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**SUMMARY OF CANADA'S BILATERAL RESTRAINT  
ARRANGEMENTS — TEXTILES & CLOTHING**

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**February 1982**

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SUMMARY OF  
CANADA'S BILATERAL RESTRAINT  
ARRANGEMENTS - TEXTILES & CLOTHING

February 1982

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Summary of Canada's Bilateral  
Restraint Arrangements - Textiles & Clothing

Summary

- Annex I - Restraint Levels
- Annex II - Definitions & Description of Terms
- Annex III - Arrangement Regarding International Trade in Textiles (MFA) and the Protocol.
- Annex IV - Export & Import Permits Act, Import Control List and General Import Permits.

SUMMARY OF  
CANADA'S BILATERAL RESTRAINT ARRANGEMENTS:  
TEXTILES AND CLOTHING

On August 19, 1980 the Government released a Report of the Textile and Clothing Board following its inquiry on the situation of the textile and clothing industries in Canada. A main theme of the Board's Report related to the need to create an environment more conducive to the investment necessary for further development of a competitive textile and clothing industry. The Board, therefore, recommended the continuation of special measures of protection for the textile and clothing industry beyond December 31, 1981, the date when most of the existing bilateral restraint arrangements were to expire. The Government welcomed receipt of the Board's Report and stated that it would be useful in formulating policy for the textile and clothing sectors for the post-1981 period.

On June 19, 1981 the Government announced a new policy for Canada's textile and clothing sectors. It includes the reallocation of more than \$250 million over five years for a new adjustment program, the formation of the Canadian Industrial Renewal Board to manage the adjustment program, and the negotiation of restraint arrangements with exporting countries to limit imports of textiles and clothing during the five-year adjustment period.

The new policy continues the adjustment direction set by the Textile Policy of 1970. While the Government does not favour special measures of protection on a permanent basis, the Canadian textile and clothing industries will require some protection during the adjustment period to permit restructuring toward more viable lines of production. Officials, therefore, were instructed to pursue negotiations with 17 exporting countries based on the framework established by the 1979 bilateral agreements, with a view to concluding restraint arrangements for the period 1982-1986.

The negotiation of five-year bilateral restraint arrangements with 10 low-cost suppliers of textiles and clothing products to the Canadian market has been successfully concluded. These new arrangements are based on the framework established by the 1979 bilateral arrangements and complement the five-year textile and clothing industry

adjustment program announced by the Government on June 19, 1981. Five-year arrangements have been negotiated with the People's Republic of China, the Republic of Korea, Taiwan Textile Federation, Malaysia, Poland, Bulgaria, Macau, Thailand, Romania and the Philippines. The Government is continuing negotiations on an urgent basis with seven other suppliers, namely Hong Kong, India, Hungary, Pakistan, Sri Lanka, Singapore and Czechoslovakia. In negotiating the new arrangements, the Government has recognized the need to provide for the export interests of less developed countries and new entrants while, at the same time, being sensitive to the interests of workers and firms in the Canadian industry.

With the exception of the People's Republic of China, Bulgaria, and the Taiwan Textile Federation--which are not MFA signatories--the arrangements were negotiated under the auspices of Article 4 of the GATT Multi-Fibres Arrangement (MFA). The MFA provides the international legal framework for the negotiation of bilateral textile restraint arrangements. The texts of the MFA and the Protocol extending it to July 31, 1986 are given in Annex III.

The domestic legal framework for the administration of the bilateral restraint arrangements is Section 5(1)(c) of the Export and Import Permits Act. An import permit is required for the products included in the Import Control List. For each shipment of textiles and clothing products covered by a bilateral restraint arrangement, an export licence, issued by the appropriate authorities in the originating country, is required to obtain an import permit. The texts of the Act and of the relevant Import Control List items and General Import Permits are given in Annex IV.

The purpose of the bilateral restraint arrangements is to limit the exports to Canada of certain textiles and clothing products from various sources to the agreed annual levels for the years 1982-1986. Annex II gives the product definitions. Annex I gives the agreed annual levels for each source and product category and the provisions for growth, swing and carry-over/borrow-forward. "Growth" means that the agreed levels given in Column C of Annex I are advanced on an annual basis by the growth rates specified in Column D. "Swing" means that the restraint

levels may be exceeded by the percentage shown in Column E provided that an equivalent amount is deducted from any other restraint level. For the purpose of implementing the swing provision, the conversion factor specified in Column H will apply. "Carry-over" means that portions of any restraint level which are not used during the year may be added to the corresponding restraint level for the following year within the higher percentage limit set out in Column F. "Borrow-forward" means that any restraint level may be increased within the lower percentage limit set out in Column F provided that an equivalent amount is deducted from the corresponding restraint level for the following year. The carry-over/borrow-forward provisions may be used in combination only up to the higher percentage limit set out in Column F. Furthermore, the restraint levels in Column C may not be increased by the combined use of swing, carry-over and borrow-forward by more than the percentage indicated in Column G.

In addition to the growth and flexibility provisions, most of the restraint arrangements contain provisions relating to the following:

Administration:

The arrangements will be implemented on the basis of the export control systems operated by the competent authorities of the exporting countries. Therefore, the date of shipment will be used to determine within which restraint period any textiles or clothing products subject to the arrangements will be counted.

Orderly Marketing:

The competent authorities of the exporting countries will endeavour to ensure that exports of all textiles and clothing products subject to the arrangements are spaced out as evenly as possible during each year, due account being taken of seasonal factors and of normal channels of trade.

Exchange of Statistics:

The competent authorities of the exporting countries will provide the Government of Canada with monthly (in some cases quarterly) statistics relating to exports of the textiles and clothing products which are licensed for export to Canada and debited against restraint

levels for each year. The Government of Canada will provide the competent authorities of the exporting countries with monthly (in some cases quarterly) statistics relating to import permits issued for imports of the textiles and clothing products which are debited against restraint levels for each year. In addition, in some cases the Government of Canada will provide the competent authorities with monthly (quarterly) statistics of total imports and imports from other significant suppliers in respect of textiles and clothing products categorized as in the arrangements.

Equity:

Article 8.3 of the MFA provides that, if resort is had to the measures in Article 3 and 4 of the MFA, the importing country shall ensure that the restraining country's exports are not restrained more severely than the exports of similar goods of other countries which are also causing, or actually threatening, market disruption. Each restraint arrangement contains an equity provision whereby if either party considers, as a result of the restraint arrangements, that it is placed in an inequitable position compared with any third party, that party may request the other to enter into consultations with a view to implementing appropriate remedial measures.

Re-Exports:

The Government of Canada will, so far as possible, inform the competent authorities of the exporting countries when imports into Canada of textiles and clothing products subject to the restraint arrangements are subsequently re-exported from Canada. The amounts involved may then be credited back to the appropriate restraint levels.

Consultations:

Each restraint arrangement contains a consultation provision. According to this provision, either party has the right to request consultations with the other party on any matter arising from the implementation or operation of the restraint arrangements or on any matter germane thereto.

Product Coverage:

For the purpose of the restraint arrangements, the expression "textiles" will have the meaning ascribed to the expression in Article 12.1 of the MFA. For the purpose of classifying textiles and clothing products in the appropriate category, the definitions set out in Annex II will apply.

Handloom, Cottage Industry and Handicraft Products:

Article 12.3 of the MFA provides that restraint arrangements should not apply to handloom fabrics of the cottage industry, hand-made cottage industry products made of such handloom fabrics, and traditional folklore handicraft textile products. The restraint arrangements with Malaysia, Romania, Thailand, Philippines and Macau have specific provisions exempting these products from the restraint arrangements provided that shipments are accompanied on importation by a certificate validated by the competent authority of the exporting country.

Consultation Levels:

The restraint arrangements with the People's Republic of China, Malaysia, Thailand, Philippines, Poland and Bulgaria contain consultation levels in addition to restraint levels. The Governments of these countries will enter into consultations with the Canadian Government, with a view to reaching agreement on an appropriate level of restraint for any textiles or clothing products subject to consultation levels, whenever, in the view of the Canadian Government, conditions in the Canadian market are such that a limitation on further trade in any such products may be necessary to eliminate real risk of market disruption. The Canadian Government will not seek consultations until imports into Canada reach at least the respective consultation levels during any one specific restraint period. Until such time as consultations have resulted in a mutually satisfactory conclusion, the Governments of the exporting countries (except for the People's Republic of China) will limit their exports of the products in question, as specified below:

Malaysia & Thailand - 115% of either the consultation level or the level of actual shipments during the current restraint period, whichever is greater;



Philippines - 115% of exports during the previous year or 115% of the consultation level, whichever is greater;

Poland - 106% of the level of exports recorded in the 12-month period ending two months before the month in which the request for consultations was made;

Bulgaria - 106% of the consultation level.

Group Restraint Levels:

The restraint arrangement with Macau contains a group restraint level in addition to specific restraint levels. In respect of those items not subject to specific restraint levels but covered in a group restraint level, the Government of Canada may request consultations when exports in any one calendar year of the products concerned have reached at least 15% of the group level. Until such time as a mutually satisfactory conclusion has been reached, the Government of Macau will limit shipments from the date on which Canada requests consultations, in order to ensure that exports of the products in question to Canada do not exceed during that calendar year a level of 106% of the exports during the current year or 15.9% of the group level, whichever is higher.

ANNEX I

RESTRAINT LEVELS

ANNEX I: RESTRAINT LEVELS

PEOPLE'S REPUBLIC OF CHINA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Winter outerwear garments	225,000	3%	--	--	--	3.50
2.	Pants, trousers, shorts, overalls, coveralls	5,500,000	6%	5%	10%	12%	1.90
	a. of which pants, trousers MBWG (of which pants, trousers wool MB)	4,120,000  (200,000)	5%  5%	7%  7%	11%  11%	10%  10%	1.90  1.90
3.	Tailored-collar shirts MB	1,800,000	3%	--	--	--	2.10
	a. of which lumber- jack shirts MB	530,000	3%	--	--	--	2.10
4.	Shirts, blouses, T-shirts, Sweat- shirts	5,400,000	5%	5%	10%	11%	1.70
	a. of which shirts/ blouses WG and shirts, other MB	850,000	5%	5%	10%	11%	1.70
5.	Sweaters, pullovers, cardigans	1,650,000	3%	--	--	--	1.40
	a. of which sweaters pullovers, cardigans MB	650,000	3%	--	--	--	1.40

PEOPLE'S REPUBLIC OF CHINA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
6.	Pyjamas/sleepwear/ bathrobes/dressing gowns	1,950,000	5%	7%	11%	12%	3.40
7.	Co-ordinates and matching sets	1,850,000	6%	7%	11%	12%	4.40
8.	Underwear	1,800,000	6%	7%	11%	12%	0.80
9.	Coats, jackets and rainwear	1,600,000	5%	5%	10%	11%	4.00
	a. of which jackets	650,000	5%	5%	10%	11%	3.50
	b. of which overcoats/ topcoats	150,000	5%	5%	10%	11%	5.00
10.	Swimwear	350,000	Consultation Level				
11.	Fine suits and blazers	20,000	Consultation Level				
12.	Work gloves	9,500,000 prs. (of which not less than 1,000,000 prs. will be 100% cotton work gloves)	5%	7%	10%	10%	0.40M <sup>2</sup> /Pr.

PEOPLE'S REPUBLIC OF CHINA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
13.	Worsted fabrics	150,000 Kg.	3%	--	10%	--	4.75M <sup>2</sup> /Kg.
14. *	a. Bedsheets	750,000	6%	7%	10%	11%	6.25
	b. Pillowcases	3,000,000	6%	7%	10%	11%	1.25
15.	Cotton terry towels	1,000,000 Kg.	6%	7%	10%	12%	3.40M <sup>2</sup> /Kg.
16.	Blankets of cotton	420,000	10%	10%	11%	12%	4.50
17.	Hosiery	2,700,000 Prs.	6%	7%	10%	12%	0.05
18.	Denim and corduroy fabrics	1,300,000 Kg.	Consultation Level				
19.	Handbags, uncoated	700,000	Consultation Level				

\* Notes: For this item, there is further provision for swing between Bedsheets and Pillowcases and vice-versa up to a level agreed upon following consultations.

ANNEX I: RESTRAINT LEVELS

REPUBLIC OF KOREA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Winter outerwear garments	2,070,258	1.2%	2%	2(1)%	3.5%	3.50
2.	Trousers, shorts, overalls and coveralls	2,250,000	4%	5%	10(5)%	11%	1.90
3.	Shirts, tailored- collar MB	4,739,385	1.2%	2%	2(1)%	3.5%	2.10
4.	Shirts, blouses, T-shirts, sweat- shirts	8,900,000	3%	5%	10(5)%	11%	1.70
	a. of which blouses and shirts WG and shirts, other MB	4,628,500	3%	5%	10(5)%	11%	1.70
5.	Sweaters, pullovers and cardigans	8,500,000	1.2%	2%	2(1)%	3.5%	1.40
	a. of which sweaters, pullovers and cardigans MB	2,158,000	1.2%	2%	2(1)%	3.5%	1.40
6.	Sleepwear and bathrobes	179,545	6%	5%	10(5)%	11%	3.40
7.	Dresses and skirts, suits, co-ordinates and outerwear sets	800,000	6%	5%	10(5)%	11%	3.80
	a. of which dresses and skirts WG	200,000	6%	5%	10(5)%	11%	3.80

REPUBLIC OF KOREA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
8.	Underwear	146,068	6%	7%	11 (6) %	12%	1.00
9.	Swimwear and found- ation garments	56,180	6%	7%	11 (6) %	12%	1.00
10.	Coats, jackets and rainwear	3,000,000	6%	7%	11 (6) %	12%	4.00
	a. of which overcoats, topcoats and rainwear	415,000	6%	7%	11 (6) %	12%	4.00
11.	Fine suits	206,060	1.2%	2%	2 (1) %	3.5%	4.50
12.	Yarns	1,660,000 Kg.	10%	7%	11 (6) %	-	1.0 Kg/Un.
	a. of which acrylic yarns	1,075,000 Kg.	4%	5%	10 (5) %	-	1.0 Kg/Un.
13.	Woven fabrics	2,200,000 Kg.	10%	7%	11 (6) %	-	1.0 Kg/Un
	a. of which worsted fabrics	332,000 Kg.	4%	5%	10 (5) %	-	1.0 Kg/Un
	b. of which nylon broadwoven fabrics	56,000 Kg.	6%	5%	10 (5) %	-	1.0 Kg/Un
	c. of which polyester broadwoven fabrics	430,000 Kg.	7%	5%	10 (5) %	-	1.0 Kg/Un
14.	Household textiles	290,000 Kg.	10%	7%	11 (6) %	-	1.0 Kg/Un
15.	Hosiery	650,000 Doz.Pr.	4%	5%	10 (5) %	-	1.1 Kg/Doz.Pr

REPUBLIC OF KOREA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
16.	Work Gloves	1,024,723 Pr.	6%	5%	10 (5)%	-	.22 Kg/Pr.
17.	Handbags	3,370,800	6%	5%	10 (5)%	-	.80 Kg/Un.
18.	Miscellaneous Textiles	1,800,000 Kg.	10%	7%	11 (6)%	-	1.0 Kg/Un.
	a. of which cordage, rope and twine	1,400,000 Kg.	6%	5%	10 (5)%	-	1.0 Kg/Un.

Note: Swing is not permitted from items 12 to 18 to items 1 to 11



ANNEX I: RESTRAINT LEVELS

TAIWAN TEXTILE FEDERATION

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Winter Outerwear Garments	52,000	1%	--	--	--	3.50
2.	Trousers, Shorts, Overalls and Coveralls	3,900,000	3%	5%	10 (5)%	11%	1.90
	a. of which Trousers, Shorts, Overalls and Coveralls MB	2,200,000	3%	5%	10 (5)%	11%	1.90
3.	Shirts with tailored- collars MB	2,400,000	1%	--	1 (½)%	--	2.10
4.	Shirts, Blouses, T-shirts, Sweatshirts	17,675,000	3%	3%	6 (3)%	9%	1.70
	a. of which Shirts, Blouses WG and Shirts Other MB	8,500,000	3%	3%	6 (3)%	9%	1.70
5.	Sweaters, Pullovers and Cardigans	5,500,000	1%	2%	1 (½)%	3%	1.40
	a. of which Sweaters, Pullovers and Cardigans MB	2,000,000	1%	2%	1 (½)%	3%	1.40
6.	Sleepwear, Pyjamas, Bathrobes and Dressing Gowns	2,000,000	4%	5%	10 (5)%	11%	3.50
7.	Dresses and Skirts WGCI	650,000	4%	5%	10 (5)%	11%	3.20
8.	Suits, Co-ordinates and Matching Sets	2,000,000	4%	5%	10 (5)%	11%	4.40

TAIWAN TEXTILE FEDERATION

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
9.	Underwear	1,900,000	4%	5%	10(5)%	11%	1.00
10.	Swimwear and Founda- tion Garments	1,225,000	4%	5%	10(5)%	11%	1.50
11.	Coats, Jackets and Rainwear	650,000	4%	5%	10(5)%	11%	4.00
12.	Fine Suits and Blazers	35,000	1%	--	1( $\frac{1}{2}$ )%	--	4.50
13.	Yarns, Aggregate includes: Nylon, Polyester, Polyester/ Cotton, Mixed Fibre and Acrylic	500,000 Kg.	3%	5%	10(5)%	11%	.45 Kg per M <sup>2</sup>
	a. of which Acrylic	52,000 Kg.	5%	5%	10(5)%	11%	.45 Kg per M <sup>2</sup>
14.	Woven Fabrics, Aggregate includes: Worsted, Nylon, Polyester, Print Cloth and Sheeting, Flannel (Napped, Unbleached, Bleached, Coloured), Corduroy (Bleached and Unbleached), Polyester/Cotton, Broadwoven, Woollen (Wool mix less than 9oz)	1,800,000 Kg.	5%	5%	10(5)%	11%	.20 Kg per M <sup>2</sup>
	a. of which Worsted	10,000 Kg.	1%	5%	10(5)%	11%	.25 Kg per M <sup>2</sup>
	b. of which Nylon	20,000 Kg.	3%	5%	10(5)%	11%	.10 Kg per M <sup>2</sup>
	c. of which Polyester	45,000 Kg.	3%	5%	10(5)%	11%	.20 Kg per M <sup>2</sup>

TAIWAN TEXTILE FEDERATION

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
15.	Household Textiles:						
	a. Bedsheets	450,000 Units	2%	5%	10(5)%	11%	5.2
	b. Pillowcases	450,000 Units	2%	5%	10(5)%	11%	1.1
	c. Cotton Terry Towels, Cotton Towels and Bedding	100,000 Kg.	6%	5%	10(5)%	11%	3.40 M <sup>2</sup> per Kg.
16.	Work Gloves	500,000 Pairs	3%	5%	10(5)%	11%	.25 M <sup>2</sup> per pr.
17.	Handbags	850,000	6%	5%	10(5)%	11%	.26
18.	Hosiery	1,500,000 Pairs	6%	5%	10(5)%	11%	.50 M <sup>2</sup> per pr.
19.	Miscellaneous Textiles includes: Cordage, Twine, Rope, Vinyl and Polyurethane Coated Fabric	500,000 Kgs.	6%	5%	10(5)%	11%	.45 Kg. per M <sup>2</sup>
20.	Leather Coats	2,000	6%	--	--	--	

Note: Swing is not permitted between articles 1-12, 13-19 and 20.

