

GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/1856*
23 July 1993

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Articles 7 and 8

Extension and modification of the bilateral agreement between Canada and Vietnam

The Textiles Surveillance Body received a notification from Canada of an extension and modification of its agreement with Vietnam for the period 1 January 1993 to 31 December 1994.

This notification, made pursuant to a request made by the Textiles Committee that agreements concluded with non-participants be notified, is being forwarded to participating countries for their information.

¹The bilateral agreement and a previous extension are contained in COM.TEX/SB/1240 and 1767.

* English only/Anglais seulement/Inglés solamente

Canada-Vietnam Textile Products Consultations

Agreed Record of Discussions

1. Delegations representing the Government of Canada and the Socialist Republic of Vietnam met on 9, 10, 12 and 13 November 1992, in Ottawa, to discuss the continuation of the Memorandum of Understanding between the Government of Canada and the Government of the Socialist Republic of Vietnam relating to the export from Vietnam of certain textile products for import into Canada ("the MOU") beyond its current expiry date of 31 December 1992 and to discuss the conversion of the MOU to an arrangement based on the Harmonized System ("the HS").

2. They agreed to continue the MOU a further two years, commencing 1 January 1993 and ending on 31 December 1994. They agreed to present to their respective authorities the attached provisions, mutually agreed upon, for their approval.

3. The two delegations undertook to communicate their authorities' decision by 31 December 1992.

For the Government of Canada

Vietnam

For the Government of the
Socialist Republic of

Ottawa, Canada
13 November 1992

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For the Government of the
Socialist Republic of Vietnam

For the Government of
Canada

Ottawa, Canada
13 November 1992

Canada-Vietnam Textile Products Consultations
Continuation of the Memorandum of Understanding

1. Effective 1 January 1993, Annexes I and II appended hereto will replace the Annexes I and II currently appended to the MOU, thereby representing the conversion of the structure of restraints on imports of textile products into Canada from Vietnam to one based on the Harmonized System.

2. Effective 1 January 1993:

Paragraph 3 of the MOU will be replaced by the following:

Except as provided for in paragraphs 7c to 7h below, for the calendar year periods commencing 1 January 1993 and ending on 31 December 1994, the Government of the Socialist Republic of Vietnam will restrain its exports to Canada of the textile products enumerated in Annex I to the limits specified in column (C) therein, advanced on an annual basis by the growth rate specified in column (D). Textile products not enumerated in Annex I will not be subject to restraint.

Paragraph 7 of the MOU will be replaced by the following:

7a. The Government of Canada will admit imports of the textile products described in Annex II and subject to a specific quantitative limit in Annex I, provided such imports are covered by a copy of a Vietnamese "Certificate of Origin", endorsed and issued by the proper Vietnamese authorities, containing the following information:

1. Country of destination;
2. Country of origin;
3. Certificate 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 the units as designated in Annex I of the MOU;
8. FOB or CIF value, except for non-commercial consignments;
9. Certification by the Vietnamese Authority that the quantities for textile products subject to quantitative limits have been debited against the agreed restraint level for exports to Canada.
10. Restraint period (year).

7b. In the event any quantity covered by an export certificate is not shipped, or any part of it is returned, regardless of the reason, the Government of the Socialist Republic of Vietnam will notify the Government of Canada of such quantity which may be credited by the Government of the Socialist Republic of Vietnam to the appropriate restraint level.

Swing

7c. Subject to the specific limitations set out in Annex I, and following notification to the Government of Canada, any restraint level may be exceeded by the percentage shown in column (E) provided that an equivalent amount is deducted from any other restraint level in the same group. When any restraint level is exceeded by the application of swing, the Government of Socialist Republic of Vietnam will so indicate in subsequent statistical reports.

7d. For the purpose of implementing the swing provisions in paragraph 7c, the conversion factors shown in column (H) of Annex I will apply.

Carryover/Carry forward

7e. 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. The restraint level for the latter restraint period will be increased within the higher percentage limit set out in column (F) of Annex I.

7f. Following notification to the Government of Canada of the quantities involved, any restraint level may be increased within the lower percentage limit set out in column (F) of Annex I by an amount advanced from the corresponding restraint level for the following restraint period. The restraint level for any such following restraint period will be reduced by a quantity equal to the quantity so advanced.

7g. No carry forward shall be available for application in the final restraint period.

7h. Notwithstanding the foregoing, the carryover, carry forward and swing provisions may be used in any combination only up to the percentage limit set out in column (G) of Annex I.

Paragraph 9 of the MOU will be replaced by the following:

9a. The Government of the Socialist Republic of Vietnam will provide the Government of Canada, directly to the Export and Import Permits Bureau of the Department of External Affairs, with quarterly statistics relating to exports of the textile products listed in Annex I which are licensed for export to Canada.

9b. The Government of Canada will provide the government of the Socialist Republic of Vietnam, directly to the Ministry of Trade, with quarterly statistics relating to imports of textile products listed in Annex I.

