

GENERAL AGREEMENT ON TARIFFS AND TRADE

CONFIDENTIAL

TEX.SB/747*

2 September 1982

Textiles Surveillance Body

ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

Notification under Article 4:4

Bilateral Agreement between Austria and the Philippines

Note by the Chairman

Attached is a notification received from Austria concerning a new bilateral agreement with the Philippines, concluded under Article 4 of the MFA, valid for the period 1 August 1982 to 31 July 1983.

*English only/Anglais seulement

MISSION PERMANENTE DE L'AUTRICHE

AUPRES DE L'OFFICE DES NATIONS UNIES ET
DES INSTITUTIONS SPÉCIALISÉES A GENEVE

No. 684-G/82

Enclosure

For	Action	Comment	Inf.
Cabinet of DG			
Off. Legal Aff.			
Ext. Rel/Info. Div.			
CHAIRMAN TSB	X		
OPER. DEPT. A.			
Non-Tar. M. Div.			
Development Div.			
Tech. Coop. Div.			
Inter-Agency Aff.			
Special Projects			
OPER. DEPT. B.			
Econ. R/Anal. Unit			
Agriculture Div.			
Tariff Div.			
Tech. Ser. T. Div.			
DEPT. CONF. AFF/ADM			
Conference Div.			
Adm/Fin. Div.			
Liaison/Doc. Div.			
Training Div.			

Geneva, 27 August 1982

ANSWERED	DOC. ISSUED	FOUR
EX-53/747		
REG 3 0 AUG 1982		

Sir,

With reference to Article 4, Paragraph 4, of the ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES (hereinafter referred to as the Arrangement) as extended, I have the honour to transmit herewith a copy of a Memorandum of Agreement dated 2 July 1982 between Austria and the Republic of the Philippines by which a bilateral agreement on trade in certain textiles was concluded.

As a result of the consultations between representatives of Austria and the Republic of the Philippines, which took place from 3 to 5 May in Manila and from 30 June to 2 July 1982 in Vienna, Austria and the Philippines reached an understanding to restrict the export of woven blouses and woven shirts of man made fibres or of cotton for a one year term beginning on 1 August 1982 and ending on 31 July 1983.

The export levels for the twelve-month period are as follows:

- | | |
|--|--------------|
| 1) Woven blouses of man made fibres or of cotton | 150.000 pcs |
| 2) Woven shirts of man made fibres or of cotton | 250.000 pcs. |

Mr. M. Raffaelli
Chairman
Textiles Surveillance Body
GATT

./.

G e n e v a

In case of imports of woven slacks, shorts, jeans and trousers of cotton, men's and boys' wear, CCCN No. ex 61.01, into Austria, Austria and the Republic of the Philippines reached agreement to include these products under the consultation provision as set out in Paragraph 8(b) of the above mentioned agreement.

According to Austrian statistics imports of trousers from the Philippines into Austria amounted to 12.580 pieces in 1978, 29.441 pieces in 1979, 42.361 pieces in 1980, and 8.140 pieces in 1981.

The importation of woven blouses of man made fibres or of cotton amounted in 1980 to 40.733 pieces and 88.999 pieces in 1981, imports of woven shirts of man made fibres or of cotton amounted in 1980 to 144.564 pieces and 355.154 pieces in 1981.

Imports of the aforementioned blouses and shirts from the Philippines have developed in a manner which, in view of Austria, causes real risk of market disruption. Therefore Austria requested the Philippines to hold consultation with a view to reach an agreement on mutually acceptable terms on the future conduct of exports of such products from the Philippines to Austria.

The text of the Memorandum and additional statistical informations are attached.

I should be grateful if you would make this information available to the Textile Surveillance Body.

Accept, Sir, the assurances of my highest consideration.