ANNEX I: RESTRAINT LEVELS

MACAO

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
	All Clothing (Items 1 to 13)	1,200,000	6%	-	11 (6) %	11%	-
1.	Outerwear	30,000	6%	6%	11 (6) %	15%	2.8
2.	Pants, Shorts, Overalls and Coveralls	300,000	6%	6%	11 (6) %	15%	1.5
3.	Shirts, Tailored- Collar MB	120,000	6%	6%	11 (6) %	15%	1.7
4.	a. Shirts, Blouses	-	-	-	-	-	-
	b. T-shirts and Sweatshirts	-	-	-	-	-	-
5.	Sweaters	240,000	6%	6%	11 (6) %	15%	1.1
6.	Sleepwear, Bathrobes	-	-	-	-	-	-
7.	Dresses, Skirts WCCI	-	-	-	-	-	-
8.	Suits, Co-ordinates, Outerwear Sets	-	-	-	-	-	-
9.	Foundation Garments	-	-	-	-	-	-
10.	Underwear	-	-	-	-	-	-

<u>MACAO</u>							
(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
11.	Swimwear	-	-	-	-	-	-
12.	Coats, Jackets, Rainwear	180,000	6%	6%	11 (6)%	15%	3.5
13.	Fine Suits MB	10,000	6%	6%	11 (6)%	15%	3.6
14.	Work Gloves	2,022,480	6%	6%	11 (6)%	15%	-

Note: 1. No swing between items 1-13 and 14.

2. Group level denotes maximum units of clothing the Government of Macau will ship to Canada, subject to the flexibility provisions. Items which do not have a specific restraint level are subject to a consultation process by which Canada may request that a restraint level be established if shipments during any restraint period exceed 15% of the group level.

ANNEX I: RESTRAINT LEVELS

MALAYSIA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Shirts, Tailored- collar MB	850,000	6%	7%	11(6)%	15%	1.7
2.	Shirts, Blouses WSCI	751,000	Consultation Level				
3.	Sweaters	390,000	6%	7%	11(6)%	15%	1.2
4.	Acrylic Yarn	102,000 Kg.	Consultation Level				

Note: No swing is allowed between items 1-3 and 4

ANNEX I: RESTRAINT LEVELS

PHILIPPINES

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Winter Outerwear MBWG	70,000	6%	7%	11 (6) %	-	3.20
2.	Trousers, Shorts, Overalls, Coveralls MBWG	500,000	6%	7%	11 (6) %	-	1.90
3.	Shirts with Tailored- collar MB	200,000	6%	7%	11 (6) %	-	1.90
4.	Shirts, Blouses, T-shirts and Sweat- shirts MBWG	600,000	6%	7%	11 (6) %	-	1.70
5.	Sweaters MBWG	200,000	Consultation Level				
6.	Sleepwear MBWG	300,000	Consultation Level				
7.	Dresses, Skirts, Suits, Coordinates and Outer- wear Sets MBWG	500,000	6%	7%	11 (6) %	-	3.20
8.	Foundation Garments WG (Brassieres)	1,600,000	6%	7%	11 (6) %	-	0.25
9.	Underwear MBWG	500,000	6%	7%	11 (6) %	-	0.50
10.	Coats, Jackets MBWG	350,000	6%	7%	11 (6) %	-	3.20
11.	Fine Suits MB	30,000	6%	7%	11 (6) %	-	4.50

PHILIPPINES

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
12.	Children's and Infants Wear 0-6x	2,500,000	8%	7%	11(6)%	-	1.00
	a. of which Winter Outerwear 0-6x	30,000	8%	7%	11(6)%	-	2.00
13.	Acrylic Yarn	120,000 Kgs.	Consultation Level				
14.	Handbags	300,000 Units	Consultation Level				



ANNEX I: RESTRAINT LEVELS

THAILAND

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Winter Outerwear	60,000	6%	7%	11(6)%	-	3.50
2.	Shirts with tailored-collar	400,000	6%	7%	11(6)%	-	2.10
3.	Shirts, Blouses, T-shirts and Sweatshirts	600,000	6%	7%	11(6)%	-	1.70
4.	Trousers, Shorts, Overalls & Coveralls	Consultation Level					
5.	Dresses, Skirts, Suits Coordinates & Outerwear Sets	Consultation Level					
6.	Jackets	Consultation Level					
7.	Work Gloves	1,100,000	6%	7%	11(6)%	-	2.90 M <sup>2</sup> per doz. prs.

ANNEX I: RESTRAINT LEVELS

BULGARIA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Outerwear MBWGCI	20,000	Consultation Level				
2.	Pants, Shorts, Overalls and Coveralls MBWGCI	100,000	Consultation Level				
3.	Shirts, tailored- collar MB	185,000	3%	5%	10 (5)%	11%	1.7
4.	Shirts, Blouses WGCI	100,000	Consultation Level				
5.	Sweaters MBWGCI	100,000	3%	5%	10 (5)%	11%	1.1
6.	Jackets and Coats MBWGCI	160,000	6%	5%	10 (5)%	11%	3.6
7.	Rainwear MBWGCI	100,000	Consultation Level				
8.	Fine Suits MB	25,500	6%	5%	10 (5)%	11%	3.6

ANNEX I: RESTRAINT LEVELS

POLAND

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Trousers, Shorts MBWGCI	650,000	3%	5%	10 (5) %	11%	1.9
	a. of which pants/ trousers up to	(600,000)					
	b. of which wool pants up to	(150,000)					
2.	Shirts, tailored- collar MB	5,200	3%	-	10 (5) %	11%	1.8
3.	Shirts, Blouses, T-shirts, Sweatshirts MBWGCI	1,450,000	6%	5%	10 (5) %	11%	1.4
	a. of which shirts other MB	315,000	6%	5%	10 (5) %	11%	1.4
4.	Sweaters, Pullovers and Cardigans MBWGCI	200,000	3%	5%	10 (5) %	11%	1.2
5.	Sleepwear and Bath- robes MBWGCI	245,000	6%	5%	10 (5) %	11%	2.8
6.	Coats, Jackets and Rainwear MBWGCI	190,000	6%	5%	10 (5) %	11%	3.1
7.	Fine Suits, Sports- coats and Blazers MB	65,000	3%	-	10 (5) %	11%	3.8

POLAND

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
8.	Broadwoven Fabrics						
	a. Nylon Fabric	64,743 Kg.	6%	5%	10(5)%	11%	14.9
	b. Filament polyester Fabric	56,725 Kg.	6%	5%	10(5)%	11%	10.1
	c. Worsted fabric	152,293 Kg.	3%	5%	10(5)%	11%	4.0
	d. Other Broadwoven Fabrics	920,000 Kg.	Consultation Level				
9.	Household Textiles						
	a. Bedsheets	125,000 Kg.	Consultation Level				
	b. Cotton terry towels washcloths and sets	459,722 Kg.	6%	5%	10(5)%	11%	2.8
	c. Other Household Textiles	550,000 Kg.	Consultation Level				

Note: No swing between products Items 1-7 and 8-9.

ANNEX I: RESTRAINT LEVELS

ROMANIA

(A) ITEM NUMBER	(B) PRODUCT	(C) RESTRAINT LEVEL	(D) GROWTH	(E) SWING	(F) CARRYOVER/ BORROW FORWARD	(G) COMBINED FLEXIBILITY	(H) CONVERSION FACTOR (M <sup>2</sup> )
1.	Outerwear MBWGCI and Fine Suits MB	100,000	3%	5%	10 (5) %	11%	3.2
	a. of which Fine Suits up to	(70,000)	3%	5%	10 (5) %	11%	3.2
2.	Shirts, tailored- collar MB	165,000	3%	5%	10 (5) %	11%	1.7
3.	Sweaters MBWGCI	1,100,000	3%	5%	10 (5) %	11%	1.1
4.	Shirts, Blouses, T-shirts and Sweat- shirts MBWGCI	1,300,000	6%	5%	10 (5) %	11%	1.2
	a. of which Shirts other MB up to	(525,000)	6%	5%	10 (5) %	11%	1.2
5.	Trousers, Shorts, Overalls and Cover- alls; Coats, Jackets and Rainwear; Sleep- wear and Bathrobes MBWGCI	840,000	6%	5%	10 (5) %	11%	3.0
	a. of which Wool Pants up to	(80,000)	6%	5%	10 (5) %	11%	3.0
6.	Worsted Fabric	124,000 M <sup>2</sup>	3%	5%	10 (5) %	11%	3.8
7.	Nylon Fabric	180,000 Kg.	6%	5%	10 (5) %	11%	14.2

Note: No swing between Items 1-5 and 6-7.

ANNEX II

DEFINITIONS & DESCRIPTION OF TERMS

## Annex II

### Definitions and Descriptions of Terms

- General Notes
1. Gender - Unless otherwise indicated, all definitions of garments apply to garments for men, boys, women, girls, children and infants. Children's and infants' garments include all garments sized 0-6X.
  2. Unless otherwise indicated, swing is permitted from adult garments to children's and infants' garments at a 3 to 5 ratio.
  3. All garment items include partially manufactured garments, i.e., garments which have been cut and sewn, or otherwise assembled, but which require further manufacture or processing.
  4. Garments of indeterminate gender, including unisex garments, are to be counted as of male gender.
  5. "Wholly or mainly" is 50 percent or more in all items unless otherwise indicated.

### Description of Product Categories

#### Clothing

##### 1. Winter Outerwear Garments

Winter Outerwear Garments (commonly referred to as snow-suits, snow-mobile suits, ski-suits, ski pants and snow-pants, and jackets, and similar jacket-type garments) that have an outer shell manufactured substantially by surface area with woven fabrics and that are lined and designed to protect the wearer against cold, e.g., quilted linings, down or fibre filling, etc. but not plain acetate or viscose lining, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. Excluded are unlined outerwear; all coats three-quarter length or longer, that is, to the knee or below the knee; garments commonly known as squall jackets, windbreakers or similar jacket-type garments where there is no thermal insulation; and ski-pants and cross-country ski-suits which do not meet the above description (e.g. constructed entirely from knitted fabric).

Note: A unit comprises garments which have been designed to be sold as a set, e.g. matching or co-ordinated ski-jackets and ski-pants comprising a ski-suit will be counted as one unit if packed and shipped as a set. Vests are counted separately.

2. Trousers, Shorts, Overalls and Coveralls

Trousers, pants, slacks and jeans wholly or mainly by weight of cotton, man-made fibres, or wool or blends thereof, being garments which do not extend above the waist but extend to the knee or below. Included are jodhpurs, knickers, footless tights, gauchos.

Note: Men's and boys' garments in this item manufactured of fabric containing 5 percent or more by weight of wool or hair are considered to be woolen garments.

Overalls and coveralls wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. Overalls and coveralls are one-piece garments, as either pants or shorts but extending above the waist in the form of a bib (or permanently affixed straps) or other structure which partially or fully covers the upper part of the body. One-piece jumpsuits are included.

Outershorts, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. Shorts are garments similar to pants but not extending to the knees.

3. Shirts, Tailored Collar

Shirts with tailored collars, men's and boys' wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, knitted or woven, being garments covering the upper part of the body normally worn next to the skin or directly over underwear and with a full or a partial front opening which may include a zipper and may be designed to be worn either inside or outside of pants. Included are all men's and boys' shirts meeting this description whether exported separately or as part of a set.

Note: Included are children's sizes 4-6X.

Note: A "tailored collar" consists of one or more pieces of material which are cut and sewn or cut and fused and designed with two pointed or rounded ends. The following may be used, when needed, in the construction: stays, lining, stiffening by any means.



4. Shirts, Blouses, T-shirts, Sweatshirts

Blouses and shirts, women's and girls', children's and infants' wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, knitted or woven, being garments which may have a complete or partial front or back opening covering the upper part of the body, excluding underwear, jackets, T-shirts, sweatshirts and sweaters.

Shirts, men's and boys', children's and infants', other than with tailored collars, including full-fashioned collars, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. A full-fashioned collar consists of one piece knitted to shape collar. For a full description of "shirts" see description for Item 3 above.

T-shirts, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. T-shirts are knitted garments which may have collarless front opening or no front opening covering the upper part of the body of construction 19 cut or finer, i.e., 19 or more vertical stitches per inch.

Sweatshirts, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, being garments at least one side of which is brushed or fleeced, covering the upper part of the body. Sweaters are not included.

Note: The definitions of T-shirts and sweatshirts for men and boys are subject to the over-riding definitions of men's and boys' shirts with tailored or full-fashioned collars.

5. Sweaters, Pullovers and Cardigans

Sweaters, pullovers, cardigans (including knitted ponchos), wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, being knitted or crocheted garments covering the upper part of the body and which may be of any length of construction coarser than 19 cut, i.e. less than 19 vertical stitches per inch. Included are such items with co-ordinating or matching accessories, e.g. hats, scarves, gloves, mittens, booties, etc. A garment in this item when shipped with such co-ordinating or matching accessories will be considered a set and counted as one unit.

6. Sleepwear and Bathrobes

Pyjamas and sleepwear, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, being garments normally worn for sleeping.

Bathrobes, dressing gowns and housecoats, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, being garments other than sleepwear normally worn in privacy, including bed jackets and negligees.

7. Dresses and Skirts

Dresses, women's and girls', children's and infants' wholly or mainly by weight of cotton, man-made fibres, or wool, or blends thereof. Dresses are one-piece garments extending above the waist, including jumpers, evening gowns, dusters and house dresses (other than sleepwear).

Skirts, women's and girls', children's and infants', wholly or mainly by weight of cotton, man-made fibres, or wool, or blends thereof. Skirts are one-piece garments not extending above the waist including golf skirts, kilts (including men's and boys') and culottes.

8. Suits, Coordinates and Outerwear Sets

Coordinates or matching sets and blazers, men's and boys', children's and infants', wholly or mainly by weight of cotton, man-made fibres or wool or blends thereof packed, shipped and sold as a set and not covered by any other definition in this annex.

Suits, coordinates or matching sets, and blazers, women's and girls', children's and infants', wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. Suits are garments comprising two or more matched or coordinated pieces, covering both the upper and lower parts of the body, packed and shipped and sold as a set. Coordinates include: coat or jacket and dress sets, blouse and pant or skirt sets, shirt and skirt or pant sets, jacket and pant or skirt sets, coat and pant or skirt sets.

Miscellaneous Garments, Children's and infants' garments not meeting any of the description relating to children's and infants' wear contained elsewhere in this list, including sunsuits, christening sets, pram sets, creepers, rompers, crawlers, diaper sets, sleepers, and blanket sleepers where the legs of the garments extend to completely encase the feet.

Athletic sets or suits, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof and are garments normally comprising two or more matched or coordinated pieces covering both the lower and upper parts of the body, packed and shipped and sold as a set, normally worn for participation in athletic activities and not covered by any other definition in this list including leotards covering the trunk of the body, judo sets, track suits, jogging suits, cross country ski-suits (subject to the description in Item 1).

Leisure wear, coordinates or sets not defined by any definitions in this annex. These may include shortsets, beachwear, beach pyjamas, lounging pyjamas, cabana sets, caftans and loungewear, nes.

9. Underwear

Underwear, wholly, or mainly by weight of cotton, man-made fibres or wool or blends thereof. Included are slips and bloomers.

Note: In the case of underwear sets, each piece is to be counted separately.

10. Swimwear

Swimwear, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof, being garments normally worn for swimming and bathing. Included are bathing trunks and bathing suits.

Note: Garments fitting this description which consist of two (or more) pieces must be matched or co-ordinated, and packed and shipped as a unit, otherwise they are classified under the appropriate item elsewhere in this list as individual garments. Co-ordinated or matched sets comprising garments in addition to those described as meeting the criteria of this item, e.g. beachwear sets, are classified as sets and co-ordinates in Item 8.

11. Foundation Garments

Foundation Garments, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. Included are: Brassieres, girdles, corselettes, corsets and panty girdles.

12. Coats, Jackets and Rainwear

Jackets, wholly or mainly by weight of cotton, man-made fibres, or wool, or blends thereof. Jackets are outerwear garments covering the upper part of the body not extending to the knee, including woven ponchos, vests, boleros, but excluding garments covered elsewhere in this Annex.

Overcoats and topcoats, wholly or mainly by weight of cotton, man-made fibres, or wool, or blends thereof being outerwear garments extending to the knee or below excluding rainwear.

Professional and shop coats, wholly or mainly by weight of cotton, man-made fibres, or wool, or blends thereof. Professional and shop coats are one-piece garments including barber coats, clinical coats, medical coats, laboratory coats, and surgical gowns.

Rainwear, wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof. Rainwear are garments of coated, impregnated or treated fabrics, normally worn to protect against rain (including rain-suits, sets, capes and ponchos).

13. Fine Suits

Fine suits, sportscoats & blazers, men's and boys', wholly or mainly by weight of cotton, man-made fibres or wool, or blends thereof.

Note: The suit-jacket, sportscoat or blazer may include lapels, lining, shoulder padding, and front stiffening and would normally be worn over another outer-garment.

Note: A unit is either a jacket, sportscoat or a suit. A suit is a two-or-three piece garment consisting of matching or co-ordinated jacket/pants or jacket/vest/pants packed and shipped and sold as a set.

### Textiles

Work Gloves, both finished and partially manufactured, that are wholly or mainly of textile fabrics, wholly by weight of cotton, man-made fibres or blends thereof whether or not impregnated or coated including such gloves manufactured partly of leather.

Work Glove Liners, liners or shells wholly of textile fabrics which are wholly or mainly of cotton, man-made fibres or blends thereof, neither impregnated or coated and without any other non-textile components, for incorporation in work gloves.

Hosiery is knitted footwear for adults, children and infants. Excluded are men's and boys' woollen hosiery (over 50% of wool by weight) and ladies seamless or full fashioned full length hosiery and knee highs produced on machines of 400 needles or above and made from yarn of 30 denier or finer, and panty-hose.

Handbags, made of fabrics whether uncoated, coated or bonded or man-made fibres or blends of fibres, with a body area, excluding handles, between 258 to 1226 square centimetres, in the manufacture of which leather and plastic materials may be used as trim and finish but not a major component of the shell.

### Household Textiles

Bedsheets, woven, wholly or mainly by weight of cotton, man-made fibres or blends thereof including flannelette sheets.

Pillowcases, woven, wholly or mainly by weight of cotton, man-made fibres or blends thereof.

Bedding, other than bedsheets, and pillowcases, wholly or mainly by weight of cotton, man-made fibres or blends thereof.

