ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4

Bilateral agreement between
Austria and China

Note by the Chairman

Attached is a notification received from Austria of a bilateral agreement concluded with China for the period 1 January 1992 to 31 December 1992, with the possibility of an extension to 31 December 1993.¹

¹The previous bilateral agreement is contained in COM.TEX/SB/1462.

*English only/Anglais seulement/Inglés solamente
Sir,

With reference to Art. 4 of the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES, as extended, I have the honour to transmit herewith a copy of a bilateral "Memorandum of Understanding" between AUSTRIA and the PR of CHINA which was concluded on 4, December 1991 and will come legally into force as soon as published in the Federal Law Gazette.

Yours sincerely,

Johannes POTOCNIK
Minister

Encl.

Mr. Marcello RAFFAELLI
Chairman
T S B
G A T T
Geneva
MEMORANDUM OF UNDERSTANDING RELATING TO TRADE IN CERTAIN TEXTILE PRODUCTS BETWEEN THE PEOPLE'S REPUBLIC OF CHINA AND AUSTRIA

1. This Memorandum of Understanding has been made having regard to the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES done at Geneva on 20 December 1973, and in particular to Article 4 thereof and to the Protocol Extending the ARRANGEMENT, done at Geneva on 31 July 1991.

2. This Memorandum of Understanding (MOU) sets out the arrangement that has been agreed between the People's Republic of China and Austria regarding the exports of certain textile products set out in ANNEX I + II from the People's Republic of China into Austria.

3. (i) Should the Uruguay Round transition arrangement for integration of the textile sector into the GATT not come into force on 1 January, 1993, this MOU will be extended for a second year commencing on 1 January, 1993. However, any such extension of this MOU shall be brought into conformity with any successor to the current Protocol of extension to the MFA if changes are made therein.

(ii) This MOU will cease to have effect from the date the Uruguay Round transition arrangement for integration of the textile sector into the GATT comes into force.

4. Upon presentation of export licenses as per specimen in ANNEX III issued by the competent authorities of the People's Republic of China as put down in ANNEX V within the agreed export limits for exports from the People's Republic of China to Austria and endorsed to the effect that shipment has been debited against the agreed export limits, as indicated in ANNEX I, the competent Austrian authority will issue the corresponding import licenses.
5. According to the export limits set out in ANNEX I, carry-over, carry-forward and swing can be used as follows: carry-over to the corresponding quantitative limit for the following memorandum year of amount not used during any memorandum year is authorized up to 5% of the quantitative limit for the current memorandum year. Carry-forward in any memorandum year is authorized up to 5% of the quantitative limit for the current memorandum year. Carry-forward shall be deducted from the export limit established for the succeeding year. Swing between the categories of ANNEX I may be made up to an amount of 5% of the export limit for the receiving category, provided that a corresponding reduction is applied to the export limit from which the swing is made. The calculation shall be based on the conversion factors set out in ANNEX I.

6. In order to avoid hardship to the trade in the products of category 2 of Annex I and category 2 S of ANNEX II shipments from the People's Republic of China to Austria made on/or before 31 December 1991 will be admitted by Austria without presentation of the relevant documentation, provided that customs clearance in Austria is effected on 1st April 1992 at the latest.

7. In respect of exports of certain textile products from the People's Republic of China to Austria listed in ANNEX II the competent Austrian authorities will, upon presentation of a export certificate issued by the competent Chinese authorities as specified in Annex IV, automatically issue licenses for the import of the said products.

8. The People's Republic of China will provide Austria with statistics of the textile products set out in ANNEX I licensed for export to Austria and debited against the limits set out in ANNEX I on a quarterly basis. China will also provide statistics concerning the products of annex II licensed for export to Austria on a quarterly basis.
9. Austria will provide the People's Republic of China with quarterly statistics of import licenses issued on the basis of export licenses of the People's Republic of China.

10. Austria will inform the People's Republic of China when imports into Austria of the products that have been debited to the agreed export limits are subsequently re-exported from Austria. The People's Republic of China may credit the quantities involved to the export limits set out in ANNEX I.

11. Austria and the People's Republic of China agree to consult at the request of either party, on any matter arising from the implementation of this Memorandum. Any consultations held under this paragraph shall be approached by both parties in a spirit of cooperation and with the object of reconciling any differences between them.

12. Export licenses as set out in para. 4 above shall cease to be valid six months after the date of issue for the purpose of presentation to the competent Austrian authority.

For the Delegation of the People's Republic of China:

HE WEI 12.4.1991

For the Austrian Delegation:

<table>
<thead>
<tr>
<th>Category Number</th>
<th>Austrian HS Number</th>
<th>Product Description</th>
<th>Unit</th>
<th>1992</th>
<th>1993</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>6205 20</td>
<td>woven shirts of man-made fibres or of cotton</td>
<td>pcs.</td>
<td>392.200</td>
<td>growth rate 6%</td>
</tr>
<tr>
<td></td>
<td>6205 30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>a) 6107 11</td>
<td>Knitted Goods: underpants and briefs for men and boys, briefs for women or girls, knitted or crocheted, of cotton</td>
<td>pcs.</td>
<td>9,700.000</td>
<td>growth rate 6%</td>
</tr>
<tr>
<td></td>
<td>6108 21</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) 6109 10</td>
<td>T-shirts, singlets and other vest, knitted or crocheted, of cotton</td>
<td>pcs.</td>
<td>9,800.000</td>
<td>growth rate 6%</td>
</tr>
<tr>
<td>3</td>
<td>ex 6201 92</td>
<td>men's or boy's anoraks (incl. skijackets), wind cheaters, windjackets, other than those of heading no. 6203 and other than down quilted</td>
<td>pcs.</td>
<td>164.300</td>
<td>growth rate 6%</td>
</tr>
<tr>
<td></td>
<td>ex 6201 93</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The conversion factor for swing purposes for 1 kg shall be 3 pcs. of shirts mentioned in cat.1, 6,5 pcs. of T-shirts, singlets and other vests and 17 pcs. of underpants and briefs in cat. 2 and 2,3 pcs. for products mentioned in cat.3.
ANNEX II

List of textiles and textile products subject to surveillance

1 S) Men's or boys', women's or girls' trousers, bib and brace overalls, breeches and shorts of cotton, HS 6203 42 and 6204 62

2 S) Pullovers, jerseys, cardigans, waistcoats and similar articles, knitted or crocheted of wool or fine animal hair, cotton and man-made fibres, HS 6110 10, 6110 20 and 6110 30
## Annex III

<table>
<thead>
<tr>
<th></th>
<th>Original</th>
<th>2 No.</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Exporter (name, full address, country)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 Quota year</td>
<td>4 Category number</td>
</tr>
<tr>
<td>5</td>
<td>Consignee (name, full address, country)</td>
<td></td>
</tr>
</tbody>
</table>

### Export Licence

**Textile products**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Country of origin</td>
<td>7 Country of destination</td>
</tr>
<tr>
<td></td>
<td>CHINA</td>
<td>AUSTRIA</td>
</tr>
</tbody>
</table>

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Place and date of shipment - Means of transport</td>
<td>9 Supplementary details</td>
</tr>
</tbody>
</table>

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS</td>
<td>11 Quantity</td>
</tr>
</tbody>
</table>

### Certification by the Competent Authority

I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year 1974 in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with AUSTRIA.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Competent authority (name, full address, country)</td>
<td>At</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Signature)  
(Stamp)
Annex IV

<table>
<thead>
<tr>
<th>1 Exporter (name, full address, country)</th>
<th>2 No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Shipment year</td>
<td>4 Category number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5 Consignee (name, full address, country)</th>
<th>6 Country of origin</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CHINA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7 Country of destination</th>
<th>8 Place and date of shipment - Means of transport</th>
<th>9 Supplementary details</th>
<th>10 Marks and numbers - Number and kind of packages - DESCRIPTION OF GOODS</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>11 Quantity</th>
<th>12 FOB Value</th>
</tr>
</thead>
</table>

13 CERTIFICATION BY THE COMPETENT AUTHORITY

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 Austria.

14 Competent authority (name, full address, country) At: .................................................. on: ..................................................

(Signature) (Stamp)
ANNEX V

THE LIST OF COMPETENT AUTHORITIES ISSUING
EXPORT LICENCES OF TEXTILES AND TEXTILE PRODUCTS

1. Ministry of Foreign Economic Relations and Trade
2. Beijing Foreign Economic Relations and Trade Commission
3. Tianjin Foreign Trade Bureau
4. Hebei Foreign Economic Relations and Trade Commission
5. Shanxi Foreign Economic Relations and Trade Department
6. Neimenggu Foreign Economic Relations and Trade Department
7. Liaoning Foreign Economic Relations and Trade Bureau
8. Jilin Foreign Economic Relations and Trade Commission
9. Heilongjiang Foreign Economic Relations and Trade Department
10. Shanghai Foreign Economic Relations and Trade Commission
11. Jiangsu Foreign Economic Relations and Trade Commission
12. Zhejiang Foreign Economic Relations and Trade Department
13. Anhui Foreign Economic Relations and Trade Commission
14. Fujian Foreign Economic Relations and Trade Commission
15. Jiangxi Foreign Economic Relations and Trade Department
16. Shandong Foreign Trade Bureau
17. Henan Foreign Economic Relations and Trade Commission
18. Hubei Foreign Economic Relations and Trade Department
19. Hunan Foreign Economic Relations and Trade Commission
20. Guangdong Foreign Economic Relations and Trade Commission
22. Sichuan Foreign Economic Relations and Trade Commission
23. Yunnan Foreign Economic Relations and Trade Department
24. Shaanxi Foreign Economic Relations and Trade Commission
25. Gansu Foreign Economic Relations and Trade Commission
26. Qinghai Foreign Economic Relations and Trade Department
27. Xinjiang Foreign Economic Relations and Trade Department
28. Chongqing Foreign Economic Relations and Trade Commission
29. Wuhan Foreign Economic Relations and Trade Commission
30. Dalian Foreign Economic Relations and Trade Commission
31. Shenyang Foreign Economic Relations and Trade Commission
32. Harbin Foreign Economic Relations and Trade Commission
33. Guangzhou Foreign Economic Relations and Trade Commission
34. Xian Foreign Economic Relations and Trade Commission