

# GENERAL AGREEMENT ON TARIFFS AND TRADE

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CONFIDENTIAL

TEX.SB/2038\*

18 January 1994

Textiles Surveillance Body

## 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 an agreement concluded with China for the period 1 January to 31 December 1994, with provision for a further twelve-month extension.<sup>1</sup>

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<sup>1</sup>The previous agreement is contained in COM.TEX/SB/1725.

\*English only/Anglais seulement/Inglés solamente

PERMANENT DELEGATION  
OF AUSTRIA TO THE GATT

9-11 rue de Varembe  
1211 GENEVA 20

Geneva, 10 January 1994

1271

No 4-G/94

Sir,

With reference to Article 4 of the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES, as extended on December 9th, 1992, I have the honour to transmit herewith a copy of a bilateral memorandum of understanding between the Government of the Republic of Austria and the Government of the People's Republic of China, dated November 16, 1993 as well as 5 Annexes and Agreed Minutes. I regret that Annex V (List of competent authorities issuing export licences of textiles and textile products) is not easily readable due to the poor quality of the copy I have received.

Yours Sincerely,

*Johannes Potochnik*

Encl.

Johannes POTOCHNIK  
Deputy Permanent  
Representative

TECH 45/2038  
11 JAN 1994

Mr. Marcello RAFFAELLI  
Chairman  
Textiles Surveillance Body  
G A T T  
G e n e v a

**MEMORANDUM OF UNDERSTANDING RELATING TO TRADE IN CERTAIN  
TEXTILE PRODUCTS BETWEEN THE PEOPLE'S REPUBLIC OF CHINA AND  
AUSTRIA**

Introduction

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, as extended by the Protocols of 31st July, 1986, of 31st July, 1991, and of 9th December, 1992, (the ARRANGEMENT).
2. This Memorandum of Understanding (MOU) sets out the arrangement that has been agreed during consultations which have been held in Vienna on 15th November and on 16th November 1993, between the Delegation of the People's Republic of China headed by Mr. Li Dongsheng, Deputy Director General of the Ministry of Foreign Trade and Economic Cooperation (MOFTEC) and the Delegation of the Republic of Austria headed by Dr. Gerhard Waas, Director General in the Federal Ministry for Economic Affairs, regarding the exports of certain textile products set out in ANNEX I + II, from the People's Republic of China into the Republic of Austria.

Straint Periods:

- (i) The term of this MOU will be the period from January 1st, 1994 through December 31st, 1994.
- (ii) The application of all the provisions of the MOU shall be extended automatically for a period of one more year up to 31st December, 1995, unless either party notifies the other at least six months

before 31st December 1994 that it does not agree with this extension. Any such extension of the MOU shall be brought into conformity with any successor to the current Protocol extending the ARRANGEMENT, if changes are made therein.

Administration:

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 the Republic of 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.

Exchange of statistics, Statistical Surveillance:

6. In respect of exports of certain textile products from the People's Republic of China to the Republic of Austria listed in ANNEX II the competent Austrian authorities will, upon presentation of an export certificate issued by the competent Chinese authorities as specified in Annex IV, automatically issue licenses for the import of the said products.
7. The People's Republic of China will provide the Republic of Austria with statistics of the textile products set out in ANNEX I licensed for the export to Austria and debited against the limits set out in ANNEX I on a quarterly basis. The People's Republic of China will also provide statistics concerning the products of Annex II licensed for the export to the Republic of Austria on a quarterly basis.
8. The Republic of 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.

Re-exports:

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

Consultations:

10. The Republic of 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 MOU. 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.
11. Export licenses as set out in paragraph 4 above shall cease to be valid six months after the date of issue for the purpose of presentation to the competent Austrian authority.

Vienna, November 16th, 1993

For the Austrian  
Delegation:

  
Dr. Gerhard Waas

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

  
Li Dongsheng

Annex I

A Category Number	B Austrian HS Number	C Product Description	D Unit	E Restraint Level	
				1994	1995
1	6205.20	men's or boys'shirts,			
	6205.30	of cotton or of man-			
		made fibres	pcs. 450,000		growth rate 6%
2	a) 6107.11	men's or boys'under-			
	6108.21	pants and briefs,			
		knitted or crocheted,			
		of cotton and women's			
		or girls', briefs and			
		panties, knitted or			
		crocheted, of cotton	pcs. 11.000,000		growth rate 6%
	b) 6109.10	T-shirts, singlets			
		and other vests,			
		knitted or crocheted,			
		of cotton	pcs. 11.050,000		growth rate 6%
3	ex 6201.92	men's or boys' ano-			
	ex 6201.93	raks (including ski-			
		jackets), wind-chea-			
		ters, wind-jackets			
		and similar articles,			
		other than those of			
		heading no. 6203 and			
		other than down			
		quilted, of cotton or			
		of man-made fibres	pcs. 200,000		growth rate 6%

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.

