



Roma, 9 maggio 2006

Alle Direzioni Regionali

Protocollo: 1473

LORO SEDI

Rif.:

Allegati: 2 (3+15 pagine)

**OGGETTO:** Accordo amministrativo, del 31 ottobre 2005, con la Repubblica Popolare cinese sul regime dei prodotti tessili e dell'abbigliamento.

Presso un Ufficio periferico sono emersi alcuni problemi all'atto dell'importazione di prodotti tessili dalla Repubblica Popolare cinese in quanto quest'ultimi venivano scortati da prove di origine diverse fra loro, quali certificati a 13 o a 14 caselle ed a dichiarazioni su fattura e non era chiaro quale fosse la prova di origine prevista dalla normativa.

Inoltre, è stato rilevato che in alcuni casi i predetti certificati non recavano la firma manoscritta, bensì riportavano un codice alfanumerico (firma digitale).

A questo proposito, al fine di garantire l'uniforme applicazione del diritto comunitario in tutti gli Stati membri dell'U.e. ed anche per evitare distorsioni dei traffici commerciali, la questione è stata discussa al Comitato del Codice doganale sez. origine dove i competenti Servizi della D.G. TAXUD, sentita la D.G. TRADE, hanno predisposto l'unito documento che si allega alla presente unitamente al testo dell'Accordo amministrativo in oggetto indicato.

Il documento in questione elenca i gruppi e le categorie di prodotti tessili per le quali occorre il certificato di origine previsto dall'Accordo amministrativo in parola, ovvero, in base all'art.2 del Reg.(Cee)n.1541/98, per le quali occorre un certificato conforme alle disposizioni dell'art.47 del Reg.(Cee)n.2454/93, ovvero ancora, per tutti i restanti gruppi e categorie non ricomprese nelle precedenti, per le quali occorre una dichiarazione di origine apposta sulla documentazione commerciale così come stabilita nell'allegato I del predetto Reg.(Cee) n.1541/98.

Quanto alla cooperazione amministrativa, per i soli prodotti coperti dall'Accordo amministrativo, ci si deve basare sulle specifiche contenute

nell'Allegato III all'Accordo medesimo mentre, per ciò che concerne tutti gli altri prodotti, si applica l'art.26 del Codice doganale comunitario di cui al Reg.(Cee)n.2913/92.

Infine, per quanto attiene le firme sui certificati, si possono accettare solo certificati recanti firme manoscritte.

Nel far riserva di fornire eventuali ulteriori informazioni in proposito, si pregano codeste Direzioni Regionali di portare quanto sopra a conoscenza dei dipendenti Uffici e degli operatori.

*Il Direttore dell'Area Centrale*  
Dr. Paolo Di Roma

Bruxelles 7-04-2006

TAXUD/C2/RS/IS D (2006) 11161

NOTA AI DELEGATI DEL COMITATO PER IL CODICE DOGANALE  
SEZIONE ORIGINE

**Oggetto: Cina: Accordo sul regime dei tessili e dell'abbigliamento – accordo amministrativo del 31.10.05**

Vi scrivo in conformità all'azione intrapresa in seno alla riunione del Comitato Codice Doganale – SO del febbraio 2006 per darvi ulteriori consigli relativi alla questione di cui all'oggetto.

Le autorità cinesi hanno comunicato alla DG TRADE attraverso una nota verbale del 27 gennaio 2006 di aver deciso che i certificati di origine e le licenze di esportazione emesse ai sensi dell'Accordo amministrativo sopra menzionato (allegato in copia) non sarebbero state firmate a partire dal 1 gennaio 2006. Le autorità cinesi hanno spiegato di aver adottato tale decisione unilaterale a causa della mole di lavoro.

Detto Accordo comprende, in allegato, uno specimen di certificato di origine e di licenza di esportazione che dimostra chiaramente che i documenti devono essere entrambi vidimati (con un timbro approvato ufficialmente) e firmati.

I contatti con i servizi doganali degli Stati membri hanno indicato che tale decisione unilaterale era stata messa in atto dai Cinesi e stava, inevitabilmente, provocando il ritardo di alcune merci o il trattenimento di esse al momento dell'importazione.

Gli Stati membri sono stati informati dalla DG TRADE nel Comitato Tessile e dalla DG TAXUD nel CCD-SO tenutosi nel febbraio 2006.

