

GENERAL AGREEMENT ON

RESTRICTED

COM.TEX/SB/1486*

9 January 1989

TARIFFS AND TRADE

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4

Bilateral agreement between Norway and Sri Lanka

The Textiles Surveillance Body received a notification from Norway of a bilateral agreement concluded with Sri Lanka for the period 1 January 1988 to 31 December 1991.¹

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

¹The previous bilateral agreement is contained in COM.TEX/SB/1122.

²See COM.TEX/SB/35, Annex B

* English only/Anglais seulement/Inglés solamente

Introduction

1. This Agreement sets out the arrangements that have been made between the Government of Norway and the Government of Sri Lanka regarding the exports of certain textile products from Sri Lanka 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 31.7.1986, bearing in mind particularly the provisions of Article 1:2, Article 4 and Article 6 of the MFA and Paragraph 12 of the Protocol of Extension.

Coverage

3. These arrangements apply to Sri Lanka'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 represents 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).

Classification

4. For the purpose of classifying textile products in the appropriate category, the definitions set out in Annex A will apply.
5. In case of divergent opinions between Sri Lanka 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 14 of this Agreement shall be held with a view to reach agreement on the appropriate classification of the products concerned and to resolve any difficulties arising therefrom. For this purpose, the authorities of Sri Lanka 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, Sri Lanka shall for each restraint 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 this Agreement.

Flexibility Provisions

7. (a) Carryover. 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 Sri Lanka may, after prior notification to the Government of Norway, during the subsequent twelve month period, approve the export of additional amounts 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, computed on the basis of the levels for the subsequent twelve month period.
(b) Carryforward. During each restraint period of this Agreement, the Government of Sri Lanka 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), computed on the basis of the levels for the current restraint period. Where the specific levels have been increased by carry forward the Government of Sri Lanka shall inform the Government of Norway of the carryforward quantities and debit these to the corresponding levels which are agreed or may be agreed upon for the subsequent period.

(c) Swing. During each restraint period of this Agreement, the Government of Sri Lanka 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), computed on the basis of the levels for the current restraint period. 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) Total flexibility. During each restraint period of this Agreement, the additional export quantities resulting from carryover, carryforward and swing taken together shall, for each specific level, not exceed the percentages set out in Annex B under column (g).

Administration

8. Exports from Sri Lanka 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

9. Norway and Sri Lanka 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 Sri Lanka origin listed in Annex B to this Agreement have been imported into Norway by transshipment, rerouting or otherwise, in circumvention of the arrangements set out in this Agreement, Norway may ask for consultations as provided for in Article 14 of this Agreement, with a view to agree on an appropriate adjustment of the quantitative limits for the products concerned.

If the parties fail to reach a mutually satisfactory solution within a period of 60 days from the date when the request for consultations was made, the Norwegian authorities shall, if clear evidence of circumvention has been provided, have the right to carry out a compensatory reduction of the corresponding restraint level, for the current or the following calendar year.

Seasonal fluctuations

10. The Government of Sri Lanka 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

11. 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

12. Exports from Sri Lanka 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 licence certifies that the products concerned are for re-export outside Norway.

Where the competent Norwegian authorities have evidence that products exported from Sri Lanka and set off by Sri Lanka against a quantitative limit established in Annex B have been subsequently re-exported outside Norway, the Norwegian authorities shall notify Sri Lanka of the quantities involved. Upon receipt of such notification, Sri Lanka 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. If such a notification has been received later than 3 months before the expiry of the current restraint period, identical quantities may be exported during the next restraint period.

Exchange of statistics.

13. For all products covered by this Agreement the Government of Sri Lanka undertakes to provide the Government of Norway with quarterly statistics of all export licences issued by the authorities for each category for the current restraint period. 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 limit has been modified as provided for in Article 7 of this Agreement. and

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

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

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

Consultations

14. The Government of Norway and the Government of Sri Lanka agree to consult at the request of either government, on any question arising from 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 MFA within a further 30 days at the latest.

Other textile products

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

General

16. The present Agreement shall enter into force on 1st January, 1988 and shall be applicable upto 31st December, 1991, unless this is changed by application of the provisions of Article 17 of this Agreement.
17. 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 14.

Either party may at any time denounce 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.

