

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED
COM.TEX/SB/812
23 December 1982
Special Distribution

Textiles Surveillance Body

Original: English

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral Agreement between Austria and Korea

The Textiles Surveillance Body has received from Austria a notification of a new bilateral agreement with Korea, concluded under Article 4 of the MFA, valid for the period 1 August 1982 to 31 December 1986.^{1/}

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

^{1/} The previous agreement with Korea and a subsequent amendment are contained in COM.TEX/SB/471 and 686.

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

^{3/} The TSB's observations on this agreement are contained in COM.TEX/SB/817, paragraphs 7 to 10.

Seoul, 10 May 1982

Excellency:

I have the honour to refer 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.

I further wish to refer to the agreements between Austria and the Republic of Korea under Article 4 of the ARRANGEMENT on trade in textiles, effected by exchange of notes of 29 May and 6 June 1979, and of 15 December 1980 and 23 January 1981.

Since the terms of the aforementioned agreements expire on 31 July 1982, the following agreement under Article 4 of the ARRANGEMENT on trade in the products set out below has been reached as a result of negotiations which took place between representatives of Austria and of the Republic of Korea from 7 to 10 May 1982 in Seoul:

(1) The periods of export limits are as follows:

<u>Category</u>	<u>Description</u>	<u>Unit</u>	<u>from 1 August 1982 to 31 December 1983</u>	<u>from 1 January 1984 to 31 December 1984</u>	<u>from 1 January 1985 to 31 December 1985</u>	<u>from 1 January 1986 to 31 December 1986</u>
(a)	Woven blouses and shirt blouses, women's, girls' and infants' wear, of cotton, COCN No. ex 61.02	Kg	21,968	16,556	17,549	18,602
(b)	Woven shirts of cotton, COCN No. ex 61.03	Kg	9,329	7,031	7,453	7,900
(c)	Woven shirts of discontinuous synthetic fibres, COCN No. ex 61.03	pcs	1,406,611	1,004,056	1,014,097	1,024,238
(d)	Woven blouses and shirt blouses, women's, girls' and infants' wear, of synthetic fibres, COCN No. ex 61.02	Kg	101,398	72,379	73,103	73,834

(e)	Outer garments, knitted or crocheted, not elastic nor rubberised, of synthetic fibres, CCCN No. ex 60.05	Kg	862,686	615,796	621,954	628,174
(f)	Woven outer garments of synthetic fibres, men's & boys' wear, excluding coats of impregnated, coated, covered or laminated woven fabrics, sportswear (including skiwear and swimwear) other coats, suits and trousers, CCCN No. ex 61.01	Kg	530,271	452,397	459,183	466,071
(g)	Coats of wool or of synthetic fibres, women's, girls' and infants' wear, CCCN No. ex 61.02	Kg	50,601	36,723	37,641	38,582
(h)	Coats of synthetic fibres, men's and boys' wear, CCCN No. ex 61.01	pcs	60,461	44,600	46,384	48,240

(2) For the purposes of this agreement, the textile products set out in paragraph (1) above shall be classified according to the Customs Cooperation Council Nomenclature (CCCN).

(3) The export limit for any category may be exceeded, after consultations between Austria and the Republic of Korea, by a carryover of not more than 11 per cent of the receiving agreement year's applicable export limit in respect of the categories (a) and (b) and of not more than 10 per cent of the receiving agreement year's applicable export limit in respect of the remaining categories in the case of shortfalls in the corresponding export limit for the previous agreement year, and by a carry forward of not more than 6 per cent of the receiving year's applicable export limit in respect of the categories (a) and (b) and of not more than 5 per cent of the receiving year's applicable export limit in respect of the remaining categories.

The carryover shall not exceed the amount of shortfall in the specific category and shall be used in the same category in which the shortfall occurred. Carry forward shall be deducted from the export limit established for the same category for the succeeding agreement year.