Cotton terry towels, washcloths and sets, containing 50% or more by weight of cotton. Cotton terry towels, washcloths and sets are of fabrics woven on a terry loom using single or piled cotton (or blends thereof) yarns with loop pile on one or both sides covering the entire surface on either plain or patterned weave, whether greige, bleached, dyed or printed, including tea, hand, beach and bath towels and bath sheets, barmops and towel blanks.

Towels, other than cotton terry towels, wholly or mainly by weight of cotton, man-made fabrics or blends thereof.

### Yarns

Cotton Yarn, comprises all yarns consisting of 100 percent cotton fibres either combed or carded, in a state ready for further processing.

Acrylic Yarn, includes all type of machine and hand knitting yarns containing 50% or more by weight of acrylic fibre except those yarns composed entirely of fibres not exceeding 6.35 cm (2 1/2 inches) in length.

Polyester Yarn, comprises all yarns consisting of 100 percent polyester fibres or filaments or where polyester fibres in combination represent either the chief value or 50% or more by weight.

Polyester/Cotton Yarn, comprises all yarns consisting of blended polyester and cotton fibres in which the combination of polyester and cotton fibres represent either the chief value or 50% or more by weight.

Rayon Yarn, spun or filament, where the total of rayon fibres in combination represent either the chief value or 50% or more by weight.

Nylon Yarn, spun or filament, where the total of the nylon fibres in combination represent either the chief value or 50% or more by weight.

Mixed Fibre Yarns, spun or filament, containing 50% or more by weight of man-made fibre, nes.

### Fabrics

Polyester Fabrics, are woven fabrics in which the warp is composed of filament flat or textured polyester yarn.

Polyester/Cotton Broadwoven Fabrics, are fabrics made from blends of cotton and polyester fibres, where polyester fibres represent 50% or more by weight.

Polyester Fabrics, nes.

Worsted Fabrics, are woven fabrics having 17% or more by weight of wool and in which at least the warp is made from worsted spun yarn.

Woollen Fabrics, woven fabrics in which the wool mix is less than 252 grams (9 oz.) per square yard.

Wool Blend Fabrics, nes.

Nylon Fabrics, are fabrics in which the nylon fibre accounts for 50 percent or more by weight or thread count or where the nylon fibres in combination with other fibres represents the chief value.

Nylon Fabric, nes.

Cotton Fabric, are woven fabrics wholly or mainly by weight of cotton and include the following:

- duck & allied fabrics including awning fabric, tentcloth and canvas
- drill, twill, and warp sateen including gabardine and cord fabric
- flannel, napped, bleached, unbleached and coloured including billiard cloth, blanket cloth and flannelette
- denim and corduroy
- pile fabric nes including plush fabric, velour, velveteens, velvet and flocked fabrics
- print cloth and sheeting including muslin, percale, calico, chintz, cretonne and osnaburg
- terry cloth
- cotton fabric nes

Broadwoven Fabrics, nes which include the following:

- rayon
- rayon/polyester
- rayon blend nes
- mixed fibre nes
- broadwoven fabrics nes

Miscellaneous Textiles NES, which include the following:

- vinyl and polyurethane coated fabrics
- cordage, rope and twine

Leather Coats, leather outdoor jackets, overcoats, topcoats and sportcoats including those made of genuine leather, genuine sheepskin and genuine suede.



ANNEX III

ARRANGEMENT REGARDING INTERNATIONAL  
TRADE IN TEXTILES (MFA) AND THE  
PROTOCOL

## ARRANGEMENT REGARDING INTERNATIONAL TRADE IN TEXTILES

### *PREAMBLE*

*Recognizing* the great importance of production and trade in textile products of wool, man-made fibres and cotton for the economies of many countries, and their particular importance for the economic and social development of developing countries and for the expansion and diversification of their export earnings, and conscious also of the special importance of trade in textile products of cotton for many developing countries;

*Recognizing* further the tendency for an unsatisfactory situation to exist in world trade in textile products and that this situation, if not satisfactorily dealt with, could work to the detriment of countries participating in trade in textile products, whether as importers or exporters, or both, adversely affect prospects for international co-operation in the trade field, and have unfortunate repercussions on trade relations generally;

*Noting* that this unsatisfactory situation is characterized by the proliferation of restrictive measures, including discriminatory measures, that are inconsistent with the principles of the General Agreement on Tariffs and Trade and also that, in some importing countries, situations have arisen which, in the view of these countries, cause or threaten to cause disruption of their domestic markets;

*Desiring* to take co-operative and constructive action, within a multi-lateral framework, so as to deal with the situation in such a way as to promote on a sound basis the development of production and expansion of trade in textile products and progressively to achieve the reduction of trade barriers and the liberalization of world trade in these products;

*Recognizing* that, in pursuit of such action, the volatile and continually evolving nature of production and trade in textile products should be constantly borne in mind and the fullest account taken of such serious economic and social problems as exist in this field in both importing and exporting countries, and particularly in the developing countries;

*Recognizing* further that such action should be designed to facilitate economic expansion and to promote the development of developing countries possessing the necessary resources, such as materials and technical skills, by providing larger opportunities for such countries, including countries that

are, or that may shortly become, new entrants in the field of textile exports to increase their exchange earnings from the sale in world markets of products which they can efficiently produce;

*Recognizing* that future harmonious development of trade in textiles particularly having regard to the needs of developing countries, also depends importantly upon matters outside the scope of this Arrangement, and that such factors in this respect include progress leading both to the reduction of tariffs and to the maintenance and improvement of schemes of generalized preferences, in accordance with the Tokyo Declaration;

*Determined* to have full regard to the principles and objectives of the General Agreement on Tariffs and Trade (hereinafter referred to as the GATT) and, in carrying out the aims of this Arrangement, effectively to implement the principles and objectives agreed upon in the Tokyo Declaration of Ministers dated 14 September 1973 concerning the Multilateral Trade Negotiations;

THE PARTIES TO THIS ARRANGEMENT have agreed as follows:

*Article 1*

1. It may be desirable during the next few years for special practical measures of international co-operation to be applied by the participating countries<sup>1</sup> in the field of textiles with the aim of eliminating the difficulties that exist in this field.

2. The basic objectives shall be to achieve the expansion of trade, the reduction of barriers to such trade and the progressive liberalization of world trade in textile products, while at the same time ensuring the orderly and equitable development of this trade and avoidance of disruptive effects in individual markets and on individual lines of production in both importing and exporting countries. In the case of those countries having small markets, an exceptionally high level of imports and a correspondingly low level of domestic production, account should be taken of the avoidance of damage to those countries' minimum viable production of textiles.

3. A principal aim in the implementation of this Arrangement shall be to further the economic and social development of developing countries and secure a substantial increase in their export earnings from textile

<sup>1</sup> The expressions "participating country", "participating exporting country" and "participating importing country", wherever they appear in this Arrangement, shall be deemed to include the European Economic Community.

products and to provide scope for a greater share for them in world trade in these products.

4. Actions taken under this Arrangement shall not interrupt or discourage the autonomous industrial adjustment processes of participating countries. Furthermore, actions taken under this Arrangement should be accompanied by the pursuit of appropriate economic and social policies, in a manner consistent with national laws and systems, required by changes in the pattern of trade in textiles and in the comparative advantage of participating countries, which policies would encourage businesses which are less competitive internationally to move progressively into more viable lines of production or into other sectors of the economy and provide increased access to their markets for textile products from developing countries.

5. The application of safeguard measures under this Arrangement, subject to recognized conditions and criteria and under the surveillance of an international body set up for that purpose, and in conformity with the principles and objectives of this Arrangement, may in exceptional circumstances become necessary in the field of trade in textile products, and should assist any process of adjustment which would be required by the changes in the pattern of world trade in textile products. The parties to this Arrangement undertake not to apply such measures except in accordance with the provisions of this Arrangement with full regard to the impact of such measures on other parties.

6. The provisions of this Arrangement shall not affect the rights and obligations of the participating countries under the GATT.

7. The participating countries recognize that, since measures taken under this Arrangement are intended to deal with the special problems of textile products, such measures should be considered as exceptional, and not lending themselves to application in other fields.

#### *Article 2*

1. All existing unilateral quantitative restrictions, bilateral agreements and any other quantitative measures in force which have a restrictive effect shall be notified in detail by the restraining participating country, upon acceptance of or accession to this Arrangement, to the Textiles Surveillance Body, which shall circulate the notifications to the other participating countries for their information. Measures or agreements which are not notified by a participating country within sixty days of its acceptance of, or accession to, this Arrangement shall be considered to be contrary to this Arrangement and shall be terminated forthwith.

2. Unless they are justified under the provisions of the GATT (including its Annexes and Protocols), all unilateral quantitative restrictions and any other quantitative measures which have a restrictive effect and which are notified in accordance with paragraph 1 above shall be terminated within one year of the entry into force of this Arrangement, unless they are the subject of one of the following procedures to bring them into conformity with the provisions of this Arrangement:

- (i) inclusion in a programme, which should be adopted and notified to the Textiles Surveillance Body within one year from the date of coming into force of this Arrangement, designed to eliminate existing restrictions in stages within a maximum period of three years from the entry into force of this Arrangement and taking account of any bilateral agreement either concluded or in course of being negotiated as provided for in (ii) below; it being understood that a major effort will be made in the first year, covering both a substantial elimination of restrictions and a substantial increase in the remaining quotas;
- (ii) inclusion, within a period of one year from the entry into force of this Arrangement, in bilateral agreements negotiated, or in course of negotiation, pursuant to the provisions of Article 4; if, for exceptional reasons, any such bilateral agreement is not concluded within the period of one year, this period, following consultations by the participating countries concerned and with the concurrence of the Textiles Surveillance Body, may be extended by not more than one year;
- (iii) inclusion in agreements negotiated or measures adopted pursuant to the provisions of Article 3.

3. Unless justified under the provisions of the GATT (including its Annexes and Protocols), all existing bilateral agreements notified in accordance with paragraph 1 of this Article shall, within one year of the entry into force of this Arrangement, either be terminated or justified under the provisions of this Arrangement or modified to conform therewith.

4. For the purposes of paragraphs 2 and 3 above the participating countries shall afford full opportunity for bilateral consultation and negotiation aimed at arriving at mutually acceptable solutions in accordance with Articles 3 and 4 of this Arrangement and permitting from the first year of the acceptance of this Arrangement the elimination as complete as possible of the existing restrictions. They shall report specifically to the Textiles Surveillance Body within one year of the entry into force of this Arrangement on the status of any such actions taken or negotiations undertaken pursuant to this Article.

5. The Textiles Surveillance Body shall complete its review of such reports within ninety days of their receipt. In its review it shall consider whether all the actions taken are in conformity with this Arrangement. It may make appropriate recommendations to the participating countries directly concerned so as to facilitate the implementation of this Article.

*Article 3*

1. Unless they are justified under the provisions of the GATT (including its Annexes and Protocols) no new restrictions on trade in textile products shall be introduced by participating countries nor shall existing restrictions be intensified, unless such action is justified under the provisions of this Article.

2. The participating countries agree that this Article should only be resorted to sparingly and its application shall be limited to the precise products and to countries whose exports of such products are causing market disruption as defined in Annex A taking full account of the agreed principles and objectives set out in this Arrangement and having full regard to the interests of both importing and exporting countries. Participating countries shall take into account imports from all countries and shall seek to preserve a proper measure of equity. They shall endeavour to avoid discriminatory measures where market disruption is caused by imports from more than one participating country and when resort to the application of this Article is unavoidable, bearing in mind the provisions of Article 6.

3. If, in the opinion of any participating importing country, its market in terms of the definition of market disruption in Annex A is being disrupted by imports of a certain textile product not already subject to restraint, it shall seek consultations with the participating exporting country or countries concerned with a view to removing such disruption. In its request the importing country may indicate the specific level at which it considers that exports of such products should be restrained, a level which shall not be lower than the general level indicated in Annex B. The exporting country or countries concerned shall respond promptly to such request for consultations. The importing country's request for consultations shall be accompanied by a detailed factual statement of the reasons and justification for the request, including the latest data concerning elements of market disruption, this information being communicated at the same time by the requesting country to the Chairman of the Textiles Surveillance Body.

4. If, in the consultation, there is mutual understanding that the situation calls for restrictions on trade in the textile product concerned, the level of restriction shall be fixed at a level not lower than the level indicated

in Annex B. Details of the agreement reached shall be communicated to the Textiles Surveillance Body which shall determine whether the agreement is justified in accordance with the provisions of this Arrangement.

5. (i) If, however, after a period of sixty days from the date on which the request has been received by the participating exporting country or countries, there has been no agreement either on the request for export restraint or on any alternative solution, the requesting participating country may decline to accept imports for retention from the participating country or countries referred to in paragraph 3 above of the textiles and textile products causing market disruption (as defined in Annex A) at a level for the twelve-month period beginning on the day when the request was received by the participating exporting country or countries not less than the level provided for in Annex B. Such level may be adjusted upwards to avoid undue hardship to the commercial participants in the trade involved to the extent possible consistent with the purposes of this Article. At the same time the matter shall be brought for immediate attention to the Textiles Surveillance Body.
- (ii) However, it shall be open for either party to refer the matter to the Textiles Surveillance Body before the expiry of the period of sixty days.
- (iii) In either case the Textiles Surveillance Body shall promptly conduct the examination of the matter and make appropriate recommendations to the parties directly concerned within thirty days from the date on which the matter is referred to it. Such recommendations shall also be forwarded to the Textiles Committee and to the GATT Council for their information. Upon receipt of such recommendations the participating countries concerned should review the measures taken or contemplated with regard to their institution, continuation, modification or discontinuation.

6. In highly unusual and critical circumstances, where imports of a textile product or products during the period of sixty days referred to in paragraph 5 above would cause serious market disruption giving rise to damage difficult to repair, the importing country shall request the exporting country concerned to co-operate immediately on a bilateral emergency basis to avoid such damage, and shall, at the same time, immediately communicate to the Textiles Surveillance Body the full details of the situation. The countries concerned may make any mutually acceptable interim arrangement they deem necessary to deal with the situation without prejudice

to consultations regarding the matter under paragraph 3 of this Article. In the event that such interim arrangement is not reached, temporary restraint measures may be applied at a level higher than that indicated in Annex B with a view, in particular, to avoiding undue hardship to the commercial participants in the trade involved. The importing country shall give, except where possibility exists of quick delivery which would undermine the purpose of such measure, at least one week's prior notification of such action to the participating exporting country or countries and enter into, or continue, consultations under paragraph 3 of this Article. When a measure is taken under this paragraph either party may refer the matter to the Textiles Surveillance Body. The Textiles Surveillance Body shall conduct its work in the manner provided for in paragraph 5 above. Upon receipt of recommendations from the Textiles Surveillance Body the participating importing country shall review the measures taken, and report thereon to the Textiles Surveillance Body.

7. If recourse is had to measures under this Article, participating countries shall, in introducing such measures, seek to avoid damage to the production and marketing of the exporting countries, and particularly of the developing countries, and shall avoid any such measures taking a form that could result in the establishment of additional non-tariff barriers to trade in textile products. They shall, through prompt consultations, provide for suitable procedures, particularly as regards goods which have been, or which are about to be, shipped. In the absence of agreement, the matter may be referred to the Textiles Surveillance Body, which shall make the appropriate recommendations.

8. Measures taken under this Article may be introduced for limited periods not exceeding one year, subject to renewal or extension for additional periods of one year, provided that agreement is reached between the participating countries directly concerned on such renewal or extension. In such cases, the provisions of Annex B shall apply. Proposals for renewal or extension, or modification or elimination or any disagreement thereon shall be submitted to the Textiles Surveillance Body, which shall make the appropriate recommendations. However, bilateral restraint agreements under this Article may be concluded for periods in excess of one year in accordance with the provisions of Annex B.

9. Participating countries shall keep under review any measures they have taken under this Article and shall afford any participating country or countries affected by such measures, adequate opportunity for consultation with a view to the elimination of the measures as soon as possible. They shall report from time to time, and in any case once a year, to the Textiles Surveillance Body on the progress made in the elimination of such measures.



*Article 4*

1. The participating countries shall fully bear in mind, in the conduct of their trade policies in the field of textiles, that they are, through the acceptance of, or accession to, this Arrangement, committed to a multilateral approach in the search for solutions to the difficulties that arise in this field.

2. However, participating countries may, consistently with the basic objectives and principles of this Arrangement, conclude bilateral agreements on mutually acceptable terms in order, on the one hand, to eliminate real risks of market disruption (as defined in Annex A) in importing countries and disruption to the textile trade of exporting countries, and on the other hand to ensure the expansion and orderly development of trade in textiles and the equitable treatment of participating countries.

3. Bilateral agreements maintained under this Article shall, on overall terms, including base levels and growth rates, be more liberal than measures provided for in Article 3 of this Arrangement. Such bilateral agreements shall be designed and administered to facilitate the export in full of the levels provided for under such agreements and shall include provisions assuring substantial flexibility for the conduct of trade thereunder, consistent with the need for orderly expansion of such trade and conditions in the domestic market of the importing country concerned. Such provisions should encompass areas of base levels, growth, recognition of the increasing interchangability of natural, artificial and synthetic fibres, carry forward, carryover, transfers from one product grouping to another and such other arrangements as may be mutually satisfactory to the parties to such bilateral agreements.

4. The participating countries shall communicate to the Textiles Surveillance Body full details of agreements entered into in terms of this Article within thirty days of their effective date. The Textiles Surveillance Body shall be informed promptly when any such agreements are modified or discontinued. The Textiles Surveillance Body may make such recommendations as it deems appropriate to the parties concerned.

*Article 5*

Restrictions on imports of textile products under the provisions of Article 3 and 4 shall be administered in a flexible and equitable manner and over-categorization shall be avoided. Participating countries shall, in consultation, provide for arrangements for the administration of the quotas and restraint levels, including the proper arrangement for allocation of quotas among the exporters, in such a way as to facilitate full utilization of

such quotas. The participating importing country should take full account of such factors as established tariff classification and quantitative units based on normal commercial practices in export and import transactions, both as regards fibre composition and in terms of competing for the same segment of its domestic market.

*Article 6*

1. Recognizing the obligations of the participating countries to pay special attention to the needs of the developing countries, it shall be considered appropriate and consistent with equity obligations for those importing countries which apply restrictions under this Arrangement affecting the trade of developing countries to provide more favourable terms with regard to such restrictions, including elements such as base level and growth rates, than for other countries. In the case of developing countries whose exports are already subject to restrictions and if the restrictions are maintained under this Arrangement, provisions should be made for higher quotas and liberal growth rates. It shall, however, be borne in mind that there should be no undue prejudice to the interests of established suppliers or serious distortion in existing patterns of trade.

2. In recognition of the need for special treatment for exports of textile products from developing countries, the criterion of past performance shall not be applied in the establishment of quotas for their exports of products from those textile sectors in respect of which they are new entrants, in the markets concerned and a higher growth rate shall be accorded to such exports, having in mind that this special treatment should not cause undue prejudice to the interests of established suppliers or create serious distortions in existing patterns of trade.

