

GENERAL AGREEMENT ON

RESTRICTED

TARIFFS AND TRADE

COM.TEX/SB/1422/Add.13*
14 November 1988
Special Distribution

Textiles Surveillance Body

Original: French

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 11

Report on the Status of Restriction Measures
as requested by the TSB in accordance with Article 11¹

SWITZERLAND

Attached is a report received by the Textiles Surveillance Body from Switzerland on the status of restrictions maintained by it on imports of textile products covered by the Arrangement as extended by the 1986 Protocol. This report has been submitted in accordance with Article 11, paragraphs 11, 12 and 2 of the MFA.²

¹ See COM.TEX/SB/1377

² The previous report is contained in COM.TEX/SB/1315/Add.13.

*English and French only/Anglais et français seulement/Inglés y Francés solamente

Swiss Delegation to EFTA and GATT
Mr. M. Raffaelli
Chairman, Textiles Surveillance Body
Centre William Rappard
Rue de Lausanne 154
1211 Geneva 21

16 June 1988

Sir,

Pursuant to your request dated 5 April 1988 and to Article 11, in particular paragraphs 2, 11 and 12, of the Multifibre Arrangement, I have the honour to communicate the following:

Switzerland has not instituted and does not apply any quantitative restrictions, bilateral agreements or other quantitative measures having a restrictive effect on textiles products covered by the Arrangement. Automatic licences, however, are required for certain products in conformity with the Federal Council Ordinance of 30 November 1987 and the Federal Department of Public Economy Ordinance of 2 December 1987, of which we attach copies hereto, and which have not been amended since that date.

Accept, Sir, the renewed assurances of my highest consideration.

William Rossier
Ambassador
Head of Delegation

ORDINANCE CONCERNING TEXTILE IMPORTS

of 30 November 1987

The Swiss Federal Council,

Having regard to Articles 1, 4 and 10, second paragraph, of the Federal Law of 25 June 1982 concerning external economic measures,

hereby orders as follows:

Article 1: Field of application

The present Ordinance shall be applicable to imports of textile materials and articles of such materials listed in Section XI of the Swiss Customs Tariff.

Article 2: Definitions

For the purposes of this Ordinance:

- (a) "Provenance" shall be the country of production in terms of Article 8, second paragraph, of the Ordinance of 10 January 1972 concerning foreign trade statistics.
- (b) "Origin" shall be the country for which the conditions required under Section 2 (criteria of origin) of the Ordinance of 4 July 1984 concerning origin are satisfied.
- (c) "Value" shall be that of the product at the frontier, in Swiss currency, in terms of Article 7 of the Ordinance of 10 January 1972 concerning foreign trade statistics. It shall correspond to the invoice price, inclusive of transport, insurance and other costs up to the Swiss frontier, after deduction of rebates and discounts. Customs duties and other taxes or charges applied under Swiss legislation shall not be included in the value.
- (d) "Import price" shall be the free-at-frontier price of the product invoiced to the Swiss importer, plus customs duties and cost of transport from the Swiss frontier to the place of destination.

Article 3: Price observation

1. The Federal Department of Public Economy (the Department) shall determine the textiles of which imports shall be subject to observation for verification purposes. For imports from specified countries or those of specified textiles it may, after having consulted the Federal Department of Finance, require additional information concerning in particular the country of origin, quantity, value and nature of the goods.

2. Price observation shall be carried out by the Division of Imports and Exports (DIE) of the Federal Office of External Economic Affairs; it shall be based on the indications contained in the import declaration. The Federal Customs Administration shall have responsibility for assembling the data necessary for price observation.

Article 4: Permit régime

1. The Department shall determine the textiles which may be imported only with a permit.

2. The DIE shall be empowered to issue the permits, under the authority of the Federal Office of External Economic Affairs.

3. The Department may, after having consulted the Federal Department of Finance, authorize the Federal Office of External Economic Affairs to conclude with importers and shippers agreements designed to simplify the permit procedure.

Article 5: Price surveillance

1. The Department shall determine which of the textiles for which an import permit is required shall be subject to price surveillance.

2. In the case of textiles for which a permit is required and which are subject to price surveillance, the Department shall determine the documents that shall be presented at the same time as the import application.

3. Price surveillance shall be exercised by the DIE. An import permit shall be issued for textiles subject to price surveillance only upon presentation of the required documents.

