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**SUPPLEMENTARY PROTOCOL A/SP.2/5/79
AMENDING THE PROTOCOL RELATING TO
THE DEFINITION OF THE CONCEPT OF
PRODUCTS ORIGINATING FROM MEMBER
STATES**

THE HIGH CONTRACTING PARTIES

CONSIDERING the Protocol relating to the definition of products originating from Member States and especially Article II of the Protocol;

CONVINCED that the concept of ex-factory price before tax derives from the manufacturing process and is therefore a more appropriate factor to be used as the basis for the determination of the contribution of the resources from the Community to the value of a finished product than the concept of FOB price;

DESIRING to conclude a supplementary Protocol amending the Protocol relating to the definition of products originating from Member States;

HAVE AGREED AS FOLLOWS:

ARTICLE I

Rules of Origin of Community Goods

(i) Article II (i) (c) of the Protocol is hereby amended to read as follows:

"If the goods have been produced from material of a foreign or undetermined origin and having received in the process of production a value added of at least 35% of the ex-factory price before tax on the finished product"; and

(ii) Article II (3) of the Protocol is amended to read as follows:

"Any conditions of acceptance of goods originating in Member States for Community trade may be reviewed periodically by the Council who shall also determine the elements that constitute the ex-factory price before tax of a finished product and those that constitute value added"

ARTICLE II

Deposit and Entry into Force

1. This Supplementary Protocol shall enter into force provisionally upon signature by Heads of State and Government of Member States and definitively upon ratification by at least seven signatory States in accordance with the constitutional procedures applicable for each signatory State.
2. This Supplementary Protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies of this Supplementary Protocol to all Member States and notify them of the dates of deposits of the instruments of ratification and shall register this Supplementary Protocol with the

Organisation of African Unity, the United Nations and such Organisations as the Council shall determine.

3. This Supplementary Protocol shall be annexed to and shall form an integral part of the Treaty.

**IN FAITH WHEREOF WE THE HEADS OF STATE AND GOVERNMENT OF THE
ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED
THIS SUPPLEMENTARY PROTOCOL**

**DONE AT DAKAR THIS 29TH DAY OF MAY, 1979 IN SINGLE ORIGINAL IN THE ENGLISH
AND FRENCH LANGUAGES BOTH TEXT BEING EQUALLY AUTHENTIC.**

Signed

H.E. Colonel Mathieu KEREKOU
President of People's Republic of Benin

Signed

H.E. Mr. Aristides PEREIRA
President of the Republic of Cape Verde

Signed

**H.E. General Frederick William Kwasi
AKUFFO**
*The Head of State and Chairman of the Supreme
Military Council of Republic of Ghana*

Signed

H.E. Dr. Lansana Beavogui
*Prime Minister
For and on behalf of the Head of State and
Commander-in-Chief of the People's Revolutionary
Armed Forces of President of the People's
Revolutionary Republic of Guinea*

Signed

H.E. Mr. Luiz Cabral
President of the Republic of Guinea Bissau

Signed

H.E. General A. Sangoule LAMIZANA
President of the Republic of Upper Volta

Signed

H.E. Dr. William R. TOLBERT, Jr.
President of the Republic of Liberia

Signed

H.E. Mr. Felix HOUPOUET-BOIGNY
President of the Republic of Ivory-Coast

Signed

H.E. Alhaji Sir Dauda K. JAWARA
President of the Republic of Gambia

Signed

H.E. Mr. Moutaye MOHAMED
*Minister of Finance and Commerce for and on
behalf of the Chairman of the Military Committee of
National Redemption of the Islamic Republic of
Mauritania*

Signed

H.E. Lt. Col. Seyni KOUNTCHE
*Head of State and Chairman of the Supreme
Military Council of the Republic of Niger*

Signed

H.E. General Olusegun OBASANJO
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces of the
Federal Republic of Nigeria*

Signed

H.E. Mr. Leopold Sedar SENGHOR
President of the Republic of Senegal

Signed

H.E. Dr. Siaka STEVENS
President of the Republic of Sierra Leone

Signed

H.E. General Mousa TRAORE

*Chairman of the Military Committee of National
Liberation, President of the Republic of Mali*

Signed

H.E. General Gnassingbe EYADEMA

President of the Republic of TOGO