3. Restraints on exports from participating countries whose total volume of textile exports is small in comparison with the total volume of exports of other countries should normally be avoided if the exports from such countries represent a small percentage of the total imports of textiles covered by this Arrangement of the importing country concerned.

4. Where restrictions are applied to trade in cotton textiles in terms of this Arrangement, special consideration will be given to the importance of this trade to the developing countries concerned in determining the size of quotas and the growth element.

5. Participating countries shall not, as far as possible, maintain restraints on trade in textile products originating in other participating countries which are imported under a system of temporary importation for re-export after processing, subject to a satisfactory system of control and certification.

6. Consideration shall be given to special and differential treatment to re-imports into a participating country of textile products which that country has exported to another participating country for processing and subsequent re-importation, in the light of the special nature of such trade without prejudice to the provisions of Article 3.

*Article 7*

The participating countries shall take steps to ensure, by the exchange of information, including statistics on imports and exports when requested, and by other practical means, the effective operation of this Arrangement.

*Article 8*

1. The participating countries agree to avoid circumvention of this Arrangement by trans-shipment, re-routing, or action by non-participants. In particular, they agree on the measures provided for in this Article.

2. The participating countries agree to collaborate with a view to taking appropriate administrative action to avoid such circumvention. Should any participating country believe that the Arrangement is being circumvented and that no appropriate administrative measures are being applied to avoid such circumvention, that country should consult with the exporting country of origin and with other countries involved in the circumvention with a view to seeking promptly a mutually satisfactory solution. If such a solution is not reached the matter shall be referred to the Textiles Surveillance Body.

3. The participating countries agree that if resort is had to the measures envisaged in Articles 3 and 4, the participating importing country or countries concerned shall take steps to ensure that the participating country's exports against which such measures are taken shall not be restrained more severely than the exports of similar goods of any country not party to this Arrangement which are causing, or actually threatening, market disruption. The participating importing country or countries concerned will give sympathetic consideration to any representations from participating exporting countries to the effect that this principle is not being adhered to or that the operation of this Arrangement is frustrated by trade with countries not party to this Arrangement. If such trade is frustrating the operation of this Arrangement, the participating countries shall consider taking such actions as may be consistent with their law to prevent such frustrations.

4. The participating countries concerned shall communicate to the Textiles Surveillance Body full details of any measures or arrangements

taken under this Article or any disagreement and, when so requested, the Textiles Surveillance Body shall make reports or recommendations as appropriate.

*Article 9*

1. In view of the safeguards provided for in this Arrangement the participating countries shall, as far as possible, refrain from taking additional trade measures which may have the effect of nullifying the objectives of this Arrangement.

2. If a participating country finds that its interests are being seriously affected by any such measure taken by another participating country, that country may request the country applying such measure to consult with a view to remedying the situation.

3. If the consultation fails to achieve a mutually satisfactory solution within a period of sixty days the requesting participating country may refer the matter to the Textiles Surveillance Body which shall promptly discuss such matter, the participating country concerned being free to refer the matter to that body before the expiry of the period of sixty days if it considers that there are justifiable grounds for so doing. The Textiles Surveillance Body shall make such recommendations to the participating countries as it considers appropriate.

*Article 10*

1. There is established within the framework of GATT a Textiles Committee consisting of representatives of the parties to this Arrangement. The Committee shall carry out the responsibilities ascribed to it under this Arrangement.

2. The Committee shall meet from time to time and at least once a year to discharge its functions and to deal with those matters specifically referred to it by the Textiles Surveillance Body. It shall prepare such studies as the participating countries may decide. It shall undertake an analysis of the current state of world production and trade in textile products, including any measures to facilitate adjustment and it shall present its views regarding means of furthering the expansion and liberalization of trade in textile products. It will collect the statistical and other information necessary for the discharge of its functions and will be empowered to request the participating countries to furnish such information.

3. Any case of divergence of view between the participating countries as to the interpretation or application of this Arrangement may be referred to the Committee for its opinion.

4. The Committee shall once a year review the operation of this Arrangement and report thereon to the GATT Council. To assist in this review, the Committee shall have before it a report from the Textiles Surveillance Body, a copy of which will also be transmitted to the Council. The review during the third year shall be a major review of this Arrangement in the light of its operation in the preceding years.

5. The Committee shall meet not later than one year before the expiry of this Arrangement in order to consider whether the Arrangement should be extended, modified or discontinued.

#### *Article 11*

1. The Textiles Committee shall establish a Textiles Surveillance Body to supervise the implementation of this Arrangement. It shall consist of a Chairman and eight members to be appointed by the parties to this Arrangement on a basis to be determined by the Textiles Committee so as to ensure its efficient operation. In order to keep its membership balanced and broadly representative of the parties to this Arrangement provision shall be made for rotation of the members as appropriate.

2. The Textiles Surveillance Body shall be considered as a standing body and shall meet as necessary to carry out the functions required of it under this Arrangement. It shall rely on information to be supplied by the participating countries, supplemented by any necessary details and clarification it may decide to seek from them or from other sources. Further, it may rely for technical assistance on the services of the GATT secretariat and may also hear technical experts proposed by one or more of its members.

3. The Textiles Surveillance Body shall take the action specifically required of it in articles of this Arrangement.

4. In the absence of any mutually agreed solution in bilateral negotiations or consultations between participating countries provided for in this Arrangement, the Textiles Surveillance Body at the request of either party, and following a thorough and prompt consideration of the matter, shall make recommendations to the parties concerned.

5. The Textiles Surveillance Body shall, at the request of any participating country, review promptly any particular measures or arrangements which that country considers to be detrimental to its interests where consultations between it and the participating countries directly concerned have failed to produce a satisfactory solution. It shall make recommendations as appropriate to the participating country or countries concerned.

6. Before formulating its recommendations on any particular matter referred to it, the Textiles Surveillance Body shall invite participation of such participating countries as may be directly affected by the matter in question.

7. When the Textiles Surveillance Body is called upon to make recommendations or findings it shall do so, except when otherwise provided in this Arrangement, within a period of thirty days whenever practicable. All such recommendations or findings shall be communicated to the Textiles Committee for the information of its members.

8. Participating countries shall endeavour to accept in full the recommendations of the Textiles Surveillance Body. Whenever they consider themselves unable to follow any such recommendations, they shall forthwith inform the Textiles Surveillance Body of the reasons therefor and of the extent, if any, to which they are able to follow the recommendations.

9. If, following recommendations by the Textiles Surveillance Body, problems continue to exist between the parties, these may be brought before the Textiles Committee or before the GATT Council through the normal GATT procedures.

10. Any recommendations and observations of the Textiles Surveillance Body would be taken into account should the matters related to such recommendations and observations subsequently be brought before the CONTRACTING PARTIES to the GATT, particularly under the procedures of Article XXIII of the GATT.

11. The Textiles Surveillance Body shall, within fifteen months of the coming into force of this Arrangement, and at least annually thereafter, review all restrictions on textile products maintained by participating countries at the commencement of this Arrangement, and submit its findings to the Textiles Committee.

12. The Textiles Surveillance Body shall annually review all restrictions introduced or bilateral agreements entered into by participating countries concerning trade in textile products since the coming into force of this Arrangement, and required to be reported to it under the provisions of this Arrangement, and report annually its findings to the Textiles Committee.

#### *Article 12*

1. For the purposes of this Arrangement, the expression "textiles" is limited to tops, yarns, piece-goods, made-up articles, garments and other textile manufactured products (being products which derive their chief characteristics from their textile components) of cotton, wool, man-made fibres, or blend thereof, in which any or all of those fibres in combination

represent either the chief value of the fibres or 50 per cent or more by weight (or 17 per cent or more by weight of wool) of the product.

2. Artificial and synthetic staple fibre, tow, waste, simple mono- and multi-filaments, are not covered by paragraph 1 above. However, should conditions of market disruption (as defined in Annex A) be found to exist for such products, the provisions of Article 3 of this Arrangement (and other provisions of this Arrangement directly relevant thereto) and paragraph 1 of Article 2 shall apply.

3. This Arrangement shall not apply to developing country exports of handloom fabrics of the cottage industry, or hand-made cottage industry products made of such handloom fabrics, or to traditional folklore hand-craft textiles products, provided that such products are properly certified under arrangements established between the importing and exporting participating countries concerned.

4. Problems of interpretation of the provisions of this Article should be resolved by bilateral consultation between the parties concerned and any difficulties may be referred to the Textiles Surveillance Body.

#### *Article 13*

1. This Arrangement shall be deposited with the Director-General to the CONTRACTING PARTIES to the GATT. It shall be open for acceptance, by signature or otherwise, by governments contracting parties to the GATT or having provisionally acceded to the GATT and by the European Economic Community.

2. Any government which is not a contracting party to the GATT, or has not acceded provisionally to the GATT, may accede to this Arrangement on terms to be agreed between that government and the participating countries. These terms would include a provision that any government which is not a contracting party to the GATT must undertake, on acceding to this Arrangement, not to introduce new import restrictions or intensify existing import restrictions, on textile products, in so far as such action would, if that government had been a contracting party to the GATT, be inconsistent with its obligations thereunder.

#### *Article 14*

1. This Arrangement shall enter into force on 1 January 1974.

2. Notwithstanding the provisions of paragraph 1 of this Article, for the application of the provisions of Article 2, paragraphs 2, 3 and 4 the date of entry into force shall be 1 April 1974.

3. Upon request of one or more parties which have accepted or acceded to this Arrangement a meeting shall be held within one week prior to 1 April 1974. Parties which at the time of the meeting have accepted or acceded to the Arrangements may agree on any modification of the date envisaged in paragraph 2 of this Article which may appear necessary and is consistent with the provisions of Article 16.

*Article 15*

Any participating country may withdraw from this Arrangement upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Director-General to the CONTRACTING PARTIES to the GATT.

*Article 16*

This Arrangement shall remain in force for four years.

*Article 17*

The Annexes to this Arrangement constitute an integral part of this Arrangement.

DONE at Geneva this twentieth day of December one thousand nine hundred and seventy-three, in a single copy in the English, French and Spanish languages, each text being authentic.



*ANNEX A*

I. The determination of a situation of "market disruption", as referred to in this Arrangement, shall be based on the existence of serious damage to domestic producers or actual threat thereof. Such damage must demonstrably be caused by the factors set out in paragraph II below and not by factors such as technological changes or changes in consumer preference which are instrumental in switches to like and/or directly competitive products made by the same industry, or similar factors. The existence of damage shall be determined on the basis of an examination of the appropriate factors having a bearing on the evolution of the state of the industry in question such as: turnover, market share, profits, export performance, employment, volume of disruptive and other imports, production, utilization of capacity, productivity and investments. No one or several of these factors can necessarily give decisive guidance.

II. The factors causing market disruption referred to in paragraph I above and which generally appear in combination are as follows:

- (i) a sharp and substantial increase or imminent increase of imports of particular products from particular sources. Such an imminent increase shall be a measurable one and shall not be determined to exist on the basis of allegation, conjecture or mere possibility arising, for example, from the existence of production capacity in the exporting countries;
- (ii) these products are offered at prices which are substantially below those prevailing for similar goods of comparable quality in the market of the importing country. Such prices shall be compared both with the price for the domestic product at comparable stage of commercial transaction, and with the prices which normally prevail for such products sold in the ordinary course of trade and under open market conditions by other exporting countries in the importing country.

III. In considering questions of "market disruption" account shall be taken of the interests of the exporting country, especially in regard to its stage of development, the importance of the textile sector to the economy, the employment situation, overall balance of trade in textiles, trade balance with the importing country concerned and overall balance of payments.

ANNEX B

1. (a) The level below which imports or exports of textile products may not be restrained under the provisions of Article 3 shall be the level of actual imports or exports of such products during the twelve-month period terminating two months or, where data are not available, three months preceding the month in which the request for consultation is made, or, where applicable, the date of institution of such domestic procedure relating to market disruption in textiles as may be required by national legislation, or two months or, where data are not available, three months prior to the month in which the request for consultation is made as a result of such domestic procedure, whichever period is the later.

(b) Where a restraint on the yearly level of exports or imports exists between participating countries concerned, whether provided for under Article 2, 3 or 4, covering the twelve-month period referred to in paragraph (a), the level below which imports of textile products causing market disruption may not be restrained under the provisions of Article 3 shall be the level provided for in the restraint in lieu of the level of actual imports or exports during the twelve-month period referred to in paragraph (a).

Where the twelve-month period referred to in paragraph (a) overlaps in part with the period covered by the restraint, the level shall be:

- (i) the level provided for in the restraint, or the level of actual imports or exports, whichever is higher, except in case of overshipment, for the months where the period covered by the restraint and the twelve-month period referred to in paragraph (a) overlap; and
- (ii) the level of actual imports or exports for the months where no overlap occurs.

(c) If the period referred to in paragraph (a) is specially adverse for a particular exporting country due to abnormal circumstances, the past performance of imports from that country over a period of years should be taken into account.

(d) Where imports or exports of textile products subject to restraints were nil or negligible during the twelve-month period referred to in paragraph (a), a reasonable import level to take account of future possibilities of the exporting country shall be established through consultation between the participating countries concerned.

2. Should the restraint measures remain in force for another twelve-month period, the level for that period shall not be lower than the level specified for the preceding twelve-month period, increased by not less than

6 per cent for products under restraint. In exceptional cases where there are clear grounds for holding that the situation of market disruption will recur if the above growth rate is implemented, a lower positive growth rate may be decided upon after consultation with the exporting country or countries concerned. In exceptional cases where participating importing countries have small markets, an exceptionally high level of imports and a correspondingly low level of domestic production and where the implementation of the above growth rate would cause damage to those countries' minimum viable production, a lower positive growth rate may be decided upon after consultation with the exporting country or countries concerned.

3. Should the restraint measures remain in force for further periods, the level for each subsequent period shall not be lower than the level specified for the preceding twelve-month period, increased by six per cent, unless there is further new evidence which demonstrates, in accordance with Annex A, that implementation of the above growth rate would exacerbate the situation of market disruption. In these circumstances, after consultation with the exporting country concerned, and reference to the Textiles Surveillance Body in accordance with the procedures of Article 3 a lower positive growth rate may be applied.

4. In the event any restriction or limitation is established under Article 3 or 4 on a product or products as to which a restriction or limitation had been suppressed in accordance with the provisions of Article 2, such subsequent restriction or limitation shall not be re-established without full consideration of the limits of trade provided for under such suppressed restriction or limitation.

5. Where restraint is exercised for more than one product the participating countries agree that, provided that the total exports subject to restraint do not exceed the aggregate level for all products so restrained (on the basis of a common unit to be determined by the participating countries concerned), the agreed level for any one product may be exceeded by 7 per cent save in exceptionally and sparingly used circumstances where a lower percentage may be justified in which case that lower percentage shall be not less than 5 per cent. Where restraints are established for more years than one, the extent to which the total of the restraint level for one product or product group may, after consultation between the parties concerned, be exceeded in either year of any two subsequent years by carry forward and/or carryover is 10 per cent of which carry forward shall not represent more than 5 per cent.

6. In the application of the restraint levels and growth rates specified in paragraphs 1 to 3 above, full account shall be taken of the provisions of Article 6.

PROTOCOL EXTENDING THE ARRANGEMENT REGARDING  
INTERNATIONAL TRADE IN TEXTILES

THE PARTIES to the Arrangement Regarding International Trade in Textiles (hereinafter referred to as "the Arrangement" or "MFA")

ACTING pursuant to paragraph 5 of Article 10 of the Arrangement, and

REAFFIRMING that the terms of the Arrangement regarding the competence of the Textiles Committee and the Textiles Surveillance Body are maintained, and

CONFIRMING the understandings set forth in the Conclusions of the Textiles Committee adopted on 22 December 1981, a copy of which is attached herewith,

HEREBY AGREE as follows:

1. The period of validity of the Arrangement set out in Article 16, shall be extended for a period of four years and seven months until 31 July 1986.
2. This Protocol shall be deposited with the Director-General to the CONTRACTING PARTIES to the GATT. It shall be open for acceptance, by signature or otherwise, by the Parties to the Arrangement, by other governments accepting or acceding to the Arrangement pursuant to the provisions of Article 13 thereof and by the European Economic Community.
3. This Protocol shall enter into force on 1 January 1982 for the countries which have accepted it by that date. It shall enter into force for a country which accepts it on a later date as of the date of such acceptance.

Done at Geneva this twenty-second day of December, one thousand nine hundred and eighty-one, in a single copy in the English, French and Spanish languages, each text being authentic.

CONCLUSIONS OF THE TEXTILES COMMITTEE ADOPTED ON 22 DECEMBER 1981

1. The participants in the Arrangement exchanged views regarding the future of the Arrangement.
2. All participants saw mutual co-operation as the foundation of the Arrangement and as the basis for dealing with problems in a way which would promote the aims and objectives of the MFA. Participants emphasized that the primary aims of the MFA are to ensure the expansion of trade in textile products, particularly for the developing countries, and progressively to achieve the reduction of trade barriers and the liberalization of world trade in textile products while, at the same time, avoiding disruptive effects in individual markets and on individual lines of production in both importing and exporting countries. In this context, it was reiterated that a principal aim in the implementation of the Arrangement is to further the economic and social development of developing countries and to secure a substantial increase in their export earnings from textile products and to provide scope for a greater share for them in world trade in these products.
3. Members of the Textiles Committee recognized that there continued to be a tendency for an unsatisfactory situation to exist in world trade in textile products, and that such a situation, if not satisfactorily dealt with, could work to the detriment of countries participating in international trade in textile products, whether as importers or exporters or both. This situation could adversely affect prospects for international co-operation in the trade field and could have unfortunate repercussions on trade relations in general, and the trade of developing countries in particular.
4. Attention was drawn to the fact that decline in the rate of growth of per capita consumption in textiles and in clothing is an element which may be relevant to the recurrence or exacerbation of a situation of market disruption. Attention was also drawn to the fact that domestic markets may be affected by elements such as technological changes and changes in consumer preference. In this connexion it was recalled that the appropriate factors for the determination of a situation of market disruption as referred to in the Arrangement are listed in Annex A.
5. It was agreed that any serious problems of textile trade falling within the purview of the Arrangement should be resolved through consultations and negotiations conducted under the relevant provisions thereof.

6. The Committee noted the important rôle of and the goodwill expressed by certain exporting participants now predominant in the exporting of textile products in all three fibres covered by the Arrangement in finding and contributing to mutually acceptable solutions to particular problems relative to particularly large restraint levels arising out of the application of the Arrangement as extended by the Protocol.

7. The participants recalled that safeguard measures could only be invoked if there existed a situation of market disruption - as defined in Annex A - or real risk thereof. Noting that Article 6 envisages that in the application of such measures developing countries, especially new entrants, small suppliers and cotton producers shall be given more favourable terms than other countries, the Committee drew particular attention to paragraph 12 below.

