

- (b) *Customs tariff nomenclature* means the nomenclature established under the legislation of a Contracting Party for the purposes of levying duties of Customs on imported goods;
- (c) *statistical nomenclatures* means goods nomenclatures established by a Contracting Party for the collection of data for import and export trade statistics;
- (d) *combined tariff/statistical nomenclature* means a nomenclature, integrating Customs tariff and statistical nomenclatures, legally required by a Contracting Party for the declaration of goods at importation;
- (e) *the Convention establishing the Council* means the Convention establishing a Customs Co-operation Council, done at Brussels on 15 December 1950;
- (f) *the Council* means the Customs Co-operation Council referred to in paragraph (e) above;
- (g) *the Secretary General* means the Secretary General of the Council;
- (h) the term *ratification* means ratification, acceptance or approval.

## Article 2

### *The Annex*

The Annex to this Convention shall form an integral part thereof, and any reference to the Convention shall include a reference to the Annex.

## Article 3

### *Obligations of Contracting Parties*

1. Subject to the exceptions enumerated in Article 4:
  - (a) Each Contracting Party undertakes, except as provided in subparagraph (c) of this paragraph, that from the date on which this Convention enters into force in respect of it, its Customs tariff and statistical nomenclatures shall be in conformity with the Harmonized System. It thus undertakes that, in respect of its Customs tariff and statistical nomenclatures:
    - (i) it shall use all the headings and subheadings of the Harmonized System without addition or modification, together with their related numerical codes;
    - (ii) it shall apply the General Rules for the interpretation of the Harmonized System and all the Section, Chapter and Subheading Notes, and shall not modify the scope of the Sections, Chapters, headings or subheadings of the Harmonized System; and
    - (iii) it shall follow the numerical sequence of the Harmonized System;
  - (b) Each Contracting Party shall also make publicly available its import and export trade statistics in conformity with the six-digit codes of the Harmonized System, or, on the initiative of the Contracting Party, beyond that level, to the extent that publication is not precluded for exceptional reasons such as commercial confidentiality or national security;
  - (c) Nothing in this Article shall require a Contracting Party to use the subheadings of the Harmonized System in its Customs tariff nomenclature provided that it meets the obligations at (a) (i), (a) (ii) and (a) (iii) above in a combined tariff/statistical nomenclature.