

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral agreement between Norway and India

The Textiles Surveillance Body received a notification from Norway of a bilateral agreement concluded with India for the period 1 January 1987 to, 31 December 1991, subject to extension for a further twelve-month period.¹

The TSB, pursuant to, its procedures regarding bilateral agreements notified under Article 4,² has examined the relevant documentation and is transmitting the text of the notification to participating countries for their information.³

¹ The previous bilateral agreement is contained in COM.TEX/SB/1134.

² See COM.TEX/SB/35, Annex B

³ For the TSB's observations on this notification see COM.TEX/SB/1418.

* English only/Anglais seulement/Inglés solamente

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

Introduction

1. This Agreement sets out the Arrangements that have been made between the Government of Norway and the Government of India regarding the exports of certain textile products from India 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 Arrangement"), as extended by the Protocol of 31.7. 1986, bearing in mind particularly the provisions of Article 4 of the MFA and Paragraph 12 of the Protocol of Extension.

Duration

3. This Agreement shall apply for the period 1. January 1987 - 31 December 1991 but may, by mutual consent, be extended to apply for the period of one year. For the period after the term of validity of the Protocol of Extension dated 31 July 1986, either party may propose modifications in the light of any successor agreement to the ARRANGEMENT as extended by the Protocol referred to above.

Coverage

4. These arrangements apply to India'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 chief 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.

Classification

5 (a) For the purpose of classifying textile products in the appropriate category, the definitions set out in Annex A

will apply.

(b) In case of divergent opinions between India 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 18 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 India shall be informed by the competent authorities in Norway as soon as a case of divergent opinions on the classification of products arises.

(c) Pending agreement on the appropriate classification and subject to the consent by the Government of India, the products in question may be cleared for importation 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, the Government of India shall for each restraint period during the term of this Agreement restrain India's exports to Norway to the limits set out in Annex B or the limits modified as provided for in this Agreement.

7. With reference to Article 12.3 of the ARRANGEMENT, the limitations set out in this Agreement will not apply to the hand-made textile products made of handloom fabrics of the cottage industry and traditional folklore handicraft textile products known as "India Items" as listed in Annex F provided that such products conform to the descriptions as given in Annex E and are accompanied on importation by a certificate validated by the competent Indian authorities. A sample certificate is contained in Annex G.

Flexibility provisions

8. (a) If in any restraint period of this Agreement, levels

specified in Annex B of this Agreement for any categories are not fully utilized, the Government of India may after prior notification to the Government of Norway during the subsequent twelve month period approve the export of additional amounts (carryover) equivalent to such shortfalls provided that such exports are in the same categories where the shortfalls occurred and do not exceed the percentages set out under column (d), Annex B.

(b) During each restraint period of this Agreement, the Government of India may, after prior notification to the Government of Norway, approve the export of amounts in excess of the levels specified in Annex B to this Agreement up to the percentages set out in Annex B under column (e) increased by the appropriate growth rate of these levels (carry forward) for the current restraint period. Where specific levels have been increased by carry forward the Government of India shall inform the Government of Norway of the carry forward quantities and debit these to the corresponding levels which are agreed or may be agreed upon for the subsequent period.

(c) During each restraint period of this Agreement, the Government of India may, after prior notification to the Government of Norway approve the export of amounts in excess of the levels specified in Annex B to this Agreement up to the percentages set out in Annex B under column (f) increased by the appropriate growth rate (swing). Where specific levels have been increased by swing a corresponding reduction shall be made in one or more of other levels calculated on the basis of the conversion factors listed in Annex B, column (h).

(d) During each restraint period of this Agreement, the additional export quantities resulting from carryover, carry forward and swing taken together shall, for each specific level, not exceed the percentages set out in Annex B under column (g).

Reintroduction of restraints

9. It is agreed by the Government of Norway that if

restraint levels were introduced under the provisions of Paragraph 18 of this Agreement for any category or categories of products that were subject to quantitative limits in the past but were subsequently removed, the annual restraint levels so fixed shall not be less than the highest restraint levels obtained for that category or categories of products in any agreement year in the past duly increased by an annual growth rate.

Administration

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

11. If the information available to the Norwegian authorities shows that the quantitative limit for the category of products specified in an export certificate has already been reached or the unused portion of that limit is insufficient to cover the goods specified in the certificate, the said authorities may refuse to admit any quantity in excess of the quantitative limit. In this event the Government of Norway shall inform the Government of India as soon as possible. Both sides shall exchange relevant information in order to resolve data discrepancies, if any.