La Commissione ha successivamente risposto ai cinesi attraverso una nota verbale del 21 febbraio 2006 ricordando loro che tanto le licenze di esportazione che i certificati di origine dovevano essere presentati nel formato previsto nell'Allegato dell'Accordo, nonché che entrambi i documenti dovevano essere vidimati e firmati. La Commissione ha sottolineato che la loro decisione unilaterale di non conformarsi in toto ai termini dell'Accordo aveva avuto un inevitabile effetto negativo sul normale commercio di tessili.

La Commissione ha indicato che, sempre che la controparte cinese fosse d'accordo ad applicare la procedura di concessione telematica delle licenze di cui all'Accordo entro il 31 marzo 2006, le Comunità europee avrebbero adottato un approccio pragmatico per superare le difficoltà relative alle merci per le quali non esisteva licenza di esportazione debitamente vidimata e firmata. Tale approccio pragmatico sarebbe stato adottato unicamente una volta che, applicato il metodo di concessione telematico delle licenze, le licenze all'esportazione non firmate fossero state sostituite dalle licenze elettroniche.

La Commissione ha sottolineato che, per quanto concerne i certificati di origine, il requisito della vidimazione e della firma, secondo quanto previsto dall'Accordo, deve essere immediatamente rispettato. La nota ha altresì indicato che, nei casi in cui le merci siano state spedite senza un certificato di origine conforme, devono essere emessi certificati sostitutivi che l'importatore deve presentare alle nostre autorità doganali entro e non oltre il 31 marzo 2006.

La DG Trade ci ha informato che, sebbene i cinesi non abbiano ancora formalmente risposto alla nota verbale della Commissione, hanno in via informale espresso la volontà di dibattere ulteriormente la questione relativa all'attuazione del sistema di concessione telematica delle licenze. La questione dovrebbe essere all'ordine del giorno dei colloqui previsti a breve a Pechino. I cinesi hanno anche espresso la loro accettazione dei requisiti relativamente ai certificati di origine dei tessuti.

Relativamente alla richiesta, avanzata da alcuni Stati membri, di un orientamento pratico, aggiungiamo:

### **Firme**

E' nostra convinzione che una "firma" debba essere apposta manualmente e singolarmente su ciascun certificato. Si possono accettare solo quei certificati che riportano una firma originale manoscritta .

### **Prodotti**

I prodotti di cui all'Accordo vengono riportati nell'Allegato I dell'Accordo stesso e si riferiscono ai seguenti Gruppi/Categorie di merci:

| <u>Gruppo</u> | <u>Categoria</u> |
|---------------|------------------|
| IA            | 2,2°             |
| IB            | 4*,5,6,7         |
| IIA           | 20,39            |
| IIB           | 26,31            |
| IV            | 115              |

La descrizione completa delle merci è riportata nell'Allegato I al Regolamento del Consiglio 3030/1993.

### **Altri prodotti**

L'articolo 2 del Regolamento del Consiglio 1541/1998 richiede che altre categorie merceologiche dei Gruppi IA, IB, IIA e IIB di cui all'Allegato I del Regolamento del Consiglio 3030/1993, ma non menzionate più sopra, siano scorate da certificato di origine emesso in conformità alle condizioni stabilite nell'Articolo 47 del Regolamento della Commissione 2454/1993.

I prodotti dei Gruppi/Categorie diversi da quelli riportati dall'Accordo o dall'Articolo 2 del Regolamento del Consiglio 1541/1998 devono essere accompagnati da una dichiarazione sulla documentazione commerciale nel formato riportato nell'Allegato I del Regolamento del Consiglio 1541/1998 e firmati dall'esportatore o dal fornitore.

### **Cooperazione amministrativa**

L'Allegato III dell'Accordo fornisce una base generale per la cooperazione amministrativa relativamente ai certificati di origine emessi ai sensi dell'Accordo. In tutti gli altri casi ci si basa sull'Articolo 26 del Codice Doganale Comunitario (Regolamento 2913/1992).

### **Certificati non firmati**

Si richiede alle autorità cinesi di emettere certificati sostitutivi affinché questi vengano presentati da parte dell'importatore ai servizi doganali della Comunità entro e non oltre il 31 marzo 2006.

### **Azione futura**

E' essenziale che i servizi doganali della Comunità assicurino, prima dello svincolo delle merci, che i certificati di origine che le accompagnano siano assolutamente conformi a quanto previsto nell'Accordo.

