

(b) The participating countries undertake to accept as binding all decisions of the Council under this Agreement.

(c) Without prejudice to the general scope of paragraph (a) of this article, participating countries shall in particular observe the following:

(i) They shall not, so long as sufficient quantities of tin are available to meet their full requirements, prohibit or limit the use of tin for specified end-uses except in circumstances in which such prohibition or limitation would not be inconsistent with other international agreements on trade;

(ii) They shall create conditions which would promote the transfer of tin production from less efficient to more efficient enterprises; and

(iii) They shall encourage the conservation of the natural resources of tin by preventing the premature abandonment of deposits.

ARTICLE 40

Disposal of tin from non-commercial stockpiles

(a) A participating country desiring to dispose of tin from non-commercial stockpiles shall, at adequate notice, consult with the Council concerning its disposal plans.

(b) At the time a participating country gives notice of a plan to dispose of tin from non-commercial stockpiles, the Council shall promptly enter into official consultations on the plan with that country for the purpose of assuring adequate fulfilment of the provisions of paragraph (d) of this article.

(c) The Council shall from time to time review the progress of such disposals and may make recommendations to the disposing participating country.

(d) The disposals shall be made with due regard to the protection of producers, processors and consumers against avoidable disruption of their usual markets. Account shall also be taken of the consequences of such disposals on the investment of capital in exploration and development of new supplies and the health and growth of tin mining in the producing countries. The disposals shall be in such amounts and over such periods of time as will not interfere unduly with production and employment in the tin industry in the producing countries and as will avoid creating hardships to the economies of the participating producing countries.

ARTICLE 41

National security provisions

(a) Nothing in this Agreement shall be construed:

(i) To require a participating country to furnish any information the disclosure of which it considers contrary to its essential security interests;

(ii) To prevent a participating country from taking, either singly or with other countries, any action which it considers necessary for the protection of its essential security interests where such action relates to traffic in arms, ammunition or implements of war, or to traffic in other goods and materials carried on directly or indirectly for the purpose