8. With respect to the definition of market disruption contained in Annex A of the Arrangement, participants took due note that difficulties had arisen as to its application in practice, leading to misunderstandings between exporting and importing participants, which have had an adverse impact on the operation of the Arrangement. Consequently, and with a view to overcoming these difficulties, the participants agreed that the discipline of Annex A and the procedures of Articles 3 and 4 of the Arrangement should be fully respected and that requests for action under these Articles shall be accompanied by relevant specific factual information. The participants further agreed that the situation prevailing when such action was requested should be periodically reviewed by the parties concerned, the Textiles Surveillance Body (TSB) being promptly informed of any resulting modifications under the terms of Articles 3, paragraph 9, and/or 4, paragraph 4.

9. It was recalled that in exceptional cases where there is a recurrence or exacerbation of a situation of market disruption as referred to in Annex A, and paragraphs 2 and 3 of Annex B, a lower positive growth rate for a particular product from a particular source may be agreed upon between the parties to a bilateral agreement. It was further agreed that where such agreement has taken into account the growing impact of a heavily utilized quota with a very large restraint level for the product in question from a particular source, accounting for a very large share of the market of the importing country for textiles and clothing, the exporting party to the agreement concerned may agree to any mutually acceptable arrangements with regard to flexibility.

10. The view was expressed that real difficulties may be caused in importing countries by sharp and substantial increases in imports as a result of significant differences between larger restraint levels negotiated in accordance with Annex B on the one hand and actual imports on the other. Where such significant difficulties stem from consistently under-utilized larger restraint levels and cause or threaten serious and palpable damage to domestic industry, an exporting participant may agree to mutually satisfactory solutions or arrangements. Such solutions or arrangements shall provide for equitable and quantifiable compensation to the exporting participant to be agreed by both parties concerned.

11. The Committee recognized that countries having small markets, an exceptionally high level of imports and a correspondingly low level of domestic production are particularly exposed to the problems arising from imports causing market disruption as defined in Annex A, and that their problems should be resolved in a spirit of equity and flexibility in order to avoid damage to those countries' minimum viable production of textiles. In the case of those countries, the provisions of Article 1, paragraph 2, and Annex B, paragraph 2, should be fully implemented. The exporting participants may, in the case of countries referred to in this paragraph, agree to any mutually acceptable arrangements with regard to paragraph 5 of Annex B; special consideration in this respect would be given to their concerns regarding the avoidance of damage to these countries' minimum viable production of textiles.

12. The participating countries were conscious of the problems posed by restraints on exports of new entrants and small suppliers, as well as on exports of cotton textiles by cotton producing countries. They re-affirmed their commitment to the letter and intent of Article 6 of the Arrangement and to the effective implementation of this Article to the benefit of these countries.

To this end they agreed that:

- (a) Restraints on exports from small suppliers and new entrants should normally be avoided. For the purposes of Article 6, paragraph 3, shares in imports of textiles and those in clothing may be considered separately.
- (b) Restraints on exports from new entrants and small suppliers should, having regard to Article 6, paragraph 2, take due account of the future possibilities for the development of trade and the need to permit commercial quantities of imports.

- (c) Exports of cotton textiles from cotton producing exporting countries should be given special consideration. Where restraints are applied, more favourable treatment should be given to these countries in terms of quotas, growth rates and flexibility in view of the importance of such trade to these countries, having due regard to the provisions of Annex B.
- (d) The provisions of Annex B relating to exceptional circumstances and cases should be applied sparingly to exports from new entrants, small suppliers and trade in cotton textiles of cotton producing developing countries.
- (e) Any restraints envisaged on exports from new entrants, small suppliers and cotton textile producing countries shall take into account the treatment of similar exports from other participants, as well as non-participants in terms of Article 8, paragraph 3.

13. The Committee recalled that consideration is to be given to special and differential treatment which should be accorded to trade referred to in Article 6, paragraph 6.

14. Participants agreed to co-operate fully in dealing with problems relating to circumvention of the Arrangement, in the light of the provisions of Article 8 thereof. It was agreed that the appropriate administrative action referred to in Article 8, paragraph 2, should in principle, where evidence is available regarding the country of true origin and the circumstances of circumvention, include adjustment of charges to existing quotas to reflect the country of true origin; any such adjustment together with its timing and scope being decided in consultation between the countries concerned, with a view to arriving at a mutually satisfactory solution. If such a solution is not reached any participant involved may refer the matter to the TSB in accordance with the provisions of Article 8, paragraph 2.

15. In pursuance of the objective of trade liberalization embodied in the Arrangement, the Committee reaffirmed the need to monitor adjustment policies and measures and the process of autonomous adjustment in terms of the provisions of Article 1, paragraph 4. To this end, the Committee decided that a Sub-Committee should be established to carry out activities previously performed by the Working Group on Adjustment Measures and to make a periodic review of developments in autonomous adjustment processes and in policies and measures to facilitate adjustment, as well as in production and trade in textiles, on the basis of material and information to be provided by participating countries. The Sub-Committee would report periodically to the Textiles Committee to enable that Committee to fulfil its obligations under Article 10, paragraph 2.



16. Participating countries reaffirmed their commitment to the objectives of the expansion of trade, reduction of barriers to such trade and the progressive liberalization of world trade in textile products, while recognizing that these objectives also depend importantly upon matters outside the scope of the Arrangement, such as the reduction of tariffs.

17. In the context of the phasing out of restraints under the Arrangement, priority attention would be given to sectors of trade, e.g., wool tops, and suppliers for which the Arrangement provides for special and more favourable treatment as referred to in Article 6.

18. The participants reaffirmed the importance of the effective functioning of the two organs of the Arrangement, the Textiles Committee and the TSB, in their respective areas of competence. In this context, the participants emphasized the importance of the responsibilities of the TSB as set forth in Article 11 of the MFA.

19. The participants also reaffirmed that the rôle of the TSB is to exercise its functions as set out in Article 11 so as to help ensure the effective and equitable operation of the Arrangement and to further its objectives.

20. The Committee recognized the need for close co-operation among participants for the effective discharge of the TSB's responsibilities.

21. The participants also noted that, should any participant or participants be unable to accept the conclusions or recommendations of the Textiles Surveillance Body, or should, following its recommendations, problems continue to exist between the parties, the procedures set forth in Article 11, paragraphs 8, 9 and 10 are available.

22. The participants reaffirmed the importance of Article 7 to the effective operation of the Arrangement.

23. It was felt that in order to ensure the proper functioning of the MFA, all participants should refrain from taking measures on textiles covered by the MFA, outside the provisions therein, before exhausting all the relief measures provided in the MFA.

24. Taking into account the evolutionary and cyclical nature of trade in textiles and the importance both to importing and exporting countries of prior resolution of problems in a constructive and equitable manner for the interest of all concerned, and on the basis of the elements mentioned in paragraphs 1 to 23 above, which supersede in their totality those adopted on 14 December 1977, the Textiles Committee considered that the Arrangement in its present form should be extended for a period of four years and seven months, subject to confirmation by signature as from 22 December 1981 of a Protocol for this purpose.

ANNEX IV

EXPORT & IMPORT PERMITS ACT,  
IMPORT CONTROL LIST AND  
GENERAL IMPORT PERMITS

2-3 ELIZABETH II.

CHAPTER 27.

An Act respecting the Export and Import of Strategic and Other Goods.

[Assented to 31st March, 1954.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title. 1. This Act may be cited as the *Export and Import Permits Act*.

INTERPRETATION.

Definitions. 2. In this Act, (a) "Area Control List" means a list of countries established under section 4; (b) "Export Control List" means a list of goods established under section 3; (c) "Import Control List" means a list of goods established under section 5; (d) "Minister" means the Minister of Trade and Commerce, and includes any person authorized by him to perform his functions under this Act; and (e) "resident of Canada" means, in the case of a natural person, a person who ordinarily resides in Canada and, in the case of a corporation, a corporation having its head office in Canada or operating a branch office in Canada.

ESTABLISHMENT OF CONTROL LISTS.

Export list of goods. 3. The Governor in Council may establish a list of goods, to be called an Export Control List, including therein any article the export of which he deems it necessary to control for any of the following purposes, namely, (a) to ensure that arms, ammunition, implements or munitions of war, naval, army or air stores or any articles deemed capable of being converted thereinto or made useful in the production thereof or otherwise having a strategic nature or value will not be made available to any destination wherein their use might be detrimental to the security of Canada;

2-3 ELIZABETH II.

CHAPITRE 27.

Loi concernant l'exportation et l'importation de marchandises de valeur stratégique et d'autres marchandises.

[Sanctionnée le 31 mars 1954.]

Sa Majesté, sur l'avis et du consentement du Sénat et de la Chambre des Communes du Canada, décrète:

TITRE ABRÉGÉ.

1. La présente loi peut être citée sous le titre: *Loi sur les licences d'exportation et d'importation*.

INTERPRÉTATION.

2. Dans la présente loi, l'expression (a) «liste de pays visés par contrôle» signifie une liste de pays établie selon l'article 4; (b) «liste de marchandises d'exportation contrôlée» signifie une liste de marchandises établie selon l'article 3; (c) «liste de marchandises d'importation contrôlée» signifie une liste de marchandises établie selon l'article 5; (d) «Ministre» désigne le ministre du Commerce et comprend toute personne qu'il autorise à remplir ses fonctions sous le régime de la présente loi; (e) «résident du Canada» désigne, dans le cas d'une personne naturelle, une personne qui réside ordinairement au Canada et, dans le cas d'une corporation, une corporation qui a son siège social ou qui exploite une succursale au Canada.

ÉTABLISSEMENT DE LISTES DE CONTRÔLE.

3. Le gouverneur en conseil peut établir une liste de marchandises, appelée «liste de marchandises d'exportation contrôlée», comprenant tout article dont, à son avis, il est nécessaire de contrôler l'exportation pour l'une quelconque des fins suivantes, savoir: (a) assurer que des armes, des munitions, ou du matériel ou des armements de guerre, des approvisionnements navals, des approvisionnements de l'armée ou de l'Air, ou des articles jugés susceptibles d'être transformés en l'un des susdits ou de pouvoir servir à leur production, ou ayant autrement une nature ou valeur stratégique, ne seront pas rendus disponibles à une destination où leur emploi pourrait être préjudiciable à la sécurité du Canada;

(a.1) to ensure that any action taken to promote the further processing in Canada of a natural resource that is produced in Canada is not rendered ineffective by reason of the unrestricted exportation of that natural resource;

(a.2) to limit or keep under surveillance the export of any raw or processed material that is produced in Canada in circumstances of surplus supply and depressed prices and that is not a produce of agriculture;

(b) to implement an intergovernmental arrangement or commitment; or

(c) to ensure that there is an adequate supply and distribution of such article in Canada for defence or other needs.

Export list of countries.

4. The Governor in Council may establish a list of countries, to be called an Area Control List, including therein any country the export of any goods to which he deems it necessary to control.

Import list of goods.

5. The Governor in Council may establish a list of goods, to be called an Import Control List, including therein any article the import of which he deems it necessary to control for any of the following purposes, namely,

(a) to ensure, in accordance with the needs of Canada, the best possible supply and distribution of an article that is scarce in world markets or is subject to governmental controls in the countries of origin or to allocation by intergovernmental arrangement;

(a.1) to restrict, for the purpose of supporting any action taken under the *Farm Products Marketing Agencies Act*, the importation in any form of a like article to one produced or marketed in Canada the quantities of which are fixed or determined under that Act;

(b) to implement any action taken under the *Agricultural Stabilization Act*, the *Fisheries Prices Support Act*, the *Agricultural Products Co-operative Marketing Act*, the *Agricultural Products Board Act* or the *Canadian Dairy Commission Act*, to support the price of the article or that has the effect of supporting the price of the article; or

(c) to implement an intergovernmental arrangement or commitment;

and where any goods are included in the list for the purpose of ensuring supply or distribution of goods subject to allocation by intergovernmental arrangement or for the purpose of implementing an intergovernmental arrangement or commitment, a statement of the effect or a summary of the arrangement or commitment, if it has not previously been laid before Parliament, shall be laid before Parliament not later than fifteen days after the Order of the Governor in Council including those goods in the list is published in the

a.1) s'assurer que toute mesure prise pour favoriser le traitement supplémentaire au Canada d'une ressource naturelle qui y est produite ne devienne pas inopérante du fait de l'exportation sans restriction de cette ressource naturelle;

a.2) limiter les exportations de matières premières ou transformées d'origine canadienne, ou en conserver le contrôle, lorsqu'il y a surproduction et chute des cours et qu'il ne s'agit pas d'un produit agricole;

b) mettre en œuvre un arrangement ou un engagement intergouvernemental; ou

c) assurer un approvisionnement et une distribution de cet article au Canada qui suffisent aux besoins de la défense ou autres.

4. Le gouverneur en conseil peut établir une liste de pays, appelée «liste de pays visés par contrôle», comprenant tout pays vers lequel il estime nécessaire de contrôler l'exportation de marchandises.

Liste de pays aux fins d'exportation.

5. Le gouverneur en conseil peut établir une liste de marchandises, appelée «liste de marchandises d'importation contrôlée», comprenant tout article dont, à son avis, il est nécessaire de contrôler l'importation pour l'une quelconque des fins suivantes, savoir:

Liste visant l'importation de marchandises.

a) assurer, selon les besoins du Canada, le meilleur approvisionnement et la meilleure distribution possibles d'un article rare sur les marchés mondiaux ou soumis à des régies gouvernementales dans les pays d'origine ou à une répartition par arrangement intergouvernemental;

a.1) appuyer une mesure prise en vertu de la *Loi sur les offices de commercialisation des produits de ferme*, en limitant l'importation sous quelque forme d'un article semblable à un article produit ou commercialisé au Canada dont les quantités sont fixées ou déterminées en vertu de cette loi;

b) mettre à exécution toute mesure prise selon la *Loi sur la stabilisation des prix agricoles*, la *Loi sur le soutien des prix des produits de la pêche*, la *Loi sur la vente coopérative des produits agricoles*, la *Loi sur l'Office des produits agricoles* ou la *Loi sur la Commission canadienne du lait*, ayant pour objet ou pour effet de soutenir le prix de l'article; ou

c) mettre en œuvre un arrangement ou un engagement intergouvernemental;

et lorsque des marchandises sont incluses dans la liste en vue d'assurer l'approvisionnement ou la distribution de marchandises sujettes à répartition par arrangement intergouvernemental ou pour donner suite à un arrangement ou engagement intergouvernemental, un exposé de l'effet ou un sommaire de l'arrangement ou engagement, s'il n'a pas été antérieurement présenté au Parlement, doit l'être au plus tard quinze jours après que l'arrêté du gouverneur en conseil faisant entrer ces marchandises dans la liste est publié dans la

2-3 ELIZABETH II.

CHAPTER 27.

An Act respecting the Export and Import of Strategic and Other Goods.

[Assented to 31st March, 1954.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

SHORT TITLE.

Short title.

1. This Act may be cited as the *Export and Import Permits Act*.

INTERPRETATION.

Definitions.

2. In this Act,

"Area Control List."

(a) "Area Control List" means a list of countries established under section 4;

"Export Control List."

(b) "Export Control List" means a list of goods established under section 3;

"Import Control List."

(c) "Import Control List" means a list of goods established under section 5;

"Minister."

(d) "Minister" means the Minister of Trade and Commerce, and includes any person authorized by him to perform his functions under this Act; and

"Resident of Canada."

(e) "resident of Canada" means, in the case of a natural person, a person who ordinarily resides in Canada and, in the case of a corporation, a corporation having its head office in Canada or operating a branch office in Canada.

ESTABLISHMENT OF CONTROL LISTS.

Export list of goods.

3. The Governor in Council may establish a list of goods, to be called an Export Control List, including therein any article the export of which he deems it necessary to control for any of the following purposes, namely,

(a) to ensure that arms, ammunition, implements or munitions of war, naval, army or air stores or any articles deemed capable of being converted thereinto or made useful in the production thereof or otherwise having a strategic nature or value will not be made available to any destination wherein their use might be detrimental to the security of Canada;

2-3 ELIZABETH II.

CHAPITRE 27.

Loi concernant l'exportation et l'importation de marchandises de valeur stratégique et d'autres marchandises.

[Sanctionnée le 31 mars 1954.]

Sa Majesté, sur l'avis et du consentement du Sénat et de la Chambre des Communes du Canada, décrète:

TITRE ABRÉGÉ.

1. La présente loi peut être citée sous le titre: *Loi sur les licences d'exportation et d'importation*.

INTERPRÉTATION.

2. Dans la présente loi, l'expression

Définitions

d) «liste de pays visés par contrôle» signifie une liste de pays établie selon l'article 4;

«liste de pays visés par contrôle»

b) «liste de marchandises d'exportation contrôlée» signifie une liste de marchandises établie selon l'article 3;

«liste de marchandises d'exportation contrôlée»

c) «liste de marchandises d'importation contrôlée» signifie une liste de marchandises établie selon l'article 5;

«liste de marchandises d'importation contrôlée»

d) «Ministre» désigne le ministre du Commerce et comprend toute personne qu'il autorise à remplir ses fonctions sous le régime de la présente loi;

«Ministre»

e) «résident du Canada» désigne, dans le cas d'une personne naturelle, une personne qui réside ordinairement au Canada et, dans le cas d'une corporation, une corporation qui a son siège social ou qui exploite une succursale au Canada.

«résident du Canada»

ÉTABLISSEMENT DE LISTES DE CONTRÔLE.

3. Le gouverneur en conseil peut établir une liste de marchandises, appelée «liste de marchandises d'exportation contrôlée», comprenant tout article dont, à son avis, il est nécessaire de contrôler l'exportation pour l'une quelconque des fins suivantes, savoir:

Liste visant l'exportation de marchandises.

a) assurer que des armes, des munitions, ou du matériel ou des armements de guerre, des approvisionnements navals, des approvisionnements de l'armée ou de l'Air, ou des articles jugés susceptibles d'être transformés en l'un des susdits ou de pouvoir servir à leur production, ou ayant autrement une nature ou valeur stratégique, ne seront pas rendus disponibles à une destination où leur emploi pourrait être préjudiciable à la sécurité du Canada;

(a.1) to ensure that any action taken to promote the further processing in Canada of a natural resource that is produced in Canada is not rendered ineffective by reason of the unrestricted exportation of that natural resource;

(a.2) to limit or keep under surveillance the export of any raw or processed material that is produced in Canada in circumstances of surplus supply and depressed prices and that is not a produce of agriculture;

(b) to implement an intergovernmental arrangement or commitment; or

(c) to ensure that there is an adequate supply and distribution of such article in Canada for defence or other needs.

Export list of countries.

4. The Governor in Council may establish a list of countries, to be called an Area Control List, including therein any country the export of any goods to which he deems it necessary to control.

Import list of goods.

