的安排，其他成员国的纸币和硬币可在本国境内按官方平价兑换，无需支付汇兑佣金。

(b) 制定在其他货币事务上的合作安排，包括由其中央货币当局运作的清算安排。

条款44 区域资源的所有权与控制

1. Member States recognise the need for continuing inflows of extra-regional capital and the urgent necessity to promote development in the Less Developed Countries.
2. Member States shall keep under review the question of ownership and control of their resources, with a view to increasing the extent of national participation on their economies and working towards the adoption as far as possible of a common policy on foreign investment

ARTICLE 45
COORDINATION OF NATIONAL DEVELOPMENT PLANNING

1. Member States recognise the desirability of a long-term Common Market Perspective plan as a framework for co-ordinating their development efforts and agree to work jointly in the formulation of such a Plan.
2. In order to promote maximum complementarity between industries and economic sectors of Member States, each Member State agrees to consult with other Member States in drawing up its national medium-term operational development plans. Member States shall establish a Committee of Officials in charge of national planning agencies for the purpose of promoting collaboration in development planning.

ARTICLE 46
COMMON MARKET INDUSTRIAL PROGRAMMING

1. Member States undertake to promote a process of industrial development through industrial programming aimed at achieving the following objectives:
- (a) the greater utilization of the raw materials of the Common Market;
- (b) the creation of production linkages both within and between the national economies of the Common Market;
- (c) to minimize product differentiation and achieve economies of large scale production, consistent with the limitation of market size;
- (d) the encouragement of greater efficiency in industrial production;
- (e) the promotion of exports to markets both within and outside the Common Market;
- (f) an equitable distribution of the benefits of industrialization paying particular attention to the need to locate more industries in the Less Developed States.
2. The Council may make recommendations from time to time to promote achievement of the objectives stated in paragraph I of this Article.

1. 成员国认识到持续引入域外资本的必要性， 以及促进欠发达国家发展的紧迫性。
2. 成员国应持续审查其资源的所有权和控制权问题， 旨在提高国家参与其经济体的程度， 并努力尽可能采用关于外国投资的共同政策。

第45条 国家发展规划的协调

1. 成员国认识到制定一个长期的共同市场远景计划作为协调其发展努力的框架是可取的， 并同意共同制定此类计划。
2. 为促进成员国间产业和经济部门的最大互补性， 各成员国同意在制定其国家中期操作发展计划时与其他成员国协商。成员国应设立一个由负责国家规划机构的官员组成的官员委员会， 以促进发展规划中的协作。

第46条 共同市场工业规划

1. 成员国承诺通过旨在实现以下目标的工业规划来促进工业发展进程：
- (a) 更充分地利用共同市场的原材料；
- (b) 在共同市场的各国民经济体内部及之间建立生产联系；
- (c) 在市场规模限制的前提下， 最大限度地减少产品差异化并实现大规模生产的经济效益；
- (d) 鼓励提高工业生产效率；
- (e) 该 促进向共同市场内外市场的出口；
- (f) 工业化利益的公平分配， 特别关注在欠发达州设立更多产业的需求。
2. 理事会可不时提出建议， 以促进实现本条款第一款所述目标。

ARTICLE 47
JOINT DEVELOPMENT OF NATURAL RESOURCES

- 1. Member States agree to a policy of regular exchange of information on their natural resources with a view to the development of joint projects for the increased utilisation of these resources within the Common Market and to collaborate in promoting research in these areas.
- 2. With a view to facilitating negotiations with mining companies, Member States agree to exchange information on exploration leases, exploitation licences and on taxation of mining companies.
- 3. The Council advised by the Standing Committee of Ministers responsible for Mines and Natural Resources may make recommendations for achieving the objectives stated in paragraphs 1 and 2 of this Article.