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

Product 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 under garments, men's boys, women's, girls, infants; other than T-shirts, blouses, night wear and panty hose.
5	Pieces	Men's and boys' shirts of all kinds, of woven material.
7	Kgs	Bed linen
8	Pieces	Outer garments of woven materials, women's, girls' Blouses, shirts and the like.

ANNEX B

(a) Cat. No.	(b) Restraint level Jan.1,1988. to Dec.31,1988	(c) Annual Growth Rate Percen- tages	(d) Carry over percen- tages	(e) Carry- forward Percen- tages	(f) Swing Percen- tages	(g) Total Flexi- bility Percen- tages	(h) Conversion Factor unit pr. kg
1.	40,000 pieces	3	8	4	3	8	1.5
2.	110,000 pieces	3	8	4	3	8	2.0
3+4	135,000 pieces	3	8	4	3	8	6.0
5+8	150,000 pieces	3	8	4	3	8	4.6
7	13,000 kgs .	3	8	4	3	8	1.0

ADMINISTRATIVE COOPERATION

1. The competent authorities of Sri Lanka shall issue an export licence in respect of all consignments from Sri Lanka for exports to Norway covered by Annex B. The export licence shall conform to the specimen attached as Annex D. The export licence shall certify that the products in question are of Sri Lanka origin, and that the quantity of the product in question has been set off against the quantitative limit prescribed for that category.
2. The export licences and certificates of origin referred to above shall be issued by the Ministry of Textile Industries in Sri Lanka.
3. Each export licence or certificate of origin shall cover only one of the categories of products listed in Annex A to this Agreement.
4. Exports shall be set off against the quantitative limits established for the year in which shipment of the goods has been effected.
5. The presentation of an export licence, 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 licence have been shipped.
6. Importation into Norway of textile products subject to quantitative limits shall be subject to the presentation of appropriate import documents.
The competent Norwegian authorities shall issue such import documents automatically within ten working days of the presentation by the importer of the original of the corresponding export licence.
7. The competent Norwegian authorities must be notified forthwith of the withdrawal or alteration of any export licence already issued.
The competent Norwegian authorities shall cancel the already issued import documents if the corresponding export licence has been withdrawn.

However, if the competent Norwegian authorities have not been notified about the withdrawal or cancellation of the export licence 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 Sri Lanka shall be informed as soon as possible.

8. If the competent Norwegian authorities find that the total quantities covered by export certificates issued by Sri Lanka 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 documents. In this event, the competent Norwegian authorities shall immediately inform the authorities of Sri Lanka and the special consultation procedure set out in Article 14 of the Agreement shall be initiated forthwith.
9. Exports of Sri Lanka origin not covered by export licences or certificates of origin issued by Sri Lanka in accordance with the provisions of this Annex may be refused the issue of appropriate import documents by the competent Norwegian authorities.
10. The export licence or the certificate of Sri Lanka 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 purpose of export to Norway in accordance with the arrangements established by this Agreement.
11. Each export licence or certificate of Sri Lanka origin shall bear a serial number, by which it can be identified.
The export licence shall also contain the name and address of manufacturer, if different from exporter.

12. In the event of theft, loss or destruction of an export licence or a certificate of Sri Lanka 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 or licence so issued shall bear the endorsement "duplicate".

The duplicate must bear the date of the original export licence or certificate of Sri Lanka origin.

13. Sri Lanka shall send the Norwegian Ministry of Trade and Shipping the names and addresses of the governmental authorities competent for the issue and verification of export licences and certificates of Sri Lanka origin together with specimens of the stamps used by these authorities.

Sri Lanka shall also notify the Ministry any change in this information.

1. Exporter (name, full address, country)	ORIGINAL 2. No.	
3. Consignee (name, full address, country) in Norway	SRI LANKA-NORWAY TEXTILE AGREEMENT EXPORT LICENCE (TEXTILE PRODUCTS)	
6. Place and date of shipment—Means of transport	4. Quota period	5. Category number
	7. Country of origin	8. Country of destination
	9. Supplementary details	
10. Marks and Numbers—Number and kind of packages— DESCRIPTION OF GOODS	11. Quantity or Weight	12. FOB value
13. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above are originating in Sri Lanka in accordance with provisions in force in Norway and these goods have been charged against the quantitative limit established for the quota period shown in box No. 4 in respect of the category shown in box No. 5 by the provisions regulating trade in textile products with Norway.		
14. Competent Authority (name, full address, country)	At.....ON..... (Signature) (Stamp)	