Erik Nettel
Ambassador

4

Memorandum of Agreement between the Philippines and Austria
relating to the export from the Philippines of certain
categories of garments into Austria

1. This Memorandum of Agreement has been made having regard to the Arrangement Regarding International Trade in Textiles (hereinafter referred to as the "Arrangement"), done at Geneva on 20 December 1973, and to the Protocol Extending the Arrangement, done at Geneva on 22 December 1981.
2. This Memorandum of Agreement sets out the arrangements that have been agreed between the Philippines and Austria regarding the export of woven blouses and woven shirts in the levels set out in the Annex I hereof and the licencing of exporting of trousers into Austria.
3. Upon presentation of Export Licences issued by the competent Philippine authority, a specimen of which is attached as Annex II, within the agreed export limit for exports from the Philippines to Austria and endorsed to the effect that the shipments have been debited against the agreed export limits, the competent Austrian authority will issue the corresponding import licences.
4. In order to avoid hardships of trade in the products specified in Annex I, shipments made on/or before 31 July 1982 will be admitted by Austria upon presentation of the relevant documentation outside the agreed export limit without endorsed export licences, provided that these exports are covered by irrevocable letters of credit opened or other payment provisions made by Austrian importers before 2 July 1982 and that customs clearance in Austria is effected at the latest on 15 September 1982.

5. The Philippines will provide Austria with statistics of the textile products set out in Annex I licensed for exports to Austria and debited against the limits set out in Annex I on a monthly basis.
6. Austria will provide the Philippines with monthly statistics of import licences issued on the basis of export licences of the Philippines as well as statistics on actual quantities entered into Austrian customs territories.
7. Austria and the Philippines agree to consult at the request of either party on any matter arising from the implementation of this Agreement.
8. In respect of exports of woven slacks, shorts, jeans and trousers of cotton, men's and boys' wear, CCCN. No. ex 61.01:
 - (a) The competent Austrian authority will upon presentation of Special Export Licenses, a specimen of which is attached as Annex III, issued by the competent Philippine authority and indicating Austria as the country of final destination, automatically issue import licences and will provide the Philippines with information concerning such import licences on a quarterly basis.
 - (b) Should exports of the above garments from the Philippines to Austria develop in a manner, which causes a real risk of market disruption, Austria may request consultations with the Philippines with a view to reaching an agreement on mutually acceptable terms. The request for such consultations shall be accompanied by a statement containing relevant data of the market conditions which, in the view

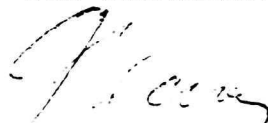
As regards the Agreement concluded between the representatives of Austria and the Philippines regarding exports of the Philippine garments to Austria, these representatives have further agreed as follows:

1. Notwithstanding the provisions of the Agreement, the Philippines may export woven blouses and woven shirts to Austria of any quantity provided the ultimate destination of such woven blouses and woven shirts are countries outside of Austria and the Export Licence clearly indicates this fact of ultimate destination.
2. Upon notification to the competent Austrian authority that imports of woven blouses and woven shirts have been re-shipped to countries outside of Austria, the competent Austrian authority shall notify the competent Philippine Authority of the fact of such re-shipment and the quantities involved and the Restraint Level in Column D of Annex I of the Agreement (hereinafter referred to as RL) shall correspondingly be credited by the indicated quantities.
3. If, as a result of the statistics provided by Austria under paragraph 6 of the Agreement, it has been determined that quantities covered by an Export Licence have not been applied for in an Import Licence, such quantities may be reissued in another Export Licence within the current quota year.
4. The Philippines may continue to debit any shipments to Austria against the RL as the same may be adjusted as provided for in paragraph 2 and 3 above, for so long as the same is not exceeded.
5. The competent authorities of Austria and the Philippines may likewise consult at any time regarding the implementation of this supplemental Agreement as provided in paragraph 8 of the Agreement.

For the Philippines:



For Austria:



A N N E X I

RESTRAINT LEVELS			
A	B	C	D
Category Number	Austrian CCCN Number	Product Description	Restraint Level
1	EX 61.02	Woven blouses of man-made fibers or of cotton	150,000 pcs.
2	EX 61.03	Woven shirts of man-made fibers or of cotton	250,000 pcs.