

GENERAL AGREEMENT ON

RESTRICTED

COM.TEX/SB/1476*

20 June 1989

Special Distribution

TARIFFS AND TRADE

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4

Agreement between Norway and Romania

The Textiles Surveillance Body received a notification from Norway of a bilateral agreement initialled with Romania and in de facto application from 1 January 1988 to 31 December 1991.¹

The TSB, pursuant to its procedures regarding bilateral agreements concluded under Article 4,² has examined the relevant documentation and is forwarding the text³ of the notification to participating countries for their information.

¹The previous bilateral agreement between the parties is contained in COM.TEX/SB/1077.

²See COM.TEX/SB/35, Annex B

³For the TSB's observations on this notification see COM.TEX/SB/1485

* English only/Anglais seulement/Inglés solamente

AGREEMENT BETWEEN

THE GOVERNMENT OF THE KINGDOM OF NORWAY

AND

THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA

RELATING TO THE EXPORTS FROM THE SOCIALIST REPUBLIC OF ROMANIA 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 the Socialist Republic of Romania regarding the exports of certain textile products from the Socialist Republic of Romania 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 July 1986, bearing in mind particularly the provisions of Article 1:2, Article 1:6 and Article 4 of the MFA as well as Romania's status as a developing country.

Coverage

3. These arrangements apply to the exports of the Socialist Republic of Romania to Norway of the textile

products listed in Annex A to this Agreement when these are made of cotton, wool, man-made fibres or blends 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

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 the competent Norwegian and Romanian authorities on the classification of products covered by this Agreement, consultations as provided for in Article 15 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 the Socialist Republic of Romania 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, in conformity with the provisions of this Agreement.

Levels

6. For products listed in Annex B to this Agreement, the Socialist Republic of Romania shall for each period during the term of this Agreement limit its exports to Norway up to the levels set out in Annex B.

Flexibility provisions

7. (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 the Socialist Republic of Romania may after prior notification to the Government of Norway during the subsequent twelve months period approve the exports 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 the Socialist Republic of Romania may, after prior notification to the Government of Norway, approve the exports of amounts in excess of the levels specified in Annex B of 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 the Socialist Republic of Romania 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 the Socialist Republic of Romania may, after prior notification to the Government of Norway approve the exports 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).

Textile products without specific levels.

8. When imports of a product not subject to specific levels have reached a level corresponding to at least 1.5% of the preceding calendar year's total imports into Norway of that product and the imports cause or threaten to cause market disruption as defined in Annex A of the MFA, the Norwegian Government may request consultations in order to establish a restraint level for the product concerned.

Pending a mutually acceptable solution through these consultations, the Norwegian Government may fix a quantitative limit at least at the volume reached by imports of the product in question in the twelve-months period preceding the request for consultation, and the annual growth rate in such a case shall not be less than 2%.

Administration

9. Exports from the Socialist Republic of Romania to Norway of textile products listed in Annex B shall be subject to a double-checking system by the Romanian and Norwegian authorities, as specified in Annex C of the Agreement.

Circumvention

10. The Government of Norway and the Government of the Socialist Republic of Romania agree to cooperate 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 Romanian 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 15 of this Agreement, with a view to agree on an appropriate solution.

If the parties fail to reach a mutually satisfactory solution within a period of 51 days from the date when the request for consultations was received, the Norwegian authorities may, if solid evidence of circumvention has been provided and pending the outcome of the consultations, carry out an appropriate adjustment of the specific levels for the products concerned, for the current or the following calendar year.

Seasonal fluctuations

11. The Government of the Socialist Republic of Romania will endeavour to ensure by way of issuing export licences that exports of textile products covered by this Agreement and subject to specific levels are spaced out as evenly as possible each calendar year, however taking into consideration possible concentration of exports attributable to normal seasonal factors.

Rules of origin

12. 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. Any changes in these rules shall be notified to the Romanian authorities.

Re-exports

13. Exports from the Socialist Republic of Romania to Norway of textile products covered by this Agreement shall not be subject to specific levels 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 the Socialist Republic of Romania against a specific level established in Annex B have been subsequently re-exported outside Norway, the Norwegian

Government shall notify the Government of the Socialist Republic of Romania of the quantities involved. Upon receipt of such notification, the Government of the Socialist Republic of Romania may authorize for the current calendar year exports 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

14. For all products covered by Annex B of this Agreement

- the Government of the Socialist Republic of Romania undertakes to provide the Government of Norway with quarterly statistics of all export licences issued by the authorities for each category for the current agreement year.

For all products covered by this Agreement

- the Government of Norway will provide the Government of the Socialist Republic of Romania with quarterly statistics of total imports and licenses issued for imports from Romania of all categories covered by this Agreement.

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

Consultations

15. The Government of Norway and the Government of the Socialist Republic of Romania 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 21 days at the latest from when the request was received, 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

16. Both parties reserve their rights under the MFA with respect to textile products not covered by this Agreement.

Reintroduction of restraints

17. It is agreed by the Government of Norway that if restraint levels were introduced under the provisions of Article 15 of this Agreement for any category or categories of products that were subject to quantitative limits in the Agreement of October 1984, 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.