ANNEX I - RESTRAINT LEVELSVIETNAMGROUP I

(A) Agreement Item No.	(B) Product Coverage Category	(C) 1993 Restraint Level (NMB) Short Description	(D) Growth	(E) Swing	(F) Carryover/ Carry Forward	(G) Combined Flexibility (E) & (F)	(H) Conversion Factor (m ² /unit)
A	1.0*-14.0*, 16.0*,17.0*	All clothing	1,000,000	6%	5% (3%)		
B	1.0*-12.0* 13.0* 16.0* 17.0*	All clothing, MBWG; Foundation garments; Smock & shop coats; Other garments, MBWG	900,000	6%	7%	5% (3%) 12%	2.0
1/3a	1.0* 3.1* 3.3*	Coats, jackets and rainwear, MBWG; Suits, MB; Jackets and blazers, MB	60,000	4%	7%	5% (3%) 12%	2.8
	3.1* 3.3*	- of which: Suits, MB; Jackets and blazers, MB	10,000	4%	7%	5% (3%) 12%	3.0
2a	2.1*	Winter outerwear, MBWG	30,000	3%	7%	5% (3%) 12%	3.2
3c	3.2*	Ensembles, MB	GL/B				
4a	4.1* 4.2*	Suits and ensembles, WG; Jackets and blazers, WG	GL/B				
4c	4.3* 4.4*	Dresses, WG; Skirts, WG	GL/B				
5a	5.1* 5.2*	Trousers, MB; Trousers, WG;	60,000	4%	7%	5% (3%) 12%	1.8
5c	5.4*	Overalls and coveralls, MBWG	GL/B				
5d	5.5*	Shorts, MBWG	GL/B				
6a	6.0*	Tailored collar shirts, MB	425,000	3%	7%	5% (3%) 12%	1.6
7/8a	7.1* 7.2* 8.1*	Woven shirts and similar articles, MB; Woven blouses and similar articles, WG; k/c Shirts, blouses and similar articles, MBWG	235,000	4%	7%	5% (3%) 12%	1.6
8c	8.2* 8.3*	T-shirts, MBWG; Sweatshirts, MBWG	250,000	4%	7%	5% (3%) 12%	1.6

*Includes all textile fibres

GL/B Group limit, Agreement Item No. B.

(A) Agreement Item No.	(B) Product Coverage Category	(C) 1993 Restraint Level (MMB)	(D) Growth	(E) Swing	(F) Carryover/ Carry Forward	(G) Combined Flexibility (E) & (F)	(H) Conversion Factor (m ² /unit)
8d	8.4* Athletic wear, MBWG	GL/B					
9a	9.1* Underwear, MB; 9.2* Underwear, WG	GL/B					
10a	10.1* Sleepwear, MBWG; 10.2* Bathrobes, MBWG	GL/B					
11a	11.1* Sweaters, MB; 11.2* Sweaters, WG	90,000	4%	7%	5% (3%)	12%	1.2
12a	12.0* Swimwear, MBWG	GL/B					
13	13.0* Foundation garments	GL/B					
16	16.0* Smock and shop coats	GL/B					
17a	17.0* Other garments, MBWG	GL/B					
C	1.0*-12.0* All clothing, C; 14.0* Babies' garments; 17.0* Other garments, C	100,000	6%	7%	5% (3%)	12%	0.8
1b	1.0* Coats, jackets and rainwear, C;	GL/C					
2b	2.2* Winter outerwear, C	20,000	6%		5% (3%)		
3b	3.0* Male casual and fine wear, C	GL/C					
4b	4.0* Female casual and fine wear, C	GL/C					
5b	5.3* Trousers, C 5.4* Overalls and coveralls, C; 5.5* Shorts, C	GL/C					
6b	6.0* Tailored collar shirts, C	GL/C					
7b	7.3* Woven shirts, blouses and similar articles, C;	GL/C					

* Includes all textile fibres
GL/B Group limit, Agreement Item No. B.

(A) Agreement Item No.	(B) Product Coverage Category	(C) 1993 Restraint Level (NMB)	(D) Growth	(E) Swing	(F) Carryover/ Carry Forward	(G) Combined Flexibility (E) & (F)	(H) Conversion Factor (m ² /unit)
8b	8.0*	Athletic wear, k/c shirts, blouses and similar articles, T-shirts and sweatshirts, C	GL/C				
9b	9.3*	Underwear, C;	GL/C				
10b	10.3*	Sleepwear and bathrobes, C	GL/C				
11b	11.3*	Sweaters, C	GL/C				
12b	12.0*	Swimwear, C	GL/C				
14	14.0*	Babies' garments	GL/C				
17b	17.0*	Other garments, C	GL/C				

*Includes all textile fibres

GL/C Group limit, Agreement Item No. C.

**MINISTRY OF TRADE
THE SOCIALIST REPUBLIC OF VIETNAM**

Free translation

26 December 1992

The Ministry of Trade of the Socialist Republic of Vietnam presents its compliments to the Ministry of Foreign Affairs of Canada and has the honour to inform that the Vietnamese competent Authorities have approved the Agreed Record of Discussions signed by the Delegation representing the Government of the Socialist Republic of Vietnam and the Delegation representing the Government of Canada in Ottawa on 13 November 1992 regarding the continuation of the MOU for further two years, commencing 1 January 1993 and ending on 31 December 1994, together with the attached provisions.

The Ministry of Trade of the Socialist Republic of Vietnam avails itself of this opportunity to renew to the Ministry of Foreign Affairs of Canada the assurances of its highest consideration.

Ministry of Foreign Affairs
of Canada
Ottawa