

GENERAL AGREEMENT ON

CONFIDENTIAL

TEX.SB/2003*

2 April 1993

TARIFFS AND TRADE

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

Note by the Chairman

Attached is a notification received from Canada of an extension and modification of its agreement with Vietnam for the period 1 January 1993 to 31 December 1994.¹

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

*English only/Anglais seulement/Inglés solamente

The Permanent Mission of Canada
to the United Nations



2

La Mission Permanente du Canada
aupres des Nations Unies

23 March, 1993

37-10-3-3-OTHERS

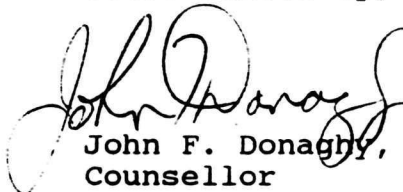
Ambassador Marcelo Raffaelli
Chairman
Textiles Surveillance Body
General Agreement on Tariffs and Trade
154 rue de Lausanne
1211 Genève
SUISSE

Dear Ambassador Raffaelli:

Pursuant to Articles 7 and 8 of the Arrangement Regarding International Trade in Textiles (MFA), done at Geneva on 20 December 1973, and to its 1986, 1991 and 1992 Protocols of Extension and Maintenance in Force, I have the honour to inform you that the existing Memorandum of Understanding (MOU) between the Governments of Canada and the Socialist Republic of Vietnam has been extended and modified. The relevant exchange of diplomatic notes is enclosed.

The changes made to the MOU include the extension of its term of validity through the end of 1994 and the introduction of a new HS based categorization system of the sort now characteristic of all of Canada's bilateral textile and clothing agreements. In addition, there are agreed modifications to the MOU's flexibility provisions.

Yours sincerely,


John F. Donaghy,
Counsellor

Tsf

AD

DATE RECEIVED	1992	DATE RECEIVED	December 20, 1992
JAN 14 1993			
PNR			

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 13th. November 1992 regarding the continuation of the MOU for a further two years, commencing January 1, 1993 and ending on December 31, 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

O T T A W A

East Asia Trade Division (EACI)	
CHIEF	INITIALS
DIRECTOR	
JAN 13 1993	
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**BỘ THƯƠNG MẠI**

NƯỚC CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Hà-Nội, Ngày 20 tháng 12 năm 1992

Bộ Thương mại Cộng hoà xã hội chủ nghĩa Việt nam gửi tới Bộ Ngoại giao Canada lời chào trân trọng và hân hạnh thông báo là : các cơ quan thẩm quyền của Việt nam đã phê duyệt Biên bản thoả thuận ký giữa Đoàn đại diện cho Chính phủ Việt nam và Đoàn đại diện cho Chính phủ Canada tại OTTAWA ngày 13 tháng 11 năm 1992 về việc tiếp tục thực hiện "Bản Ghi nhớ giữa Chính phủ Cộng hoà xã hội chủ nghĩa Việt nam và Chính phủ Canada liên quan đến việc xuất khẩu một số sản phẩm hàng dệt nhất định từ Việt nam vào Canada" (MOU) thêm 2 năm nữa, bắt đầu từ ngày 1 tháng 1 năm 1993 đến 31 tháng 12 năm 1994 cùng các điều kiện ghi trong Biên bản thoả thuận này.

Nhân dịp này, Bộ Thương mại Cộng hoà xã hội chủ nghĩa Việt nam, một lần nữa, xin gửi tới Bộ Ngoại giao Canada lời chào kính trọng nhất.

Kính gửi :
Bộ Ngoại giao Canada
O T T A W A



Canada-Vietnam Textile Products Consultations

Agreed Record of Discussions

1. Delegations representing the Government of Canada and the Socialist Republic of Vietnam met on November 9, 10, 12 and 13, 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 December 31, 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 January 1, 1993, and ending on December 31, 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 December 31, 1992.



for the Government of
Canada



for the Government of
the Socialist Republic
of Vietnam

Ottawa, Canada
November 13, 1992

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for the Government of
the Socialist Republic
of Vietnam



for the Government of
Canada

Ottawa, Canada
November 13, 1992

Canada-Vietnam Textile Products Consultations

Continuation of the Memorandum of Understanding

1. Effective January 1, 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 January 1, 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 January 1, 1993, and ending on December 31, 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. F.O.B. or C.I.F. value, except for non-commercial consignments;

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(2)

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.

Carry-Over/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

.../3



(3)

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 carry-over, 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.



UNCLASSIFIED
NON CLASSIFIED

ANNEX 1 - RESTRAINT LEVELS
VIETNAM
GROUP I

2/14

AMENDED

(A) Agreement Item No.	(B) Product Coverage Category Short Description	(C) 1993 Restraint Level(NMB)	(D) Growth	(E) Swing	(F) Carry-over/ Carry- Forward	(G) Combined Flexibility (E) & (F)	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° All clothing, MBWG; 13.0° Foundation garments; 16.0° Smock & shop coats; 17.0° Other garments, MBWG	900,000	6%	7%	5%(3%)	12%	2.0
1/3a	1.0° Coats, jackets & rainwear, MBWG; 3.1° Suits, MB; 3.3° Jackets & blazers, MB	60,000	4%	7%	5%(3%)	12%	2.8
	- of which: 3.1° Suits, MB; 3.3° Jackets & 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° Suits & ensembles, WG; 4.2° Jackets & blazers, WG	GL/B					
4c	4.3° Dresses, WG; 4.4° Skirts, WG	GL/B					
5a	5.1° Trousers, MB; 5.2° Trousers, WG;	60,000	4%	7%	5%(3%)	12%	1.8
5c	5.4° Overalls & 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° Woven shirts & similar articles, MB; 7.2° Woven blouses & similar articles, WG; 8.1° k/c Shirts, blouses & similar articles, MBWG	235,000	4%	7%	5%(3%)	12%	1.6
8c	8.2° T-shirts, MBWG; 8.3° Sweatshirts, MBWG	250,000	4%	7%	5%(3%)	12%	1.6
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 & shop coats	GL/B					
17a	17.0° Other garments, MBWG	GL/B					

* Includes all textile fibres.

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

UNCLASSIFIED
NON CLASSIFIEANNEX I - RESTRAINT LEVELS
VIETNAM
GROUP I

3/14

AMENDED

(A) Agreement Item No.	(B) Product Coverage		(C) 1993 Restraint Level(NMB)	(D) Growth	(E) Swing	(F) Carry-over/ Carry- Forward	(G) Combined Flexibility (E) & (F)	(H) Conversion Factor (m2/unit)
C	1.0*-12.0* 14.0* 17.0*	All clothing, C; Babies' garments; Other garments, C	100,000	6%	7%	5%(3%)	12%	0.8
1b	1.0*	Coats, jackets & rainwear, C;	GL/C					
2b	2.2*	Winter outerwear, C	20,000	6%		5%(3%)		
3b	3.0*	Male casual & fine wear, C	GL/C					
4b	4.0*	Female casual & fine wear, C	GL/C					
5b	5.3* 5.4* 5.5*	Trousers, C; Overalls & coveralls, C; Shorts, C	GL/C					
6b	6.0*	Tailored collar shirts, C	GL/C					
7b	7.3*	Woven shirts, blouses & similar articles, C;	GL/C					
8b	8.0*	Athletic wear, k/c shirts, blouses & similar articles, T-shirts & sweatshirts, C	GL/C					
9b	9.3*	Underwear, C;	GL/C					
10b	10.3*	Sleepwear & 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.