

Members of the Organization, unless and until such territories make a notification under paragraph 2 of this Article.

#### Article 39

##### Withdrawal

1. Any Member may withdraw from the Agreement at any time after the first year it is in force by giving written notice of withdrawal to the Secretary-General of the United Nations.

2. Withdrawal under this Article shall be effective ninety days after the receipt of the notice by the Secretary-General of the United Nations.

#### Article 40

##### Exclusion

If the Council finds that any Member is in breach of its obligations under the Agreement and decides further that such failure significantly impairs the operation of the Agreement, it may, by special vote, exclude such Member from the Organization. The Council shall immediately notify the Secretary-General of the United Nations of any such decision. Ninety days after the date of the Council's decision, that Member shall cease to be a Member of the Organization and, if such Member is a Contracting Party, a Party to the Agreement.

#### Article 41

##### Settlement of accounts with withdrawing or excluded Members

1. The Council shall determine any settlement of accounts with a withdrawing or excluded Member. The Organization shall retain any amounts already paid by a withdrawing or excluded Member, and such Member shall remain bound to pay any amounts due from it to the Organization at the time the withdrawal or exclusion becomes effective; provided, however, that in the case of a Contracting Party which is unable to accept an amendment and consequently ceases to participate in the Agreement under the provisions of paragraph 2 of Article 43, the Council may determine any settlement of accounts which it finds equitable.<sup>2 3 4</sup>

2. A Member which has withdrawn or been excluded from, or has otherwise ceased to participate in, the Agreement shall not be entitled to any share of the proceeds of liquidation or the other assets of the Organization; nor shall it be burdened with any part of the deficit, if any, of the Organization upon termination of the Agreement.

#### Article 42

##### Duration and extension

1. The present Agreement shall remain in force until and including 31 December 1975.

2. However, if a new international sugar agreement is negotiated as envisaged by Article 31 and enters into force before that date, the present Agreement shall terminate upon entry into force of the new agreement.

3. Notwithstanding the provisions of paragraph 1 of this Article, the Council may, after 31 December 1974, extend the present Agreement until and including 31 December 1976 by special vote. The Council may subsequently further extend the Agreement on a year to year basis. Notwithstanding the provisions of Article 11, extensions by the Council under this Article will be dealt with by each Member in accordance with its constitutional procedures.

4. If a new international sugar agreement is negotiated as envisaged by Article 31 and enters into force during any period of extension, the present Agreement, as extended, shall terminate upon the entry into force of the new agreement.

#### Article 43

##### Amendment

1. The Council may, by special vote, recommend an amendment of the Agreement to the Contracting Parties. The Council may fix a time after which each Contracting Party shall notify the Secretary-General of the United Nations of its acceptance of the amendment. The amendment shall become effective one hundred days after the Secretary-General of the United Nations has received notifications of acceptance from Contracting Parties holding at least 850 of the total votes of exporting Members and representing at least three-quarters of those Members and from Contracting Parties holding at least 800 of the total votes of importing Members and representing at least three-quarters of those Members or on such later date as the Council by special vote may have determined. The Council may fix a time within which each Contracting Party shall notify the Secretary-General of the United Nations of its acceptance of the amendment and, if the amendment has not become effective by such time, it shall be considered withdrawn. The Council shall provide the Secretary-General with the information necessary to determine whether the notifications of acceptance received are sufficient to make the amendment effective.

2. Any Member on behalf of which notification of acceptance of an amendment has not been made by the date on which such amendment becomes effective shall as of that date cease to participate in the Organization. If, however, notification is made to the Secretary-General of the United Nations on behalf of such Member before the effective date of the amendment that its acceptance cannot be secured in time because of difficulties in completing the required constitutional procedures, but that the Member undertakes to apply the amendment provisionally, that Member shall continue to participate in the Organization. Until the Secretary-General of the United Nations has been notified that such Member accepts the amendment, it shall be provisionally bound by that amendment.

#### Article 44

##### Notification by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall notify all States Members of the United Nations, of any of its Specialized Agencies or of the International Atomic Energy Agency of each signature, of each deposit of an instrument of ratification, acceptance, approval or accession, of each notification under Article 34, and of each indication under Article 35, and of the dates on which the Agreement comes provisionally or definitively into force. The Secretary-General shall notify all Contracting Parties of each notification under Article 38, of each notice of withdrawal under Article 39, of each exclusion under Article 40, of the date on which an amendment becomes effective or is considered withdrawn under paragraph 1 of Article 43, and of any cessation of participation in the Organization under paragraph 2 of Article 43.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Agreement on the dates appearing opposite their signatures.

The texts of this Agreement in the Chinese, English, French, Russian and Spanish languages shall all be equally authentic. The originals shall be deposited in the archives of the United Nations, and the Secretary-General shall transmit certified copies thereof to each signatory or acceding Government.