GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/786
22 October 1982

Special Distribution

Textiles Surveillance Body

Original: English

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilatera' Agreement between Finland and Hong Kong

The Textiles Surveillance Body has received from Finland a notification of a new bilateral agreement with Hong Kong, concluded under Article 4 of the MFA as extended by the 1982 Protocol. The agreement is valid for the period 1 August 1982—31 July 1984.

The TSB, pursuant to its procedure regarding bilateral agreements notified under Article 3—, has examined the relevant documentation and is forwarding the text of the notification to participating countries for their information.

 $[\]frac{1}{2}$ This agreement succeeds a previous agreement with Hong Kong, which together with its subsequent amendments is contained in COM.TEX/SB/609, 666 and 785.

 $[\]frac{2}{2}$ See COM.TEX/SB/35, Annex B.

MEMORANDUM OF UNDERSTANDING

I. INTRODUCTION

This Memorandum of Understanding sets out the arrangements that have been agreed between the Government of Hong Kong and the Government of Finland regarding Hong Kong's exports of certain textile products to Finland.

II. EXPORT RESTRAINT ARRANGEMENTS

These arrangements have been made having regard to the Arrangement Regarding International Trade in Textiles as extended by the Protocol dated 22 December 1981, and in particular to Articles 1 and 4 of the Arrangement.

Coverage

3. These arrangements shall apply to Hong Kong's exports to Finland of the textile products set out in Annex I to this Memorandum.

Restraint Period

- 4. These arrangements shall apply for the periods 1 August 1982 to 31 July 1983 and 1 August 1983 to 31 July 1984.
- 5. Either party may at any time terminate these arrangements provided that at least ninety days notice is given, in which event the arrangements shall come to an end at the expiry of the ninety day period.

Restraint Limit

- 6. The Government of Hong Kong shall restrict exports of the textile products set out in Annex I to the limits or sub-limits set out in Column (e) and Column (f) for the periods stated therein, save as provided for in paragraphs 8, 9, 10, 11 and 12.
- 7. The Government of Finland shall for the purpose of these arrangements admit imports of the textile products of Hong Kong origin set out in Annex I only where such imports are covered by an export licence issued by the Trade Industry and Customs Department, Hong Kong, and endorsed to the effect that the consignments concerned have been debited to the agreed limits or sub-limits.

Swing

- 8. For any textile product set out in Annex I, exports may exceed the limit or sub-limit in Column (e) and Column (f) of Annex I during the periods stated therein by five percent, provided that a corresponding reduction is applied in any one or more of the other limits or sub-limits in Column (e) and Column (f) of Annex I during the periods stated therein.
- 9. For the purpose of calculating such corresponding reductions, the conversion factors listed in Column (g) of Annex I to this Memorandum of Understanding shall apply.

Carryover and Carryforward

10. The Government of Hong Kong may, after consultation between the Government of Finland and the Government of Hong Kong, approve exports of textile products in excess of the limits or sub-limits set out in

- (a) Column (e) of Annex I by an amount equal to the quantity by which shipments in the period 1 August 1981 to 31 July 1982 fall short of the limits set out in Column (f) of Annex I to the Memorandum of Understanding signed by the Government of Hong Kong and the Government of Finland on 2 July 1980, or 11 percent of the limits or sub-limits set out in Column (e) of Annex I to this Memorandum, whichever is the less (carryover) provided that such exports are in the same categories where the shortfalls occur;
- (b) Column (f) of Annex I by an amount equal to the quantity by which shipments in the period 1 August 1982 to 31 July 1983 fall short of the limits or sub-limits set out in Column (e) of Annex I to this Memorandum, as adjusted by the provisions in (a) above, or 11 percent of the limits or sub-limits set out in Column (f), whichever is the less provided that such exports are in the same category where the shortfalls occur.
- 11. The Government of Hong Kong may, after consultation between the Government of Finland and the Government of Hong Kong, approve the export of amounts in excess of the agreed limits or sub-limits in Column (e) and Column (f), as applicable, of Annex I by 6 percent (carryforward). Where the agreed limits or sub-limits are increased by carryforward, corresponding deductions shall be made from the limits or sub-limits in respect of the same categories in the immediately following restraint period.

