

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

COM.TEX/SB/1250*
30 March 1987

Special Distribution

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification transmitted under Articles 7 and 8

Bilateral Agreement between Norway and China

The Textiles Surveillance Body received a notification under Article 4 from Norway of a bilateral agreement concluded with China for the period 1 January 1986 to 31 December 1988.¹

The TSB decided to forward the text of the notification to participating countries under Articles 7 and 8.

¹ Imports from China were previously subject to global quotas, or bilateral quotas notified by Norway under Article 2:1 (COM.TEX/SB/1007).

² See COM.TEX/SB/1256.

* English only/Anglais seulement/Inglés solamente

AGREEMENT BETWEEN
THE GOVERNMENT OF THE KINGDOM OF NORWAY
AND
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF
CHINA
RELATING TO THE EXPORTS FROM CHINA OF CERTAIN
TEXTILE PRODUCTS FOR IMPORTS INTO NORWAY

Introduction

1. The Delegation of the Kingdom of Norway and the Delegation of the People's Republic of China met in Oslo from May 28 to June 3, 1985, and agreed to enter into the following Agreement between the Government of the Kingdom of Norway and the Government of the People's Republic of China relating to exports of textile products from China to Norway (hereinafter referred to as "the Agreement").

2. Without prejudice to the rights and obligations under the Long Term Trade Agreement between the Government of the Kingdom of Norway and the Government of the People's Republic of China, the conduct of their mutual trade in textile products shall be governed by the provisions of this Agreement, which has been made having regard to the Arrangement Regarding International Trade in Textiles (hereinafter referred to as "the MFA") as extended by the Protocol of 22.12.1981, bearing in mind particularly the provisions of Article 4 of the MFA.

3. This Agreement shall apply for the period of 3 years, from January 1, 1986 to December 31,

1988, unless this is changed by application of the provisions of Articles 15 or 16 of this Agreement.

Coverage

4. This Agreement applies to China's exports to Norway of the textile products listed in Annex A to the 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. For the purpose of classifying textile products in the appropriate category, the definitions set out in Annex A will apply.
6. In case of divergent opinions between China 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 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 China 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.

Any amendment to the Norwegian Customs Tariff, made in accordance with the procedures in force in Norway concerning categories of products covered by the Agreement shall be notified to China by the Norwegian authorities. Such changes, or any decision in Norway relating to the classification of the goods shall not have the effect of reducing any quantitative limit introduced pursuant to this Agreement.

Restraint levels

7. Exports from China to Norway of textile products listed in Annex B to this Agreement shall be subject to a double-checking system of export and import licensing as specified in Annex C

of the Agreement. For these products China shall for each restraint period during the term of this Agreement restrain its exports to Norway to the limits set out in Annex B.

Flexibility provisions

- 8.a) During any restraint period, the limits for the categories set out in Annex B may be exceeded by not more than 2 % (swing), provided that a corresponding reduction is made in one or more of the other restraint limits set out in Annex B. This calculation shall be based on the conversion factors listed in Annex E.
- b) In any restraint period advance use (carry-forward) of a portion of the quantitative limit established for the following restraint period is authorised for each category of products up to 2 per cent of the limit for current period. Amounts delivered in advance shall be deducted from the corresponding quantitative limit established for the following restraint period. Carry-over (of amounts not used during any restraint period) to the corresponding quantitative limit for the following restraint period is authorised up to 4 per cent of the limit for the following restraint period.
- c) Swing and/or carryover and/or carryforward may be

applied after notification to and statistical verification by the Norwegian authorities.

- d) During each restraint period of this Agreement, the additional export quantities resulting from swing, carry over and carry forward taken together shall, for each specific limit, not exceed 4 per cent of the respective agreed limits in Annex B.

Products covered by the Agreement without quantitative limits

9. Imports of textile products covered by this Agreement which are not subject to quantitative limits shall be subject to a dual system of export and import licensing for surveillance purposes only.

