

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/1074*

28 June 1985

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral Agreement between Norway and Czechoslovakia

The Textiles Surveillance Body has received a notification from Norway of a bilateral agreement with Czechoslovakia, concluded under Article 4 of the MFA, valid for the period 1 July 1984 to 30 June 1987.¹

The bilateral agreement has replaced the restrictions previously maintained by Norway under Article XIX of GATT.

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

¹In its notification under Article 2:1, Norway had informed the TSB that an agreement with Czechoslovakia had been concluded under the MFA as extended by the 1981 Protocol (COM.TEX/SB/1007)

²See COM.TEX/SB/35, Annex B

³For the TSB's observations on this notification, see COM.TEX/SR/1079

*English only/Anglais seulement/Inglés solamente

AGREEMENT BETWEEN
THE GOVERNMENT OF THE KINGDOM OF NORWAY AND
THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC
RELATING TO THE EXPORTS FROM THE
CZECHOSLOVAK SOCIALIST REPUBLIC OF CERTAIN
TEXTILE PRODUCTS FOR IMPORTS INTO THE KINGDOM OF NORWAY

Introduction

1. This Agreement sets out the arrangements that have been made between the Government of the Kingdom of Norway (hereinafter referred to as "Norway") and the Government of the Czechoslovak Socialist Republic (hereinafter referred to as "Czechoslovakia") regarding the exports of certain textile products from Czechoslovakia for imports into Norway.
2. These arrangements have been made in compliance with the Arrangement Regarding International Trade in Textiles of 20 December 1973 (hereinafter referred to as "the MFA") as extended by the Protocol of 22 December 1981, bearing in mind particularly the provisions of Article 1:2 and Article 4 of the MFA.

Coverage

3. For the purpose of this Agreement the expression "textile products" will have the meaning ascribed to the expression in Article 12:1 of the MFA.

Classification

4. For the purpose of classifying textile products in the appropriate category, the definitions set out in Annex A will apply.
5. In case of divergent opinions between the contracting parties at the point of entry into Norway on the classification of products covered by this Agreement, consultations as provided for in Articles 22-24 of this Agreement shall be held with a view to reaching agreement on the appropriate classification of the products concerned and to resolving any difficulties arising therefrom. For this purpose, Czechoslovakia shall be notified by Norway as soon as a case of divergent opinions on the classification of products arises.
6. Pending agreement on the appropriate classification and in order to secure undisturbed flow of trade, the products in question shall be imported on the basis of the classification indicated by Norway at the point of entry, in conformity with the provisions of this Agreement.

Restraint levels

7. For products listed in Annex B to this Agreement, Czechoslovakia shall for each restraint period during the term of this Agreement restrain its exports to Norway to the limits set out in Annex B, or the limits modified as provided for in various articles of this Agreement.

Flexibility provisions

8. Any restraint level set out in Annex B may, after notifications to and statistical verification by Norway be exceeded in either year or any two subsequent years by carry forward and/or carryover. Carry forward and carry over taken together shall not exceed 5 per cent of which carry forward shall not represent more than 2.5 per cent.

The statistical verification referred to above shall be completed not later than ten working days from the date of the receipt of the notification.

Products covered by this Agreement without restraint levels

9. Imports of textile products covered by this Agreement which are not subject to restraint levels shall be subject to a system of Norwegian import licensing.

10. When actual import from Czechoslovakia of a product listed in Annex A not subject to a restraint level has reached a level corresponding to 1.5 per cent of the preceding year's total imports into Norway of that product and its imports causes or threatens to cause market disruption as defined in Annex A of the MFA, Norway may request consultations with a view to reaching an agreement on an appropriate restraint level for that product.

11. Pending a mutually acceptable solution through this consultation, Norway may fix a quantitative limit at an annual level not lower than the volume reached by imports from Czechoslovakia of the product in question in the twelve-month period preceding notification of the request for consultations. Norway shall authorize the importation of products of the said category shipped from Czechoslovakia before the date on which the request for consultations was submitted.

Administration

12. Exports from Czechoslovakia to Norway of textile products listed in Annex B shall be subject to a double-checking system of export and import licensing as specified in Annex C of this Agreement.

Circumvention

13. The contracting parties agree to co-operate fully in dealing with problems relating to circumvention of the arrangements set out in this Agreement.