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ANNEX II

LIST OF TEXTILES AND TEXTILE PRODUCTS  
SUBJECT TO SURVEILLANCE

- |              |                                       |
|--------------|---------------------------------------|
| 1 S) 6203.42 | Men's or boys', women's or            |
| 6204.62      | girls' trousers, bib and brace        |
|              | overalls, breeches and shorts of      |
|              | cotton                                |
|              |                                       |
| 2 S) 6110.10 | jerseys, pullovers, cardigans,        |
| 6110.20      | waist-coats and similar articles,     |
| 6110.30      | knitted or crocheted, of wool or fine |
|              | animal hair, of cotton or of man-made |
|              | fibres                                |
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## Annex III

1 Exporter (name, full address, country)	ORIGINAL	2 No.	
	3 Quota year	4 Category number	
5 Consignee (name, full address, country)	<b>EXPORT LICENCE</b> (Textile products)		
	6 Country of origin CHINA	7 Country of destination AUSTRIA	
8 Place and date of shipment — Means of transport	9 Supplementary details		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS	11 Quantity	12 FOB Value	
13 CERTIFICATION BY THE COMPETENT AUTHORITY The undersigned, competent authority, hereby certifies that the goods described in the above-mentioned licence are of the category shown in No. 4 of the licence and that they are eligible for export to Austria.			
14 Signature, full name, full address, country			

1 Exporter (name, full address, country)	ORIGINAL	2 No.
	3 Shipment year	4 Category number
5 Consignee (name, full address, country)	<p style="text-align: center;">EXPORT CERTIFICATE</p> <p style="text-align: center;">(Date product)</p>	
	6 Country of origin CHINA	7 Country of destination AUSTRIA
8 Place and date of shipment — Means of transport	9 Supply market effect	
10 Description of goods — Number and kind of packages — Description of goods	11 Quantity	12 Price Value
13 Signature of the Competent Authority		
14		
15		

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ANNEX V

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

CODE	NAME
0	Quota & Licence Administrative Bureau Ministry of Foreign Trade and Economic Cooperation
1	Beijing Municipal Foreign Economic Relations and Trade Commission
2	Tianjin Municipal Foreign Trade Bureau
3	Hebei Provincial Foreign Economic Relations and Trade Commission
4	<u>Shanxi Provincial Foreign Economic Relations and Trade Bureau</u>
5	Inner Mongolia Autonomous Region Foreign Economic Relations and Trade Department
6	Liaoning Provincial Foreign Trade Bureau
7	Jilin Provincial Foreign Economic Relations and Trade Commission
8	Heilongjiang Provincial Foreign Economic Relations and Trade Department
9	Shanghai Municipal Foreign Economic Relations and Trade Commission
10	Jiangsu Provincial Foreign Economic Relations and Trade Commission
11	Zhejiang Provincial Foreign Economic Relations and Trade Bureau
12	Anhui Provincial Foreign Economic Relations and Trade Commission

3 Fujian Provincial Foreign Economic Relations and Trade Commission

4 Jiangxi Provincial Foreign Economic Relations and Trade Department

5 Shandong Provincial Foreign Economic Relations and  
Trade Commission

6 Henan Provincial Foreign Economic Relations and Trade Commission

7 Hubei Provincial Foreign Economic Relations and Trade Commission

8 Hunan Provincial Foreign Economic Relations and Trade Commission

9 Guangdong Provincial Foreign Economic Relations and Trade Commission

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~~10 Guangxi Autonomous Region Foreign Economic Relations and  
Trade Commission~~

11 Sichuan Provincial Foreign Economic Relations and Trade Commission

12 Yunnan Provincial Foreign Economic Relations and Trade Commission

13 Yunnan Provincial Foreign Economic Relations and Trade Commission

14 Shaanxi Provincial Foreign Economic Relations and Trade Commission

15 Gansu Provincial Foreign Economic Relations and Trade Commission

16 Qinghai Provincial Foreign Economic Relations and Trade Department

17 Ningxia Autonomous Region Foreign Economic Relations and  
Trade Department

18 Xinjiang Autonomous Region Foreign Economic Relations and Trade

## **Trade Department**

- 31 Chongqing Municipal Foreign Economic Relations and Trade Commission
- 32 Wuhan Municipal Foreign Economic Relations and Trade Commission
- 33 Dalian Municipal Foreign Economic Relations and Trade Commission
- 34 Shenyang Municipal Foreign Economic Relations and Trade Commission
- 35 Harbin Municipal Foreign Economic Relations and Trade Commission
- 36 Guangzhou Municipal Foreign Economic Relations and Trade Commission
- 37 Xi'an Municipal Foreign Economic Relations and Trade Commission
- 38 Hainan Provincial Trade Department
- 39 Shenzhen Municipal Trade Development Bureau

AGREED MINUTES

At the request of the Austrian Delegation the Delegation of the People's Republic of China has agreed to enter into consultations with Austria before the end of March 1994 in accordance with the provisions of the MFA on the Austrian request for additional quotas submitted on November 5th 1993 .

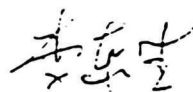
The precise date for the consultations shall be fixed by way of usual diplomatic channels.

Vienna, November 16th 1993

For the Delegation of  
the Republic of Austria:

  
Dr. Gerhard Waas

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



Li Dongsheng