

RESTRICTED

COM.TEX/SB/1188*
8 December 1986

Special Distribution

GENERAL AGREEMENT ON TARIFFS AND TRADE

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification Under Articles 7 and 8

Bilateral Agreement between Canada and Mauritius

The Textiles Surveillance Body received a notification from Canada of an agreement concluded with Mauritius for the period 1 January 1986 to 31 December 1990.¹

This notification has been made under Articles 7 and 8 in accordance with a request made by the Textiles Committee that agreements concluded with non-participants should be notified.

The TSB is transmitting the text of the agreement to participating countries for their information.

¹The text of the previous agreement between the parties is contained in COM.TEX/SB/1049.

*English only/anglais seulement/Inglés solamente

CANADA NOTE

The Embassy of Canada presents its compliments to the Embassy of Mauritius and wishes to refer to the Memorandum of Understanding signed by the representatives of Canada and Mauritius in Port Louis on March 20, 1986 regarding the restraint of exports of tailored collar shirts and sweaters to Canada from Mauritius.

Canadian authorities wish to confirm that Canadian ministers have given approval to the provisions contained in the Memorandum and propose that this Note, together with the reply from Mauritian authorities confirming acceptance by their Government, give effect to the Arrangement outlined in the Memorandum.

Washington, D.C., August 26, 1986

MAURITIUS NOTE

The High Commission of Mauritius to Canada presents its compliments to the Embassy of Canada and with reference to the Canadian Embassy's Note of August 26, 1986, has the honour to state the following.

Mauritian authorities agree that the present Note together with the Canadian Note referred to above constitute an acceptance by the Government of Mauritius of the "Memorandum of Understanding signed by the representatives of Canada and Mauritius in Port Louis on March 20, 1986 regarding the restraint of exports of tailored collar shirts and sweaters to Canada from Mauritius".

The High Commission of Mauritius to Canada avails itself of this opportunity to renew to the Embassy of Canada the assurances of its highest consideration.

Washington, D.C.,
August 28, 1986

Memorandum of Understanding between the Government of Canada and the Government of Mauritius relating to the export from Mauritius of certain textiles and textile products for import into Canada.

INTRODUCTION

1. This Memorandum of Understanding (MOU) sets out the arrangements that have been agreed between the Governments of Canada and Mauritius regarding the export of certain textiles and textile products from Mauritius for import into Canada.

RESTRAINT PERIODS

2. Except as otherwise indicated in Annex I, these arrangements will apply for the period commencing on 1 January 1986 and ending on 31 December 1990.

RESTRAINT LEVELS

3. Except as provided for in paragraphs 13 to 14 below or in Annex I, the Government of Mauritius will restrain its exports to Canada of the textiles and textile products described in Annex I for the period commencing 1 January 1986 and ending on 31 December 1986 to the limits specified therein.

4. For the four calendar year periods commencing 1 January 1987 and ending on 31 December 1990, the Government of Mauritius will restrain its exports to Canada of the textile products described in Annex I to the limits specified therein advanced on an annual basis by the growth rate specified in column D of Annex I.

COVERAGE

5. For the purposes of classifying textiles and textile products in the appropriate category, the definitions and notes set out in Annex II will apply.

ADMINISTRATION

6. These arrangements will be implemented on the basis of the export control system operated by the Government of Mauritius.

7. The Government of Canada will admit imports of the textiles and textile products described in Annex I provided such imports are covered by an original copy of an "export permit" containing the information as provided in the specimen licence in Annex III, endorsed and issued by the proper Mauritian authority to the effect that the imports covered by the licence have been debited to the applicable quantitative limit as set out in Annex I.

8. The export licences issued by the Government of Mauritius in respect of products subject to restraint levels as specified in Annex I of this arrangement will contain the following information:

1. Country of destination
2. Country of origin
3. Licence number
4. Importer's name and address
5. Exporter's name and address
6. Category number and description of product as set out in Annex I of the MOU
7. Quantity expressed in units
8. FOB or CIF value except for non-commercial consignments

9. Export permits when approved by the Government of Mauritius in accordance with paragraph 8 will have been debited against the restraint levels set out in Annex I for the year in question.