Richard van Raan  
Capo Unità

**ADMINISTRATIVE ARRANGEMENT****Between the European Commission and the Ministry of Commerce of the People's Republic of China on trade in textile products****under Paragraph V of the Textiles Memorandum of Understanding of 10 June 2005*****I. Introduction***

On 10 June 2005 the European Commission and the Ministry of Commerce of the People's Republic of China agreed on a Memorandum of Understanding (MoU) on the export of certain Chinese textiles and clothing products to the European Union. Under Paragraph V of the MoU "both sides will put in place as soon as possible the necessary administrative arrangements for the management of the agreed import levels". On 5 September 2005, the European Commission and the Ministry of Commerce held further consultations regarding the establishment of transitional flexibility measures under the MoU. According to Paragraph 10 of the Agreed Minutes the necessary administrative arrangements should be finalized quickly.

These administrative arrangements are further specified hereunder. They are based on the experience acquired by both sides over the years in cooperating in textile trade matters, and, as far as the European Commission is concerned, on the provisions contained in the basic Regulation for the import of textile and clothing products (Council Regulation (EEC) No 3030/93).

***II. Classification system***

The products covered under each product category referred to in the MoU, as indicated in Annex I, are those defined in Annex I of Council Regulation (EEC) No 3030/93. The classification of the products covered by these Administrative Arrangements is based on the tariff and statistical nomenclature and on the Common Customs Tariff of the Community (hereinafter called the 'combined nomenclature', or in abbreviated form 'CN'). Any amendment to the combined nomenclature (CN) and of the definition of product categories made in accordance with the procedures in force in the Community, concerning categories of products covered by these Administrative Arrangements or any decision relating to the classification of goods will not have the effect of reducing any agreed levels.

***III. Origin of covered products***

1. The origin of the products covered by these Administrative Arrangements will be determined in accordance with the provisions in force in the Community. Any amendment to these provisions will be communicated to the Chinese authorities and will not have the effect of reducing any agreed level.
2. Products originating in China will be accompanied by a certificate of origin corresponding to the specifications laid down in Annex II. However, proofs of origin presented in accordance with the provisions of Regulation (EC) No 1541/98 may also be accepted.
3. The procedures for control of the origin of the products referred to above are laid down in Annex II.

***IV. Double-checking***

1. The competent authorities of China will issue an export licence in respect of all consignments from China of textile products covered by these Administrative Arrangements up to the agreed levels as specified in Annex I. The competent authorities in China are those indicated in Annex V.

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2. The "SIGL link" or "triple checking" procedure which was in force until 2004 is re-established from July 20<sup>th</sup> 2005; therefore all related pre-existing technical arrangements shall be reintroduced.

In accordance with these procedures Mofcom will send the details of all export licences issued (Export licence number, category, quantity, year) on a daily basis to SIGL; that information will then be cross checked with the applications for import licences received in the Community licensing offices before an import licence can be issued.

**V. Temporary imports - exports  
(Inward – and Outward processing (OPT))**

1. Imports into the Community of textile products covered by these Administrative Arrangements will not be subject to the agreed levels, provided that they are declared to be for re-export outside the Community in the same state or after processing, within the framework of the administrative system of control which exists within the Community. However, the release for home use of products shipped from 20 July 2005 under the conditions referred to above will be subject to the presentation of an export licence issued by the Chinese authorities, and to proof of origin in accordance with the provisions of Annex II.

2. Where the Commission ascertains that imports of textile products have been set off against agreed levels, but that the products have subsequently been re-exported outside the Community, the Commission will inform the Chinese authorities within four weeks of the quantities involved and authorize imports of identical quantities of the same products, which will not be set off against the agreed levels for the current or the following year.

3. The Chinese authorities and the Commission recognize the special and differential character of re-imports of textile products into the Community after processing in China (OPT). Provided that they are effected in accordance with Commission Regulation (EC) No 3017/95 and Council Regulation (EC) No 3036/94 on economic outward processing in force in the Community, these re-imports are subject to the specific arrangements and within the limits laid down in Annex IV.

4. Textile products sent from the Community to China for processing before the date of entry into force of the amendment of Regulation 3030/93 covering OPT and re-imported into the Community from that date will, upon adequate proof such as the export declaration, benefit from the provisions laid down in Annex IV.

**VI. Cottage industry, handloom and folklore products - Samples**

1. Exports of cottage industry fabrics woven on hand- or foot-operated looms, garments or other made-up articles obtained manually from such fabrics and of traditional folklore handicraft products will not be counted against agreed levels if they are accompanied on imports by a certificate issued by the competent authorities of China in accordance with the provisions of Annex VI of Council Regulation 3030/93 and provided that these products meet the conditions laid down therein.

2. The imports of samples meeting the requirements of paragraph 8 of Article 1 of Council Regulation (EEC) 3030/93 shall not be subject to quantitative restrictions, licensing or requirements regarding proof of origin.