Circumvention

12. The Government of Norway and the Government of India agree to cooperate fully in dealing with problems relating to circumvention of the arrangements set out in this Agreement, in accordance with the provisions of Article 8 of the Arrangement and Paragraphs 16 and 17 of the Protocol of Extension dated 31 July 1986 in Geneva.

13. Norway recalled the provision of Paragraph 18 of the Protocol of Extension dated 31 July 1986 regarding avoidance, as far as possible of introduction of changes (such as changes in practices, rules, procedures, categorization of textile products, including those changes relating to the Harmonized System) in the implementation or

interpretation of bilateral textile agreements or of the Arrangement, which have the effect of upsetting the balance of rights and obligations between the parties concerned, or which affect the economic content of this bilateral agreement, or which affect the ability of India and Norway to use or benefit fully from a bilateral agreement, or which disrupt trade.

Seasonal fluctuations

14. The Government of India 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 and traditional patterns of trade.

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 as on 1.1. 1986 and the procedures for control of the origin of the products set out in Annex C. Changes in the Rules of Origin in so far as they affect exports from India to Norway of products covered by this Agreement shall not be made without prior consultations between the two parties.

Re-exports

16. Exports from India 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 India and set off by India against a quantitative limit established in Annex B have been subsequently re-exported outside Norway, the Norwegian authorities shall notify the Government of India of the quantities involved. Upon receipt of such notification, the Government of India may authorise 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

17. For all products covered by this Agreement the Government of India undertakes to provide the Government of Norway with monthly statistics of all export certificates issued by the authorities for each category for the current restraint period. For products listed in Annex B, these statistical reports shall also set out

- (i) the maximum export level for each category for the relevant restraint period,
- (ii) the modified limit if the restraint level has been modified as provided for in Article 8 of this Agreement, and
- (iii) the rate of utilization of the restraint level.

Each report shall be transmitted before the end of the second month following the month covered by the report. The monthly statistical report from the Government of India shall also contain information on the numbers and dates of Exempt Certificates issued as provided for in article 7, as well as of the quantities and products involved.

The Government of Norway will provide the Government of India with monthly statistics of licences issued for imports from India of all categories covered by this Agreement.

Consultations

18. The Government of India 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 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 30 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 Arrangement within a further 30 days.

General

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

Either party may at any time terminate this Agreement provided that at least 60 days' notice is given. In that event the Agreement shall come to an end on the expiry of the period of notice, unless otherwise agreed upon.

20. The Annexes (A) to (G) to this Agreement and the Agreed Minutes shall be considered as an integral part thereof.

21. This Agreement has been drawn up in two copies in the English language.

ANNEX A

PRODUCT CATEGORIES COVERED BY THE AGREEMENT

Category

Number	Unit	Description	
1.	Pieces	Outer garments of woven material, men's, boys', women's, girls':	61.01.240-290 61.01.440-490 61.02.240-290
		- 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.	ex 61.01.340-390 ex 61.02.341 -351,-361 and -391 ex 61.01.340-990 ex 61.02.941,-951,-961 and -991
2.	Pieces	Outer garments of woven material, men's, boys', women's, girls':	61.01.540-.590 61.02.640-.690
		- Trousers, slacks, jeans, breeches and the like (including bib and brace overalls), other than swimwear and shorts, also as parts of suits and sets	ex 61.01.340-.390 ex 61.02.341,-.351,-.361 and -391 ex 61.01.940-.990 ex 61.02.941,-.951,-.961 and -991
3.	Pieces	Knitted or crocheted shirts, T-shirts and blouses of all kinds.	60.04.120-.190 60.05.420-.490
			ex 60.04.720-.990
4.	Pieces	Knitted or crocheted under garments, men's, boys', women's, girls', infants', other than T-shirts, blouses, night wear and panty hose.	60.04.720-.990
5.	Pieces	Men's and boys' shirts of all kinds, of woven material.	61.03.150-.190 ex 61.01.940-.990
6.	Pieces	Outer garments and other articles, knitted or crocheted, not elastic nor rubberised:	60.05.320-.390
		- Pull-overs, sweaters, jumpers, cardigans and jackets.	ex 60.05.821-.892

7.	Kgs	Bed linen	62.02.110-.190
			60.05.991
			ex 60.05.920
8. *)	Pieces	Outer garments of woven material, women's, girls,:	61.02.540-.590
		- Blouses, shirts and the like	ex 61.02.941,-.951, -.961 and - 991
			ex 61.04.250-.290

* See note to Annex B.