ARTICLE 48
MARKETING OF AGRICULTURAL PRODUCTS

- 1. Member States agree to work towards the rationalization of trade within the Common Market of certain selected agricultural products having special regard to the agricultural development of the Less Developed Countries.
- 2. In pursuance of this objective Member States agree to arrangements for the marketing of oils and fats and other agricultural products as set out in Schedules VII, VIII and IX to this Annex.
- 3. The Council may make recommendations for the development of agricultural trade between Member States.

ARTICLE 49
RATIONALIZATION OF AGRICULTURAL PRODUCTION

- 1. Member States agree to adopt a scheme for the rationalization of agricultural production within the Common Market with a view to promoting complementarity in national agricultural programmes and providing special opportunities for the development of agriculture in the Less Developed Countries.
- 2. The Scheme shall have the following objectives:
 - (a) the development of a regional plan for the integration of agricultural development in the Common Market;
 - (b) the achievement of the optimum utilization of agricultural resources;

第四十七条 自然资源联合开发

- 1. 成员国同意实施一项定期交流自然资源信息的政策，旨在开发联合项目以增加这些资源在共同市场内的利用，并合作推动这些领域的研究。
- 2. 为便利与矿业公司谈判，成员国同意就勘探租约、开采许可证及矿业公司税收问题交换信息。
- 3. 理事会经矿业和自然资源部长常设委员会建议，可就实现本条款第1段和第2段所述目标提出建议。

第四十八条 农产品营销

- 1. 成员国同意致力于推动共同市场内特定选定农产品贸易的合理化，并特别关注欠发达国家的农业发展。
- 2. 为实现此目标，成员国同意按照本附件附表七、八和九所列安排，开展油脂及其他农产品的营销。
- 3. 理事会可就成员国间农业贸易的发展提出建议。

第四十九条 农业生产合理化

- 1. 成员国同意在共同市场内采用农业生产合理化方案，以期促进国民农业计划的互补性，并为欠发达国家的农业发展提供特殊机会。
- 2. 该方案应具有以下目标：
 - (a) 制定共同市场农业发展一体化的区域计划；
 - (b) 实现农业资源的最优利用；

(c) the improvement of the efficiency of agricultural production in order to increase the supply of agricultural products for--

(i) domestic consumption;

(ii) export to regional as well as extra-regional markets; and

(iii) inputs for agro-based industries.

(d) replacement of imports on a regional basis;

(e) increasing the income and standard of living of the rural population;

(f) contributing to the achievement of full employment for the peoples of the Common Market;

(g) the provision of greater opportunities to the Less Developed Countries for the expansion of agricultural production for export to markets within and outside the Common Market.

3. Member States recognise the desirability of joint action in the exporting of non-traditional agricultural products to countries outside the Common Market and agree to the promotion of schemes towards this objective.

4. With regard to the production of non-traditional agricultural products, Member States shall pursue a policy of collaboration with a view to improving productivity and promoting a more efficient allocation of the resources of the Common Market giving special consideration to the need for increasing production in the Less Developed Countries.

5. The Council shall keep this Article under review and shall make recommendations to Member States for achieving its objectives.

ARTICLE 50
COOPERATION IN TOURISM

1. Member States agree to collaborate in the promotion and development of the tourist industry within the Common Market.

CHAPTER VII: SPECIAL REGIME FOR THE LESS DEVELOPED COUNTRIES

ARTICLE 51
PURPOSE OF THE CHAPTER

(c) 提高农业生产效率，以增加农产品供应，用于——

(i) 国内消费；

(ii) 向区域市场及区域外市场出口；以及

(iii) 农业基础产业的投入。

(d) 区域范围内的进口替代；

(e) 提高农村人口的收入和生活水平；

(f) 促进共同市场人民实现充分就业；

(g) 为欠发达国家提供更多机会，以扩大农业生产，向共同市场内外市场出口。

3. 成员国认识到在向共同市场以外的国家出口非传统农产品方面采取联合行动的可取性，并同意推动实现这一目标的计划。

4. 关于非传统农产品的生产，成员国应推行合作政策，以提高生产力并促进共同市场资源的更高效配置，同时特别考虑增加欠发达国家产量的需求。

5. 理事会应持续审查本条款，并向成员国提出实现其目标的建议。

条款50 旅游合作

1. 成员国同意在共同市场内合作促进与发展旅游业。

第七章: 欠发达国家的特殊制度

第五十一条 本章的宗旨

The provisions of this Chapter shall have effect for the purposes of establishing within the frame-work of this Annex a special regime for the Less Developed Countries.

