

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

CONFIDENTIAL
TEX.SB/2075*
2 May 1994

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Articles 7 and 8

Bilateral agreement between Norway and Vietnam

Note by the Chairman

Attached is a notification received from Norway of a bilateral agreement concluded with Vietnam for the period 1 January 1994 to 31 December 1995.

This notification has been made pursuant to a request made by the Textiles Committee that agreements concluded with non-participants be notified.

*English only/Anglais seulement/Inglés solamente



ROYAL MINISTRY
OF FOREIGN AFFAIRS

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Inquiries to
Otto Wentzel

Our date
12.04.1994
Your date

Our reference
3687/94 VIII
Your reference

H.E. Ambassador Marcelo Raffaelli,
Chairman
Textiles Surveillance Body,
GATT,
Centre William Rappard,
Rue de Lausanne 154,
CH-1211 GENEVA 21

Dear Mr. Ambassador,

Pursuant to Articles 7 and 8 of the Arrangement regarding International Trade in Textiles as extended, I am pleased to notify the Textiles Surveillance Body of the conclusion of a bilateral textile agreement between the Governments of the Kingdom of Norway and the Socialist Republic of Vietnam, for the period 1 January 1994 to 31 December 1995.

A copy of the Agreement is enclosed.

Yours sincerely,

Otto Wentzel
Head of Division

Enclosure

C.c.: - Permanent Delegation
of Norway, Geneva

A G R E E M E N T**BETWEEN****THE GOVERNMENT OF THE KINGDOM OF NORWAY****AND****THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM****RELATING TO THE EXPORTS FROM****VIETNAM****OF CERTAIN TEXTILE PRODUCTS FOR IMPORT INTO****NORWAY**

Introduction

1. This Agreement sets out the arrangements that have been made between the Government of the Kingdom of Norway and the Government of the Socialist Republic of Vietnam regarding the exports of certain textile products from Vietnam for import into Norway.

Duration

2. This agreement shall apply for the period 1 January 1994 - 31 December 1995.

Coverage

3. These arrangements apply to the exports from Vietnam to Norway of the textile products listed in Annex A to this Agreement when these are made of cotton, wool or man-made fibres or blend thereof.

Classification

4. (a) For the purpose of classifying textile products in the appropriate category, the definitions set out in Annex A will apply.

(b) In case of divergent opinions between the competent authorities of Norway and Vietnam at the point of entry into Norway on the classification of products covered by this Agreement, consultations as provided for in Article 9 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 Vietnam shall be informed by the competent authorities in Norway as soon as a case of divergent opinions on the classification of products arises.

(c) Pending agreement on the appropriate classification and in order to avoid disruption of trade, the products in question may be

cleared for importation on the basis of the classification indicated by the competent authorities of Norway at the point of entry, in conformity with the provisions of this Agreement.

Restraint levels

5. For products listed in Annex B to this Agreement, Vietnam shall for each restraint period during the term of this Agreement restrain the exports from Vietnam to Norway to the limits set out in Annex B or the limits modified as provided for in this Agreement.

Flexibility provisions

6. (a) Carryover. If in any restraint period of this Agreement, levels specified in Annex B of this Agreement for any categories are not fully utilized, the Government of Vietnam may after prior notification to the Government of Norway during the subsequent twelve months period, approve the export of additional amounts equivalent to such shortfalls provided that such exports are in the same categories where the shortfalls occurred and do not exceed the percentages set out under column (d), Annex B, computed on the basis of the levels for the subsequent twelve months period.

(b) Carryforward. During each restraint period, the Government of Vietnam may, after prior notification to the Government of Norway, approve the export of amounts in excess of the levels specified in Annex B to this Agreement up to the percentages set out in Annex B under column (e), computed on the basis of the levels for the current restraint period. Where specific levels have been increased by carryforward, the Government of Vietnam shall inform the Government of Norway of the carryforward quantities and debit these to the corresponding levels which are agreed or may be agreed upon for the subsequent period.

(c) Swing. During each restraint period, the Government of Vietnam may, after prior notification to the Government of Norway approve the export of amounts in excess of the levels specified in Annex B to this Agreement up to the percentages set out in Annex B

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under column (f), computed on the basis of the levels for the current restraint period. Where specific levels have been increased by swing, a corresponding reduction shall be made in one or more of other levels calculated on the basis of the conversion factors listed in Annex B, column (g).

Administration

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

Circumvention

8. The Government of Norway and the Government of Vietnam agree to cooperate fully in dealing with problems relating to circumvention of the arrangements set out in this Agreement.