Should the Norwegian authorities find that imports of such products from China to Norway have developed in a manner causing or threatening to cause disruptive effects in the Norwegian market, Norway may request consultations in accordance with Article 15 of the Agreement with a view to reaching agreement on an appropriate restraint level for the products concerned. The Norwegian Government undertakes not to make such requests unless actual imports of the products in the category concerned have reached a level corresponding to 0,5 % for category 8, or 1,5 % for the other categories, of the preceding year's total imports into Norway of that category.

The Norwegian authorities shall provide China within 30 days from the date of the request, with detailed factual information justifying the request. Norway shall authorize imports of the products shipped from China before the date of the request.

In the course of consultations Norway and China shall make every effort to avoid measures causing undue hardship to trade.

Any consultations held under these provisions will be approached by both Governments in a spirit of cooperation and with a desire to reconcile the differences between them.

Pending a mutually acceptable solution through these consultations, the Norwegian Government may fix a quantitative limit for the 12 month period starting from the date of the request for consultations at the volume reached by imports of the product in question in the twelve-month period preceding notification.

Circumvention

10. The Government of Norway and the Government of China shall cooperate fully to prevent circumvention of this Agreement.

When evidence shows that there is a case of circumvention of this Agreement, both Parties shall conduct consultations immediately in accordance with Article 15 of this Agreement, so as to decide what appropriate measures should be taken, including the appropriate adjustments of the quantitative limits for the products concerned.

Seasonal fluctuations

11. The Government of China 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.

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. The Norwegian authorities may refuse to admit imports of textile products of Chinese origin covered by this Agreement if these products are imported from another source and/or are not covered by export licences issued by the competent Chinese authorities.

However, if the imports of such products are knowingly allowed into Norway by the competent Norwegian authorities, the quantities involved shall not be set off against the appropriate limits established in Annex B without the consent of China.

Re-exports

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

14. For all products covered by this Agreement the Government of China undertakes to provide promptly the Government of Norway with monthly statistics of all export licences issued by the authorities for each category for the current quota period. These

statistical reports shall also set out

- i the maximum export level for each category for the relevant quota period,
- ii the modified limit if the quota has been modified as provided for in Article 8 of this agreement, and
- iii the rate of utilisation of the quota.

The Government of Norway will provide the Government of China with quarterly statistics of total imports from all sources, quarterly statistics of imports from China, and monthly statistics of licences issued for imports from China of all categories covered by this Agreement.

Both parties undertake to supply promptly any other pertinent statistical information when requested by the other party.

Consultations

15. The Government of Norway and the Government of China agree to consult at the request of either Government, on any question arising in the application of this Agreement, or concerning a possible extension or modification 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 the date 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 60 days at the latest.

Termination clause

16. 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.

General

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

Done at onin two versions in the Norwegian, Chinese and English languages, all the texts being equally authentic. In case of any difference in interpretation, the English one is text of reference.

For the Government of
the Kingdom of Norway

For the Government of
the People's Republic of China

ANNEX A:

Product Categories Covered by the Agreement

Category Number -----	Unit -----	Description -----
	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.
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.
9.	Pairs	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic nor rubberised, except women's stockings, sport stockings and thick woolen socks (known as "ragg-sokker").

10. Pieces Women's and girls' outer garments of woven material:
- Dresses, housecoats, frocks and gowns.
11. Pieces Outer garments of woven material, women's, girls':
- Skirts, including divided skirts.
12. Pieces Costumes, dresses, suits, skirts and trousers, knitted or crocheted (incl. track suits).
13. Kgs. Gloves, mittens and mitts of textile material, not knitted or crocheted.
14. Pieces Outer garments of woven material for infants (defined as for infants of maximum height 110 cm).
15. Pieces Men's, boys', women's and girls' outer garments of woven material:
- Ulsters, overcoats, capes and coats (except those impregnated or coated with oil, varnish rubber, artificial plastic materials and the like).
16. Pieces Under garments, knitted or crocheted:
- Panty hose.
17. Kgs. Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberised.
18. Pieces Night wear, knitted or crocheted.
19. Pairs Gaiters and spats (short or long ones) of textile materials.
20. Pieces Outer garments of woven material: Men's, boys', women's, girls', impregnated or coated with oil, varnish, rubber, artificial plastic materials and the like.
21. Pieces Under garments of woven material, women's and girls' wear (except night wear).
25. Kgs. Table linen.
28. Kgs. Dusters, floor cloths and similar cleaning cloths.