(4) Transfers (swing) between the categories (a), (b), (c), (d), (e), (f), (g) and (h) may be made, after consultations between Austria and the Republic of Korea, up to 5 per cent of the export limit for each of the receiving categories (a), (b), (d), (e) and (g) and up to 3 per cent of the export limit for each of the categories (c), (f) and (h) provided that a corresponding reduction is applied in the export limits for the categories from which the transfer is made. For the purposes of calculating swing, the conversion factors listed in the Annex to this agreement shall be applied.

(5) The combination of carryover, carry forward and swing shall not exceed 12 per cent of the receiving year's applicable export limit in respect of the categories (a), (b), (c), and (d) and 13.5 per cent of the receiving year's applicable export limit in respect of the remaining categories.

(6) Consultations under the provisions of paragraphs (3), (4) and (5) shall be taken up not later than at the end of each restraint period and shall be terminated at the latest six weeks thereafter. Over-utilizations of quotas which occur after the period specified before will be debited to the current quota.

(7) Upon presentation of export recommendations issued by the Korean authorities within the agreed export limits for direct and/or indirect exports from the Republic of Korea to Austria and endorsed to the effect that the consignments concerned have been debited to the agreed export limits, the competent Austrian authority will issue the corresponding import licences within a period of three weeks.

(8) Austria will, as far as possible, inform the Republic of Korea when imports into Austria of the products that have been debited to the agreed export limits are subsequently reexported from Austria. The Republic of Korea may then credit the quantities involved to the export limits set out in paragraph (1) above.

(9) An undue concentration of exports of the textile products set out in paragraph (1) above from the Republic of Korea to Austria as regards a special product and/or time shall be avoided. Accordingly, the Korean authorities will use their influence to achieve this aim.

(10) The Republic of Korea will provide Austria with information in respect of exports of the textile products set out in paragraph (1) above to Austria, showing the names of the exporters, the number and dates of export recommendations issued and the quantities covered by these export recommendations, on a quarterly basis.

(11) Austria will provide the Republic of Korea with information concerning import licences issued within the agreed export limits upon presentation of export recommendations as indicated in paragraph (7) above, on a quarterly and cumulative basis.

(12) Consultations regarding the conduct of exports of the textile products set out in paragraph (1) above from the Republic of Korea to Austria will be held if so desired by either party.

(13) In respect of the following products, the competent Austrian authority will upon presentation of export recommendations issued by the Korean authorities automatically issue import licences:

Cotton fabrics, CCCN Nos. 55.08 and 55.09;

Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberised, of cotton, CCCN No. ex 60.02;

Stockings, under stockings, socks, ankle socks, sockettes and the like, knitted or crocheted, not elastic nor rubberised, of cotton, CCCN No. ex 60.03;

Under garments, knitted or crocheted, not elastic nor rubberised, of cotton; shirts, knitted or crocheted, of synthetic fibres, CCCN No. ex 60.04;

Outer garments and other articles, knitted or crocheted, not elastic nor rubberised, of cotton, CCCN No. ex 60.05;

Men's and boys' woven outer garments, of cotton, CCCN No. ex 61.01;

Women's, girls' and infants' woven outer garments other than blouses, of cotton, CCCN No. ex 61.02;

Men's and boys' woven under garments other than shirts, including collars, shirt fronts and cuffs, of cotton, CCCN No. ex 61.03;

Women's, girls' and infants' woven under garments, of cotton, CCCN No. ex 61.04;

Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles, of cotton, CCCN No. ex 62.02;

Socks of synthetic fibres, CCCN No. ex 60.03;

Sportswear (including skiwear and swimwear) of synthetic fibres, CCCN No. ex 61.01;

Sportswear (including skiwear and swimwear) and other outer garments, of synthetic fibres, for women, girls and infants, CCCN No. ex 61.02;

Pyjamas and other under garments, of synthetic fibres, for men (excluding men's shirts) and women, girls and infants, CCCN Nos. ex 61.03 and ex 61.04;

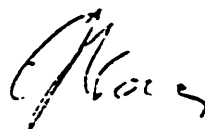
Should exports of these products from the Republic of Korea to Austria develop in a manner which, in the view of Austria, causes real risks of market disruption, Austria may request consultations with a view to reaching an agreement on mutually acceptable terms. The request for such consultations shall be accompanied by a statement containing relevant data of the market conditions, as provided for in the relevant articles of the ARRANGEMENT.