10. In the event any quantity covered by an export licence is not shipped, the Government of Mauritius will notify the Government of Canada of such quantity which may be credited by the Government of Mauritius to the appropriate restraint level.

11. The Government of Mauritius will endeavour to ensure that exports of all textiles and textile products which are listed in Annex I are spaced out as evenly as possible during each restraint period, due account being taken of seasonal factors and of normal channels of trade.

12. If, on the basis of export data provided by the Government of Mauritius, the Government of Canada ascertains that there is a sharp and substantial increase in the concentration of exports of the textile products listed in Annex I, other than that attributable to normal seasonal factors, it may request consultations in accordance with the provisions of paragraphs 20 and 21 with a view to remedying this situation.

CARRYOVER/CARRY FORWARD

13. Following notification to the Government of Canada of the quantities involved, portions of any quantitative limit set out in Annex I which are not used during the restraint period may be carried over and added to the corresponding quantitative limit for the following restraint period up to a maximum of 11 per cent of the restraint level for the following period.

14. Any restraint level may be increased by an amount advanced from the corresponding restraint level for the following restraint period up to a maximum of 6 per cent of the restraint level for the year in question.

EXCHANGE OF STATISTICS

15. Both Governments will exchange such other statistical data relating to exports of textiles and textile products not subject to these arrangements as may reasonably be required.

16. The Government of Mauritius will provide the Government of Canada with monthly statistics relating to exports of the textiles and textile products listed in Annex I which are licensed for export to Canada and debited against restraint levels for each restraint period as specified in Annex I.

17. When submitting the monthly statistics mentioned in paragraph 16, the Government of Mauritius undertakes to include the following information:

- (a) Category and description of goods as set out in Annex I
- (b) Original and adjusted restraint level for the restraint period
- (c) Total quantity issued for the restraint period to date in units
- (d) Notification of any utilization of carryover or carry forward provisions and the quantities involved as provided for in paragraphs 13 and 14 above.

This information should be provided as soon as possible following the end of each month.

18. The Government of Canada will provide the Government of Mauritius with monthly statistics relating to import permits issued for imports originating in Mauritius of the textiles and textile products listed in Annex I, along lines similar to the statistics to be provided by the Government of Mauritius pursuant to paragraph 16 above.

RE-EXPORTS

19. The Government of Canada will, so far as possible, inform the Government of Mauritius when imports into Canada of textiles and textile products subject to these arrangements are subsequently re-exported from Canada. Where such re-exports have been debited by the Government of Mauritius to quantitative limits the Government of Mauritius may then credit the amount involved to the appropriate quantitative limits.

CONSULTATIONS

20. Either Government has the right to request consultations with the other Government on any matter arising from the implementation or operation of these arrangements or on any matter germane thereto. Such consultations will be governed by the following:

- Any request for consultations will be notified in writing to the other Government;
- The request for consultations will be accompanied by or followed within a reasonable period (and in any case not later than twenty-one days following the request) by a statement setting out the reasons and circumstances which, in the opinion of the requesting Government, justify the submission of such a request;
- The other Government will accept such a request and such consultations will be held within thirty days of the date of notification of the request;
- Both Governments will enter into consultations with a view to reaching a mutually acceptable conclusion within thirty days of the date on which actual consultations commence.

21. Any consultations held under these provisions will be approached by both Governments in a spirit of cooperation and with a desire to reconcile the difference between them.

REVISIONS

22. Either Government may at any time propose revisions to the terms of these arrangements. In the event of such proposal, consultations will be held in accordance with the provisions of paragraphs 20 and 21.

TERMINATION

23. Either Government may terminate these arrangements effective at the end of any restraint period by written notice to the other Government, to be given at least ninety days prior to the end of any restraint period.