- 12. The car_jover and carryforward taken together shall not exceed 11 percent of the agreed limits or sub-limits in Column (e) and Column (f), as applicable, of Annex I to this Memorandum.
- 13. If exports of the textile products listed in Annex I to this Memorandum in the period 1 August 1983 to 31 July 1984 are less than the agreed limits or sub-limits in Column (f) of Annex I as adjusted by the carryover provision in paragraph 10 above, the Government of Hong Kong may, after consultation between the Government of Finland and the Government of Hong Kong, approve the export of amounts in excess of any limits or sub-limits which may be agreed in respect of the same categories in the immediately following restraint period, equal to the actual shortfalls or 11 percent of the agreed limits or sub-limits for the immediately following restraint period, whichever is the less.

Re-export

14. The Government of Finland will inform the Government of Hong Kong when imports into Finland of the textile products that have been debited to the agreed limits or sub-limits are subsequently re-exported from Finland. The Government of Hong Kong may then credit the quantities involved to the appropriate limits or sub-limits.

Exchange of Statistics

15. The Government of Hong Kong will provide the Government of Finland with monthly statistics of the textile products listed in Annex I licensed for export to Finland and debited to the limits or sub-limits set out in Column (e) and Column (f) of Annex I.

16. The Government of Finland will provide the Government of Hong Kong with quarterly statistics of total imports and of imports from Hong Kong and other significant suppliers of each of the textile products set out in Annex I.

Cons Itations

- 17. The Government of Hong Kong and the Government of Finland agree to consult together, at the request of either party, on any matter arising from the implementation of these arrangements.
- 18. If the Government of Hong Kong considers that, as a result of these arrangements, Hong Kong is being placed in an inequitable position vis-a-vis another supplier, the Government of Hong Kong may request the Government of Finland to consult with a view to appromiate remedial action such as a reasonable modification of these arrangements.

III. EXPORT AUTHORISATION ARRANGEMENTS

- 19. These arrangements shall apply for the period 1 August 1982 to 31 July 1984.
- 20. The Government of Hong Kong shall require all exports to Finland of the products listed in Annex II to be covered by export authorisations (Attachment A) issued by the Trade Industry and Customs Department, Hong Kong. An export authorisation shall be issued only on evidence of a firm contract for the supply of the goods involved and shall be valid for 3 months from the date of issue.

- 21. Export licences (Attachment B) to ship goods covered by an export authorisation will be issued on presentation of the relevant export authorisation within the latter's validity period. An export licence shall be valid for 28 days from the date of issue. The Government of Hong Kong shall not issue export licences in respect of exports to Finland of the products listed in Annex II which are not covered by a valid export authorisation.
- 22. The Government of Hong Kong shall provide the Government of Finland with half-monthly statistical returns showing the quantities covered by export authorisations issued to Hong Kong exporters in respect of the products listed in Annex II. The Government of Hong Kong agrees to notify the Government of Finland immediately upon receipt of any applications for export authorisations in exceptionally large amounts or unusual concentration of applications for export authorisations in the products. In judging what constitutes exceptionally large or unusual concentrations of applications, the Government of Hong Kong will have regard to recent levels of trade and will ensure that the quantities covered by the issue of export authorisations in question would not be such as to cause a sharp and substantial increase of imports of the products in question into Finland.
- 23. The Government of Finland shall admit imports of the textile products of Hong Kong origin listed in Annex II where such imports satisfy all normal conditions of entry, and are accompanied by a copy of an export licence issued by the Trade Industry and Customs Department, Hong Kong.
- 24. The Government of Finland may request the Government of Hong Kong to consult if, in the opinion of the Government of Finland, a limitation on further trade in the products listed in Annex II may be necessary to eliminate real risks of market disruption. Such a request shall be

accompanied by a detailed factual statement of market conditions in Finland, including data similar to that contemplated in Annex A of the Arrangement Regarding International Trade in Textiles. The Government of Finland and the Government of Hong Kong shall enter into consultations as soon as possible following notification of the request, with a view to reaching agreement or a mutually acceptable conclusion within 2 months from the date of notification.

