

exceeded the aggregate of the permissible export amounts for those control periods, the Council may, in addition to limiting the permissible export amounts of that country in accordance with the provisions of sub-paragraph (c) above, declare that that country shall forfeit a portion, 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 so forfeited on such terms and conditions as it may determine.

10.—(a) When for the purposes of export control the percentage of a producing country is determined or reduced, or by occasion 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 proportionally adjusted so that the total of percentages remains one hundred: provided that in giving effect to the principle set forth in paragraph 6 of this Article the Council may decide otherwise.

(b) 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.

11. 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 amount for any control period.

12. 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.

13. Tin shall be deemed to have been exported if, in the case of countries named in Column (1) of Annex C to this Agreement, the formalities set out in Column (2) of that Annex opposite the name of that country have been completed, provided that:

(a) The Council may, from time to time, notwithstanding the provisions of Article XVIII, amend the provisions of Annex C with the agreement of the country concerned and such amendment shall have effect as if it were included in Annex C.

(b) If any tin shall be exported from any producing country by any method which is not provided for by Column (2) of Annex C the Council shall determine whether such tin shall be deemed to have been exported for the purposes of the Agreement and if so the time at which such export shall be deemed to have taken place.

ARTICLE VIII

Establishment of the Buffer Stock

1.—(a) A buffer stock shall be established in accordance with the provisions of this Article and contributions shall be made to it by producing countries.

(b) Not more than 75 per cent, of any such contribution shall be in tin metal and the balance shall be in cash.