ANNEX B

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Cat.	Restraint	Annual	Carry-	Carry-	Swing	Total	Conversion
No	level	Growth	over	forward		Flexi-	Factor
		Rate				bility	
	1 Jan.-	Percen-	Percen-	Percen-	Percen-	Percen-	unit pr. kg.
	31 Dec. 1987	tages	tages	tages	tages	tages	
1	27 000 Pieces	3	8	4	3	8	1,5
2	54 000 "	3	8	4	3	8	2,0
3+4	179 000 "	1	8	4	3	8	6,0
5	324 000 "	1	4	2	0,5	4	4,6
6	116 000 "	3	10	5	5	10	6,0
7	306 221 Kgs	0,1	4	2	0,1	4	1,0
8	320 000 Pieces	2	8	4	3	8	6,0

Note: Notwithstanding the descriptions set out in Annex A, woven costumes, suits and sets, women's and girls' wear, may for each calendar year be exported up to the level of 45 000 pieces and be exported as category 8^a in addition to the level for category 8.

ANNEX C

ADMINISTRATIVE COOPERATION

1. Products originating in India for export to Norway in accordance with the arrangements established by this Agreement shall be accompanied by an export certificate/certificate of Indian origin conforming to the specimen attached as Annex D, including full and detailed description of the goods. The competent authorities of India shall issue an export certificate/certificate of origin in respect of all consignments from India of exports to Norway covered by Annex A, save that for products covered by the exemption provided for by Article 7, Annex E and F of the Agreement, the Indian authorities shall issue an exempt certificate conforming to the specimen attached as Annex F.

2. For products covered by Annex B, the authorities of India shall issue such export certificates upto the quantitative limits agreed through this Agreement (eventually modified as provided for by 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.

3. Each export certificate/certificate of origin shall cover only one of the categories or products listed in Annex A to this Agreement.

4. Exports shall be set off against the quantitative limits established for the restraint period in which shipment of the goods has been effected. For the purpose of this paragraph, the date of shipment of the goods is considered to be the date of issue of shipping documents.

5. The presentation of an export certificate/certificate of origin, in application of paragraph 6 below, shall be effected not later than 28 February of the year following that in which the

goods covered by the certificate have been shipped.

6. Importation into Norway of textile products covered by this Agreement shall be subject to the presentation of appropriate import documents.

The competent Norwegian authorities shall issue such import documents automatically as far as possible within five working days of the presentation by the importer of the original of the corresponding export certificate/certificate of origin.

7. The competent Norwegian authorities must be notified forthwith of the withdrawal or alteration of any export certificate already issued.

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 restraint period in question, and the authorities of India shall be informed as soon as possible.

8. The export certificate/certificate of Indian 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 in this Agreement.

9. Each export certificate/certificate of Indian origin shall bear a serial number by which it can be identified.

10. In the event of theft, loss or destruction of an export certificate/certificate of Indian origin, the exporter may apply to the competent Indian authority which issued the document for a duplicate to be made out on the basis of the export documents in

his possession. The duplicate or any such certificate so issued shall bear the endorsement "duplicate".

The duplicate must bear the date of the original export certificate/certificate of Indian origin.

11. The Government of India shall send the Norwegian Ministry of Trade the names and addresses of the Indian authorities competent for the issue and verification of export certificate/certificates of Indian origin and exempt certificates together with specimens of the stamps used by these authorities. The Government of India shall also notify the Ministry of any change in this information.

ANNEX D

1. Exporter (name, full address)	ORIGINAL	2. No. 1
	3. Restraint Period	4. Category number
5. Importer (name, full address)	NORWAY-INDIA TEXTILES AGREEMENT EXPORT CERTIFICATE/CERTIFICATE OF ORIGIN	
	Country of origin: Country of destination INDIA NORWAY	
6. Place and date of shipment - means of transport	7. Supplementary details	
8. Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS	9. Quantity (1)	10. FOB Value (2)

11. CERTIFICATION BY COMPETENT AUTHORITY -
I, the undersigned, certify that the goods described above originate in India in accordance with the provisions in force in Norway, and that the goods 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

12. Competent authority
(name, full address)

At _____ on _____

(Signature)

(Stamp)

- 1) In the unit prescribed for the category
- 2) In the currency of the sales contract.