When information available to the Norwegian authorities indicates that products of Vietnam origin listed in Annex B to this Agreement have been imported into Norway by transshipment, rerouting or otherwise, in circumvention of the arrangements set out in this Agreement, Norway may ask for consultations as provided for in Article 13 of this Agreement, with a view to agree on an appropriate adjustment of the quantitative limits for the products concerned.

Seasonal fluctuations

9. The Government of Vietnam 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

10. 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.

Re-exports

11. Exports from Vietnam 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 certificate certifies that the products concerned are for re-export outside Norway.

Exchange of statistics

12. For all products covered by this Agreement the Government of Vietnam undertakes to provide the Government of Norway with quarterly statistics of all certificates of origin issued by the authorities for each category for the current restraint period.

The Government of Norway will provide the Government of Vietnam with quarterly statistics of licences issued for imports from Vietnam of all categories covered by this Agreement.

Each report shall be transmitted before the end of the second month following the quarter covered by the report.

Consultations

13. The Government of Vietnam and the Government of Norway agree to consult at the request of either Government, on any question regarding 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 the request was made, with a view to arriving at a mutually satisfactory conclusion within a further 30 days.

General

14. Either party may at any time propose modifications to this Agreement. Such proposals shall lead to consultations in accordance with procedures outlined in Article 13.

Either party may at any time terminate this Agreement provided that at least 90 days' notice is given. In that event the Agreement shall come to an end on the expiry of the period of notice, unless otherwise agreed upon.

15. The Annexes (A) to (D) to this Agreement shall be considered integral part thereof.

16. Done at HANOI..... on MARCH 11, 1994

in two originals in the English language.

For the Government of the
Kingdom of Norway



For the Government of the
Socialist Republic of Vietnam




PRODUCT CATEGORIES COVERED BY THE AGREEMENT

Category number	Unit	Description
1.	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 (boys' og girls' with height above 152 cm.).
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 (boys' and girls' with height above 152 cm.).
7.	Kgs.	Bed linen.
70.	Kgs.	Knotted netting, made up fishing nets, other made up nets, and the like.

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ANNEX B

(a)	(b)	(c)	(d)	(e)	(f)	(g)
	Restraint level	Annual Growth rate	Carry- over	Carry- forward	Swing	Conversion factor
Cat. no.	1 Jan. - 31 Dec. 94	Percen- tages	Percen- tages	Percen- tages	Percen- tages	Unit pr. kg.
1	60 000 pcs.	3	10	5	3	1,2
2	170 000 pcs.	3	10	5	3	1,2
7	20 000 kgs.	3	10	5	3	1,0
70	10 000 kgs.	3	10	5	3	1,0

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ANNEX C

ADMINISTRATIVE COOPERATION

1. Products originating in Vietnam for export to Norway in accordance with the arrangements established by this Agreement shall be accompanied by an export licence/certificate of origin conforming to the specimen attached as Annex D, including full and detailed description of the goods.
2. For products covered by Annex B, the authorities of Vietnam shall issue such an export licence/certificate of origin up to the quantitative limits agreed through this Agreement.
3. Each export licence/certificate of origin shall cover only one of the categories or products listed in Annex A to this Agreement. Each export licence/certificate of origin shall specify for which category it has been issued.
4. The competent authorities of Norway shall issue import licence automatically as far as possible within ten working days of the presentation by the importer of the original of the corresponding export licence/certificate of origin.
5. The competent authorities of Vietnam shall notify the competent authorities of Norway forthwith of the withdrawal or alteration of any export licence/certificate of origin already issued.
6. 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 in this Agreement.
7. Each export licence/certificate of origin shall bear a serial number by which it can be identified.
8. In the event of theft, loss or destruction of an export licence/certificate of origin, the exporter may apply to the competent

authority of the Vietnam 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 issued shall bear the endorsement "duplicate". The duplicate must bear the date of the original export licence/certificate of origin.

9. The Government of Vietnam shall send the Royal Ministry of Foreign Affairs of Norway the names and addresses of the authorities competent for the issue and verification of export licence/certificate of origin together with specimens of the stamps used by these authorities. The Government of Vietnam shall also notify the Ministry of any change in this information.

ANNEX D

1. Exporter (name, full address)	ORIGINAL 2. No.:	
	3. Restraint Period	4. Category number
5. Importer (name, full address)	NORWAY - VIETNAM TEXTILES AGREEMENT EXPORT LICENCE/CERTIFICATE OF ORIGIN	
	6. Country of origin VIETNAM	7. Country of destination NORWAY
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 (1) 12. FOB Value (2)		
13. CERTIFICATION BY COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originate in Vietnam in accordance with the provisions in force in Norway, and 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.		
14. Competent authority (name, full address)	At _____ on _____. (Signature) (Stamp)	
(1) In the unit prescribed for the category (2) In the currency of the sales contract 27. 49		