APPENDIX TO ANNEX A

Category

1	61.01.240-.290 61.01.440-.490 61.02.240-.290 ex 61.01.340-.390 ex 61.02.341,-.351,-.361,-.391 ex 61.01.940-.990 ex 61.02.941,-.951,-.961,-.991
2	61.01.540-.590 61.02.640-.690 ex 61.01.340-.390 ex 61.02.341,-.351,-.361,-.391 ex 61.01.940-.990 ex 61.02.941,-.951,-.961,-.991
3	60.04.120-.190 60.05.420-.490 ex 60.04.720-.990
4	60.04.720-.990
5	61.03.150-.190 ex 61.01.940-.990 ex 61.03.900
6	60.05.320-.390 ex 60.05.821-.892
7	62.02.110-.190 60.05.991 ex 60.05.920
8	61.02.540-.590 ex 61.02.941,-.951,-.961,-.991 ex 61.04.250-.290
9	60.03.120-.190 60.03.920,-.949,-.990
10	61.02.342,-.352,-.362,-.392 ex 61.02.941,-.951,-.961,-.991

Category

11	61.02.440-.490
12	60.05.620-.690 60.05.120-.190 ex 60.05.821-.892
13	61.10.010-.029
14	61.02.942,-.952,-.962,-.992
15	61.01.140-.190 61.02.140-.190 ex 61.01.940-.990 ex 61.02.941,-.951,-.961,-.991
16	60.04.620-.690
17	60.02
18	60.04.220-.290
19	64.06.002
20	61.01.080 61.02.080
21	61.04.250-.290
25	62.02.210-.290
28	62.05.100

ANNEX B:

CAT.NO.	UNIT	1986	1987	1988
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1	Pcs.	107,000	107,535	108,073
2	Pcs.	90,000	90,270	90,541
3+4	Pcs.	330,000	331,650	333,30
5	Pcs.	115,000	115,575	116,153
6	Pcs.	92,000	92,460	92,922
7	Kgs.	40,000	40,120	40,240
11	Pcs.	40,000	41,000	42,025
13	Kgs.	26,000	26,390	26,786
18	Pcs.	100,000	102,500	105,063

ANNEX C:

ADMINISTRATIVE COOPERATION

1. The competent authorities of China shall issue an export licence/certificate of origin in respect of all consignments from China for exports to Norway of products covered by Annex A. The export licence/certificate of origin shall conform to the specimen attached as Annex D, and include full and detailed description of the goods.
2. For products covered by Annex B, the authorities of China shall issue export licences/certificates of origin up to the quantitative limits agreed through this Agreement. The export licence/certificate of origin 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 licence/certificate of origin shall cover only one of the categories of products listed in Annex A to this Agreement.
4. Exports of products listed in Annex B shall be set off against the quantitative limits

established for the year in which shipment of the goods has been effected. For the purpose of applying this paragraph, the date of shipment of the goods is considered to be the date of issue of the shipping documents.

5. The presentation of an export licence/certificate of origin, in application of Paragraph 6 below, shall normally 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 an import licence.

The competent Norwegian authorities shall issue such an import licence automatically normally within five working days of the presentation by the importer of the original of the corresponding export licence/certificate of origin.

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

The competent Norwegian authorities shall cancel the already issued import licence if the corresponding export licence/certificate of origin has been withdrawn.