ANNEX E

COTTAGE INDUSTRY PRODUCTS

1. The exemption provided for in Paragraph 7 of the Agreement in respect of cottage industry products will apply to the following products:

- (a) fabrics woven on hand or foot operated looms in the cottage industry of India,
- (b) hand-made textile products made in the cottage industry of India from fabrics referred to in (a) above,
- (c) hand-made garments made in the cottage industry of India from fabrics referred to in (a),
- (d) traditional folklore textile products of India made in the cottage industry of India as described in Annex F.

2. The exemption will apply only in respect of products covered by a certificate issued by the competent Indian authorities conforming to the specimen in Annex G. Such certificates will indicate the grounds on which exemption is based.

3. Either Government may request consultations in respect of the trade covering handloom garments as described in Paragraph 1 (c) above, corresponding to categories (1), (2), (5) and (8) in Annex A, whenever it considers such consultations desirable. If the Indian exports to Norway of garments made in the cottage industry of India do not develop in an orderly manner, and the two parties fail to reach a mutually satisfactory solution, the Indian Government will on request by the Norwegian Government, restrict exports to Norway for the category/categories concerned.

ANNEX F

**Agreed List of India Items i.e. Traditional Folklore
Handicraft Textile Products of India**

India items are traditional folklore handicraft textile products uniquely and historically Indian, made in cottage industry. They cover the products enumerated below (clothes and clothing accessories, decorative furnishing).

1. Clothes and clothing accessories

All the garments and accessories listed below are uniquely and historically Indian traditional folklore textile products on account of their similarity in shape and design with those of clothes and accessories traditionally worn in India.

The products listed below must have the following characteristics:

- they are produced in cottage industry units
- they do not include zip fasteners
- they are ornamented in the characteristic Indian folk styles, using one of the following methods:

hand painting, hand printing, handicraft batik, handicraft tie and dye or kalamkari

embroidery or crocheted ornamentation

appliqué work of sequins, glass or wooden beads, shells, mirrors or ornamental motifs of textile or other materials by hand

extra-weft ornamentation of cotton, silk or art silk, metal thread (zari)

No.	Name	Description
1	Kurta	A loose, almost straight-cut shirt

or tunic-like garment, reaching to the hips, mid-thighs, -knees, or ancels with quarter, half or full-length narrow or loose sleeves, with or without buttons (not plain).

- | | | |
|----|-----------------|--|
| 2 | Pherron | A short or full-length, extremely loose-fitting dress with long, loose sleeves, without buttons, embroidered, ornamented or printed. |
| 3 | Chola | A full-length, loose-fitting dresslike garment, with sleeves, mainly for indoor wear. |
| 4 | Churidar Pyjama | Trouser, loose at waist (with drawstring or hooks) tapering to a narrow fit at the ankle. |
| 5 | Salwar | Loose-fitting trousers, legs either straight or baggy with extra fullness at the thighs. |
| 6 | Garara | Loose-fitting trousers with frills or flaring below the knee. |
| 7 | Tamba | Loose-fitting trousers with typical Indian hand-ornamentation. |
| 8 | Lungi | A long cylindrical garment worn as a wrap around the lower half of the body. |
| 9 | Angharka | A full-length, light-weight coat-like garment closing in front with a decorative cord or ribbon, with sleeves. |
| 10 | Bagal Bandini | A knee-length or full-length jacket or coat-like garment closing at the side with strings, with half sleeves or without sleeves. |

- 11 **Aba** A full-length dress with close-fitting bodice, long, wide skirt, with sleeves.
- 12 **Burka** A full-length cape-like garment, covering the wearer's head and body, with aperture for eyes covered with gauze or lace.
- 13 **Jawahar jackets** A loose-fitting jacket or waistcoat worn over a kurta, with or without buttons.
- 14 **Choli** A short bodice with or without sleeves crocheted or woven.
- 15 **Ghagra/Lahnga** An ankle-length very wide skirt with drawstring or hooks at waist.
- 16 **Pavadai** A set made of a full or ankle-length skirt and a bodice.
- 17 **Dupatta** A very light woven scarf about 120 cm. x 80 cm. worn with kurta and churidar.
- 18 **Ohdani** A cloth about 2 m. x 1 m. with much ornamentation.
- 19 **Patka** A long stole, non-printed, ornamented with art work.
- 20 **Gulu band** Neckband with traditional art work.
- 21 **Kamarband** Decorated waistband and textile belt.
- 22 **Bazuband** Decorative arm-band.
- 23 **Mathapati** Decorative forehead band.
- 24 **Safa** Headwear made up of traditional embroidery work.