General

18. The present Agreement shall provisionally enter into force from 1 January 1988, until 31 December 1991.

19. 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 15.

Either party may at any time renounce 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.

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

Done in two originals in *Bucharest* on *October 12* in *1988* the English language, both texts being equally authentic.

For the Government of the
Kingdom of Norway

For the Government of the
Socialist Republic of
Romania

PRODUCT CATEGORIES COVERED BY THE AGREEMENT

Category

<u>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, night wear 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 rubberised:
- Pull-overs, sweaters, jumpers, cardigans and jackets.
7. Kgs Bed linen
8. Pieces Outer garments of woven material, women's, girls, :
- Blouses, shirts and the like

Any changes in the classification shall be notified to the Romanian authorities and shall not have the effect of reducing any quantitative limit established in Annex B.

ANNEX B							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
Cat. No	Restraint level	Annual Growth Rate	Carry-over	Carry-forward	Swing	Total Flexibility	Conversion Factor
	1 Jan - 31 Dec 1988	Percentages	Percentages	Percentages	Percentages	Percentages	Unit pr.kg.
1	28000	1	8	5	2,5	8	1
2	28000	1	8	5	2,5	8	1,5
3+4+6	365000	1,5	8	5	2,5	8	3,25
5+8	21750	1,5	8	5	2,5	8	4
7	12500	1	8	5	2,5	8	1

Footnote

The conversion factor for category 7 cannot be applied for swing towards readymade articles i.e. categories 1,2,3+4+6,5+8 or vice versa.

ANNEX C

ADMINISTRATIVE COOPERATION

1. Products originating in the Socialist Republic of Romania for export to Norway in accordance with the arrangements established by this Agreement shall be accompanied by a certificate of Romanian origin conforming to the specimen attached as Annex D, including full description of the goods.

The certificate of Romanian origin shall be issued by the Ministry of Light Industry of the Socialist Republic of Romania.

2. The competent authorities of the Socialist Republic of Romania shall issue export licences in respect of consignments from the Socialist Republic of Romania for exports to Norway of products covered by Annex B. The export licences shall conform to the specimen attached as Annex E.

3. For products covered by Annex B, the authorities of the Socialist Republic of Romania shall issue export licences up to the restraint levels agreed through this Agreement. The export licence must certify that the quantity of the product in question has been set off against the restraint level prescribed for the category of the product in question.

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

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

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

7. Importation into Norway of textile products subject to restraint levels 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.

8. 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 restraint level for the category and period in question, and the authorities of the Socialist Republic of Romania shall be informed as soon as possible after the receipt of the notification on the withdrawal of the export licence.

9. If the competent Norwegian authorities find that the total quantities covered by export certificates issued by the authorities of the Socialist Republic of Romania for a particular category in any period exceed the restraint level 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 the Socialist Republic of Romania and the special consultation procedure set out in Article 15 of the Agreement shall be initiated forthwith.

10. For exports of products of Romanian origin listed in Annex B not covered by export licences issued by the authorities of the Socialist Republic of Romania in accordance with the provisions of this Annex, the issue of appropriate import documents may be refused by the competent Norwegian authorities.

11. The export licence and the certificate of Romanian 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.

12. Each export licence and certificate of Romanian origin shall bear a serial number, by which it can be identified.

The export licence shall also contain the following information:

- a. Country of destination.
- b. Country of origin.
- c. Name and address of exporter (and if possible manufacturer).
- d. Name and address of importer.
- e. Full description of the goods, including if possible tariff classification numbers, both in the system of the exporting country 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. Expected place and date of shipment - means of transport.

13. In the event of theft, loss or destruction of an export licence of Romanian 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 or 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 Romanian origin.

14. The Romanian Ministry of Foreign Trade and International Economic Cooperation shall send the Norwegian Ministry of Foreign Affairs the names and addresses of the governmental authorities or other bodies competent for the issue and verification of export licences and certificates of Romanian origin together with specimens of the stamps used by them. The Romanian Ministry of Foreign Trade and International Economic Cooperation shall also notify the Norwegian Ministry of Foreign Affairs of any change in this information.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL		2 No
	3 Quota year Année contingents	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	CERTIFICATE OF ORIGIN (Textile products)		
	CERTIFICAT D'ORIGINE (Produits textiles)		
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
	9 Supplementary details Données supplémentaires		
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES		11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITE COMPETENTE			Norway
I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the country			
Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case No 6, conformément aux dispositions en vigueur en Norvège			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At - A _____ on - le _____	

The net weight (11) and also quantity, if the unit measures for category where other than net weight - but in pounds and (12) shall not be quantity does exceed gross weight for the category of the currency of the sale contract - Dans la mesure de contrat de vente