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

8. If the competent Norwegian authorities find that the total quantities covered by export licences/certificates of origin issued by the authorities of China for a particular category in any quota year exceed the quantitative limit established for that category, the said authorities may suspend the further issue of import licences. In this event, the competent Norwegian authorities shall immediately inform the authorities of China and consultations as provided for in Article 15 of the Agreement shall be initiated forthwith.
9. Exports of Chinese origin not covered by export

licences/certificates of origin issued by the authorities of China in accordance with the provisions of this Annex may be refused the issue of appropriate import licences by the competent Norwegian authorities.

10. The export licence/certificate of 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 by this Agreement.

11. Each export licence/certificate of origin shall bear a serial number, by which it can be identified.
12. In the event of theft, loss or destruction of an export licence/certificate of 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 licence/certificate so

1. Exporter (name, full address)	ORIGINAL	2. No.
	3. Agreement year	4. Category number
5. Importer (name, full address)	CHINA - NORWAY TEXTILES AGREEMENT EXPORT LICENCE/CERTIFICATE OF ORIGIN	
	Country of origin: CHINA	Country of destination: 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 originated in China in accordance with the provisions in force in Norway, and (tick the appropriate box)

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.

that the goods described above are classified in the category shown in box no. 4 above and are to be exported to Norway as a product under surveillance, in accordance with the provisions regulating trade in textiles with Norway.

17. Competent authority (name, full address)

At _____ on _____

(Signature)

(Stamp)

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

issued shall bear the endorsement "duplicate".

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

13. The Government of China shall send the Government of Norway the names and addresses of the governmental authorities competent for the issue and verification of export licences/certificates of origin together with specimens of the stamps used by these authorities. The Government of China shall also notify the Government of Norway of any change in this information.

ANNEX E.

CONVERSION FACTORS

(For description of categories see Annex A.)

Category no.	Conversion factor: Units per kg
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1	1,2
2	1,2
3+4	6,5
5	3,0
6	3,0
7	1,0
11	2,7
13	1,0
18	3,5

Beijing, 29 April 1986

Foreign Trade Administration
Ministry of Foreign Economic Relations and Trade
Beijing

Att.: Deputy director Li Guodong

Dear Mr. Li,

With reference to the consultation meetings here in Beijing on 23. - 25. April 1986 between Norwegian and Chinese delegations, I hereby have the honour to convey to you the text of the amendment to the textile agreement on restraint levels for Category 13 as proposed by Mr. Melchior:

"With reference to the Agreement between the government of the Kingdom of Norway and the Government of the People's Republic of China relating to the exports from China of certain textile products for imports into Norway, initialled in Oslo on 3 June 1985, and the consultations between delegations from China and Norway in Beijing on 23. - 25- April 1986, I have the honour to suggest the following amendment to the said agreement. The restraint levels for Category 13, set out in Annex B of the Agreement, shall be amended as follows:

1986: 50 000 kgs
1987: 50 750 kgs
1988: 51 510 kgs

If this understanding is acceptable to the Government of the People's Republic of China, I have the honour to suggest that this letter, together with your letter of reply to that effect, should be regarded as constituting an Agreement between our two Governments."

Looking forward to having your reply, I remain,

Yours sincerely

Olav Berge
Minister - Counsellor

中华人民共和国对外经济贸易部
MINISTRY OF FOREIGN ECONOMIC RELATIONS AND TRADE OF THE
PEOPLE'S REPUBLIC OF CHINA

Mr. Olav Berge
Minister-Counsellor
Royal Norwegian Embassy
Beijing

June 9 1986

Dear Mr. Berge,

I wish to acknowledge the receipt of your letter of April 29, 1986 relating to the proposed amendment to the textile Agreement on restraint level for Category 13.

I have the honour to confirm that the proposed amendment conforms with the understanding of the Chinese Government and agree that your letter and this letter of confirmation shall constitute an amendment to the Agreement between our two Governments.

Accept the renewed assurance of my highest consideration.

Sincerely,



Li Guodong
Deputy Director
Foreign Trade Administration
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