When information available to Norway indicates that products of Czechoslovak origin listed in Annex B to this Agreement have been imported into Norway by trans-shipment, rerouting or otherwise, in circumvention of the arrangements set out in this Agreement, Norway may ask for consultations as provided for in Articles 22-24 of this Agreement, with a view to agree on an appropriate solution.

If the contracting parties fail to reach a mutually satisfactory solution within a period of fifty-one days from the date when the request for consultations was received, Norway may, if solid evidence of circumvention has been provided and pending the outcome of the consultations, carry out an appropriate adjustment of the restraint level for the products concerned, for the current or the following calendar year.

Seasonal fluctuations

14. Czechoslovakia will endeavour to ensure that exports of textile products subject to restraint levels are spaced out as evenly as possible each calendar year, due account being taken of normal seasonal factors.

Rules of origin

15. The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in Norway and the procedures for control of the origin of the products set out in Annex C.

Re-exports

16. Exports from Czechoslovakia to Norway of textile products covered by this Agreement shall not be subject to the restraint levels established in Annex B, provided that the export licence certifies that the products concerned are for re-export outside Norway.

17. Where Norway has evidence that products exported from Czechoslovakia and set off by Czechoslovakia against a restraint level established in Annex B have been subsequently re-exported outside Norway, Norway shall notify Czechoslovakia of the quantities involved. Upon receipt of such notification, Czechoslovakia may authorize exports for the current calendar year of identical quantities of products within the same category, which shall not be set off against the restraint levels established in Annex B.

Exchange of statistics

18. Czechoslovakia undertakes to provide Norway with quarterly statistics of export licences issued for products under restraint levels listed in Annex B issued by the authorities for each category for the current restraint period. These statistical reports shall also set out:

- (i) the maximum export level for each category for the relevant restraint period;

(ii) the modified restraint limit if modified as provided for in this Agreement;

(iii) the rate of utilization of the restraint level.

19. Norway will provide Czechoslovakia with quarterly statistics of total imports and licences issued for imports from Czechoslovakia of all categories covered by this Agreement.

20. Each report shall be transmitted before the end of the second month following the quarter covered by the report.

21. Both contracting parties reserve the option of requesting, should it be necessary, more specific and detailed information.

Consultations

22. The contracting parties agree to consult at the request of either contracting party upon any question arising from the application of this Agreement.

23. Any request for consultations shall be notified in writing to the other contracting party, together with a statement explaining the reason and circumstances that led to the request.

24. The contracting parties shall enter into consultations within thirty days of the date of notification of the request, with a view to arriving at a mutually satisfactory conclusion in conformity with the provisions of the MFA within a further thirty days at the latest.

Other textile products

25. Both contracting parties reserve their rights under the MFA with respect to textile products not covered by this Agreement.

General

26. This Agreement is subject to approval in conformity with the constitutional rules valid in the Czechoslovak Socialist Republic and in the Kingdom of Norway and shall enter into force on the day on which the contracting parties notify each other in writing of the completion of the procedures necessary for this purpose. This Agreement shall be valid until 30 June 1987, unless this is changed by application of the provisions of Article 29 of this Agreement.

27. Both contracting parties recognize and confirm that without prejudice to their rights and obligations under the GATT, the conduct of their mutual trade in textile products as defined in this Agreement shall be governed by the provisions of this Agreement and the MFA.

28. Either contracting party may at any time propose modifications to this Agreement. Such proposals shall lead to consultations in accordance with the procedures outlined in Articles 22-24.

29. Either contracting party may at any time denounce this Agreement provided that at least sixty days' written notice is given. In that event this Agreement shall come to an end sixty days after the other contracting party has received the notice denouncing the Agreement.

30. The Annexes to this Agreement shall be considered as an integral part thereof.

Done at Prague on 6 July 1984 in English in duplicate, both texts being equally authentic.

For the Government of
the Kingdom of Norway

For the Government of the
Czechoslovak Socialist Republic

ANNEX AProduct Categories Covered by the Agreement

<u>Category Number</u>	<u>Unit</u>	<u>Description</u>
1	Pieces	Outer garments of woven material, men's, boys', women's, girls': - Jackets: tailored jackets, blazers, waistcoats, sports jackets (including parts of ski suits), anoraks and similar garments, parkas, one-piece suits and the like, also as parts of suits, sets and costumes.
2	Pieces	Outer garments of woven material, men's, boys', women's, girls': - Trousers, slacks, jeans, breeches and the like (including bib and brace overalls), other than swimwear and shorts, also as parts of suits and sets.
3	Pieces	Knitted or crocheted shirts, T-shirts and blouses of all kinds.
4	Pieces	Knitted or crocheted undergarments, men's, boys', women's, girls', infants'; other than T-shirts, blouses, nightwear and panty hose.
5	Pieces	Men's and boys' shirts of all kinds, of woven material.
6	Pieces	Outer garments and other articles, knitted or crocheted, not elastic nor rubberized: pullovers, sweaters, jumpers, cardigans and jackets.
7	Kgs.	Bed linen
8	Pieces	Outer garments of woven material, women's, girls': blouses, shirts and the like.
9	Pairs	Stockings, under stockings, socks, ankle socks, sockettes and the like, knitted or crocheted, not elastic nor rubberized, except women's stockings, sport stockings and thick woollen socks (known as "raggsokker").

<u>Category Number</u>	<u>Unit</u>	<u>Description</u>
10	Pieces	Women's and girls' outer garments of woven material: dresses, housecoats, frocks and gowns.
11	Pieces	Outer garments of woven material, women's, girls': skirts, including divided skirts.
12	Pieces	Costumes, dresses, suits, skirts and trousers, knitted or crocheted (incl. track suits).
13	Kgs.	Gloves, mittens and mitts of textile material, not knitted or crocheted.
14	Pieces	Outer garments of woven material for infants (defined as for infants with height below 110 cm).
15	Pieces	Men's, boys', women's and girls' outer garments of woven material: - Ulsters, overcoats, capes and coats (except those impregnated or coated with oil, varnish, rubber, artificial plastic materials and the like).
16	Pieces	Undergarments, knitted or crocheted - panty hose.
17	Kgs.	Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberized.
18	Pieces	Nightwear, knitted or crocheted.
19	Pairs	Gaiters and spats (short or long ones) of textile materials.
23	Kgs.	Woven fabrics of cotton, not printed.
24	Kgs.	Other woven fabrics of cotton, printed.
25	Kgs.	Table linen containing cotton.
26	Pieces	Underwear and nightwear of woven material, of kinds excluding shirts.
27	Kgs.	Multi-coloured woven fabrics of discontinuous man-made fibres, not printed.
28	Kgs.	Dusters, floor cloths and similar cleaning cloths.

ANNEX BRestraint Levels

Category No. (as defined in Annex A)	Quantity unit	1 July 1984- 30 June 1985	1 July 1985- 30 June 1986	1 July 1986- 30 June 1987
1	pieces	25,000	25,125	25,250
2	pieces	31,000	31,093	31,186
3	pieces	35,000	35,175	35,350
4	pieces	90,000	90,360	90,720
5	pieces	190,000	190,380	190,760
6	pieces	65,000	65,325	65,650
7	kgs	30,000	30,150	30,300
8	pieces	10,000	10,050	10,100
9	pairs	132,000	132,660	133,320
18	pieces	70,000	70,700	71,400
19	pairs	15,000	15,375	15,750
23	kgs	200,000	202,000	204,020
24	kgs	160,000	162,400	164,836
25	kgs	22,000	22,330	22,660
26	pieces	40,000	40,600	41,200
27	kgs	20,000	20,500	21,012
28	kgs	45,000	45,675	46,360

ANNEX C

ADMINISTRATIVE CO-OPERATION

1. Products originating in Czechoslovakia for export to Norway in accordance with the arrangements established by this Agreement shall be accompanied by a certificate of Czechoslovak origin conforming to the specimen attached as Annex D, including full and detailed description of the goods.

The certificate of Czechoslovak origin shall be issued by the Czechoslovak Chamber of Commerce and Industry.

2. Czechoslovakia shall issue an export licence in respect of all consignments from Czechoslovakia for exports to Norway of products covered by Annex B. The export licence shall conform to the specimen attached as Annex E. Czechoslovakia shall issue export licences up to the restraint levels agreed in this Agreement (eventually modified as provided for by this Agreement).

The export licence must certify that the quantity of the product in question has been set off against the restraint level agreed upon for the category of the product in question.

3. Each export licence shall cover only one of the categories of products listed in Annex B to this Agreement.

4. Exports shall be set off against the restraint levels established for the year in which shipment of the goods has been effected.

5. The presentation of an export licence, in application of Article 6 below, shall be effected not later than 31 July of the year following that in which the goods covered by the licence have been shipped.

6. Importation into Norway of textile products subject to restraint levels shall be subject to the presentation of appropriate import documents.

Norway shall issue such import documents automatically within ten working days of the presentation by the importer of the original of the corresponding export licence.

7. Norway must be notified forthwith of the withdrawal or alteration of any export licence already issued.

Norway shall cancel the already issued import documents if the corresponding export licence has been withdrawn.

However, if Norway has not been notified about the withdrawal or cancellation of the export licence until after the products have been imported into Norway, the quantities involved shall be set off against the restraint level for the category and year of restraint in question and Czechoslovakia shall be informed as soon as possible.

8. In the event any quantity covered by an export licence is not shipped or any part of it is returned regardless of the reason, Czechoslovakia shall notify Norway of such quantities which may be credited by Czechoslovakia to the appropriate restraint level.

9. If Norway finds that the total quantities covered by export certificates issued by Czechoslovakia for a particular category in any restraint period exceed the restraint level established for that category, Norway may suspend the further issue of import documents. In this event, Norway shall immediately inform Czechoslovakia and the special consultation procedure set out in Article 22-24 of this Agreement shall be initiated forthwith.

10. Norway may refuse the issue of appropriate import documents for imports of textile products of Czechoslovak origin listed in Annex B not accompanied by export licences issued by Czechoslovakia in accordance with the provisions of this Agreement.

11. The export licence and the certificate of Czechoslovak origin may comprise additional copies duly indicated as such. They shall be made out in English. If they are completed by hand, entries must be in ink and in block letters.

Only the originals, clearly marked "original" shall be accepted by Norway as being valid for the purpose of exports to Norway in accordance with the arrangements established by this Agreement.

12. Each licence and certificate of Czechoslovak origin shall bear a serial number, by which it can be identified.

The export licence shall also contain the following information:

- (a) Country of destination
- (b) Country of origin
- (c) Name and address of exporter
- (d) Name and address of importer
- (e) Relevant category number and description as set out in Annex A of the Agreement

(f) f.o.b. value

(g) Quantity in units set out in Annex B

(h) Expected place and date of shipment - means of transport.

13. In the event of theft, loss or destruction of an export licence or a certificate of Czechoslovak origin, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such certificate or licence so issued shall bear the endorsement "duplicate".

The duplicate must bear the date of the original export licence or certificate of Czechoslovak origin.

14. Czechoslovakia shall send Norway the names and addresses of the governmental authorities competent for the issue and verification of export licences and certificates of Czechoslovak origin together with specimens of the stamps used by these authorities. Czechoslovakia shall also notify Norway of any change in this information.

ANNEX D

<p>1. Name and address of issuer Numele și adresa emițătorului</p>	<p>ORIGIN</p>	<p>NO</p>
<p>2. Name and address of consignee Numele și adresa destinatarului</p>	<p>CERTIFICATE OF ORIGIN (Textile products) CERTIFICAT D'ORIGINE (Produse textile)</p>	
<p>3. Date and date of shipment - Means of transport Data și data expediției - Mod de transport</p>	<p>4. Supplementary details Detalii suplimentare</p>	
<p>5. Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marche și numere - Numere și fel de ambalaje - DESCRIȚIA MĂRȚII</p>	<p>6. Quantity Cantitate</p>	<p>7. Gross weight Greutate brută</p>
<p>8. CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE LA AUTORITATE COMPETENTĂ The undersigned certifies that the goods described above originated in the country shown in column 6 and accordingly with the provisions in force in the European Economic Community. Subscrisul certifica că mărfurile descrise în prezenta declarație au fost produse în țara indicată în coloana 6 și în consecință sunt în conformitate cu dispozițiile în vigoare în Comunitatea Economică Europeană.</p>		
<p>9. Competent authority responsible for this certificate Autoritatea competentă responsabilă pentru acest certificat</p>		

ANNEX E

1. Consignor (name and address, country) Destinataire (nom, adresse, pays)		ORIGINAL	No.
		3. Quota year Année contingentaire	4. Category number Numéro de catégorie
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 the European Economic Community. Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case No. 3 pour la catégorie désignée dans la case No. 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté Economique Européenne.		EXPORT LICENCE (Textile products) LICENCE D'EXPORTATION (Produits textiles)	
		6. Country of origin Pays d'origine	7. Country of destination Pays de destination
14. Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport		8. 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)
14. Competent authority (name and address, country) Autorité compétente (nom, adresse, pays)		A1 - A CB - 1E	