The Republic of Korea 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, the Republic of Korea will limit exports of any of the aforementioned products at an annual level not lower than the respective imports into Austria during the twelve-month period ending one month preceding the month in which the request for consultations is made.

Austria will provide the Republic of Korea with informations concerning import licences issued upon presentation of export recommendations for the above mentioned products on a quarterly basis.

I should be grateful if you would kindly confirm that this letter, the Annex, the attached Record of Discussions and the Agreed Minutes set out correctly the understanding reached between our two countries.

Accept, Excellency, the assurances of my highest consideration.



Gerhard Waas
Chairman of the Delegation
of the Republic of Austria

His Excellency
Mr. Deuk-Ewan Yu
Chairman of the Delegation
of the Republic of Korea

A N N E X

CONVERSION FACTORS

<u>Category</u>	<u>Description</u>	<u>Table of equivalence</u>
(a) and (d)	Woven blouses and shirt blouses, women's, girls' and infants' wear, COCN No. ex 61.02	5.55 pieces/kg 180 gr/piece
(b) and (c)	Woven shirts, COCN No. ex 61.03	4.60 pieces/kg 217 gr/pieces
(e)	Outer garments, knitted or crocheted, not elastic nor rubberised, COCN No. ex 60.05	4.53 pieces/kg 220.8 gr/piece
(f)	Woven outer garments of synthetic fibres, men's and boys' wear, excluding coats of impregnated, coated, covered or laminated woven fabrics, sportswear (including skiwear and swimwear), other coats, suits and trousers, COCN No. ex 61.01	2.30 pieces/kg 435 gr/piece
(g)	Coats of wool or of synthetic fibres, women's, girls' and infants' wear, COCN No. ex 61.02	0.84 pieces/kg 1,190 gr/pieces
(h)	Coats of synthetic fibres, men's and boys' wear, COCN No. ex 61.01	0.72 pieces/kg 1,389 gr/piece

R e c o r d o f D i s c u s s i o n s

For the purpose of applying for import licences to be issued upon presentation of export recommendations as indicated in paragraph (7) of the agreement, the validity of these export recommendations shall expire six months after the end of the twelve-month period (in case of the first period, seventeen months) during which they were issued.

Both parties agreed that a carryover, a carry forward and transfers (swing) shall be applied on the basis of a seventeen-month period in the first period.



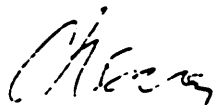
Gerhard Waas
Chairman of the Delegation
of the Republic of Austria



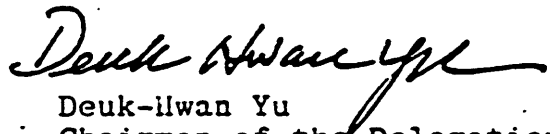
Deuk-Hwan Yu
Chairman of the Delegation
of the Republic of Korea

A g r e e d M i n u t e s

Both parties reserve their rights to review the agreement concluded between the Republic of Austria and the Republic of Korea on 10 May 1982, in Seoul in the light of special developments in the field of international trade in textiles and clothings.



Gerhard Waas
Chairman of the Delegation
of the Republic of Austria



Deuk-ilwan Yu
Chairman of the Delegation
of the Republic of Korea

Ministry of Commerce
and Industry
Republic of Korea


Seoul, 10 May 1982

Excellency:

I have the honour to acknowledge the receipt of your letter dated 10 May 1982, concerning the consultation between the Republic of Austria and the Republic of Korea on trade in certain textiles.

I am pleased to inform you that the content of your letter set out correctly the understanding reached between the representatives of the two Governments.

Accept, Excellency, the assurances of my highest consideration.


Deuk-Hwan Yu
Chairman of the
Delegation of the
Republic of Korea

His Excellency
Mr. Gerhard Waas
Chairman of the Delegation
of the Republic of Austria