

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/1103*

7 October 1985

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Articles 7 and 8

Bilateral Agreement between Norway and Malta

The Textiles Surveillance Body has received a notification from Norway, under Articles 7 and 8 of the MFA, of a new bilateral agreement concluded with Malta, valid for the period 1 January 1985 to 31 December 1985.

This notification has been made in accordance with the request by the Textiles Committee that agreements concluded with countries, non-participants in the Arrangement should be notified.

The TSB is transmitting the notification to participating countries for their information.

* English only/Anglais seulement/Inglés solamente

AGREEMENT BETWEEN THE GOVERNMENT OF THE KINGDOM OF NORWAY
AND THE GOVERNMENT OF THE REPUBLIC OF MALTA
RELATING TO THE EXPORTS FROM MALTA 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 Republic of Malta regarding the exports of certain textile products from Malta for imports into Norway.

Coverage

2. These arrangements apply to Malta'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 blend thereof, in which any, or all of those fibres in combination represent either the main value of the fibres or 50 per cent or more by weight (or 17 per cent or more by weight of wool) of the product. 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

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

4. In case of divergent opinions between Malta 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 13 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 Malta shall be informed by the competent authorities in Norway and the authorities in Norway shall be informed by the competent authorities in Malta through diplomatic channels 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

5. For products listed in Annex B to this Agreement, Malta shall for each quota period being a calendar year 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

6. Any quantitative limit set out in Annex B may, after mutual agreement between the Government of Malta and the Government of Norway as provided for in Article 13 be modified in any year. Excess or shortfalls in the quota may after mutual agreement be carried forward/over for the following periods within this agreement.

Administration

7. Exports from Malta 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 the Agreement.

Circumvention

8. The Government of Norway and the Government of Malta agree to co-operate fully in dealing with problems relating to circumvention of the arrangements set out in this Agreement.

Seasonal fluctuations

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

Rules of origin

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

Re-exports

11. Exports from Malta to Norway of textile products covered by this Agreement shall not be subject to the quantitative limits established in Annex B if the export licence certifies that the products concerned are for re-export outside Norway.

Where the competent Norwegian authorities have evidence and/or when the Maltese authorities draw the attention of the Norwegian authorities that products exported from Malta and set off by Malta against a quantitative limit established in Annex B have been subsequently re-exported outside Norway, the Norwegian authorities shall notify the Government of Malta of the quantities involved and issue immediately an import authorization in the name of the Director of Trade, Malta, for the equivalent amount. Following receipt of such authorization, the Government of Malta may authorize exports for the current calendar year or for subsequent periods as stated in Article 6 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

12. For all products covered by this Agreement the Government of Malta undertakes to provide the Government of Norway with quarterly statistics of all export certificates issued by the authorities for each category for the current quota period.

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

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

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

Consultations

13. The Government of Malta and the Government 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 through diplomatic channels 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-one days at the latest from when the request was made, with a view to arriving at a mutually satisfactory conclusion within a further thirty days at the latest.

If the parties fail to agree the matter may be referred to the appropriate body of the GATT.

General

14. 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 January 1985 until 31 December 1985.

15. Both parties agree that discussions be held during September 1985 with a view to review the allocation and extend this Agreement. In the event that this Agreement expires at the end of this agreement period, all contracts already concluded and covered by the import authorization shall be honoured even after the termination of this Agreement.

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

Done at Valletta, 15 June 1984, in two originals, in the English language, each of these texts being equally authentic.

Johan Iversen
Head of the
Norwegian Delegation

Joseph Zammit
Head of the
Maltese Delegation

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 ("Østardalssokker").
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 A

Definition of "impregnated fabrics" for the purpose 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 BIMPORT AUTHORIZATIONS FOR 1985

The Norwegian Ministry of Trade and Shipping will issue import authorization in the name of the Director of Trade, Malta, on 1 January 1985, valid for exports from Malta to Norway during 1985 in respect of the undermentioned categories as follows:

Category per Annex A	Unit	Quantity in Thousands
1	Pieces	45
2	Pieces	50
3	Pieces	40
4	Pieces	80
5	Pieces	20
6	Pieces	60
7	Kgs	8
8	Pieces	40
9	Dozen Pairs	25
10	Pieces	30
11	Pieces	25
12	Pieces	50
13	Kgs	2
14	Pieces	20
15	Pieces	10
16	Pieces	35
17	Kgs	3
18	Pieces	20
19	Pairs	2
20	Pieces	16
21	Pieces	4

However, the Norwegian Ministry of Trade and Shipping will be prepared to consider requests by the Malta Government for import licences in excess of the quantity indicated above, in respect of each category for shipments to Norway during 1985.

ANNEX C

ADMINISTRATIVE CO-OPERATION

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

The certificate of Maltese origin shall be issued by the Director of Trade, Malta.