ANNEXES

24. The annexes to this Memorandum of Understanding will be considered an integral part of it.

FINAL PROVISIONS

25. This Memorandum of Understanding supersedes the Memorandum of Understanding concluded on 18 May 1984 between the Governments of Canada and Mauritius in respect of exports of sweaters from Mauritius for import into Canada and will be effective on 1 January 1986 subsequent to an exchange of notes between the two Governments confirming their acceptance of these arrangements.

(signed)

T.A. MACDONALD
Director
Import Controls
Division I
Special Trade Relations Bureau
Department of External Affairs
Government of Canada

(signed)

S. SUNASSEE
Secretary for Foreign Trade
Ministry of Trade and Shipping
Government of Mauritius

ANNEX I: RESTRAINT LEVELS

(A)	(B)	(C)	(D)	(E)
<u>Item No.</u>	<u>Short Description</u>	<u>Restraint Level</u>	<u>Growth</u>	<u>Carryover/ Carry forward</u>
1	Sweaters, pullovers cardigans	477,000 (1986) 468,520 (1987)	n.a. 6%	11% (6%)* 11% (6%)
2	Shirts, tailored collar	673,000 (21 March to 31 December 1986) 730,000 (1987)	n.a. 6%	11% (6%) 11% (6%)

*Carryover may be utilized in 1986, in accordance with paragraph 13, from the restraint which was applicable to sweaters in calendar year 1985 pursuant to the previous Memorandum of Understanding concluded 18 May 1984 which the Memorandum supersedes.

ANNEX II

Definitions and Descriptions of Terms

General Notes

1. Gender - Unless otherwise indicated, all definitions of garments apply to garments for men, boys, women, girls, children and infants. Children's and infants' garments include all garments sized 0 to 6X.
2. All garment items include partially manufactured garments, i.e. garments which have been cut and sewn, or otherwise assembled, but which require further manufacture or processing.
3. Garments of indeterminate gender, including unisex garments, are to be counted as of male gender.
4. "Wholly or mainly" is 50 per cent or more in all items unless otherwise indicated.

Description of Product Categories

1. Sweaters, Pullovers and Cardigans

Sweaters, pullovers, cardigans, (including knitted ponchos), wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, being knitted or crocheted garments covering the upper part of the body and which may be of any length of construction coarser than 19 cut, i.e. less than 19 vertical stitches per inch. Included are such items with coordinating or matching accessories, e.g. hats, scarves, gloves, mittens, booties, etc. A garment in this item when shipped with such coordinating or matching accessories will be considered a set and counted as one unit.

2. Shirts, Tailored Collar

Shirts with tailored collars, men's and boys' wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, knitted or woven, being garments covering the upper part of the body normally worn next to the skin or directly over underwear and with a full or partial front opening which may include a zipper and may be designed to be worn either inside or outside of pants. Included are all men's and boys' shirts meeting this description whether exported separately or part of a set.

Note: Included are children's sizes 4-6X.

Note: A "tailored collar" consists of one or more pieces of material which are cut and sewn or cut and fused and designed with two pointed or rounded ends. The following may be used, when needed, in the construction: stays, lining, stiffening by any means.

ANNEX III

Second Schedule

EXPORT PERMIT

(Supplies Control Act 1974)

I/We
(Name in block letters)

of
(Address)

hereby apply for a permit to export the goods described hereunder:

Description of goods
.....
.....
.....
.....

Tariff Item No.....

Value FOB (in Rupees)
(in foreign currency)

Type of packages

Number of packages

Country of Origin

to
(Name of consignee)

of
(Address of consignee)

on day of 198 The goods will be
exported on board
(name of carrier)

and payment will be/has been effected in
(currency)

through
(Name of bank)

Within days from the date of exportation.
(state period)

Date
Signature of Applicant

FOR OFFICIAL USE

Approved/Not Approved
Serial number of permit

Permanent Secretary
Ministry of Commerce and Industry

Date