

total permissible export tonnage of that country in accordance with the provisions of sub-paragraph (iii), declare that the country shall forfeit a part, which shall on the first occasion not exceed one-half, of its rights to participation on liquidation of the buffer stock. The Council may at any time restore to the country concerned the portion of its rights so forfeited on such terms and conditions as it may determine.

(v) It shall be the duty of a producing country which has exported a tonnage of tin in excess of its permissible export tonnage and of any tonnage permitted by other provisions of this article to take effective steps to correct its breach of this Agreement at the earliest possible opportunity. The Council, when deciding the action to be taken under this paragraph, shall take account of any failure to take steps or delay in doing so.

(q) When, by reason of the determination or alteration of the percentage of a producing country or of the withdrawal of a producing country, the total of percentages is no longer one hundred, the percentage of each other producing country shall be proportionately adjusted so that the total of percentages is restored to one hundred. The Council shall then publish as soon as possible the revised table of percentages which shall come into force for the purposes of export control with effect from the first day of the control period following that in which the decision to revise percentages was taken.

(r) Each producing country shall take such measures as may be necessary to maintain and enforce the provisions of this article so that its exports shall correspond as closely as possible to its permissible export tonnage for any control period.

(s) For the purposes of this article, the Council may decide that exports of tin from any producing country shall include the tin content of any material derived from the mineral production of the country concerned.

(t) Tin shall be deemed to have been exported if, in the case of a country named in annex C, the formalities set out in that annex opposite the name of that country have been completed, provided that:

(i) The Council may, from time to time, with the consent of the country concerned, revise annex C and any such revision shall have effect as if it were included in that annex;

(ii) If any tin shall be exported from any producing country by any method which is not provided for by annex C, the Council shall determine whether such tin shall be deemed to have been exported for the purposes of this Agreement and, if so, the time at which such export shall be deemed to have taken place.

(u) For the purposes of sub-paragraph (ii), (iii) and (iv) of paragraph (p) of this article, control periods for which total permissible export tonnages have been fixed and penalties imposed under article VII of the Third Agreement shall be deemed, as from the entry into force of this Agreement, to have been fixed or imposed under this article.

#### ARTICLE 34

##### *Special Exports*

(a) At any time when it has declared a control period, the Council, if it considers that the conditions in annex D are satisfied, may by a two-thirds