5. The Governor in Council may establish a list of goods, to be called an Import Control List, including therein any article the import of which he deems it necessary to control for any of the following purposes, namely,

(a) to ensure, in accordance with the needs of Canada, the best possible supply and distribution of an article that is scarce in world markets or is subject to governmental controls in the countries of origin or to allocation by intergovernmental arrangement;

(a.1) to restrict, for the purpose of supporting any action taken under the *Farm Products Marketing Agencies Act*, the importation in any form of a like article to one produced or marketed in Canada the quantities of which are fixed or determined under that Act;

(b) to implement any action taken under the *Agricultural Stabilization Act*, the *Fisheries Prices Support Act*, the *Agricultural Products Co-operative Marketing Act*, the *Agricultural Products Board Act* or the *Canadian Dairy Commission Act*, to support the price of the article or that has the effect of supporting the price of the article; or

(c) to implement an intergovernmental arrangement or commitment;

and where any goods are included in the list for the purpose of ensuring supply or distribution of goods subject to allocation by intergovernmental arrangement or for the purpose of implementing an intergovernmental arrangement or commitment, a statement of the effect or a summary of the arrangement or commitment, if it has not previously been laid before Parliament, shall be laid before Parliament not later than fifteen days after the Order of the Governor in Council including those goods in the list is published in the

a.1) s'assurer que toute mesure prise pour favoriser le traitement supplémentaire au Canada d'une ressource naturelle qui y est produite ne devienne pas inopérante du fait de l'exportation sans restriction de cette ressource naturelle;

a.2) limiter les exportations de matières premières ou transformées d'origine canadienne, ou en conserver le contrôle, lorsqu'il y a surproduction et chute des cours et qu'il ne s'agit pas d'un produit agricole;

b) mettre en œuvre un arrangement ou un engagement intergouvernemental; ou

c) assurer un approvisionnement et une distribution de cet article au Canada qui suffisent aux besoins de la défense ou autres.

4. Le gouverneur en conseil peut établir une liste de pays, appelée «liste de pays visés par contrôle», comprenant tout pays vers lequel il estime nécessaire de contrôler l'exportation de marchandises.

Liste de pays aux fins d'exportation.

5. Le gouverneur en conseil peut établir une liste de marchandises, appelée «liste de marchandises d'importation contrôlée», comprenant tout article dont, à son avis, il est nécessaire de contrôler l'importation pour l'une quelconque des fins suivantes, savoir:

Liste visant l'importation de marchandises.

a) assurer, selon les besoins du Canada, le meilleur approvisionnement et la meilleure distribution possibles d'un article rare sur les marchés mondiaux ou soumis à des régies gouvernementales dans les pays d'origine ou à une répartition par arrangement intergouvernemental;

a.1) appuyer une mesure prise en vertu de la *Loi sur les offices de commercialisation des produits de ferme*, en limitant l'importation sous quelque forme d'un article semblable à un article produit ou commercialisé au Canada dont les quantités sont fixées ou déterminées en vertu de cette loi;

b) mettre à exécution toute mesure prise selon la *Loi sur la stabilisation des prix agricoles*, la *Loi sur le soutien des prix des produits de la pêche*, la *Loi sur la vente coopérative des produits agricoles*, la *Loi sur l'Office des produits agricoles* ou la *Loi sur la Commission canadienne du lait*, ayant pour objet ou pour effet de soutenir le prix de l'article; ou

c) mettre en œuvre un arrangement ou un engagement intergouvernemental;

et lorsque des marchandises sont incluses dans la liste en vue d'assurer l'approvisionnement ou la distribution de marchandises sujettes à répartition par arrangement intergouvernemental ou pour donner suite à un arrangement ou engagement intergouvernemental, un exposé de l'effet ou un sommaire de l'arrangement ou engagement, s'il n'a pas été antérieurement présenté au Parlement, doit l'être au plus tard quinze jours après que l'arrêté du gouverneur en conseil faisant entrer ces marchandises dans la liste est publié dans la

Canada Gazette pursuant to the *Statutory Instruments Act* or, if Parliament is not then sitting, on any of the first fifteen days next thereafter that Parliament is sitting.

(2) Where at any time it appears to the satisfaction of the Governor in Council on a report of the Minister made pursuant to

(a) an inquiry made by the Textile and Clothing Board with respect to the importation of any textile and clothing goods within the meaning of the *Textile and Clothing Board Act*, or

(b) an inquiry made under section 16A of the *Anti-dumping Act* by the Anti-dumping Tribunal in respect of any goods other than textile and clothing goods within the meaning of the *Textile and Clothing Board Act*

that goods of any kind are being imported or are likely to be imported into Canada at such prices, in such quantities and under such conditions as to cause or threaten serious injury to Canadian producers of like or directly competitive goods, any goods of the same kind may, by order of the Governor in Council, be included on the Import Control List in order to limit the importation of such goods to the extent and for the period that, in the opinion of the Governor in Council, is necessary to prevent or remedy the injury.

Amendment  
of lists.

6. The Governor in Council may revoke, amend, vary or re-establish any Area Control List, Export Control List or Import Control List.

#### PERMITS AND CERTIFICATES.

Export  
permits.

7. The Minister may issue to any resident of Canada applying therefor a permit to export goods included in an Export Control List or to a country included in an Area Control List, in such quantity and of such quality, by such persons, to such places or persons and subject to such other terms and conditions as are described in the permit or in the regulations.

Import  
permits.

8. The Minister may issue to any resident of Canada applying therefor a permit to import goods included in an Import Control List, in such quantity and of such quality, by such persons, from such places or persons and subject to such other terms and conditions as are described in the permit or in the regulations.

Import  
certificates.

9. The Minister may, in order to facilitate importation of goods into Canada and compliance with the laws of the country of export, issue to any resident of Canada applying therefor an import certificate stating that the applicant has undertaken to import the goods described in the

*Gazette du Canada* en application de la *Loi sur les textes réglementaires* ou, si le Parlement ne siège pas à ce moment-là, l'un des quinze premiers jours où il siège par la suite.

(2) Lorsque à un moment quelconque le gouverneur en conseil est convaincu, sur rapport du Ministre établi en application

a) d'une enquête effectuée par la Commission du textile et du vêtement relativement à l'importation d'articles de textile et d'habillement tels qu'ils sont définis dans la *Loi sur la Commission du textile et du vêtement*, ou

b) d'une enquête effectuée en vertu de l'article 16A de la *Loi antidumping* par le Tribunal antidumping relativement à des marchandises autres que les articles de textile et d'habillement définis par la *Loi sur la Commission du textile et du vêtement*,

que des marchandises de tout genre sont importées ou seront vraisemblablement importées au Canada à des prix, en quantités et dans des conditions portant ou menaçant de porter un préjudice sérieux aux producteurs canadiens de marchandises semblables ou directement concurrentes, toutes marchandises du même genre peuvent, par décret du gouverneur en conseil, être incluses dans la liste de marchandises d'importation contrôlée afin de limiter l'importation de ces marchandises dans la mesure et pour la période nécessaires, de l'avis du gouverneur en conseil, pour empêcher ce préjudice ou y remédier.

6. Le gouverneur en conseil peut révoquer, modifier, changer ou rétablir toute liste de pays visés par contrôle, liste de marchandises d'exportation contrôlée ou liste de marchandises d'importation contrôlée.

#### LICENCES ET CERTIFICATS.

Modification  
des listes.

7. Le Ministre peut délivrer à tout résident du Canada qui en fait la demande une licence d'exporter des marchandises comprises dans une liste de marchandises d'exportation contrôlée ou à un pays nommé dans une liste de pays visés par contrôle, en la quantité et de la qualité, par les personnes, aux endroits ou personnes et sous réserve des autres stipulations et conditions que décrivent la licence ou les règlements.

Licences d'ex-  
portation.

8. Le Ministre peut délivrer à tout résident du Canada qui en fait la demande une licence d'importer des marchandises comprises dans une liste de marchandises d'importation contrôlée, en la quantité et de la qualité, par les personnes, des endroits ou des personnes et sous réserve des autres stipulations et conditions que décrivent la licence ou les règlements.

Licences  
d'importation.

9. Le Ministre peut, afin de faciliter l'importation de marchandises au Canada et l'observation des lois du pays d'exportation, délivrer, à tout résident du Canada qui en fait la demande, un certificat d'importation énonçant que l'auteur de la demande s'est engagé à importer les marchan-

Certificats  
d'importation.

certificate within the time specified therein and containing such other information as the regulations require.

Alteration of permits, etc.

10. The Minister may amend, suspend, cancel or reinstate any permit, certificate or other authorization issued or granted under this Act.

Other lawful obligations not affected.

11. A permit, certificate or other authorization issued or granted under this Act does not affect the obligation of any person to obtain any licence, permit or certificate to export or import that may be required under this or any other law or to pay any tax, duty, toll, impost or other sum required by any law to be paid in respect of the exportation or importation of goods.

dises décrites au certificat dans le délai y spécifié et renfermant les autres renseignements qu'exigent les règlements.

10. Le Ministre peut modifier, suspendre, annuler ou rétablir toute licence, tout certificat ou toute autre autorisation délivrée ou concédée selon la présente loi.

Modification des licences, etc.

11. Une licence, un certificat ou une autre autorisation délivrée ou concédée sous le régime de la présente loi n'atteint pas l'obligation, pour qui que ce soit, d'obtenir une licence, un permis ou certificat d'exportation ou d'importation qui peut être requis selon la présente ou toute autre loi ou d'acquitter un impôt, droit, taxe ou autre somme à payer, en vertu de quelque loi, relativement à l'exportation ou à l'importation de marchandises.

Les autres obligations imposées par la loi ne sont pas atteintes.

#### REGULATIONS.

Regulations.

12. The Governor in Council may make regulations,

(a) prescribing the information and undertakings to be furnished by applicants for permits, certificates or other authorizations under this Act, the procedure to be followed in applying for and issuing or granting permits, certificates or other authorizations, the duration thereof, and the terms and conditions, including those with reference to shipping or other documents, upon which permits, certificates or other authorizations may be issued or granted under this Act;

(b) respecting information to be supplied by persons to whom permits, certificates or other authorizations have been issued or granted under this Act and any other matter associated with their use;

(c) respecting the issue of and conditions or requirements applicable to general permits or general certificates;

(d) respecting the certification, authorization or other control of any in-transit movement through any port or place of any goods that are exported from Canada or of any goods that come into any port or place in Canada;

(e) exempting any person or goods or any class of persons or goods from the operation of any or all of the provisions of this Act; and

(f) generally for carrying out the purposes and provisions of this Act.

#### OFFENCES AND PENALTIES.

Export or attempt to export.

13. No person shall export or attempt to export any goods included in an Export Control List or any goods to any country included in an Area Control List except under the authority of and in accordance with an export permit issued under this Act.

#### RÈGLEMENTS.

12. Le gouverneur en conseil peut établir des règlements

a) prescrivant les renseignements et les engagements que doivent fournir ceux qui demandent des licences, certificats ou autres autorisations selon la présente loi, la procédure à suivre pour la demande et la délivrance ou la concession de licences, certificats ou autres autorisations, leur durée et les conditions, y compris celles qui concernent les documents d'expédition ou autres, auxquelles des licences, certificats ou autres autorisations peuvent être délivrés ou concédés sous le régime de la présente loi;

b) concernant les renseignements que doivent fournir les personnes à qui des licences, certificats ou autres autorisations ont été délivrés ou concédés sous le régime de la présente loi et autres matières connexes à leur emploi;

c) concernant la délivrance de licences ou certificats de portée générale et les conditions et exigences y applicables;

d) concernant la certification, l'autorisation ou autre contrôle de tout mouvement, en cours de route, par un port ou endroit, de toutes marchandises qui sont exportées du Canada ou de toutes marchandises qui entrent dans un port ou endroit du Canada;

e) exemptant de l'application de la totalité ou de l'une quelconque des dispositions de la présente loi toute personne ou toute marchandise ou toute catégorie de personnes ou de marchandises; et

f) tendant d'une façon générale à l'accomplissement des fins et à l'exécution des dispositions de la présente loi.

#### INFRACTIONS ET PEINES.

13. Nul ne doit exporter ou tenter d'exporter des marchandises comprises dans une liste de marchandises d'exportation contrôlée, ni des marchandises vers un pays dont le nom paraît sur une liste de pays visés par contrôle, si ce n'est sous l'autorité et en conformité d'une licence d'exportation délivrée selon la présente loi.

Exportation ou tentative d'exportation.



Import of attempt to import.

14. No person shall import or attempt to import any goods included in an Import Control List except under the authority of and in accordance with an import permit issued under this Act.

14. Nul ne doit importer ou tenter d'importer des marchandises mentionnées sur une liste de marchandises d'importation contrôlée, si ce n'est sous l'autorité et en conformité d'une licence d'importation délivrée selon la présente loi.

Importation ou tentative d'importation.

Diversion, etc.

15. Except with the authority in writing of the Minister, no person shall knowingly do anything in Canada that causes or assists or is intended to cause or assist any shipment, transshipment or diversion of any goods included in an Export Control List to be made, from Canada or any other place, to any country included in an Area Control List.

15. Nul ne doit, sans l'autorisation écrite du Ministre, faire sciemment au Canada quelque chose qui cause ou qui est destiné à causer l'expédition, le transbordement ou le détournement de marchandises mentionnées sur une liste de marchandises d'exportation contrôlée, ou quelque chose qui contribue ou qui est destiné à contribuer à l'expédition, au transbordement ou au détournement de telles marchandises, en provenance du Canada ou de quelque autre endroit, vers un pays inclus dans une liste de pays visés par contrôle.

Détournement, etc.

No transfer of permits.

16. No person who is authorized under a permit issued under this Act to export or import goods shall transfer the permit to, or allow it to be used by, a person who is not so authorized.

16. Nulle personne autorisée, en vertu d'une licence délivrée selon la présente loi, à exporter ou à importer des marchandises ne doit transférer la licence à une personne qui n'est pas ainsi autorisée, ni lui permettre de s'en servir.

Aucun transfert des licences.

False information.

17. No person shall wilfully furnish any false or misleading information or knowingly make any misrepresentation in any application for a permit, certificate or other authorization under this Act or for the purpose of procuring its issue or grant or in connection with any subsequent use of such permit, certificate or other authorization or the exportation, importation or disposition of goods to which it relates.

17. Nul ne doit fournir volontairement quelque renseignement faux ou trompeur ni faire sciemment un faux exposé dans une demande de licence, certificat ou autre autorisation en vertu de la présente loi, ou pour en obtenir la délivrance ou la concession, ni à l'égard de l'usage qu'il sera fait par la suite de cette licence, ce certificat ou cette autre autorisation, ou à l'égard de l'exportation, de l'importation ou de la disposition de marchandises auxquelles a trait cette licence, ce certificat ou cette autorisation.

Faux renseignements.

Aiding and abetting.

18. No person shall knowingly induce, aid or abet any person to violate a provision of this Act or the regulations.

18. Nul ne doit sciemment engager, aider ou encourager quelque personne à violer une disposition de la présente loi ou des règlements.

Aider et encourager.

Offence and penalty.

19. (1) Every person who violates any of the provisions of this Act or the regulations is guilty of an offence and is liable

19. (1) Quiconque viole l'une des dispositions de la présente loi ou des règlements est coupable d'une infraction et passible

Infraction et peine.

(a) on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both fine and imprisonment; or

a) sur déclaration sommaire de culpabilité, d'une amende d'au plus cinq mille dollars ou d'un emprisonnement d'au plus douze mois ou à la fois de l'amende et de l'emprisonnement; ou

(b) on conviction upon indictment to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding five years or to both fine and imprisonment.

b) après déclaration de culpabilité sur acte d'accusation, d'une amende d'au plus vingt-cinq mille dollars ou d'un emprisonnement d'au plus cinq ans, ou à la fois de l'amende et de l'emprisonnement.

Limitation on summary offences.

(2) A prosecution under paragraph (a) of subsection (1) may be instituted at any time within three years from the time when the subject-matter of the complaint arose.

(2) Des poursuites en vertu de l'alinéa a) du paragraphe (1) peuvent être intentées en tout temps dans les trois ans du moment où le sujet de la plainte a pris naissance.

Prescription dans le cas d'infractions punissables sur déclaration sommaire de culpabilité.

Officers of corporations.

20. Where an offence under this Act has been committed by a corporation, whether or not the corporation has been prosecuted or convicted, every person who at the time of the commission of the offence was a director or officer of the corporation, is guilty of the like offence and is

20. Lorsqu'une infraction tombant sous le coup de la présente loi a été commise par une corporation, que la corporation ait ou non été poursuivie ou déclarée coupable, chaque personne qui, lors de l'accomplissement de l'infraction, était un administrateur ou un fonctionnaire

Fonctionnaires de corporations.

liable, on conviction, to the punishment provided for the offence, upon proof that the act or omission constituting the offence took place with his knowledge or consent or that he failed to exercise due diligence to prevent the commission of such offence.

Responsibility of resident applicants for non-resident permittees.

21. Where a permit under this Act is issued to a person who has applied therefor for or on behalf of or for the use of another person who is not a resident of Canada and such other person commits an offence under this Act, the person who applied for the permit is, whether or not the non-resident has been prosecuted or convicted, guilty of the like offence and is liable, on conviction, to the punishment provided for the offence, upon proof that the act or omission constituting the offence took place with his knowledge or consent or that he failed to exercise due diligence to prevent the commission of such offence.

Venue.

22. (1) Any proceeding in respect of an offence under this Act may be instituted, tried or determined at the place in Canada where the offence was committed or at the place in Canada in which the person charged with the offence is, resides or has an office or place of business at the time of institution of the proceedings.

Where more than one offence.

(2) In any proceedings in respect of offences under this Act, an information may include more than one offence committed by the same person and all such offences may be tried concurrently and one conviction for any or all offences may be made, and no information, warrant, summons, conviction or other proceedings for such offences shall be deemed objectionable on the ground that it relates to two or more offences.

Evidence.

23. Where it appears from the original or a copy of a bill of lading, customs form, commercial invoice or other document (hereinafter called a "shipping document") that

(a) goods were shipped or sent from Canada or came into Canada,

(b) a person, as shipper, consignor or consignee, shipped or sent goods from Canada or brought goods into Canada, or

(c) goods were sent to a destination or person other than as authorized in any export or import permit relating to the goods,

the shipping document is admissible in evidence in any prosecution under this Act in respect of those goods and is *prima facie* proof of any of the facts set out in paragraph (a), (b) or (c) appearing therefrom.

de la corporation, est coupable de la même infraction et passible, sur déclaration de culpabilité, de la peine prévue pour l'infraction, sur preuve que l'acte ou l'omission constituant l'infraction a eu lieu à sa connaissance ou avec son consentement, ou qu'elle a omis d'exercer la diligence requise pour empêcher l'accomplissement de cette infraction.

21. Lorsqu'une licence prévue par la présente loi est délivrée à une personne qui l'a demandée pour une autre personne, ou de la part ou pour l'usage d'une autre personne, qui n'est pas un résident du Canada, et que cette autre personne commet une infraction visée par la présente loi, la personne qui a demandé la licence, que le non-résident ait été poursuivi ou déclaré coupable ou non, est coupable de la même infraction et passible, sur déclaration de culpabilité, de la peine stipulée pour l'infraction, sur preuve que l'acte ou l'omission constituant l'infraction a eu lieu à sa connaissance ou avec son consentement, ou qu'elle a omis d'exercer la diligence requise pour empêcher l'accomplissement de cette infraction.