ARTICLE 52
IMPORT DUTIES, REVENUE DUTIES AND INTERNAL TAXATION

For the purposes of Articles 15 and 17 of this Annex the special arrangements contained in Schedules iii and iv to this Annex concerning impart duties? revenue duties and internal taxation shall apply to the Less Developed Countries.

ARTICLE 53
COMMON MARKET ORIGIN

Member States agree that in the compilation of the process list pursuant to paragraph l(b) of Article 14 of this Annex, the special needs of the Less Developed Countries shall be taken into account.

ARTICLE 54
HARMONISATION OF FISCAL INCENTIVES

Member States agree that in the establishment of the Scheme for Harmonisation of Fiscal Incentives to Industry, provided for in Article 40 of this Annex, the special needs of the Less Developed Countries shall be taken into account.

ARTICLE 55
THE COMMON EXTERNAL TARIFF AND COMMON PROTECTIVE POLICY

Member States agree that in the establishment of the Scheme for a Common External Tariff provided for in Article 31 of this Annex, the special needs of the Less Developed Countries shall be taken into account.

ARTICLE 56
PROMOTION OF INDUSTRIAL DEVELOPMENT IN THE LESS DEVELOPED COUNTRIES

1. Upon any application made in that behalf by the Less Developed Countries the Council may, if necessary, as a temporary measure in order to promote the development of an industry in any of those States, authorise by majority decision such States to suspend Common Market Tariff treatment of any description of imports eligible therefor on grounds of production in the other Member States
2. Upon any application made in that behalf by the Less Developed Countries the Council may, if necessary, as a temporary measure in order to promote the development of an industry in any of those States, authorise by majority decision such States to impose quantitative restrictions on like imports from the other Member States.

本章条款的效力在于在本附件框架内为欠发达国家建立特殊制度。

第52条 进口税、收入税与国内税收

就本附件第15条和第17条而言，本附件附表三和附表四中关于进口关税、税收与国内税收的特殊安排应适用于欠发达国家。

第53条 共同市场原产地

成员国同意，在根据本附件第14条第1款(b)项编制加工清单时，应考虑到欠发达国家的特殊需求。

第54条 财政激励措施的协调

成员国同意，在设立本附件第40条规定的产业财政激励措施协调计划时，应考虑到欠发达国家的特殊需求。

第55条 共同对外关税和共同保护政策

成员国同意，在设立本附件第31条规定的共同对外关税方案时，应考虑到欠发达国家的特殊需求。

第56条 促进欠发达国家的工业发展

1. 应欠发达国家提出的任何申请，理事会可在必要时作为临时措施，为促进这些国家中任一国家的工业发展，通过多数决定授权该国暂停对因在其他成员国生产而有资格享受共同市场关税待遇的任何类别进口产品给予该待遇。
2. 应欠发达国家提出的任何此类申请，理事会可在必要时作为临时措施，为促进这些国家中任一国家的产业发展，通过多数决定授权该等国家对来自其他成员国的同类进口实施数量限制。

3. In the light of the special position of Barbados that State may; in relation to trade with the Less Developed Countries, during the period for which the authorisations referred to in paragraphs 1 and 2 of this Article are in force, suspend Common Market tariff treatment of, or apply quantitative restrictions on, the like description of imports from the Less Developed Countries.

4. The Council may, in taking decisions pursuant to paragraphs I and 2 of this Article, impose terms and conditions to which such authorisation shall be subject.