**VII. Circumvention**

1. The competent Chinese authorities and the Commission agree to cooperate fully in preventing the circumvention of these Administrative Arrangements by transshipment, re-routing or whatever other means.

2. Where information available to the Commission as a result of the investigations carried out in accordance with the procedures set out in Annex III constitutes evidence that products of Chinese origin subject to agreed levels have been transhipped, re-routed or otherwise imported into the Community in circumvention of these Administrative Arrangements, the Commission may request consultations with a view to reaching an agreement on an equivalent adjustment of the corresponding levels.

3. Pending the result of the consultations referred to in point 2, the Chinese authorities will, as a precautionary measure, if so requested by the Commission, make the necessary arrangements to ensure that adjustments of the levels liable to be agreed following the consultations may be carried out for the year in which the request to open consultations was made, or for the following year if the levels for the current year is exhausted, where clear evidence of circumvention is provided.

**VIII. Statistical information**

1. The Ministry of Commerce of China and the Commission will exchange, upon request, statistical information on all export licences issued for categories of textile products subject to the agreed levels, expressed in quantities and in terms of value and broken down by Member State of the Community, as well as on all certificates issued by the Chinese authorities for products covered by these Administrative Arrangements.

2. The Commission will likewise transmit to the Chinese authorities upon request precise statistical information on import authorizations or documents issued by the Community authorities and import statistics for these products

3. The information referred to in points 1 and 2 above will, for all categories of products, be forwarded before the end of the month following the month in which the request was made.

**IX. Exceptional flexibilities**

Any flexibilities requested by the Chinese authorities could be considered by the Commission and may be granted in accordance with the procedures established by the relevant rules in force in the Community.

**X. Additional issues**

The Ministry of Commerce of China and the Commission will hold, as necessary, further talks on issues destined to facilitate the operation of the MoU.

For China's Ministry of Commerce



For the European Commission





**ANNEX I**  
**AGREED LEVELS**

| Category<br>(The complete description of the goods is shown in Annex I of Council Regulation (EEC) No 3030/93) | Unit         | 11 June to 31 December 2005 | 2006    | 2007    |
|--|--------------|-----------------------------|---------|---------|
| <b>GROUP IA</b>  |              |                             |         |         |
| 2 ( including 2a)  | tonnes       | 20,212                      | 61,948  | 69,692  |
| <b>GROUP IB</b>  |              |                             |         |         |
| 4 <sup>1</sup>   | 1 000 pieces | 161,255                     | 540,204 | 594,225 |
| 5  | 1 000 pieces | 118,783                     | 189,719 | 219,674 |
| 6  | 1 000 pieces | 124,194                     | 338,923 | 382,880 |
| 7  | 1 000 pieces | 26,398                      | 80,493  | 88,543  |
| <b>GROUP IIA</b>   |              |                             |         |         |
| 20   | tonnes       | 6,451                       | 15,795  | 17,770  |
| 39   | tonnes       | 5,521                       | 12,349  | 13,892  |
| <b>GROUP IIB</b>   |              |                             |         |         |
| 26   | 1 000 pieces | 8,096                       | 27,001  | 29,701  |
| 31   | 1 000 pieces | 108,896                     | 219,882 | 248,261 |
| <b>GROUP IV</b>  |              |                             |         |         |
| 115  | tonnes       | 2,096                       | 4,740   | 5,214   |

<sup>1</sup> For the purpose of setting off exports against the agreed levels a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the agreed levels.

The export licence concerning these products must bear, in box 9, the words "The conversion rate for garments of a commercial size of not more than 130 cm must be applied".

## ANNEX II

### I. CLASSIFICATION

1. The Commission undertakes to inform the Chinese authorities of any changes in the Combined Nomenclature (CN) before the date of their entry into effect in the Community.
2. The Commission undertakes to inform the Chinese authorities of any decisions relating to the classification of products subject to these Administrative Arrangements within one month of their adoption at the latest. Such communication will include:
  - (a) a description of the products concerned;
  - (b) the relevant category and the combined nomenclature code (CN code);
  - (c) the reasons which have led to the decision.
3. Where a decision on classification results in a change of classification practice or a change of category of any product subject to these Administrative Arrangements, the Commission will provide 30 days' notice, from the date of the communication, before the decision is put into effect. Products shipped before the date of application of the decision will remain subject to the earlier classification practice, provided that the goods in question are presented for importation into the Community within 60 days of that date.
4. Where a Commission decision on classification resulting in a change of classification practice or a change of categorisation of any product subject to these Administrative Arrangements affects a category subject to restraint, the Commission will consult the Chinese authorities in view of agreeing if necessary, adjustments to the appropriate agreed levels.

