

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/792  
6 December 1982

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Textiles Surveillance Body

Original: English

## ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

### Notification under Article 4:4

#### Bilateral Agreement between Austria and the Philippines

The Textiles Surveillance Body has received from Austria a notification concerning a new bilateral agreement concluded with the Philippines under Article 4 of the Arrangement, and valid from 1 August 1982 to 31 July 1983.

The TSB, pursuant to its procedures regarding bilateral agreements notified under Article 4<sup>1/</sup>, has examined the relevant documentation and is forwarding the text of the notification to participating countries for their information.<sup>2/</sup>

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<sup>1/</sup> See COM.TEX/SB/35, Annex B.

<sup>2/</sup> The reports of the TSB's discussions on this agreement are contained in COM.TEX/SB/790, paragraphs 9 and 10, and COM.TEX/SB/801, paragraph 11.

Memorandum of Agreement between the Philippines and Austria  
relating to the export from the Philippines of certain  
categories of garments into Austria

1. This Memorandum of Agreement has been made having regard to the Arrangement Regarding International Trade in Textiles (hereinafter referred to as the "Arrangement"), done at Geneva on 20 December 1973, and to the Protocol Extending the Arrangement, done at Geneva on 22 December 1981.
2. This Memorandum of Agreement sets out the arrangements that have been agreed between the Philippines and Austria regarding the export of woven blouses and woven shirts in the levels set out in the Annex I hereof and the licencing of exporting of trousers into Austria.
3. Upon presentation of Export Licences issued by the competent Philippine authority, a specimen of which is attached as Annex II, within the agreed export limit for exports from the Philippines to Austria and endorsed to the effect that the shipments have been debited against the agreed export limits, the competent Austrian authority will issue the corresponding import licences.
4. In order to avoid hardships of trade in the products specified in Annex I, shipments made on/or before 31 July 1982 will be admitted by Austria upon presentation of the relevant documentation outside the agreed export limit without endorsed export licences, provided that these exports are covered by irrevocable letters of credit opened or other payment provisions made by Austrian importers before 2 July 1982 and that customs clearance in Austria is effected at the latest on 15 September 1982.

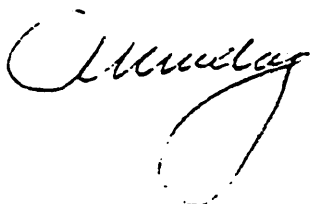
5. The Philippines will provide Austria with statistics of the textile products set out in Annex I licensed for exports to Austria and debited against the limits set out in Annex I on a monthly basis.
6. Austria will provide the Philippines with monthly statistics of import licences issued on the basis of export licences of the Philippines as well as statistics on actual quantities entered into Austrian customs territories.
7. Austria and the Philippines agree to consult at the request of either party on any matter arising from the implementation of this Agreement.
8. In respect of exports of woven slacks, shorts, jeans and trousers of cotton, men's and boys' wear, CCCN. No. ex 61.01:
  - (a) The competent Austrian authority will upon presentation of Special Export Licenses, a specimen of which is attached as Annex III, issued by the competent Philippine authority and indicating Austria as the country of final destination, automatically issue import licences and will provide the Philippines with information concerning such import licences on a quarterly basis.
  - (b) Should exports of the above garments from the Philippines to Austria develop in a manner, which causes a real risk of market disruption, Austria may request consultations with the Philippines 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. Both parties agree to consult within thirty days from the date on which the request for consultations has been received, and to exert their best efforts to complete such consultations within fifteen days of their commencement. If no agreement is reached, the Philippines will limit exports of the above garments during the year in question to a level not lower than that achieved during the twelve-month period preceding the month in which the consultations were requested.

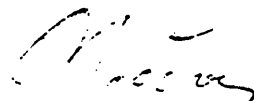
9. Export licences as set out in paragraph 3 above and Special Export Licences as set out in paragraph 8 above shall cease to be valid four months after the date of issue for purposes of presentation to the competent Austrian authority.
10. This Agreement shall be effective for a period of one year to commence 1 August 1982 to 31 July 1983.
11. The Export Licence attached as Annex II shall be issued for all shipments made on/or after 1 August 1982 or a prior date as may be necessary. The Special Export Licence as Annex III shall be issued for all shipments made as of 15 July 1982.

Vienna, 2 July 1982

For the Philippines:



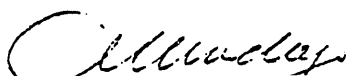
For Austria:



As regards the Agreement concluded between the representatives of Austria and the Philippines regarding exports of the Philippine garments to Austria, these representatives have further agreed as follows:

1. Notwithstanding the provisions of the Agreement, the Philippines may export woven blouses and woven shirts to Austria of any quantity provided the ultimate destination of such woven blouses and woven shirts are countries outside of Austria and the Export Licence clearly indicates this fact of ultimate destination.
2. Upon notification to the competent Austrian authority that imports of woven blouses and woven shirts have been re-shipped to countries outside of Austria, the competent Austrian authority shall notify the competent Philippine Authority of the fact of such re-shipment and the quantities involved and the Restraint Level in Column D of Annex I of the Agreement (hereinafter referred to as RL) shall correspondingly be credited by the indicated quantities.
3. If, as a result of the statistics provided by Austria under paragraph 6 of the Agreement, it has been determined that quantities covered by an Export Licence have not been applied for in an Import Licence, such quantities may be reissued in another Export Licence within the current quota year.
4. The Philippines may continue to debit any shipments to Austria against the RL as the same may be adjusted as provided for in paragraph 2 and 3 above, for so long as the same is not exceeded.
5. The competent authorities of Austria and the Philippines may likewise consult at any time regarding the implementation of this supplemental Agreement as provided in paragraph 8 of the Agreement.

For the Philippines:



For Austria:



A N N E X I

RESTRAINT LEVELS

A	B	C	D
<u>Category</u> <u>Number</u>	Austrian CCCN Number	Product Description	Restraint Level
1	EX 61.02	Woven blouses of man-made fibers or of cotton	150,000 pcs.
2	EX 61.03	Woven shirts of man-made fibers or of cotton	250,000 pcs.