Article 6: Price attestation

1. The Department shall determine which of the textiles for which an import permit is required shall be subject to price attestation.

2. An import permit shall be issued for textiles subject to price attestation only upon presentation of a document certifying that the import price is not lower by more than a certain margin fixed by the Department than the normal current price for a comparable article currently manufactured in Switzerland, taking into account equivalent quantity and commercial level.

3. For establishment of the price attestation, the same documents must be presented as are required for price surveillance under Article 5, second paragraph, as well as samples of the goods.

4. The price attestation shall be issued by the DIE; the Department may request economic organisations or institutions to carry out the necessary price comparisons.

5. On the basis of offers, the DIE may give advance notice valid for a limited period.

6. The DIE may suspend the obligation of price attestation:

- (a) where major reasons justify in isolated cases; or
- (b) in so far as the objective of price attestation is attained through international agreements or otherwise.

Article 7: Subsequent presentation of documents

Where the importer is, for sufficiently justified reasons, not in a position to present the required documents at the time of importation of textiles subject to price observation or surveillance, the DIE may authorize the import on an exceptional basis and set a time-limit for the subsequent presentation of the missing documents. If that time-limit is not observed, the DIE shall set a short extension, while warning the importer that in the event of failure to comply with the new time-limit it will refuse all further import applications as long as the missing documents have not been presented.

Article 8: Consultation

The Department shall consult concerned economic circles before ordering measures under Articles 3-6.

Article 9: Rescinding of earlier provisions

The Ordinance of 8 December 1985 on imports of textiles is hereby rescinded.

Article 10: Entry into force

The present Ordinance shall enter into force on 1 January 1988.

30 November 1987

For the Swiss Federal Council:

The President of the Confederation, Aubert

The Chancellor of the Confederation, Buser

ORDINANCE OF THE FEDERAL DEPARTMENT OF PUBLIC ECONOMY CONCERNING
TEXTILE IMPORTS

of 2 December 1987

The Federal Department of Public Economy,

Having regard to Articles 3 to 6 of the Federal Council Ordinance of 30 December 1987 concerning textile imports,

hereby orders as follows:

Article 1: Price observation

1. The textiles listed in Annex A shall be subject upon importation, to price observation by the Division of Imports and Exports (DIE) of the Federal Office of External Economic Affairs.
2. The additional particulars and documents, in accordance with Annex A, shall be supplied together with the customs declaration; test samples shall be provided in accordance with the instructions of the customs authorities.

Article 2: Import permit

1. The textiles listed in Annex B may be imported only under a permit granted by the DIE, under the authority of the Federal Office of External Economic Affairs.
2. The permit régime shall not apply to:
 - (a) quantities of goods not exceeding 20 kg. gross;
 - (b) shipments of samples.
3. Woven fabrics imported under the provisions of the Ordinance of 17 February 1982 concerning duty-free import of hand-loomed fabrics may be imported without a permit.
4. The textiles for which a valid certificate of origin issued by the European Economic Community or a member State of the European Free Trade Association may be imported without a permit.

Article 3: Price surveillance

The textiles listed in Annex B of which the import is subject to the permit régime shall be subject to price surveillance by the DIE. Applications for an import permit must be accompanied by the supplier's invoice together with the documents certifying the origin of the goods.

Article 4: Price attestation

1. The price attestation by the DIE shall be applicable to the textiles listed in Annex B which are subject to the permit régime and are imported from the countries of origin listed in Annex C.
2. Annex C fixes the limits within which the import price may be lower than the normal current price of a comparable Swiss article in accordance with Article 6, first paragraph, of the Federal Council Ordinance of 30 November 1987 concerning textile imports.
3. Price comparisons shall be carried out by the Textiles Control Board.

Article 5: Rescinding of earlier provisions

- (a) The Department of Public Economy Ordinance of 8 December 1975 concerning textile imports;
- (b) Ordinance (12) of 8 December 1975 concerning imports of goods;
- (c) Ordinance (13) of 16 March 1973 concerning imports of goods are hereby rescinded.

Article 6: Entry into force

The present Ordinance shall enter into force on 1 January 1988.