- 25. Pending completion of consultations, the Government of Finland may request the Government of Hong Kong to limit, during the period in which the request for consultations is made, the issue of export authorisations of the product concerned, to a level not less than the highest of:
 - (a) the level of the export authorisations Issued for the product concerned in the immediate preceding period, increased by 10 percent;
 - (b) the average of the level of export authorisations issued for the product concerned in the preceding periods since 1 August 1980, increased by 10 percent;
 - (c) the level of export authorisations issued since the commencement of the period in which the request for consultations is made, increased by 6 percent.

The Government of Hong Kong agrees that it will honour such a request.

26. A 'period' for this purpose shall be 1 August to 31 July.

- 27. In the event that consultations do not result in agreement, the Government of Finland shall have the right to request the Government of Hong Kong to limit experts to Finland of the products concerned during the period in which the request for consultations is made, to a level not less than that calculated in accordance with the formula set out in paragraph 25 above. The Government of Hong Kong agrees that it will honour such a request.
- 28. The Government of Finland and the Government of Hong Kong agree that these provisions shall not derogate from the rights of Finland and Hong Kon under the Arrangement Regarding. International Trade in Textiles.
- 29. The Government of Finland and the Government of Hong Kong agree to consult, at the request of either party, on any matter arising from the implementation of these arrangements.

IV. GENERAL

30. The Annexes to this Memorandum shall be considered an integral part of it.

Done in Helsinki

For the Government of Finland

17 June 1982

Done in Hong Kong

For the Government of Hong Kong

4 June 1932

	(q)	(c)	(P)	(e)	(£)	(8)
		Finnish	Hong Kong	Reetraint	,_2	Conversion Factor
		Statietical Classification	Statistical Classification	1.8.82 to	1.8.83 to	(sq. yd. eguivalent
gory	Description	Number	Number	31.7.83	31.7.84	per dozen)
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	and the like, knitted or crocheted.			Dieces	oreces	`
	wholly or mainly by weight of cotton					
	or of man-made fibres, men's, boys',	ex 60.04.726	846 277			
	women's and girls' wear	ex 60.04.127	846 338			
		ex 60.04.762	846 339			
		ex 60.04.763	846 348			
		ex 60.04.765	846 349			
		еж 60.04.766	846 422			
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	Briefs, drawers, undershorts, and the	ex 60.04.722	846 272	009,099	673,200	6
	like, knitted or crocheted, wholly or	ex 60.04.723	846 273	pieces	pieces	
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	made fibres, men's and boys' wear	ex 60.04.726	846 339			
		ex 60.04.727	846 422			
		ex 60.04,762	846 423			
		ex 60.04.765				
		ex 60.04.766				
		ex 60.04.767				