### II. ORIGIN

1. The certificate of Chinese origin will be issued by the competent Chinese authorities if the products in question can be considered products originating in that country within the meaning of the relevant rules in force in the Community.
2. The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the product will not ipso facto cast doubt upon the statements in the certificate.

### III. DOUBLE-CHECKING SYSTEM FOR CATEGORIES OF PRODUCTS WITH AGREED LEVELS

#### A. EXPORTATION

1. The competent authorities of China will issue an export licence in respect of all consignments from the People's Republic of China of textile products subject to agreed levels. Until the electronic licensing system mentioned in point 4 below becomes effective, the original of the export licence should be presented by the importer for the purposes of the issue of the import authorization to the competent authorities of the Community.
2. The export licence will conform to the models appended to this Annex and it will be valid for exports throughout the customs territory to which the Treaty establishing the European Community is applied.
3. Each export licence will only cover one of the categories of products.
4. The Commission and the Chinese authorities express their intention to replace the granting of export licences in paper form by the electronic transmission of information as from 1 January 2006.

5. The Commission must be notified forthwith of the withdrawal or alteration of any export licence already issued.

6. Exports will be set off against the agreed levels for the year in which shipment of the goods has been effected, even if the export licence is issued after such shipment.

7. For the purpose of applying point 6, shipment of the goods is considered to have taken place on the date of their loading on to the exporting aircraft, vehicle or vessel.

8. The presentation of an export licence, in application of point 2 under B below, will be effected not later than 31 March of the year following that in which the goods covered by the export licence have been shipped, this deadline may be extended until the 30 June in accordance with the provisions of Article 14 (1) of Annex III of Council Regulation (EEC) No 3030/93.

## B. IMPORTATION

1. Importation into the Community of textile products subject to agreed levels will be subject to the presentation of an import authorisation or document.

2. The competent Community authorities will issue such import authorisation or document automatically within five working days of the presentation by the importer of the original of the corresponding export licence. The import authorisations will be valid for six months from the date of their issue for imports throughout the customs territory to which the Treaty establishing the European Community is applied, although they can be renewed for up to three periods of three months, under the conditions stipulated in Article 14(2) of Annex III of Council Regulation (EEC) No 3030/93.

3. The competent Community authorities will cancel the already issued import authorisation or document if the corresponding export licence has been withdrawn. However, if the competent Community authorities have not been notified of the withdrawal or cancellation of the export licence until after the products have been imported into the Community, the quantities involved will be set off against the agreed levels for the category and the quota year in question and the Chinese authorities will be informed as soon as possible.

4. If the Commission finds that the total quantities covered by export licences issued by China for a particular category in any given year exceed the agreed levels for that category, the Commission may suspend the further issue of import authorisations or documents. In this event, the Commission will immediately inform the authorities China.

5. The competent Community authorities may refuse the issue of import authorisations or documents for textile products of Chinese origin shipped from 20 July and which are not covered by Chinese export licences issued in accordance with the provisions of this Annex. However, if the import of such products were allowed into the Community by the competent Community authorities, the quantities involved will not be set off against the appropriate agreed levels, without the express agreement of the People's Republic of China.

## C. FORM AND PRODUCTION OF EXPORT CERTIFICATES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS

1. The export licence and the certificate of origin of China may comprise additional copies duly indicated as such. They will be made out in English or French. If they are completed by hand, entries must be in ink and in printed script. These documents will measure 210 x 297 mm. The paper used must be writing paper weighing not less than 25 g/m<sup>2</sup>. Only the original, clearly marked "original" will be accepted by the competent authorities of the Community as being valid for the purposes of export to the Community in accordance with the arrangements established by these Administrative Arrangements.

2. Each export licence and certificate of Chinese origin will bear a serial number, whether or not printed, by which it can be identified. The number for the export licence will be standardised and composed of the following elements:

- two letters identifying the People's Republic of China as follows: CN;
- two letters identifying the intended Member State of customs clearance as follows:

AT = Austria  
BL = Benelux  
CY = Cyprus  
CZ = Czech Republic  
DE = Federal Republic of Germany  
DK = Denmark  
EE = Estonia  
GR = Greece  
ES = Spain  
FI = Finland  
FR = France  
GB = United Kingdom  
HU = Hungary  
IE = Ireland  
IT = Italy  
LT = Lithuania  
LV = