

2. Any Government which has given a notification in accordance with paragraph 1 of this Article may, if the Council is satisfied that it cannot deposit its instrument of ratification, acceptance, approval or accession within the time-limit referred to in that paragraph which is relevant to that Government, be permitted to deposit such instrument by a later specified date, provided that in the case of a signatory Government such date shall not be later than 15 April 1975.

3. Any Government which has given a notification in accordance with paragraph 1 shall have the status of an Observer until either:

- (a) it deposits an instrument of ratification, acceptance, approval or accession;
- (b) the time-limit for its deposit of such an instrument has elapsed; or
- (c) it indicates that it will apply the Agreement provisionally, whichever occurs earliest.

Article 35

Indication to apply the Agreement provisionally

1. Any Government which gives a notification pursuant to Article 34 may also indicate in its notification, or at any time thereafter, that it will apply the Agreement provisionally.

2. During any period the Agreement is in force, either provisionally or definitively, a Government indicating that it will apply the Agreement provisionally shall be a provisional Member of the Organization until it deposits its instrument of ratification, acceptance, approval or accession, and thus becomes a Contracting Party to the Agreement, or the time limit for the deposit of its instrument in accordance with Article 34 has elapsed, whichever is earlier.

Article 36

Entry into force

1. The Agreement shall enter definitively into force on 1 January 1974, or on any date within the following six months, if by that date Governments, representing at least 50 per cent of the total net exports set out in Annex A, and Governments, representing at least 40 per cent of the total net imports set out in Annex B, have deposited their instruments of ratification, acceptance or approval with the Secretary-General of the United Nations. It shall also enter definitively into force at any time thereafter if it is provisionally in force and these percentage requirements are satisfied by the deposit of instruments of ratification, acceptance, approval or accession.

2. The Agreement shall enter provisionally into force on 1 January 1974, or on any date within the following six months, if by that date Governments satisfying the percentage requirements of paragraph 1 of this Article have deposited their instruments of ratification, acceptance or approval, or have indicated that they will apply the Agreement provisionally.³

3. On 1 January 1974, or on any date within the following twelve months and at the end of each subsequent six-month period during which the Agreement is provisionally in force, the Governments of any of those countries which have deposited instruments of ratification, acceptance, approval or accession may decide to put the Agreement definitively into force among themselves in whole or in part. These Governments may also decide that the Agreement shall enter provisionally into force, or continue provisionally in force, or lapse.

Article 37

Accession

Any Government invited to the United Nations Sugar Conference, 1973, and any other Government that is a Member of the United Nations, of any of its Specialized Agencies or of the International Atomic Energy Agency may accede to the Agreement upon conditions that shall be established by the Council in agreement with the Government seeking accession. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 38

Territorial application

1. Any Government may, at the time of signature or deposit of an instrument of ratification, acceptance, approval or accession or at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Agreement

- (a) shall also extend to any of the developing territories for whose international relations it is for the time being ultimately responsible and which has notified the Government concerned that it wishes to participate in the Agreement; or
- (b) shall extend only to any of the developing territories for whose international relations it is for the time being ultimately responsible and which has notified the Government concerned that it wishes to participate in the Agreement,

and the Agreement shall extend to the territories named therein from the date of such notification if the Agreement has already entered into force for that Government or, if the notification has been made prior thereto, on the date on which the Agreement enters into force for that Government. Any Government which has made a notification under paragraph 1 (b) may subsequently withdraw that notification and may make a notification or notifications to the Secretary-General of the United Nations under paragraph 1 (a).

2. When a territory to which the Agreement has been extended under paragraph 1 of this Article subsequently assumes responsibility for its international relations the Government of that territory may, within ninety days after the assumption of responsibility for its international relations, declare by notification to the Secretary-General of the United Nations that it has assumed the rights and obligations of a Contracting Party to the Agreement. It shall, as from the date of such notification, become a Party to the Agreement.

3. Any Contracting Party which desires to exercise its rights under Article 4 in respect of any of the territories for whose international relations it is for the time being ultimately responsible may do so by making a notification to that effect to the Secretary-General of the United Nations, either at the time of the deposit of its instrument of ratification, acceptance, approval or accession, or at any later time.

4. Any Contracting Party which has made a notification under paragraph 1 (a) or 1 (b) of this Article may at any time thereafter, by notification to the Secretary-General of the United Nations, declare in accordance with the wishes of the territory that the Agreement shall cease to extend to the territory named in the notification, and the Agreement shall cease to extend to such territory from the date of such notification.

5. A Contracting Party which has made a notification under paragraph 1 (a) or 1 (b) of this Article shall remain ultimately responsible for the performance of obligations under the Agreement by territories which in accordance with the provisions of this Article and of Article 4 are separate