5. For the purposes of this Article a majority means a decision supported by the affirmative votes of all the Less Developed Countries and at least two of the More Developed Countries.

ARTICLE 57
GOVERNMENT AIDS

Paragraph I (a) of Article 25 of this Annex shall not apply to exports from a Less Developed Country except where such exports are consigned to Barbados.

ARTICLE 58
PUBLIC UNDERTAKING

Paragraph I (a) of Article 26 of this Annex shall not apply to the Less Developed Countries.

ARTICLE 59
FINANCIAL ASSISTANCE FROM MORE DEVELOPED COUNTRIES

1. With a view to promoting the flow of investment capital to the Less Developed Countries, the More Developed Countries agree to co-operate in--

(a) facilitating, whether by by means of private investment capital or otherwise, joint ventures in those States;

(b) negotiating double taxation agreements in respect of the income from investments in the Less Developed Countries by residents of other Member States, and (c) facilitating the flow of loan capital to the Less Developed Countries.

2. In furtherance of the objectives stated in paragraph I above, primary consideration should be given to ventures which are substantially owned and effectively controlled by nationals of Member States within the meaning of Article 35 of this Annex.

3. Member States agree that in order to promote the development of industries in the Less Developed Countries an appropriate investment institution shall be established.

3. 鉴于巴巴多斯的特殊地位，在该条款第1段和第2段所述授权有效期内，该国可在与欠发达国家的贸易中，暂停对来自欠发达国家的同类进口给予共同市场关税待遇，或对其施加数量限制。

4. 理事会会在根据本条款第一款和第二款作出决定时，可附加此类授权须遵守的条款和条件。

5. 就本条款而言，多数意味着一项决定需获得所有欠发达国家的赞成票以及至少两个较发达国家的赞成票支持。

第57条 政府援助

本附件第25条第一款(a)项不适用于欠发达国家的出口，除非此类出口目的地为巴巴多斯。

第58条 公共事业

本附件第26条第一款(a)项不适用于欠发达国家。

第59条 较发达国家的财政援助

1. 为促进投资资本流向欠发达国家，较发达国家同意在以下方面开展合作——

(a) 通过私人投资资本或其他方式，便利这些国家中的合资企业；

(b) 就其他成员国国民在欠发达国家的投资收入谈判双重征税协议，以及 (c) 便利贷款资本流向欠发达国家。

2. 为推进上述第一款所述目标，应优先考虑本附件第三十五条所指的、主要由成员国国民实质拥有并有效控制的企业。

3. 成员国同意，为促进欠发达国家的工业发展，应设立一个适当的投资机构。

ARTICLE 60
USE OF TECHNOLOGICAL AND RESEARCH FACILITIES IN MORE
DEVELOPED COUNTRIES

The More Developed Countries undertake to provide opportunities for the use of their technological and research facilities by the Less Developed Countries.

ARTICLE 61
ADDITIONAL SPECIAL ARRANGEMENTS FOR BELIZE

Without prejudice to any other provision of this Chapter, the provisions of Schedule XI to this Annex shall apply for the purpose of establishing additional special arrangements in regard to the participation of Belize in the Common Market.

ARTICLE 62
REVIEW OF MECHANISMS FOR THE LESS DEVELOPED COUNTRIES

The Council shall review annually the need for strengthening existing mechanisms or introducing new ones to provide greater benefits to the Less Developed Countries and shall submit a Report thereon to the Heads of Government Conference.

CHAPTER VIII: GENERAL AND FINAL PROVISIONS

ARTICLE 63
LEGAL CAPACITY

1. The Common Market shall have international juridical personality.
2. Each Member State shall, in its territory, accord to the Common Market the most extensive legal capacity accorded to legal persons under its municipal law including the capacity to acquire and transfer movable and immovable property and to sue and be sued in its own name. In any legal proceedings the Common Market shall be represented by the Secretary-General of the Secretariat.
3. Each Member State hereby agrees to take such action as is necessary to make effective in its territory the provisions of this Article and shall promptly inform the Secretariat of such action.