2. The Director of Trade, Malta, shall issue an export certificate in respect of all consignments from Malta for export to Norway of products covered by Annex A. The export certificate shall conform to the specimen attached as Annex E.

3. For products covered by Annex B, the Norwegian authorities shall issue an import authorization in the name of the Director of Trade, Malta, for the full amount of the allotted quota for that period by 1 January of each calendar year and for any excess or carryover as agreed to under Article 6 the import authorization in the name of the Director of Trade, Malta shall be issued immediately such excess/shortfall has been agreed upon. The authorities of Malta shall issue export certificates to the pertinent trading organizations up to the quantitative limits as agreed or eventually modified throughout the period of this Agreement. 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.

4. Each export certificate shall cover only one of the categories of products listed in Annex A to this Agreement.

5. Exports shall be set off against the quantitative limits established for the year in which shipment of the goods has been effected.

6. The presentation of an export certificate in application of paragraph 7 below, shall be effected not later than 31 January of the year following that in which the goods covered by the certificate have been shipped.

7. Importation into Norway of textile products subject to quantitative limits shall be subject to the presentation by the importer of the original export certificate which shall be automatically endorsed by the issue of an import licence by the competent Norwegian authorities.

8. The competent Norwegian authorities must be notified forthwith by the Department of Trade, Malta, of any export certificate issued or of the withdrawal or alteration of any export certificate already issued.

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

9. If the competent Norwegian authorities find that the total quantities covered by export certificates issued by the authorities of Malta for a particular category in any quota period exceed the quantitative limit established for that category, the said authorities may suspend the further issue of import licences. In this event, the competent Norwegian authorities shall immediately inform the authorities of Malta and the special consultation procedure set out in Article 13 of the Agreement shall be initiated forthwith.

10. Exports of Maltese origin not covered by export certificates issued by the authorities of Malta in accordance with the provisions of this Annex will not fall under this Agreement.

11. The export certificate and the certificate of Maltese 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 Maltese origin shall bear a serial number by which it can be identified.

3. The export certificate 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 tariff classification numbers, if possible both in the systems of Malta and of Norway

- (f) relevant category number and description as set out in Annex A of the Agreement
- (g) f.o.b. value
- (h) quantity in units set out in Annex A
- (i) place and date of shipment - means of transport

13. In the event of theft, loss or destruction of an export certificate or a certificate of Maltese 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 so issued shall bear the endorsement "duplicate".

The duplicate must bear the date and the number of the original export certificate or certificate of Maltese origin.

14. The Director of Trade, Malta, shall constitute the competent authority for the issue and verification of export certificates and of certificates of Maltese origin and will submit specimens of the stamps used by the Maltese authorities. The Government of Malta shall notify through diplomatic channels the Ministry of Trade and Shipping in Norway of any change in this information.

The Ministry of Trade and Shipping shall constitute the competent Norwegian authority for dealing with this agreement. The Government of the Kingdom of Norway shall notify through diplomatic channels the Department of Trade, Malta, of any change in this information.

ANNEX D

CERTIFICATE OF ORIGIN
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DEPARTMENT OF TRADE
MALTA

Certificate No.

EXPORTER:

CONSIGNEE:

PER SHIP/AIRCRAFT

NO.

MARKS AND NUMBERS	NO. OF PACKAGES	DESCRIPTION OF GOODS	WEIGHT	TOTAL INVOICED VALUE

We hereby certify that the particulars as stated above are correct in every detail and that the goods are of LOCAL origin/manufacture.

Date: _____

Signature _____
of Exporter

Ministry of Foreign Affairs'
Seal/Stamp

Certified that as far as the Department of Trade Malta can ascertain the above particulars are correct in accordance with the provisions set out in the agreement.

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DIRECTOR OF TRADE

ANNEX E

DEPARTMENT OF TRADE
MALTA

MALTA-NORWAY TEXTILES AGREEMENT EXPORT CERTIFICATE

1. Exporter (name, full address, country)	2. ORIGINAL NO.	
	3. Quota Period 1985	4. Category Number
5. Name and address of manufacturer if different from that of importer	6. Country of origin: MALTA	7. Country of Destination: NORWAY
	8. Supplementary details:	
9. Importer (name, full address, country)	10. Place and date of shipment - means of transport	
11. Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS:	12. Quantity (1)	13. FOB Value (2)
	(1) In units stated in the Agreement	(2) In the currency of the sales contract
14. DECLARATION BY EXPORTER I hereby certify that the particulars as stated are true and correctly stated. Date: _____ Signature of Exporter: _____		
15. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the period shown in box No. 3 in respect of the category shown in box No. 4 by the provisions regulating trade in textile products with Norway.		
16. Competent authority (name, full address, country) Director of Trade Department of Trade Malta	At _____ on _____ (Signature) (Stamp)	