(g)	Factor (sq. yd, equivalent per dozen)	23		23	4.8
(f)	nt Limit 1.8.83 to 33.7.84	822,728 pieces		480,703 pieces	299,516 pieces
(e)	Restraint 1.8.82 to 31.7.83	806,596 pieces		466,702 pieces	293,643 pieces
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(c)	Finnish Statistical Classification Number	61.02.502 61.02.505 61.02.506 ex 61.02.509 61.03.102 61.03.103 61.03.105 61.03.106 ex 61.03.106		61.02.502 61.02.505 61.02.506 ex 61.02.509	ex 61.09.201
(9)	Description	Shirts and blouses, not knitted or crocheted, wholly or mainly by weight of cotton or of man-made fibres, men's, boys', women's and girls' wear	of which	Blouses, not knitted or crocheted, wholly or mainly by weight of cotton or of man-made fibres, women's and girls' wear	Brassieres, wholly or mainly by weight of cotton or of man-made fibres
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Annex II	(d) Hong Kong Stutistical Number	ex 846 292 ex 846 345 ex 846 412	ex 845 121 ex 845 122 ex 845 123 ex 845 124 ex 845 125 ex 846 212 ex 846 283 ex 846 287 ex 846 287 ex 846 287 ex 846 287
	(c) Finnish Statistical Number	ex 60.04.912 ex 60.04.913 ex 60.04.915 ex 60.04.916 ex 60.04.917	60.04.115 60.04.155 60.05.315 60.05.355 60.05.365
	(b) Description	Briefs, drawers, panties, undershorts, and the like, knitted or crocheted, wholly or mainly by weight of cotton or of man-made fibres, infants' wear i.e. garments of sizes up to and including 110	Jumpers, sweaters, cardigans, pullovers, blouses and shirts (including T-shirts, singlets and undershirts), knitted or crocheted, wholly or mainly by weight of cotton
	(a) Category	El	E2

(d) Hong Kong	Statistical Number	ex 845 131			845	ex 845 135					ex 8/5 145		ex 845 957	845 970			846 322		ex 846 332	ex 846 341		ex 846 402	ex 846 403			717 978
(c) . Finnish	Statistical Number	60.04.112	60.04.113	60.04.116	60.04.117	60.04.152	60.04.153	60.04.156	60.04.157	60.05.312	60.05.313	60.05.316	60.05.317	60.05.352	60.05.353	60.05.356	60.05.357	60.05.362	60.05.363	60.05.366	60.05.367					
(P)	Description	Jumpers, sweaters, cardigans, pullovers, blouses and	f-shirts, singlets and	knitted or crocheted, wholly or mainly by weight of	man-made fibres																					
(a)	Category	E3																								

(d) Hong Kong	Statistical Number	ex 845 111 ex 845 112 ex 845 113 ex 845 113 ex 845 115 ex 845 910 ex 846 182 ex 846 183 ex 846 183 ex 846 193 ex 846 193	ex 848 435 ex 848 435 ex 848 437
(c) Finnish	Statistical Number	60.04.114 60.04.154 60.05.314 60.05.354 60.05.364	65.05.906 ex 61.07.000
(9)	Description	Jumpers, sweaters, cardigans, pullovers, blouses and shirts (including T-shirts, singlets and undershirts), knitted or crocheted, wholly or nainly by weight of wool	Woven peaked caps, wholly or mainly by weight of cotton or of man-made fibres or of wool
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- (1) The triplicate must be surrendered to the Shipping or Airline Company, and returned by their agent to the Trade Industry and Customs Department together with the relevant manifest, within fourteen days after the day on which the goods are exported as required by Section 11 of the Import and Export Ordinance, Cap. 60.
- (2) The exporter must file an Export Declaration in respect of items on this licence.
- (3) This licence is valid for twenty-eight days from the date of issue, unless otherwise stated.

EXPLANATORY NOTES:—

- (1) This form must be submitted in quadruplicate.
- (2) Provided there are no complications, the licence will be ready for collection two clear working days (i.e. excluding Sundays and public holidays) after the date upon which the form is received.

本証簽發條件包括下列各項:

- (一) 根據香港法例第六十章進出口條例第十一條之規定,本委格之第三副本必須交與船運或空運公司,然後由其代理人於貨品出口之日起計十四天內達同有關倉單一併交回工商署。
- (二) 出口商必須就本証所列項目透交出口報關單。
- (三) 除非另有說明,否則本証之有效期爲二十八天,由簽發日期起計。

註禮:

- (一) 本表格必須以一式四份透交。
- (二) 倘有關細節均填妥無訛,出口証可於表格透交日期起計足兩工作日(星期日及公衆假期除外)後 偏妥以供領取。

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注语:

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		or Country of Manufacture (if not Ho	ag Kong)		
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註釋:

- (一) 本表格必須以一式四份透交。
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注釋:

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