XX Decorative furnishings

- | | | |
|----|---------------------|---|
| 25 | Toran | A textile article, traditionally used to decorate door posts, embroidered or with appliqué work in folk motifs. |
| 26 | Tombai | Cylindrical, hanging with appliqué work of hand-printed, hand-painted or hand-embroidered fabrics, traditionally hung from ceilings or in doorways. |
| 27 | Sharians | Canopy or awning with appliqué work of squares or triangle in contrasting colours, used as ceiling decoration. |
| 28 | Kalamkari | Wall hangings with mythological scenes depicted by hand-painting or hand-printing using wax. |
| 30 | Chakla | Embroidered wall-hangings, with or without mirror work, depicting folk motifs. |
| 31 | Batik wall hangings | Wall hangings of cotton, with designs created by the traditional handicraft batik process (hand-waxing, dyeing and boiling being repeated for each colour). |
| 32 | Chahdani Posh | A decorative cover for a tea-pot or coffee-pot. |
| 33 | Takiagilaf | A cushion cover decorated with Indian motifs. |
| 34 | Phulkari | Decorative embroidered cloth with close darning stitch employed with strands of untwisted silk to make the flower-like embroideries. |
| 35 | Gaddiposh | Decorative version of the bedspread, |

sometimes quilted.

- 36 **Hand-knotted
carpets** Having woollen or cotton warp and weft and a woollen knotted pile, of which each knot or loop is made by hand and joins two warp threads. After each row of knots is completed, a weft thread is passed through the warp. The pile is subsequently shorn by hand to give the carpet the desired thickness. The traditional patterns used are common to India and neighbouring regions of south and central Asia, and usually consist of stylized floral, animal and geometrical motifs, in either a single design or repeated several times within a border. Carpets with traditional pictorial designs (e.g. court, hunting, polo, jungle scenes etc.), modern designs with Indian motifs from ancient monuments and murals, and carpets in a single colour, without pattern, are also produced by hand in India.
- 37 **Hand-woven
carpets** Of the Kelen, Schumak and Karananie types
- 38 **Gabba** Floor-coverings produced by hand-embroidery or by appliqué work on a base consisting of woven wool, felt, or jute, with or without a cotton backing.
- 39 **Nandas** A floor-covering with felted woollen surface with or without traditional embroideries in various shapes and sizes.

ANNEX G

EXPORT CERTIFICATE

2. No. _____

1. Exporter (name, full address)	CERTIFICATE in regard to Hand-made cottage industry products made of handloom fabrics and TRADITIONAL FOLKLORE HANDICRAFT TEXTILE PRODUCTS, 'INDIA ITEMS', issued in conformity with and under the conditions regulating trade in textile products with Norway.	
3. Consignee (name, full address in Norway)		
4. Place and date of shipment - Means of transport	5. Country of origin	6. Supplementary details
7. Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS	8. Quantity or weight	

10. CERTIFICATION BY COMPETENT AUTHORITY

I, the undersigned, certify that the consignment described above includes only traditional folklore handicraft textile products, as defined in the list agreed between Norway and India. (Tick the appropriate box)

Hand made cottage industry products made of handloom fabrics falling in Annex A of the Agreement.

Traditional folklore handicraft textiles products.

11. Competent authority
(name, full address, country)

At _____ on _____

(Signature)

(Stamp)

14. November 1986

AGREED MINUTES

1. Either Government reserves its rights under the ARRANGEMENT with respect to textile products not subject to this Agreement. For textile products covered by this Agreement, it is agreed that either of the Governments may have recourse to any or all the provisions of the ARRANGEMENT save that the Government of Norway waives its rights under Article 3 of the ARRANGEMENT with respect to products covered by this Agreement as long as this Agreement remains in force.

2. Consequent on some changes in the Norwegian system of classification, the classification of the products covered by this agreement has been changed. The Norwegian Government reiterated that the changes in classification do not have any bearing on the product coverage, that the text of Annex A, as well as Article 4 will be decisive and that the tariff classification numbers should merely be considered as a guideline for the practical implementation of the Agreement. Both parties agreed that should any problem arise because of these changes in the classification, the same would be resolved in keeping with the spirit of this understanding.