

of any of the other objectives of the Organization, it would perhaps be unnecessary to set out in the Charter any more than that one paragraph. However, because of the probabilities of differences of viewpoints on such questions, and because in consequence one Member may allow practices to continue which would not find favour with another Member, the Preparatory Committee set out detailed provisions in the Charter on the subject. Furthermore, because the provisions of the Chapter break new ground in a field of which knowledge is not complete the Article providing for the study of a wide range of aspects of restrictive business practices affecting international trade is an important one.

The more significant provisions of the respective Articles in the Chapter, other than paragraph 1 of Article 44, which is the general undertaking by Members to prevent harmful practices, may be stated briefly.

Paragraph 2 of Article 44 contains an agreement by Members that complaints regarding practices of the types listed in paragraph 3 of the Article should be investigated by the Organization to determine whether or not they are harmful if they are engaged in by commercial enterprises which, individually or collectively, possess effective control of trade between two or more countries in one or more products.

Article 45 prescribes procedures for consultation between Members and for dealing with complaints. It also empowers the Organization to seek information relating to complaints (the undertaking by Members to supply it is contained in Article 47), and if the case is such as to justify such a course the Organization is authorized in any particular case to request each Member concerned to take remedial action. A Member may be requested to report on the action which it takes and the Organization will publish its decisions, its recommendations to Members, and the action taken by them.

Article 46 provides for studies relating to restrictive business practices. It provides, too, for the Organization, firstly, to make recommendations to Members concerning conventions, laws, and procedures which are relevant to their obligations under Chapter V, and, secondly, to arrange for conferences of Members to discuss any matters relating to restrictive business practices in international trade. One of the subjects listed among those which the Organization is authorized to study is the registration of restrictive business agreements. The Preparatory Committee considered whether the Charter should contain specific provisions requiring all cartel arrangements affecting international trade to be registered with the Organization, but for various reasons decided not to include such provisions.

In Article 47 the obligations of Members under the Chapter are set out. In addition to the general undertaking to suppress harmful practices Members undertake to make the arrangements necessary for presenting complaints and furnishing information to the Organization. If, however, information is called for which, if disclosed, would substantially damage the legitimate business interests of a commercial enterprise it