

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED
COM.TEX/SB/1099*
7 October 1985
Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral Agreement between Norway and Thailand

The Textiles Surveillance Body has received a notification from Norway of a bilateral agreement with Thailand, concluded under Article 4 of the MFA, valid for the period 1 July 1984 to 31 December 1987.¹

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

¹In its notification under Article 2:1 (COM.TEX/SB/1007), Norway had informed the TSB that it had concluded an agreement with Thailand under the 1981 Protocol of Extension.

²See COM.TEX/SB/35, Annex B.

³For the TSB's observations on this notification, see COM.TEX/SB/1104.

* English only/Anglais seulement/Inglés solamente

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

Introduction

1. This Agreement sets out the arrangements that have been made between the Government of the Kingdom of Norway and the Government of the Kingdom of Thailand regarding the exports of certain textile products from Thailand for imports into Norway.

2. These arrangements have been made having regard to the Arrangement Regarding International Trade in Textiles, (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, Article 4 and Article 6 of the MFA.

Coverage

3. These arrangements apply to Thailand's export to Norway of the textile products listed in Annex A to this Agreement, when these are made of cotton, wool or man-made fibres, or blends thereof, in which one, or all of those fibres in combination represent either the chief value of the fibres or 50 per cent or more by weight (or 17 per cent or more by weight of wool). Notwithstanding these provisions, this Agreement shall also apply to the products described in Annex A which are manufactured from impregnated fabrics as defined in a note to Annex A.

Classification

4. For the purpose of classifying textile products in the appropriate category, the definitions and notes set out in Annex A will apply.

5. In case of divergent opinions between Thailand and the competent Norwegian authorities at the point of entry into Norway on the classification of products covered by this Agreement, consultations as provided for in Article 15 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, the authorities of Thailand shall be informed by the competent authorities in Norway as soon as a case of divergent opinions on the classification of products arises.

Pending agreement on the appropriate classification and in order to avoid disruption of trade, the products in question shall be imported on the basis of the classification indicated by the competent Norwegian authorities at the point of entry, in conformity with the provisions of this Agreement.

Restraint levels

6. For products listed in Annex B to this Agreement, Thailand shall for each agreement 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 Article 7 of this Agreement.

Flexibility provisions

7. Any quantitative limit set out in Annex B may, after consultation between the Government of the Kingdom of Thailand and the Government of the Kingdom of Norway as provided for in Article 15 be exceeded in either year of any two subsequent agreement years by carry forward and/or carryover. Carryover and carry forward taken together shall not exceed 10 per cent, of which carry forward shall not represent more than 5 per cent.

Products covered by the Agreement without quantitative limits

8. Thailand shall issue certificates of origin for exports of textile products covered by this Agreement which are not subject to quantitative limits. A copy of this certificate of origin is attached as Annex D. The Government of the Kingdom of Norway shall automatically issue import licences upon presentation of certificates of origin as described above.

The Government of the Kingdom of Norway may request consultations in accordance with the provisions of Article 15 to seek to establish quantitative limits for such products when import licences issued by the Government of the Kingdom of Norway of that product reach a level corresponding to 0.5 per cent for Category 7 and 1.5 per cent for other categories of the preceding year's total imports into Norway of the product concerned.

In the event that a mutually satisfactory solution is not reached within the time period specified in Article 15, Thailand shall limit exports of the textile categories in question for the period beginning on the date of the request corresponding, at an annual level, to the level of exports of such categories recorded in the twelve months period preceding the date of the request for consultations.

Administration

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

Circumvention

10. Norway and Thailand agree to co-operate fully in dealing with problems relating to circumvention of the arrangements set out in this Agreement.

When information available to the Norwegian authorities indicates that products of Thai 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 Article 15 of this Agreement, with a view to agree on an appropriate adjustment of the quantitative limits for the products concerned.

Seasonal fluctuations

11. The Government of the Kingdom of Thailand will endeavour to ensure that exports of textile products subject to quantitative limits are spaced out as evenly as possible each calendar year, due account being taken of normal seasonal factors.

Rules of origin

12. 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

13. Exports from Thailand to Norway of textile products covered by this Agreement shall not be subject to the quantitative limits established in Annex B, provided that the export certificate certifies that the products concerned are for re-export outside Norway.

Where the competent Norwegian authorities have evidence that products exported from Thailand and set off by Thailand against a quantitative limit established in Annex B have been subsequently re-exported outside Norway, the Norwegian authorities shall notify Thailand of the quantities involved. Upon receipt of such notification, Thailand 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 quantitative limits established in Annex B.

Exchange of statistics

14. For all products covered by this Agreement the Government of the Kingdom of Thailand undertakes to provide the Government of the Kingdom of Norway with quarterly statistics of all export certificates and certificates of origin issued by the authorities for each category for each quota period. For products listed in Annex B, these statistical reports shall also set out:

- (i) the maximum export level for each category for the current quota period;
- (ii) the adjusted limit if the quota has been adjusted as provided for in Article 7 of the Agreement; and
- (iii) the rate of utilization of the quota.

Each report shall be transmitted before the end of the month following the last month covered by the quarterly report.

The Government of the Kingdom of Norway will provide the Government of the Kingdom of Thailand with quarterly statistics of total imports and imports licences issued for exports from Thailand of all categories covered by this Agreement.

Both parties agree to supply each other with statistical information on all textile exports or imports by country of destination or origin, when requested.

Consultations

15. The Government of the Kingdom of Thailand and the Government of the Kingdom of Norway agree to consult at the request of either government, on any question arising in the application of this Agreement.

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

The parties shall enter into consultations within twenty days at the latest from when the request was made, 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

16. The Norwegian Government reserves its rights under the MFA with respect to textile products not covered by this Agreement.

General

17. The present Agreement shall enter into force when the parties have notified each other that all internal procedures which are necessary for the fulfilment of the obligations in the Agreement have been completed.

Provided that such notifications have taken place, the Agreement shall apply with effect from 1 July 1984 until 31 December 1987 unless this is changed by application of the provisions of Article 18.

18. Either party may at any time propose modifications to this Agreement. Such proposals shall lead to consultations in accordance with the procedures outlined in Article 15.

Either party may at any time denounce this Agreement provided that at least sixty days' notice is given. In that event the Agreement shall come to an end on the expiry of the period of notice.

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

This Agreement has been drawn up in two copies in the English language, each of these texts being equally authentic.

For the Government of
the Kingdom of Norway

For the Government of
the Kingdom of Thailand

(Peter M. Motzfeldt)
Ambassador Extraordinary
and Plenipotentiary

(Manaspas Xuto)
Director-General of
Department of Economic Affairs

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 maximum height 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.
20	Pieces	Outer garments of woven material, men's, boys', women's and girls', impregnated or coated with oil, varnish, rubber, artificial plastic materials and the like.
21	Pieces	Undergarments of woven material, women's and girls' wear (except nightwear).

NOTE TO ANNEX ADefinition of "impregnated fabrics" for the purposes of Article 3

1. Fabrics of cotton, wool or man-made fibres or any blend containing one or more of those fibres in which either wool represents 17 per cent or more by weight or any or all of those fibres in combination represent 50 per cent or more by weight of the unfinished fabric shall be defined as "impregnated fabrics" where those fabrics have been impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials whatever the nature of the plastic material (compact, foam, sponge or expanded).

2. The definition does not cover:

- (a) fabrics which, after impregnation, coating, covering or lamination, cannot, without fracturing, be bent manually around a cylinder of a diameter of 7 mm at a temperature between 15°C and 30°C.
- (b) fabrics either completely embedded in artificial plastic material or coated or covered on both sides with such material.

ANNEX B
RESTRAINT LEVELS

Category No. (Categories defined as set out in Annex A)	Quantity Unit	Agreement Period			
		1 July 1984- 31 December 1984	1985	1986	1987
1	Pieces	10,562	21,229	21,335	21,441
2	Pieces	53,590	107,286	107,393	107,501
3	Pieces)	50,231	100,964	101,469	101,976
4) Pieces)				
5	Pieces	132,500	265,265	265,530	265,796
6	Kgs	24,472	49,188	49,434	49,681
8	Pieces	39,605	79,606	80,004	80,404
10	Pieces	11,750	24,088	24,690	25,307
11	Pieces	15,000	30,750	31,519	32,307
12	Pieces	33,500	68,675	70,392	72,152
13	Kgs	3,930	8,057	8,258	8,464
18	Pieces	17,500	35,875	36,772	37,691

ANNEX CADMINISTRATIVE CO-OPERATIONTitle I: Origin

1. Products originating in Thailand for export to Norway in accordance with the arrangements established by this Agreement shall be accompanied by either a certificate of Thai origin or an export certificate as attached in Annex D and E respectively.
2. The export certificate and certificate of Thai origin shall be issued by the Department of Foreign Trade, Ministry of Commerce of Thailand.

Title II: Administrative system for exports from Thailand into Norway of products covered by Annex B

1. The Department of Foreign Trade, Ministry of Commerce of Thailand shall issue an export certificate in respect of all consignments from Thailand for exports to Norway of products up to the quantitative limits set out in Annex B, or such limits as may be adjusted in accordance with Article 7.
2. The export certificate must certify that the quantity of the product in question has been set off against the quantitative limit prescribed for the category of the product in question.
3. Each export certificate shall cover only one of the categories of products listed in Annex B to this Agreement.
4. The competent Norwegian authorities must be notified forthwith of the withdrawal or alteration of any export certificate already issued.
5. Exports shall be set off against the quantitative limits established for the year in which shipment of the goods has been effected, even if the export certificate is issued after shipment. For the purpose of applying this paragraph, the date of shipment of the goods is considered to be the date of their loading on to this exporting aircraft, vehicle or vessel.
6. The presentation of an export certificate in application of paragraph 7 below, shall be affected not later than the end of February of the year following that in which the goods covered by the certificate have been shipped.
7. The competent Norwegian authorities shall issue import documents automatically upon the presentation by the importer of the original of the corresponding export certificate.
8. The competent Norwegian authorities shall cancel the already issued import documents if the corresponding export certificate has been withdrawn.

However, if the competent Norwegian authorities have not been notified about the withdrawal or cancellation of the export certificate until after the products have been imported into Norway, the quantities involved shall be set off against the quantitative limit for the category and quota year in question and Thailand shall be informed as soon as possible.

9. If the competent Norwegian authorities find that the total quantities covered by export certificates issued by Thailand for a particular category in any agreement year exceed the quantitative limit established in Annex B for that category or that limit adjusted as provided for in Article 7 of this Agreement, the said authorities may suspend the further issue of import documents. In this event, the competent Norwegian authorities shall immediately inform the authorities of Thailand and the special consultation procedure set out in Article 15 of the Agreement shall be initiated forthwith.

10. Exports of Thai origin not covered by export certificates issued by Thailand in accordance with the provisions of this Annex may be refused the issue of appropriate import documents by the competent Norwegian authorities.

However, if the import of such products is allowed into Norway by the competent Norwegian authorities, the quantities involved shall not be set off against the appropriate quantitative limits set out in Annex B or adjusted as provided for in Article 7 of this Agreement unless it is agreed with the Thai authorities.

Title III: Form and production of export certificates and certificates of origin and common provisions

1. The export certificate and the certificate of Thai 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 printscript.

Only the original, clearly marked "original" shall be accepted by the competent authorities in Norway as being valid for the purposes of export to Norway in accordance with the arrangements established by this Agreement.

2. Each export certificate and certificate of Thai origin shall bear a serial number, whether or not printed, by which it can be identified.

3. The export certificate and certificate of origin shall also contain the following information:

- (a) country of destination
- (b) country of origin
- (c) name and address of exporter (and manufacturer if different from exporter)



- (d) name and address of importer
 - (e) full and detailed description of the goods, including relevant category number
 - (f) f.o.b. value
4. The export certificate and certificate of Thai origin may be issued after the shipment of the products to which they relate. In such cases they shall bear the endorsement "issued retrospectively".
5. In the event of theft, loss or destruction of an export certificate or a certificate of Thai origin, the exporter may apply to the Department of Foreign Trade, Ministry of Commerce for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such certificate so issued shall state "issued in replacement of the original Certificate of Origin or Export Certificate No. ".
6. Thailand shall send the Norwegian Ministry of Trade the names and addresses of the governmental authorities competent for the issue and verification of export licences and certificates of Thai origin together with specimens of the stamps used by these authorities. Thailand shall also notify the Ministry of any change in this information.

ANNEX D

(1) There are no rights (i) and (ii) in the well prescribed by category where other than the well. (2) In the territory of the well prescribed by category where other than the well.

<p style="font-size: 8px;">(1) There are no rights (i) and (ii) in the well prescribed by category where other than the well. (2) In the territory of the well prescribed by category where other than the well.</p>	<p style="font-size: 8px;">(1) There are no rights (i) and (ii) in the well prescribed by category where other than the well. (2) In the territory of the well prescribed by category where other than the well.</p>
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ANNEX E

1 Exporter (name, full address)	ORIGINAL	2 No
	3 Month year	4 Category / group No.
5 Consignee (name, full address, country) Importer	 EXPORT CERTIFICATE (TEXTILE PRODUCTS)	
	6 Country of origin THAILAND	7 Country of destination
8 Place and date of shipment - Means of transport	9 Supplementary details	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS		11 Quantity
		12 FOB Value
<p>13 CERTIFICATION BY THE COMPETENT AUTHORITY</p> <p>I, the undersigned, certify that the goods described above originate in Thailand and have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category / group shown in box No 4 by the provisions regarding trade in textile products with _____</p>		
<p>14 Competent authority</p> <p style="text-align: center;">Department of Foreign Trade Ministry of Commerce</p>		<p>ISSUED ON _____ VALID TILL _____</p> <p style="text-align: right;">(Signature) _____ (Stamp) </p>