ARTICLE 64
PRIVILEGES AND IMMUNITIES

1. The privileges and immunities to be recognised and granted by the Member States in connection with the Common Market shall be laid down in a Protocol to this Annex.

第六十条 较发达国家技术和研究设施的使用

较发达国家承诺为欠发达国家提供利用其技术和研究设施的机会。

第六十一条 伯利兹的额外特殊安排

在不影响本章其他任何规定的情况下，本附件附表XI的规定应适用于为伯利兹参与共同市场制定额外特殊安排之目的。

第六十二条 欠发达国家机制的审查

理事会应每年审查是否需要加强现有机制或引入新机制，以便为欠发达国家提供更大利益，并就此向政府首脑会议提交报告。

第八章：一般和最终条款

第六十三条 法律能力

1. 共同市场应具有国际法人资格。
2. 各成员国应在其领土内，赋予共同市场最广泛的法律能力，包括根据其国内法赋予法人的能力，涵盖取得和转让动产与不动产的能力，以及以自身名义起诉和被诉的能力。在任何法律程序中，共同市场应由秘书处秘书长代表。
3. 各成员国特此同意采取必要措施，使本条条款在其领土内生效，并应迅速将此
类措施通知秘书处。

第六十四条 特权与豁免

1. 成员国应承认并授予与共同市场相关的特权与豁免，具体规定载于本附件的议定书中。

2. The Common Market shall conclude with the Government of the Member State in which its on with the Common Market privileges and immunities to be recognized and granted in connection with the Common Market.

**ARTICLE 65
ACCESSION**

- 1. A State, mentioned in paragraph 1 (b) of Article 2 of this Annex may become a Member of the Common Market on such terms and conditions as the Conference may determine.
- 2. Any such State shall deposit on or before a date appointed by the Conference an instrument of accession with the Secretariat which shall transmit certified copies to the Government of each Member State.
- 3. Upon such deposit the State shall become a Member of the Common Market on the appointed date.

**ARTICLE 66
AMENDMENTS**

- 1. Except where this Annex provides otherwise, amendments thereto shall enter into force when they have been approved by the Council and ratified by all Member States in accordance with their respective constitutional procedures.
- 2. Instruments of ratification shall be deposited with the Secretariat which shall transmit certified copies thereof to each Member State.

**ARTICLE 67
RECOGNITION OF EXISTING INTEGRATION AGREEMENT WITHIN THE
COMMON MARKET**

Nothing in this Annex shall affect any decisions or things done under the ECCM Agreement immediately before the coming into force of this Annex or the continued application and development of that Agreement to the extent that the objectives of that Agreement are not achieved in the application of the objectives of this Annex, provided such application or development does not conflict with the obligations under this Annex of the Member States which are parties to that Agreement.

**ARTICLE 68
PARTICIPATION IN OTHER ARRANGEMENTS**

Nothing in this Annex shall preclude any Member State from participating in other arrangements to the extent that those arrangements are not incompatible with the obligations of Member States under this Annex.

2. 共同市场应与所在成员国政府缔结协议，以确认并授予与共同市场相关的特权与豁免。

第65条 加入

- 1. 本附件第二条第一**(b)**款所述国家，可按会议决定的条款和条件成为共同市场成员。
- 2. 任何此类国家应在会议指定的日期或之前向秘书处交存加入书，秘书处应将经核证的副本转交各成员国政府。
- 3. 一经交存，该国即于指定日期成为共同市场成员。

第66条 修正

- 1. 除本附件另有规定外，修正案应在经理事会批准并经所有成员国按其各自宪法程序批准后生效。
- 2. 批准书应交存秘书处，秘书处应将经核证的副本传送给各成员国。

第67条 对共同市场内现有一体化协议的承认

本附件中的任何规定均不影响在本附件生效前根据东加勒比共同市场协议所作的任何决定或事项，也不影响在该协议目标未通过本附件目标实现的情况下，该协议的继续适用和发展，前提是该适用或发展不与该协议缔约方成员国在本附件下的义务相冲突。

第68条 参与其他安排

本附件中的任何内容均不妨碍任何成员国参与其他安排，只要这些安排不违背成员国在本附件项下的义务。

ARTICLE 69
WITHDRAWAL

- 1. A Member State may withdraw from the Common Market by giving notice in writing to the Secretariat, and the Secretariat shall promptly notify the other Member States. Such withdrawal shall take effect twelve (12) months after the notice is received by the Secretariat.
- 2. A Member State so withdrawing undertakes to honour any financial obligations duly assumed during its membership of the Common Market.
- 3. A Member State that withdraws from the Treaty in accordance with Article 27 thereof shall, if a member of the Common Market be deemed to have withdrawn from the Common Market with effect from the expiration of the time limited by the said Article 27.

ARTICLE 70
RELATIONS WITH OTHER STATES AND INTERNATIONAL ORGANIZATIONS

- 1. The Council may, on behalf of the Common Market, negotiate Agreements with Member States, non-member States and other International Organisations in order to promote the objectives of the Common Market.
- 2. Such agreements, however, shall be subject to ratification by the Conference.

ARTICLE 71
TRANSITIONAL PROVISIONS

On entry into force of this Annex in accordance with the provisions of Article 24 of the Treaty, the Agreement establishing the Caribbean Free Trade Association done at Dickenson-Bay, Antigua, on the Fifteenth day of December, 1965 and the Supplementary Agreement under Article 31 (3) of the former Agreement done at Georgetown, Guyana, on the Fifteenth day of March, 1968, and at St. John's, Antigua, on the Eighteenth day of March, 1968 shall be superceded by the provisions of this Annex as between the Parties to whom the provisions of this Annex apply.

ARTICLE 72
ASSOCIATE MEMBERSHIP

- 1. Any State which in the opinion of the Conference is qualified for membership of the Common Market in accordance with Article 2. l (b) of this Annex may, upon application to the Council for associate membership of the Common Market, be admitted as an associate member of the Common Market in accordance with paragraph 2 of this Article.

第六十九条 退出

- 1. 成员国可通过向秘书处提交书面通知退出共同市场，秘书处应立即通知其他成员国。此类退出应在秘书处收到通知十二（12）个月后生效。
- 2. 退出成员国承诺履行其在共同市场成员资格期间正式承担的所有财政义务。
- 3. 根据条约第二十七条退出条约的成员国，若为共同市场成员，应视为自该第二十七条规定期限届满之日起退出共同市场。

第七十条 与其他国家和国际组织的关系

- 1. 理事会可代表共同市场与成员国、非成员国及其他国际组织谈判协议，以促进共同市场的目标。
- 2. 但此类协议须经会议批准。

第七十一条 过渡性条款

本附件根据《条约》第二十四条规定生效后，1965年12月15日在安提瓜迪金森湾签署的《建立加勒比自由贸易协会的协议》及1968年3月15日在圭亚那乔治敦、1968年3月18日在安提瓜圣约翰依据前述协议第三十一条第三款签署的《补充协议》，对于适用本附件规定的缔约方而言，应被本附件条款所取代。

第七十二条 准会员资格

- 1. 任何国家，若会议认为其符合本附件第2条1款(b)项规定的共同市场成员资格条件，可向理事会申请共同市场准成员资格，并依照本条款第2段的规定被接纳为共同市场准会员。

2. On the application made under paragraph 1 of this Article the Conference shall determine the conditions under which the applicant State may be associated with the Common Market.

ARTICLE 73
STATUS OF SCHEDULES

Schedules to this Annex shall form an integral part thereof.

2. 对于根据本条款第1段提出的申请，会议应确定申请国与共同市场建立联系的条件。

附件73 附表状态

本附件之附表应构成其组成部分。