Responsabilité des résidents qui demandent des licences pour des non-résidents.

Ressort.

22. (1) Toute procédure à l'égard d'une infraction tombant sous le coup de la présente loi peut être intentée, jugée ou décidée à l'endroit du Canada où l'infraction a été commise ou à l'endroit du Canada où la personne inculpée de l'infraction se trouve, réside ou a un bureau ou une place d'affaires au moment où les procédures sont intentées.

(2) Dans toutes procédures à l'égard d'infractions visées par la présente loi, une dénonciation peut contenir plus d'une infraction commise par la même personne, et toutes ces infractions peuvent être jugées simultanément et une déclaration de culpabilité peut être faite pour la totalité ou l'une des infractions, et aucune dénonciation, aucun mandat, aucune sommation, déclaration de culpabilité ou autre procédure à l'égard de ces infractions ne doit être réputée inadmissible du fait qu'elle a trait à deux ou plusieurs infractions.

Lorsqu'il y a plus d'une infraction.

Preuve.

23. Lorsqu'il appert de l'original ou d'une copie d'un connaissance, d'une formule de douane, facture commerciale ou autre document (ci-après appelé un «document d'expédition»)

a) que des marchandises ont été expédiées ou envoyées du Canada ou sont venues au Canada,

b) qu'une personne, à titre d'expéditeur, de consignateur ou de consignataire, a expédié ou envoyé des marchandises du Canada ou a fait entrer des marchandises au Canada, ou

c) que des marchandises ont été envoyées à une destination ou une personne autre que celle qu'autorise une licence d'exportation ou d'importation relative aux marchandises,

le document d'expédition est admissible en preuve dans toute poursuite, selon la présente loi, à l'égard de ces marchandises et constitue une preuve *prima facie* de n'importe lequel des faits mentionnés à l'alinéa a), b) ou c) qui en ressort.

## GENERAL.

Customs officers' duties.

24. All officers, as defined in the *Customs Act*, before permitting the export or import of any goods, shall satisfy themselves that the exporter or importer, as the case may be, has not violated any of the provisions of this Act or the regulations and that all requirements of this Act and the regulations with reference to those goods have been complied with.

Application of powers under the *Customs Act*.

25. All officers, as defined in the *Customs Act*, have, with respect to any goods to which this Act applies, all the powers they have under the *Customs Act* with respect to the importation and exportation of goods, and all the provisions of that Act and the regulations thereunder respecting search, detention, seizure, forfeiture and condemnation apply, *mutatis mutandis*, to any goods that are tendered for export or import or exported or imported or otherwise dealt with contrary to this Act and the regulations and to all documents relating to such goods.

Report to Parliament.

26. As soon as practicable after the 31st day of December of each year the Minister shall prepare and lay before Parliament a report of the operations under this Act for that year.

Repeal.

28. The *Export and Import Permits Act*, chapter 104 of the Revised Statutes of Canada, 1952, is repealed.

Coming into force.

29. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

## GÉNÉRALITÉS.

24. Tous les préposés, tels que les définit la *Loi sur les douanes*, doivent, avant de permettre l'exportation ou l'importation de marchandises, s'assurer que l'exportateur ou l'importateur, selon le cas, n'a violé aucune disposition de la présente loi ou des règlements, et que toutes les prescriptions de la présente loi et des règlements, relativement à ces marchandises, ont été observées.

Droits des préposés des douanes.

25. Tous les préposés, tels que les définit la *Loi sur les douanes*, ont, relativement aux marchandises visées par la présente loi, tous les pouvoirs que leur confère la *Loi sur les douanes*, à l'égard de l'importation et de l'exportation de marchandises, et toutes les dispositions de ladite loi et de ses règlements d'exécution visant la perquisition, la détention, la saisie, la confiscation et la condamnation s'appliquent, *mutatis mutandis*, à toutes marchandises présentées pour exportation ou importation, ou exportées ou importées, ou autrement traitées en opposition avec la présente loi et les règlements, ainsi qu'à tous les documents qui ont trait à ces marchandises.

Exercice des pouvoirs conférés par la *Loi sur les douanes*.

26. Aussitôt que possible après le 31 décembre de chaque année, le Ministre doit dresser et présenter au Parlement un rapport sur les opérations découlant de la présente loi pour l'année en question.

Rapport au Parlement.

27. ABROGÉ (le 7 mai 1974).

28. Est abrogée la *Loi sur les permis d'exportation et d'importation*, chapitre 104 des Statuts révisés du Canada (1952).

Abrogation.

29. La présente loi entrera en vigueur à une date que le gouverneur en conseil fixera par proclamation.

Entrée en vigueur.

Registration  
SOR/82-234 11 February, 1982

EXPORT AND IMPORT PERMITS ACT

Import Control List, amendment

P.C. 1982-380 11 February, 1982

Whereas the Secretary of State for External Affairs has reported that bilateral restraint arrangements have been concluded with various sources limiting their exports of certain clothing and textile products to Canada to agreed levels for the period commencing January 1, 1982;

Whereas the arrangements include the obligation by Canada to ensure that similar products are not imported into Canada from other sources in a manner that might be inequitable to any country that is a party to the arrangements;

And Whereas the Governor General in Council is satisfied that it is necessary, for surveillance and monitoring purposes, to amend the Import Control List in order to implement the inter-government arrangements.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State for External Affairs, pursuant to sections 5(1)(c) and 6 of the Export and Import Permits Act is pleased hereby to amend the Import Control List, C.R.C., c. 604, in accordance with the schedule hereto, effective February 12, 1982.

SCHEDULE

1. Item 14 of the *Import Control List* is revoked.
2. Item 22 of the said List is revoked and the following substituted therefor:
 

“22. Polyester fabrics that are

  - (a) broadwoven filament polyester fabrics;
  - (b) broadwoven polyester-cotton fabrics where the polyester fibres represent 50 per cent or more by weight, originating in Hong Kong, Republic of Korea or Taiwan; or
  - (c) broadwoven polyester fabrics not included in paragraph (a) or (b) originating in the Republic of Korea or Taiwan.”
3. Items 24 to 27 of the said List are revoked and the following substituted therefor:
 

“24. All types of machine knitting and hand knitting acrylic yarns containing 50 per cent or more by weight of

Enregistrement  
DORS/82-234 11 février 1982

LOI SUR LES LICENCES D'EXPORTATION ET D'IMPORTATION

Liste de marchandises d'importation contrôlée—  
Modification

C.P. 1982-380 11 février 1982

Attendu que le secrétaire d'État aux Affaires extérieures a fait savoir que des arrangements bilatéraux ont été conclus avec divers pays afin de limiter leur exportation de certains vêtements et textiles au Canada, aux niveaux convenus pour la période débutant le 1<sup>er</sup> janvier 1982;

Attendu que ces arrangements engagent le Canada à garantir que des articles similaires en provenance d'autres pays ne seront pas importés au Canada d'une manière qui pourrait porter préjudice à un pays partie à ces arrangements;

Et attendu que le Gouverneur général en conseil juge qu'il est nécessaire, à des fins de surveillance et de contrôle, de modifier la Liste de marchandises d'importation contrôlée pour mettre en œuvre les arrangements inter-gouvernementaux.

En conséquence, sur avis conforme du secrétaire d'État aux Affaires extérieures et en vertu de l'alinéa 5(1)c) et de l'article 6 de la Loi sur les licences d'exportation et d'importation, il plaît à Son Excellence le Gouverneur général en conseil de modifier, conformément à l'annexe ci-après et à compter du 12 février 1982, la Liste de marchandises d'importation contrôlée, C.R.C., c. 604.

ANNEXE

1. L'article 14 de la *Liste de marchandises d'importation contrôlée* est abrogé.
2. L'article 22 de ladite liste est abrogé et remplacé par ce qui suit:
 

«22. Tissus de polyester suivants:

  - a) tissus de filaments de polyester à trame large;
  - b) tissus de polyester et de coton à trame large, composés à 50 pour cent ou plus en poids de fibres de polyester, en provenance de Hong Kong, de la République de Corée ou de Taiwan; ou
  - c) tissus de polyester à trame large non compris aux alinéas a) ou b), en provenance de la République de Corée ou de Taiwan.»
3. Les articles 24 à 27 de ladite liste sont abrogés et remplacés par ce qui suit:
 

«24. Tout genre de filés acryliques pour tricot à la machine et à la main contenant en poids 50 pour cent ou plus de fibres acryliques, à l'exception des filés fabriqués

acrylic fibres, except those yarns composed entirely of fibres not exceeding 6.35 cm in length.

25. Woollen fabrics that are

- (a) worsted fabric containing 17 per cent or more by weight of wool from all sources except France, Italy, Japan, Netherlands, Switzerland, United Kingdom, United States or West Germany;
- (b) woollen fabrics, 252 g or less per square yard, originating in Taiwan; or
- (c) all wool or wool blends, not included in paragraph (a) or (b) originating in the Republic of Korea.

26. Nylon broadwoven fabrics, originating in Hong Kong, Poland, Romania, the Republic of Korea or Taiwan.

27. Polyester yarn that is

- (a) textured filament yarn, originating in the Republic of Korea or Taiwan;
- (b) yarn made from 100 per cent polyester fibres or filament, originating in Hong Kong; or
- (c) any type of polyester yarn, other than textured filament yarn, originating in the Republic of Korea or Taiwan."

4. Item 29 of the said List is revoked and the following substituted therefor:

"29. (1) Cotton terry towels, washcloths and sets of cotton terry towels and washcloths that contain 50 per cent or more by weight of cotton, originating in People's Republic of China, Czechoslovakia, Hong Kong, India, Pakistan, Poland, the Republic of Korea or Taiwan.

(2) Cotton towels, other than cotton terry towels, originating in Hong Kong, Poland, the Republic of Korea or Taiwan.

(3) Towels, other than towels referred to in subitems (1) and (2), originating in Poland, the Republic of Korea or Taiwan."

5. Items 31 to 32.1 of the said List are revoked and the following substituted therefor:

"31. Work gloves, wholly or mainly of textile fabric whether impregnated or coated or not, or leather, whether fully or partially manufactured.

32. Winter outerwear garments commonly referred to as

- (a) snowsuits, snowmobile suits, ski-suits, ski-pants and snowpants, and
- (b) jackets and vests including parkas, ski-jackets, and similar jacket-type garments

that have an outer shell manufactured substantially from woven fabrics and that are lined and designed to protect the wearer against the cold, whether fully or partially manufactured."

6. Item 34 of the said List is revoked and the following substituted therefor:

"34. Hosiery."

entièrement de fibres dont la longueur ne dépasse pas 6,35 cm.

25. Tissus de laine suivants:

- a) tissus de laine peignée contenant en poids au moins 17 pour cent de laine, provenant d'un pays autre que la France, l'Italie, le Japon, les Pays-Bas, la Suisse, le Royaume-Uni, les États-Unis ou l'Allemagne de l'Ouest;
- b) tissus de laine, dont le poids est de 252 g ou moins la verge carrée, en provenance de Taïwan; ou
- c) la laine et les mélanges de laine non compris aux alinéas a) ou b), en provenance de la République de Corée.

26. Tissus de nylon à trame large, en provenance de Hong Kong, de la Pologne, de la Roumanie, de la République de Corée ou de Taïwan.

27. Tissus de polyester suivants:

- a) filés texturés à filaments, en provenance de la République de Corée ou de Taïwan;
- b) filés fabriqués de fibres de filaments de polyester à 100 pour cent, en provenance de Hong Kong; ou
- c) tous les genres de filés de polyester, autres que les filés texturés à filaments, en provenance de la République de Corée ou de Taïwan."

4. L'article 29 de ladite liste est abrogé et remplacé par ce qui suit:

"29. (1) Serviettes, débarbouillettes de coton-éponge et ensembles de serviettes et de débarbouillettes de coton-éponge contenant en poids 50 pour cent ou plus de coton, en provenance de la République populaire de Chine, de la Tchécoslovaquie, de Hong Kong, de l'Inde, du Pakistan, de la Pologne, de la République de Corée ou de Taïwan.

(2) Serviettes de coton, autres que des serviettes de coton-éponge, en provenance de Hong Kong, de la Pologne, de la République de Corée ou de Taïwan.

(3) Serviettes, autres que celles visées aux paragraphes (1) et (2), en provenance de la Pologne, de la République de Corée ou de Taïwan."

5. Les articles 31 à 32.1 de ladite liste sont abrogés et remplacés par ce qui suit:

"31. Gants de travail, entièrement ou partiellement finis, faits en entier ou en grande partie de textiles imprégnés ou enduits, ou de cuir.

32. Vêtements de dessus d'hiver entièrement ou partiellement fabriqués, doublés et munis d'une enveloppe extérieure fabriquée principalement de tissés, conçus pour protéger le porteur contre le froid et les intempéries, et communément appelés

- a) costumes pour la neige, costumes pour motoneige, costumes de ski, pantalons de ski et pantalons pour la neige; et
- b) coupe-vent et vestons, y compris les parkas, les vestons de ski et autres vêtements du genre coupe-vent."

6. L'article 34 de ladite liste est abrogé et remplacé par ce qui suit:

"34. Bas."

7. Items 35 and 36 of the said List are revoked.
8. Item 37 of the said List is revoked and the following substituted therefor:  
 "37. Pants, slacks, jeans, overalls, coveralls and outer-shorts, whether fully or partially manufactured."
9. Item 38 of the said List is revoked.
10. Items 39 to 47 of the said List are revoked and the following substituted therefor:  
 "39. Blouses and shirts, including shirts with other than tailored collars, t-shirts and sweatshirts, whether fully or partially manufactured.  
 40. Sleepwear and bathrobes, whether fully or partially manufactured.  
 41. Rainwear, whether fully or partially manufactured.  
 42. Sportswear, including dresses, skirts, coordinates or matching sets, whether fully or partially manufactured.  
 43. Foundation garments, whether fully or partially manufactured.  
 44. Swimwear, whether fully or partially manufactured.  
 45. Underwear, whether fully or partially manufactured.  
 46. Jackets, overcoats, topcoats, professional coats and shopcoats, whether fully or partially manufactured.  
 47. Fine suits, sportcoats and blazers for men and boys, whether fully or partially manufactured."
11. Item 48 of the said List is revoked.
12. Items 49 to 52 of the said List are revoked and the following substituted therefor:  
 "49. Shirts with tailored collars for men and boys, whether fully or partially manufactured.  
 50. Sweaters, pullovers and cardigans, whether fully or partially manufactured.  
 51. Bedsheets woven, made wholly or mainly by weight of cotton, man-made fibres or blends thereof, originating in the Republic of Korea, Taiwan, Poland, the People's Republic of China or Hong Kong.  
 52. (1) Pillowcases, woven, made wholly or mainly by weight of cotton, originating in Poland, the Republic of Korea, Taiwan, Hong Kong or the People's Republic of China.  
 (2) Pillowcases, woven, made wholly or mainly by weight of man-made fibres or blends thereof, originating in the Republic of Korea, Taiwan, Hong Kong, or the People's Republic of China."
13. Item 58 of the said List is revoked and the following substituted therefor:  
 "58. Handbags, made of fabrics, whether uncoated, coated or bonded containing natural or man-made fibres or blends of these fibres, with a body area, excluding handles, between 258 cm<sup>2</sup> and 1 226 cm<sup>2</sup>, in the manufacture of which leather and plastic materials may be used as trim and finish but not a major component of the shell."
7. Les articles 35 et 36 de ladite liste sont abrogés.
8. L'article 37 de ladite liste est abrogé et remplacé par ce qui suit:  
 «37. Pantalons, pantalons d'intérieur, jeans, salopettes, combinaisons de travail et shorts d'extérieur, fabriqués en entier ou en partie.»
9. L'article 38 de ladite liste est abrogé.
10. Les articles 39 à 47 de ladite liste sont abrogés et remplacés par ce qui suit:  
 «39. Blouses et chemises, y compris les chemises avec col autre qu'un col tailleur, les tee-shirts et blousons d'entraînement, fabriqués en entier ou en partie.  
 40. Vêtements de nuit et de bain, fabriqués en entier ou en partie.  
 41. Vêtements de pluie, fabriqués en entier ou en partie.  
 42. Vêtements de sport, y compris les robes, jupes, ensembles ou coordonnés, fabriqués en entier ou en partie.  
 43. Vêtements de soutien, fabriqués en entier ou en partie.  
 44. Costumes de bain, fabriqués en entier ou en partie.  
 45. Sous-vêtements, fabriqués en entier ou en partie.  
 46. Vestes, pardessus, paletots et tabliers-blouses longs ou courts, fabriqués en entier ou en partie.  
 47. Habits de qualité, vestons sport et blazers pour hommes et garçons, fabriqués en entier ou en partie.»
11. L'article 48 de ladite liste est abrogé.
12. Les articles 49 à 52 de ladite liste sont abrogés et remplacés par ce qui suit:  
 «49. Chemises avec col tailleur pour hommes et garçons, fabriquées en entier ou en partie.  
 50. Chandails, pullovers et cardigans, fabriqués en entier ou en partie.  
 51. Draps tissés, faits entièrement ou principalement, en poids, de coton, de fibres synthétiques ou d'un mélange de fibres synthétiques, provenant de la République de Corée, de Taiwan, de la Pologne, de la République populaire de Chine ou de Hong Kong.  
 52. (1) Taies d'oreillers tissées, faites entièrement ou principalement en poids, de coton, provenant de la Pologne, de la République de Corée, de Taiwan, de Hong Kong ou de la République populaire de Chine.  
 (2) Taies d'oreillers tissées, faites entièrement ou principalement en poids, de fibres synthétiques ou d'un mélange de ces fibres, provenant de la République de Corée, de Taiwan, de Hong Kong ou de la République populaire de Chine.»
13. L'article 58 de ladite liste est abrogé et remplacé par ce qui suit:  
 «58. Sacs à main faits de tissus non enduits, enduits ou laminés, contenant des fibres naturelles ou synthétiques ou un mélange de ces fibres, et dont la surface de profil, à l'exception des poignées, est de 258 cm<sup>2</sup> à 1 226 cm<sup>2</sup>, dans la fabrication desquels le cuir et des matières plastiques peuvent être employés comme ornements ou finition mais non comme composante principale du sac.»

14. Items 60 to 65 of the said List are revoked and the following substituted therefor:

"60. Rayon, nylon or mixed fibre yarns that contain  
 (a) any type of rayon yarn, originating in the Republic of Korea;  
 (b) any type of nylon yarn, originating in the Republic of Korea or Taiwan;  
 (c) any type of polyester-cotton yarn, originating in Hong Kong or Taiwan; or  
 (d) any type of mixed or blended fibre yarn, originating in Taiwan.

