

GENERAL AGREEMENT ON TARIFFS AND TRADE

Textiles Surveillance Body

Original: English

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral Agreement between Finland and Romania

The Textiles Surveillance Body has received from Finland a notification of a new bilateral agreement with Romania, concluded under Article 4 of the MFA, valid for the period 1 January 1983-31 December 1986.¹

The TSB, pursuant to its procedures regarding bilateral agreements notified under Article 4², has examined the relevant documentation and is forwarding the text of the notification to participating countries for their information.³

¹The previous bilateral agreement is contained in COM.TEX/SB/706.

²See COM.TEX/SB/35, Annex B.

³See COM.TEX/SB/835, paragraph 9.

MEMORANDUM OF UNDERSTANDING

During the consultations held in Bucharest on 5-7 October 1982 between a delegation from Finland and a delegation from Romania, having regard to the Arrangement Regarding International Trade in Textiles, in particular Articles 1 and 4 and to the Protocol of 22 December 1981, extending the said Arrangement, and having regard to Romania's status of a developing country agreement was reached as follows:

1. The following arrangements shall apply for the period from 1 January 1983 to 31 December 1986.
2. The Socialist Republic of Romania will authorize exports into Finland of textile products included in Annex I, originating in and consigned from Romania up to the levels mentioned in that Annex.
3. Finland will for the purpose of the present arrangement admit imports of the textile products of Romanian origin set out in Annex I to the agreed limits provided that such imports into Finland are covered by an export licence and a certificate of origin, as per specimens at Annex II and III, issued by the Romanian authorities listed at Annex IV. The export licence shall bear an endorsement by competent officials to the effect that the consignment concerned has been debited to the agreed levels for exports to Finland for the relevant period. The date of shipment indicated on the shipping documents shall be considered to be the date of exportation.

The Government of Finland will inform the Romanian authorities when imports into Finland of the textile products that have been debited to the agreed limits are subsequently re-exported from Finland.

Romania may then credit the quantities involved to the appropriate limits.

4. If the information available to the Finnish authorities shows that the quantitative limits for the products specified in Annex I have already been reached or that the unused balances of those limits are insufficient to cover the goods specified in the export licence, the Finnish authorities may, subject to the provisions of Articles 5 and 6 not admit, after prior notification to the Romanian authorities, import of such products for any quantity in excess of the quantitative limits set out in Annex I. In such a case the Finnish authorities shall immediately inform the Romanian authorities of their decision.
5. Exports may exceed the limits in Annex I by 5 per cent, provided that a corresponding reduction is applied to the other limits.

For the purpose of calculating such a reduction the conversion factors listed in Annex I shall apply.

6. Carry over and carry forward taken together shall not exceed 11 per cent, of which carry forward shall not represent more than 6 (six) per cent.

7. Romania shall endeavour to ensure that exports of the textile products subject to quantitative limits are spaced out as evenly as possible over the year, due account being taken, in particular of seasonal factors.

8. For the textile products not covered by Annex I to this Arrangement, the following specific consultation procedures shall apply:

- (a) The Finnish authorities may request consultations with the Romanian authority with a view to reaching a mutually acceptable solution when conditions on the Finnish market are such that a limitation on further trade in certain of these textiles or textile products may be necessary to eliminate real risks of market disruption.

The request for such consultations shall be accompanied, within a reasonable period of time by a statement of the market conditions which make necessary the request for consultations. The statement shall include data in respect of the existence of real risks of market disruption (as defined in Annex A to the Arrangement Regarding International Trade in Textiles).

- (b) Until such time as a mutually accepted solution has been reached, the Romanian authority undertakes, if so requested by the Finnish authorities, to limit shipments from the date on which Finland requests consultations, in order to ensure that exports of the products in question to Finland do not exceed, based on an annual rate, the level of 102 per cent of the exports recorded in the twelve-month period ending two months before the month in which the request for consultation was made.

The amount of products exported from Romania after the receipt of the request for consultations shall be deducted from any restraint level to be agreed in the consultations.