11 11

Show net weight (kg) and site seriality in the unit prescribed for category where other than net weight - Indiquer le poids net (kg) ainsi que la numérotation dans l'unité prescrite pour la catégorie où l'unité n'est pas le poids net.
 In the country of the 1st contract - Dans le pays de la première convention

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL	2 No
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	3 Quota year Année contingente	4 Category number Numéro de catégorie
		EXPORT LICENCE (Textile products) <hr/> LICENCE D'EXPORTATION (Produits textiles)
8 Place and date of shipment - Means of transport Lieu et date d'embarquement - Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
	9 Supplementary details Détails supplémentaires	
10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS Marques et numéros - Nombre et nature des colis - DESIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)
13 CERTIFICATION BY THE COMPETENT AUTHORITY - VISA DE L'AUTORITE COMPETENTE I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Economic Community. Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case No 3 pour la catégorie désignée dans la case No 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté Economique Européenne.		
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At - A _____, on - le _____	

MEMORANDUM OF UNDERSTANDING

Representatives of the Government of Norway and the Government of Socialist Republic of Romania have held negotiations on the conclusion of an agreement on trade in textiles. As a result of these negotiations the Parties concluded an Agreement today. Moreover, the following understanding was reached:

If the Government of the Socialist Republic of Romania considers that as a result of the Agreement, Romania is being placed in an inequitable position vis à vis a third country, Romania may request consultations with a view to agreeing on remedial action, including an appropriate modification of the Agreement.

If exports of textile products without restraint levels from Romania come to exceed the trigger level referred to in Article 8 of the Agreement as a result of a decrease in total Norwegian imports of the products concerned, the Norwegian Government will not invoke Article 8 towards imports from the Socialist Republic of Romania.

If Norwegian and Romanian producers enter into outward processing deals, the competent Norwegian authorities will give a benevolent consideration to the Romanian request to the effect that re-imports into Norway of products covered by the Agreement which have been temporarily exported by Norway and subsequently processed in Romania should not be subject to restraint levels established in Annex B.

They also agreed that imports into Norway of Romanian cottage industry garments and other articles obtained manually and traditional folklore handicraft products shall not be subject to specific levels established by the Agreement, provided that these products are accompanied at the point of entry into Norway by a certificate issued by the Ministry of Foreign Trade and International Economic Cooperation of Romania in accordance with the specimen annexed to this Memorandum of Understanding.

This Memorandum of Understanding will form an integral part of the above mentioned Agreement.

Done in two originals in *Bucharest* on *October 12. 1988* in the English language, both texts being equally authentic.

For the Government of the
Kingdom of Norway

For the Government of the
Socialist Republic of
Romania

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	ORIGINAL		2 No
3 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	CERTIFICATE in regard to HANDLOOMS, TEXTILE HANDICRAFTS and TRADITIONAL TEXTILE PRODUCTS, OF THE COTTAGE INDUSTRY , issued in conformity with and under the conditions regulating trade in textile products with the European Economic Community CERTIFICAT relatif aux TISSUS TISSÉS SUR MÉTIERS À MAIN, aux PRODUITS TEXTILES FAITS À LA MAIN, et aux PRODUITS TEXTILES RELEVANT DU FOLKLORE TRADITIONNEL, DE FABRICATION ARTISANALE , délivré en conformité avec et sous les conditions régissant les échanges de produits textiles avec la Communauté Economique Européenne		
	4 Country of origin Pays d'origine	5 Country of destination Pays de destination	
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	7 Supplementary details Données supplémentaires		
8 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DESIGNATION DES MARCHANDISES	9 Quantity Quantité	10 FOB Value (1) Valeur FOB (1)	
11 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITE COMPETENTE I, the undersigned, certify that the consignment described above includes only the following textile products of the cottage industry of the country shown in box No. 4 : a) fabrics woven on looms operated solely by hand or foot (handlooms) (2) b) garments or other textile articles obtained manually from the fabrics described under a) and sewn solely by hand without the aid of any machine (handicrafts) (2) c) traditional folklore handicraft textile products made by hand, as defined in the list agreed between the European Economic Community and the country shown in box No. 4 Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement les produits textiles suivants relevant de la fabrication artisanale du pays figurant dans la case No. 4 : a) tissus tissés sur des métiers actionnés à la main ou au pied (handlooms) (2) b) vêtements ou autres articles textiles obtenus manuellement à partir de tissus décrits sous a) et cousus uniquement à la main sans l'aide d'une machine (handicrafts) (2) c) produits textiles relevant du folklore traditionnel fabriqués à la main, comme définis dans la liste convenue entre la Communauté Economique Européenne et le pays indiqué dans la case No 4.			
12 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)	At — A _____, on — le _____ <div style="display: flex; justify-content: space-between;"> (Signature) (Stamp — Cachet) </div>		

(1) In the currency of the sale contract — Dans la monnaie du contrat de vente
 (2) Where appropriate — Biffer la (les) mention(s) mutue(s)