

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/360

3 October 1978

Special Distribution

Textiles Surveillance Body

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ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Amendment to the Bilateral Agreement
between Austria and India

The Textiles Surveillance Body has received from the Government of Austria a notification of an amendment extending the existing bilateral agreement between Austria and India^{1/}, for a four-year period ending 31 December 1981.

The TSB, pursuant to its procedures regarding bilateral agreements notified under Article 4^{2/}, has examined the relevant documentation and is circulating the text of the notification to participating countries for their information.^{3/}

^{1/} For original agreement see document COM.TEX/SB/50.

^{2/} See COM.TEX/SB/35, Annex B.

^{3/} For observations of the TSB see COM.TEX/SB/36⁴, paragraph 5.

Note No. 1

Excellency,

I have the honour to refer to the agreement under Article 4 of the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES (hereinafter referred to as the ARRANGEMENT) between Austria and India on trade in cotton textiles effected by exchange of notes of 30 August 1974.

I further wish to refer to the negotiations which took place between a delegation of Austria and a delegation of India on 6 and 7 February 1978 in Geneva and on 8 and 9 May 1978 in Vienna. As a result of these negotiations the following understanding concerning the extension of the aforesaid agreement for a four-year term ending 31 December 1981 has been reached subject to the provisions mentioned below under Article 4 of the ARRANGEMENT as extended by the PROTOCOL of 14 December 1977:

1. Export levels in kilograms for twelve-month period beginning

<u>Category</u>	<u>1 Jan.</u> <u>1978</u>	<u>1 Jan.</u> <u>1979</u>	<u>1 Jan.</u> <u>1980</u>	<u>1 Jan.</u> <u>1981</u>
Finished fabrics and miscellaneous products of cotton, other than yarn, grey goods, terry towels and towelling...	269,240	285,394	302,518	320,669
	There not more than			
Woven blouses of cotton	24,021	24,742	25,484	26,248
Woven shirts of cotton	18,753	19,316	19,895	20,492
Bedlinen of cotton	57,166	58,881	60,647	62,466

2. Upon presentation of export certificates for exports to Austria issued by the Indian authorities, on the basis of firm contracts for the supply of the cotton textiles specified under 1. above, the competent Austrian authority will license the corresponding imports within a period of three weeks.

His Excellency
Mr. K.R.P. Singh,
Ambassador,
Embassy of India,
Opernringhof,
1010 Vienna.

3. An undue concentration of exports of the cotton textiles specified above from India to Austria as regards articles and/or time shall be avoided taking into account any seasonal factors. Accordingly, the Government of India will use its influence to achieve this aim.

4. The export levels for any category may, after consultations between Austria and India, be exceeded by a carry-over of not more than 11 per cent in the case of shortfalls, and by a carry-forward of not more than 6 per cent. The carry-over shall not exceed the amount of shortfall and shall be used in the same category in which the shortfall occurred. The carry-forward shall be deducted from the export level established for the same category in the following agreement year. The combination of carry-over and carry-forward shall not exceed 11 per cent.

5. India will provide Austria with information in respect of exports of the cotton textiles specified above to Austria, showing the numbers and dates of export certificates issued as well as the quantities of the aforesaid products covered by these export certificates. This will be done by airmail on a monthly basis.

6. Austria will provide India with statistics on a monthly and cumulative basis of import licences issued within the agreed export levels upon presentation of export certificates as indicated in paragraph 2. above.

7. Exports of handloom fabrics of the cottage industry, hand-made cottage industry products made of such handloom fabrics and traditional folklore handicraft textiles products from India to Austria are not subject to quantitative limits, provided that such products are properly certified under the arrangements of 13 April 1976 and 20 May 1976 established between our two countries. Either party may request consultations regarding handloom apparel products. In the case of woven shirts and blouses, Austria may request that exports be restrained pending successful completion of consultations. Upon receipt of such a request, India will restrain exports of shirts and blouses to a level which shall be not less than the highest level reached in any year preceding the year in which consultations are requested.

8. In respect of exports of yarn, grey goods, terry towels and towelling of cotton from India to Austria our two countries agree to discontinue the quantitative export limitation provided for under the aforesaid agreement effected by exchange of notes of 30 August 1974. Consequently, the competent Austrian authority will upon presentation of export certificates issued by the Indian authorities for exports of such products automatically issue import licences for the import from India of these products.

The Indian authorities will inform the Federal Ministry of Commerce, Trade and Industry, Vienna, on a monthly basis of the number and date of export certificates issued as well as of the quantities of the aforesaid products covered by these export certificates.

Austria will provide India on a monthly and cumulative basis with information regarding the respective import licences issued.

9. Should exports of the products set out in paragraph 8. above from India to Austria develop in a manner which, in the view of Austria, calls for action under Article 4 paragraph 2 of the ARRANGEMENT, Austria may request consultations with India with a view to reaching an agreement on mutually acceptable terms. The request for such consultations shall be accompanied by a statement containing relevant data of the market conditions which, in the view of Austria, make necessary the request for consultations. India agrees to consult within thirty days from the date on which the request for consultations has been received, and to make its best efforts to complete such consultations within fifteen days of their commencement. If no agreement is reached, India will limit exports of any of these products during the year in question to a level not lower than that achieved when the consultations were requested or to the level of the respective quota for the year 1977, whichever is the higher. In respect of cotton yarn the export level shall not be lower than that achieved when the consultations were requested or the quantity of imports into Austria for retention in 1977, whichever is the higher.

10. Austria and India agree to consult, upon the request of either party, on any question arising from the application of this Agreement. Any consultations held under this paragraph shall be approached by both parties in a spirit of co-operation and with the object of reconciling any differences between them.

I should be grateful if you would kindly confirm that this letter sets out correctly the understanding reached between the delegations of our two countries.

Accept, Excellency, the assurances of my highest consideration.

Dr. Rudolf Willenpart
Director

Note No. 2

20 June 1978

Sir,

I have the honour to refer to your letter No. 27.642/15-II/7/78 dated 14 June 1978 and to state that your letter, the text of which is reproduced below, sets out correctly the understanding reached between the delegations of India and Austria concerning the imports of cotton textiles into Austria under the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES:

(See Note No. 1)

Accept, Sir, the assurances of my highest consideration.

(signed) K.R.P. Singh
Ambassador

Dr. Rudolf Willenpart
Director,
Federal Ministry for Trade,
Commerce and Industry,
Vienna.