- (c) The Parties shall enter into consultations within one month at the latest of the notification of the request with a view to reaching agreement within one further month at the latest.
- (d) Should the Parties be unable to reach a satisfactory solution Finland shall have the right to introduce a quantitative limit at an annual level not lower than 102 per cent of that reached by imports of the product in question in the twelve-month period terminating two months preceding the month in which the request for consultations was made. The annual growth rate of this limit shall be 3 (three) per cent.
- (e) If the two Governments are unable to reach a mutually satisfactory solution within a reasonable period of time on problems which have been subject of consultations under this Agreement, either Government may, after notification to the other Government, refer such problems to the Textiles Surveillance Body in accordance with Article 11 of the Arrangement Regarding International Trade in Textiles.

9. Finland and Romania agree to consult together, at the request of either Party on any matter arising from the implementation of these arrangements. They furthermore agree to enter into consultations on possible extension or modification of the present arrangements.

10. If Romania considers that, as a result of the restraint imposed by these arrangements, Romania is being placed in an inequitable position vis-à-vis a third country, Romania may request the Government of Finland to consult with a view to appropriate remedial action such as a reasonable modification of these arrangements.

11. Romania will forward to Finland quarterly statistics on a cumulative basis on the textile products for which export licences for export to Finland have been issued. Finland will forward to Romania quarterly statistics on a cumulative basis on imports of the said textile products.

12. The Annexes to this Memorandum of Understanding shall form an integral part thereof.

Done in Bucharest on 31 December 1982 in two originals, in the English and Romanian language, both texts being authentic. In case of any difference on interpretation, the English text is the text of reference.

For the Government of the
Republic of Finland

For the Government of the
Socialist Republic
of Romania

ANNEX I		Unit of quantity					Conversion factor
Finnish Tariff Classification	Description	1983	1984	1985	1986	(pairs, pieces/kg)	
60.03	Stockings, under stockings, socks, anklesocks, sockettes and the like, knitted or crocheted	630.360	642.967	655.826	668.942	24,3	
60.04	Under garments, knitted or crocheted	126.072	128.593	131.165	133.788	17	
60.05	Outer garments, knitted or crocheted	155.000	158.100	161.262	164.487	5,55	
61.03.102-109	Men's and boys' shirts of cotton and man-made fibres	52.453	53.423	54.411	55.418	4,6	

(1) Show net weight (kg) and also quantity in the unit prescribed for category where L. - dans net weight - Indiquer le poids net (kg) ainsi que la quantité dans l'unité prescrite. - sur la catégorie et cette unité n'est pas le poids net
(2) In the currency of the sale contract - dans la monnaie du contrat de vente

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	EXPORT LICENCE (Textile products) <hr/> LICENCE D'EXPORTATION (Produits textiles)	
	3 Quota year Année contingente	4 Category number Numéro de catégorie
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	6 Country of origin Pays d'origine	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marque et numéros - Nombre et nature des colis - DESCRIPTION DES MARCHANDISES	9 Supplementary details Détails supplémentaires	11 Country (1) Pays (1) 12 FOB Value (2) Valeur FOB (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITE COMPETENTE I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with Finland Finland Je soussigné certifie que les marchandises décrites ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case No 3 pour la catégorie indiquée dans la case No 4 dans le cadre des dispositions régissant les échanges de produits textiles avec Finlande Finlande		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	(Signature) _____ (Stamp - Cachet) _____	

1) Show net weight (kg) and show quantity in the unit prescribed for category where 2) In the currency of the sale contract - Dans la monnaie du contrat de vente pour la catégorie si cette unité n'est pas le poids net

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	CERTIFICATE OF ORIGIN (Textile products) <hr/> CERTIFICAT D'ORIGINE (Produits textiles)	
	3 Quota year Année contingente	4 Category number Numéro de catégorie
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	9 Supplementary details Données supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITE COMPETENTE I, the undersigned, certify that the goods described above originated in the country shown in box No 5, in accordance with the provisions in force in Sweden Finland Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case No 5, conformément aux dispositions en vigueur en Suède en Finlande		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - A _____ on - le _____ (Signature) (Stamp - Cachet)	

ANNEX IV

Ministry of Light Industry