61. Broadwoven cotton fabrics that are

(a) duck and allied fabrics, drills, twills, or warp sateen, originating in Hong Kong;  
 (b) sheeting, unbleached, bleached or coloured, originating in Hong Kong or the Republic of Korea;  
 (c) print cloth, unbleached, bleached or coloured, originating in Hong Kong;  
 (d) print cloth and sheeting, unbleached, originating in Taiwan;  
 (e) flannel napped fabric, unbleached, bleached or coloured originating in Hong Kong, Poland or Taiwan;  
 (f) denim, originating in Hong Kong, the People's Republic of China, Poland or the Republic of Korea;  
 (g) corduroy, unbleached or bleached, originating in Hong Kong, the People's Republic of China, Poland, the Republic of Korea or Taiwan;  
 (h) corduroy, coloured, originating in Hong Kong, People's Republic of China, Poland or the Republic of Korea;  
 (i) terry cloth, unbleached, bleached or coloured, originating in the Republic of Korea;  
 (j) terry cloth, coloured, originating in Poland;  
 (k) pile fabrics, unbleached, bleached or coloured, originating in Hong Kong, Poland or the Republic of Korea; or  
 (l) cotton fabrics, other than cotton fabrics referred to in paragraphs (a) to (c), (e) to (h), (j) and (k), originating in Hong Kong or Poland.

62. Fabrics that are

(a) broadwoven rayon fabrics, originating in Poland or the Republic of Korea;  
 (b) broadwoven fabrics of mixed fibres, originating in Poland;  
 (c) broadwoven rayon-polyester fabrics, originating in the Republic of Korea;  
 (d) fabrics of rayon blends, originating in Poland or the Republic of Korea; or  
 (e) broadwoven fabrics, other than referred to in paragraphs (a) to (d), originating in Poland or the Republic of Korea.

63. Fabrics that are vinyl and polyurethane coated, originating in the Republic of Korea or Taiwan.

64. Household textiles that are

(a) blankets of cotton, originating in the People's Republic of China;

14. Les articles 60 à 65 de ladite liste sont abrogés et remplacés par ce qui suit:

«60. Filés de rayonne, de nylon et de fibres mixtes, contenant

a) tout genre de filés de rayonne, en provenance de la République de Corée;  
 b) tout genre de filés de nylon, en provenance de la République de Corée ou de Taïwan;  
 c) tout genre de filés de polyester et de coton, en provenance de Hong Kong ou de Taïwan; ou  
 d) tout genre de filés de fibres mixtes ou mélangées, en provenance de Taïwan.

61. Tissus de coton à trame large suivants:

a) toiles lourdes et autres, tissus de coutil, sergé ou satin en chaîne, en provenance de Hong Kong;  
 b) tissus pour literie, écrus, blanchis ou colorés, en provenance de Hong Kong ou de la République de Corée;  
 c) tissus imprimés, écrus, blanchis ou colorés, en provenance de Hong Kong;  
 d) tissus imprimés et tissus pour literie écrus, en provenance de Taïwan;  
 e) flanelle peluchée, écru, blanchie ou colorée, en provenance de Hong Kong, de la Pologne ou de Taïwan;  
 f) croisés de coton, en provenance de Hong Kong, de la République populaire de Chine, de la Pologne et de la République de Corée;  
 g) velours côtelés, écrus ou blanchis, en provenance de Hong Kong, de la République populaire de Chine, de la Pologne ou de la République de Corée ou de Taïwan;  
 h) velours côtelés colorés, en provenance de Hong Kong, de la République populaire de Chine, de la Pologne ou de la République de Corée;  
 i) coton-éponge, écru, blanchi ou coloré, en provenance de la République de Corée;  
 j) coton-éponge coloré, en provenance de la Pologne;  
 k) tissus à poils écrus, blanchis ou colorés, en provenance de Hong Kong, de la Pologne ou de la République de Corée; ou  
 l) tissus de coton non visés aux alinéas a) à c), e) à h), j) et k) en provenance de Hong Kong ou de la Pologne.

62. Tissus suivants:

a) tissus de rayonne à trame large, en provenance de la Pologne ou de la République de Corée;  
 b) tissus de fibres mixtes à trame large, provenant de la Pologne;  
 c) tissus de rayonne et de polyester à trame large, provenant de la République de Corée;  
 d) tissus faits d'un mélange de rayonne, provenant de la Pologne ou de la République de Corée; ou  
 e) tissus à trame large non visés aux alinéas a) à d), provenant de la Pologne ou de la République de Corée.

63. Tissus enduits de vinyle ou de polyuréthane, provenant de la République de Corée ou de Taïwan.

64. Textiles de maison suivants:

a) couvertures de coton, en provenance de la République populaire de Chine;

(b) blankets of man-made fibres or blends thereof, originating in Poland;

(c) tablecloths, originating in Poland; or

(d) bedspreads, originating in Poland.

65. (1) All types of cordage, rope or twine, originating in Taiwan.

(2) All types of cordage, rope or twine, other than manila rope, baler or binder twine, originating in the Republic of Korea."

b) couvertures de fibres synthétiques ou d'un mélange de ces fibres, provenant de la Pologne;

c) nappes provenant de la Pologne; ou

d) dessus-de-lits, en provenance de la Pologne.

65. (1) Tous genres de cordage, cordes et ficelles, en provenance de Taiwan.

(2) Tous genres de cordage, cordes et ficelles, sauf la corde de chanvre de Manille, la ficelle d'emballage ou d'engrègement, en provenance de la République de Corée.»

#### EXPLANATORY NOTE

*(This note is not part of the List, but is intended only for information purposes.)*

Pursuant to the report by the Minister of Industry, Trade and Commerce regarding the conclusion of bilateral restraint arrangements with various suppliers limiting their exports of certain clothing and textile products to Canada, the present *Import Control List* is amended by incorporating the changes reflected in the bilateral arrangements.

#### NOTE EXPLICATIVE

*(La présente note ne fait pas partie de la liste et n'est publiée qu'à titre d'information.)*

Ces modifications font suite aux ententes bilatérales conclues par le ministre de l'Industrie et du Commerce avec divers pays en vue de limiter l'importation de certains textiles et vêtements au Canada.



Registration  
SOR/82-235 11 February, 1982

## EXPORT AND IMPORT PERMITS ACT

**Certain General Import Permits revoked**  
Textiles Permit  
Clothing Permit  
Work Gloves Permit  
Handbags Permit

The Secretary of State for External Affairs,

(a) pursuant to section 10 of the Export and Import Permits Act, hereby cancels those General Import Permits set out in the schedule hereto; and

(b) pursuant to section 5 of the Import Permit Regulations\*, hereby issues General Import Permits Nos. 4, 10, 11 and 12, annexed hereto.

Dated at Ottawa, February 4th, 1982

MARK MACGUIGAN  
*Secretary of State  
for External Affairs*

## SCHEDULE

The following General Import Permits are cancelled:

General Import Permit No. 4, C.R.C., c. 639  
General Import Permit No. 10, C.R.C., c. 619  
General Import Permit No. 12, C.R.C., c. 638  
General Import Permit No. 13, C.R.C., c. 637  
General Import Permit No. 14, C.R.C., c. 618  
General Import Permit No. 15, C.R.C., c. 634  
General Import Permit No. 20, C.R.C., c. 633  
General Import Permit No. 21, C.R.C., c. 628  
General Import Permit No. 23, C.R.C., c. 627  
General Import Permit No. 24, SOR/80-450<sup>1</sup>  
General Import Permit No. 35, C.R.C., c. 624  
General Import Permit No. 36, C.R.C., c. 636  
General Import Permit No. 51, C.R.C., c. 631  
General Import Permit No. 52, C.R.C., c. 629  
General Import Permit No. 58, SOR/78-267<sup>2</sup>

\* SOR/79-5, 1979 *Canada Gazette Part II*, p. 8

<sup>1</sup> SOR/80-450, 1980 *Canada Gazette Part II*, p. 2207

<sup>2</sup> SOR/78-267, 1978 *Canada Gazette Part II*, p. 1148

Enregistrement  
DORS/82-235 11 février 1982

## LOI SUR LES LICENCES D'EXPORTATION ET D'IMPORTATION

**Certaines licences générales d'importation abrogées**  
Licence d'importation de textiles  
Licence d'importation de vêtements  
Licence d'importation de gants de travail  
Licence d'importation de sacs à main

Le secrétaire d'État aux Affaires extérieures,

a) en vertu de l'article 10 de la Loi sur les licences d'exportation et d'importation, annule les Licences générales d'importation énumérées à l'annexe ci-après; et

b) en vertu de l'article 5 du Règlement sur les licences d'importation\*, délivre les Licences générales d'importation n° 4, 10, 11 et 12, ci-après.

Fait à Ottawa, le 4 février 1982

*Le secrétaire d'État aux  
Affaires extérieures*  
MARK MACGUIGAN

## ANNEXE

Les licences générales d'importation suivantes sont annulées:

Licence générale d'importation n° 4, C.R.C., c. 639  
Licence générale d'importation n° 10, C.R.C., c. 619  
Licence générale d'importation n° 12, C.R.C., c. 638  
Licence générale d'importation n° 13, C.R.C., c. 637  
Licence générale d'importation n° 14, C.R.C., c. 618  
Licence générale d'importation n° 15, C.R.C., c. 634  
Licence générale d'importation n° 20, C.R.C., c. 633  
Licence générale d'importation n° 21, C.R.C., c. 628  
Licence générale d'importation n° 23, C.R.C., c. 627  
Licence générale d'importation n° 24, DORS/80-450<sup>1</sup>  
Licence générale d'importation n° 35, C.R.C., c. 624  
Licence générale d'importation n° 36, C.R.C., c. 636  
Licence générale d'importation n° 51, C.R.C., c. 631  
Licence générale d'importation n° 52, C.R.C., c. 629  
Licence générale d'importation n° 58, DORS/78-267<sup>2</sup>

\* DORS/79-5, *Gazette du Canada Partie II*, 1979, p. 8

<sup>1</sup> DORS/80-450, *Gazette du Canada Partie II*, 1980, p. 2207

<sup>2</sup> DORS/78-267, *Gazette du Canada Partie II*, 1978, p. 1148

## GENERAL IMPORT PERMIT NO. 4

*Short Title*

1. This permit may be cited as the *Textiles Permit*.

*General*

2. Any person may, under the authority of this General Import Permit, import into Canada from any country, any goods as described in items 15, 22, 24, 25, 26, 27, 29, 34, 51, 52, 60, 61, 62, 63, 64 and 65 of the *Import Control List*

(a) where the goods are imported by a resident of Canada for his personal use or as gifts and having a value for duty as determined under the *Customs Act* of not more than \$500 for each importation; or

(b) where the imported goods are *bona fide* commercial samples not for sale in Canada and having a value for duty as determined under the *Customs Act* of not more than \$500 for each importation.

3. Where completion and validation of a Customs entry form is required in respect of any shipment of goods that are imported under the authority of this General Import Permit, that form shall be endorsed "Imported under the Authority of General Import Permit No. 4" or "Importé en vertu de la Licence générale d'importation n° 4".

4. This General Import Permit shall apply according to its terms before it is published in the *Canada Gazette*.

## GENERAL IMPORT PERMIT NO. 10

*Short Title*

1. This permit may be cited as the *Clothing Permit*.

*General*

2. Any person may, under the authority of this General Import Permit, import into Canada from any country, any goods as described in items 32, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49 and 50 of the *Import Control List*

(a) where the value for duty, as determined under the *Customs Act*, of each importation of the goods is not more than \$500; or

(b) where the importation of the goods has a value for duty, as determined under the *Customs Act*, of more than \$500, the number of units of the goods to be imported does not exceed twelve.

3. Where completion and validation of a Customs entry form is required in respect of any shipment of goods that are imported under the authority of this General Import Permit, that form shall be endorsed "Imported under the Authority of General Import Permit No. 10" or "Importé en vertu de la Licence générale d'importation n° 10".

[2]

## LICENCE GÉNÉRALE D'IMPORTATION N° 4

*Titre abrégé*

1. La présente licence peut être citée sous le titre: *Licence d'importation de textiles*.

*Dispositions générales*

2. Il est permis, en vertu de la présente licence générale d'importation, d'importer au Canada d'un autre pays, les marchandises visées aux articles 15, 22, 24, 25, 26, 27, 29, 34, 51, 52, 60, 61, 62, 63, 64 et 65 de la *Liste de marchandises d'importation contrôlée*,

a) si ces marchandises sont importées par un résident du Canada pour son usage personnel ou à titre de cadeau et que la valeur imposable de chaque importation, établie selon la *Loi sur les douanes*, ne dépasse pas \$500; ou

b) s'il s'agit d'échantillons commerciaux authentiques qui ne sont pas destinés à être vendus au Canada et que la valeur imposable de chaque importation, établie selon la *Loi sur les douanes*, ne dépasse pas \$500.

3. Si une formule de déclaration douanière doit être remplie et validée pour les marchandises importées en vertu de la présente licence, la mention «Importé en vertu de la Licence générale d'importation n° 4» ou «Imported under the Authority of General Import Permit No. 4» doit y être apposée.

4. La présente licence produira effet conformément à ses propres termes avant publication dans la *Gazette du Canada*.

## LICENCE GÉNÉRALE D'IMPORTATION N° 10

*Titre abrégé*

1. La présente licence peut être citée sous le titre: *Licence d'importation de vêtements*.

*Dispositions générales*

2. Il est permis, en vertu de la présente licence générale d'importation, d'importer au Canada d'un autre pays, les marchandises visées aux articles 32, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49 et 50 de la *Liste de marchandises d'importation contrôlée*, à la condition

a) que la valeur imposable de chaque importation, établie selon la *Loi sur les douanes*, ne dépasse pas \$500; ou

b) dans les cas où la valeur imposable des marchandises à importer, établie selon la *Loi sur les douanes*, dépasse \$500, que le nombre d'unités de marchandises n'exécède pas 12 par importation.

3. Si une formule de déclaration douanière doit être remplie et validée pour les marchandises importées en vertu de la présente licence, la mention «Importé en vertu de la Licence générale d'importation n° 10» ou «Imported under the Authority of General Import Permit No. 10», doit y être apposée.

871

4. This General Import Permit shall apply according to its terms before it is published in the *Canada Gazette*.

4. La présente licence produira effet conformément à ses propres termes avant publication dans la *Gazette du Canada*.

#### GENERAL IMPORT PERMIT NO. 11

##### *Short Title*

1. This permit may be cited as the *Work Gloves Permit*.

##### *General*

2. Any person may, under the authority of this General Import Permit, import into Canada from any country, work gloves as described in item 31 of the *Import Control List*

(a) where the goods are imported by a resident of Canada for his personal use or as gifts and the importation does not exceed 12 pairs; or

(b) where the imported goods are *bona fide* commercial samples not for sale in Canada and the importation does not exceed 144 pairs.

3. Where completion and validation of a Customs entry form is required in respect of any shipment of goods that are imported under the authority of this General Import Permit, that form shall be endorsed "Imported under the Authority of General Import Permit No. 11" or "Importé en vertu de la Licence générale d'importation n° 11".

4. This General Import Permit shall apply according to its terms before it is published in the *Canada Gazette*.

#### LICENCE GÉNÉRALE D'IMPORTATION N° 11

##### *Titre abrégé*

1. La présente licence peut être citée sous le titre: *Licence d'importation de gants de travail*.

##### *Dispositions générales*

2. Il est permis, en vertu de la présente licence générale d'importation, d'importer au Canada d'un autre pays, les gants de travail visés à l'article 31 de la *Liste de marchandises d'importation contrôlée*,

a) si ces gants sont importés par un résident du Canada pour son usage personnel ou à titre de cadeau et que le nombre de paires par importation ne dépasse pas 12; ou

b) s'il s'agit d'échantillons commerciaux authentiques qui ne sont pas destinés à être vendus au Canada et que le nombre de paires par importation ne dépasse pas 144.

3. Si une formule de déclaration douanière doit être remplie et validée pour les marchandises importées en vertu de la présente licence, la mention «Importé en vertu de la Licence générale d'importation n° 11» ou «Imported under the Authority of General Import Permit No. 11» doit y être apposée.

4. La présente licence produira effet conformément à ses propres termes avant publication dans la *Gazette du Canada*.

#### GENERAL IMPORT PERMIT NO. 12

##### *Short Title*

1. This permit may be cited as the *Handbags Permit*.

##### *General*

2. Any person may, under the authority of this General Import Permit, import into Canada from any country, handbags as described in item 58 of the *Import Control List*

(a) where the goods are imported by a resident of Canada for his personal use or as gifts and having a value for duty as determined under the *Customs Act* of not more than \$500 for each importation; or

(b) where the imported goods are *bona fide* commercial samples not for sale in Canada and having a value for duty as determined under the *Customs Act* of not more than \$500 for each importation.

3. Where the completion and validation of a Customs entry form is required in respect of any shipment of goods that are imported under the authority of this General Import Permit, that form shall be endorsed "Imported under the Authority of

#### LICENCE GÉNÉRALE D'IMPORTATION N° 12

##### *Titre abrégé*

1. La présente licence peut être citée sous le titre: *Licence d'importation de sacs à main*.

##### *Dispositions générales*

2. Il est permis, en vertu de la présente licence générale d'importation, d'importer au Canada d'un autre pays, les sacs à main visés à l'article 58 de la *Liste de marchandises d'importation contrôlée*,

a) si ces marchandises sont importées par un résident du Canada pour son usage personnel ou à titre de cadeau et que la valeur imposable de chaque importation, établie selon la *Loi sur les douanes*, ne dépasse pas \$500; ou

b) s'il s'agit d'échantillons commerciaux authentiques qui ne sont pas destinés à être vendus au Canada et que la valeur imposable de chaque importation, établie selon la *Loi sur les douanes*, ne dépasse pas \$500.

3. Si une formule de déclaration douanière doit être remplie et validée pour les marchandises importées en vertu de la présente licence, la mention «Importé en vertu de la Licence

General Import Permit No. 12" or "Importé en vertu de la Licence générale d'importation n° 12".

4. This General Import Permit shall apply according to its terms before it is published in the *Canada Gazette*.

générale d'importation n° 12» ou «Imported under the Authority of General Import Permit No. 12» doit y être apposée.

4. La présente licence produira effet conformément à ses propres termes avant publication dans la *Gazette du Canada*.

#### EXPLANATORY NOTE

*(This note is not part of the Order, but is intended only for information purposes.)*

This order

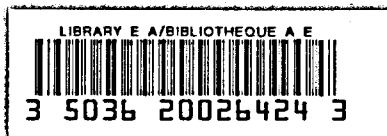
- (a) cancels General Import Permits Nos. 4, 10, 12, 13, 14, 15, 20, 21, 23, 24, 35, 36, 51, 52 and 58; and
- (b) issues General Import Permits Nos. 4, 10, 11 and 12.

#### NOTE EXPLICATIVE

*(La présente note ne fait pas partie du décret et n'est publiée qu'à titre d'information).*

Ce décret vise

- a) à annuler les Licences générales d'importation n° 4, 10, 12, 13, 14, 15, 20, 21, 23, 24, 35, 36, 51, 52 et 58; et
- b) à délivrer les Licences générales d'importation n° 4, 10, 11 et 12.



DOCS  
CA1 EA 82S71 ENG  
Summary of Canada's bilateral  
restraint arrangements : textiles  
clothing. --  
43233863