2 December 1987

Federal Department of Public Economy
Delamuraz

ANNEX A

Textiles for the Import of which Additional Particulars
or Documents Are Required for Price Observation Purposes

<u>Tariff heading No.</u>	<u>Description of goods</u>	<u>Additional particulars or documents required for import</u>
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Nil

ANNEX B

Textiles the Import of which Is Subject
to the Permit Régime

<u>Tariff heading No.</u>	<u>Description of goods</u>
5007. <u>1000</u> 9030	Woven fabrics of silk or silk waste
5111. <u>1100</u> 9000	Woven fabrics of carded wool or of carded fine animal hair
5112. <u>1110</u> 9090	Woven fabrics of combed wool or of combed fine animal hair
5208. <u>1100</u> 5900	Woven fabrics of cotton, containing 85% or more by weight of cotton, weighing not more than 200 g/m ²
5209. <u>1100</u> 5900	Woven fabrics of cotton, containing 85% or more by weight of cotton, weighing more than 200 g/m ²
6001. <u>1000</u> 9900	Pile fabrics, including "long pile" fabrics and terry fabrics, knitted or crocheted
6002. <u>1000</u> 9900	Other knitted or crocheted fabrics
6101. <u>1000</u> 9000	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading No. 61.03
6102. <u>1000</u> 9000	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading No. 61.04
6103. <u>1100</u> 4900	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted
6104. <u>1100</u> 6900	Women's or girls' suits, ensembles, jackets, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted

<u>Tariff heading No.</u>	<u>Description of goods</u>
6105. <u>1000</u> 9000	Men's or boys' shirts, knitted or crocheted
6106. <u>1000</u> 9000	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted
6107. <u>1100</u> 9900	Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted
6108. <u>1100</u> 9900	Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted
6109. <u>1000</u> 9000	T-shirts, singlets and other vests, knitted or crocheted
6110. <u>1000</u> 9000	Jerseys, pullovers, cardigans, waist-coats and similar articles, knitted or crocheted
6111. <u>1000</u> 9000	Babies' garments and clothing accessories, knitted or crocheted
6112. <u>1100</u> 4990	Track suits, ski suits and swimwear, knitted or crocheted
6113.0000	Garments, made up of knitted or crocheted fabrics of heading Nos. 59.03, 59.06 or 59.07
6114. <u>1000</u> 9000	Other garments, knitted or crocheted
6115. <u>1100</u> 9900	Panty hose, tights, stockings, socks and other hosiery, including stockings for varicose veins and footwear without applied soles, knitted or crocheted
6116. <u>1000</u> 9900	Gloves, mittens and mitts, knitted or crocheted
6117. <u>1010</u> 9090	Other made up clothing accessories, knitted or crocheted; knitted or crocheted parts of garments or of clothing accessories
6201. <u>1100</u> 9900	Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading No. 62.03

<u>Tariff heading No.</u>	<u>Description of goods</u>
6202. <u>1100</u> 9900	Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading No. 62.04
6203. <u>1100</u> 4900	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear)
6204. <u>1110</u> 6990	Women's or girls' suits, ensembles, jackets, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear)
6205. <u>1000</u> 9000	Men's or boys' shirts
6206. <u>1010</u> 9090	Women's or girls' blouses, shirts and shirt-blouses
6207. <u>1100</u> 9900	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles
6208. <u>1110</u> 9990	Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles
6209. <u>1000</u> 9090	Babies' garments and clothing accessories
6210. <u>1000</u> 5090	Garments, made up of fabrics of heading Nos. 56.02, 56.03, 59.03, 59.06 or 59.07
6211. <u>1110</u> 4990	Track suits, ski suits and swimwear; other garments
6212.1000	Brassières, girdles, corsets, braces, suspenders, garters and similar articles and parts thereof, whether or not knitted or crocheted
6215. <u>1000</u> 9000	Ties, bow ties and cravats

ANNEX C

Textiles Coming from Specified Countries of Origin
and the Import of which Is Subject to the Margins
Applicable for this Purpose

1. Countries of origin

Bulgaria
German Democratic Republic
Poland
Romania
Czechoslovakia
Hungary
Union of Soviet Socialist Republic

2. Price margins

<u>Tariff heading No.</u>	<u>Margin</u>
5111.1100/9000, 5112.1110/9090	12 per cent
5208.1100/5900, 5209.1100/5900	10 per cent
For the other textiles in the Tariff heading numbers listed in Annex B	20 per cent