

GENERAL AGREEMENT ON

CONFIDENTIAL

TEX.SB/1585*

12 July 1989

TARIFFS AND TRADE

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4

Bilateral Agreement between Austria and Thailand

Note by the Chairman

Attached is a notification received from Austria of a bilateral agreement concluded with Thailand for the period 1 May 1989 to 31 December 1991.

* English only/Anglais seulement/Inglés solamente

TS/140-4

989

**PERMANENT DELEGATION
OF AUSTRIA TO THE GATT**

9-11 rue de Varembe
1211 GENEVA 20

No 766-G/89

Geneva, 29 June 1989

Sir,

With reference to Article 4:4 of the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES as extended I have the honour to transmit to you a MEMORANDUM OF UNDERSTANDING between Austria and Thailand regarding Thailand's exports of certain textile products to Austria.

This Memorandum has been published in the Federal Law Gazette No 229 of 19 May 1989.

As far as growth rate and swing are concerned I should like to refer to paragraphs 2 and 5 in Annex B of the ARRANGEMENT.

I have asked my authorities for additional information concerning reference levels, which will be forwarded to you as received.

Accept, Sir, the assurances of my highest consideration.

Encl.

Mr. Marcelo RAFFAELLI
Chairman

T S B / GATT
G e n e v a

TS/140-4	
REC 30 JUN 1989	
FOR	
CHARGE	
T.B.B.	
OPER. DEPT. A	
OPER. DEPT. B	

Johannes Potocnik
(Johannes Potocnik)
Minister

MEMORANDUM OF UNDERSTANDING

1. This Memorandum of Understanding, reached during the consultations held in Bangkok on February 13-17, 1989 between the representatives of the Austrian Government headed by Mr. Josef Mayer, Director, Federal Ministry for Economic Affairs, and the Royal Thai Government headed by Mrs. Oranuj Osatananda, Director-General, Department of Foreign Trade, sets out the arrangements regarding Thailand's exports of certain textile products to Austria.
2. These arrangements have been made having regard to the Arrangement Regarding International Trade in Textiles as extended by the Protocol dated 31 July, 1986 and in particular the Article 4 of the Arrangement.
3. These arrangements shall apply to Thailand's exports to Austria of the textile products set out in Annex A and B to this Memorandum.
4. These arrangements shall apply for the period 1st May 1989 to 31st December 1991.
5. Thailand shall restrict exports of the products set out in Annex A to the limits as specified in this Annex.

6. For the purpose of these arrangements, Austria shall admit imports of the textile products of Thailand origin set out in Annex A only when such imports are covered by export certificates issued by the competent Thai authorities and endorsed to the effect that the consignments concerned have been debited to the agreed limits. A specimen of this export certificate is attached as Annex C.
7. The export limits as indicated in Annex A may, after notification, be exceeded by a carryforward and/or carryover of 11 percent of which carryforward shall not represent more than 6 percent.
8. The limit set out in Annex A may, after notification, be increased during the relevant restraint period by up to 5 percent provided that a corresponding reduction is applied to the limit for other products during the same restraint period. For the purpose of calculating such corresponding reduction, the conversion factors listed in Annex A shall apply.
9. Austria shall furthermore admit imports of the textile products of Thailand origin as set out in Annex B when such imports are accompanied by a certificate of origin as attached in Annex D.

10. In order to avoid hardship to the trade in the products listed in Annex A and B (except products covered by textile agreement between Thailand and Austria concluded on 29th April 1982 extended and modified by exchange of notes of 26th March 1984 and 16th October 1986) shipments from Thailand to Austria will be admitted by Austria without export certificates or certificates of origin, where appropriate, provided that these shipments are made prior to 1st May 1989 and are cleared by customs 1st August 1989 the latest.
11. As to the products in category 7 of Annex B both sides agreed that a trigger-level shall be established at 236,000 pieces. The Thai government undertakes to notify the Austrian government when the number of certificates of origin covering these products reach this level.

The Austrian government may, within two weeks of the receipt of the notification, request for consultation and the Thai government shall agree to enter into such consultation within four weeks from the date of the receipt of the request.

Pending a satisfactory solution to the problem the Thai government shall limit its exports to Austria to 25 percent of the said trigger-level. Any amount exported under this provision shall be debited against the restraint level established in these consultations.

12. Export documents as set out in paragraphs 6 and 9 above shall cease to be valid six months after the date of issue for the purpose of presentation to the competent Austrian authorities.
13. Thailand will provide Austria with statistics of the textile products set out in Annex A and B on a quarterly basis.
14. Austria will provide Thailand with quarterly statistics of import licences issued on the basis of the relevant documentation of Thailand.
15. Thailand and Austria agreed to consult at the request of either party, or on any matter arising from the implementation of this agreement. 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.

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16. This Memorandum of Understanding replaces the textile agreement concluded between Thailand and Austria as mentioned in paragraph 10 above.

Done in Bangkok, on 17 February, 1989.

Mr. Josef Mayer
Leader of the
Austrian Delegation

Mrs. Oranuj Osatananda
Leader of the
Thai Delegation

ANNEX A

PRODUCTS UNDER QUANTITATIVE LIMITS

<u>PRODUCT DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITATIVE LIMITS</u>			<u>CONVERSION FACTORS</u>
		<u>1 MAY 1989-31 DEC 1989</u>	<u>JAN-DEC 1990</u>	<u>JAN-DEC 1991</u>	
1. TROUSERS, BIB AND BRACE OVERALLS, BREECHES AND SHORTS OF COTTON MEN'S AND BOY'S WEAR, WOMEN'S AND GIRLS' WEAR (HS 6203.42, HS 6204.62)	PCS	300,000	465,750	482,051	1.76 PCS/KG
2. PULLOVERS AND SIMILAR ARTICLES KNITTED OR CROCHETED OF COTTON OR MAN-MADE FIBRES (HS 6110.20, HS 6110.30)	TONS	280	434.7	449.9	4.53 PCS/KG

ANNEX B

<u>Product Description</u>	<u>HS Code</u>
3. Knitted or crocheted track suits of cotton and/or synthetic fibres	6112.11, 6112.12
4. Woven blouses of cotton and/or man-made fibres, women's and girls' wear	6206.30, 6206.40
5. Woven shirts of cotton and/or man-made fibres	6205.20, 6205.30
6. Woven dresses, skirts and divided skirts of cotton and/or synthetic fibres	6204.42, 6204.43 6204.52, 6204.53
7. Woven coats of cotton and/or of man made fibres including anoraks and windjackets women's and girls' wear; jackets of cotton and/or synthetic fibres	6202.12, 6202.13 6202.92, 6202.93 6204.32, 6204.33
8. Trousers, bib and brace overalls, breeches and shorts of synthetic fibres men's and boy's wear, women's and girls' wear	6203.43, 6204.63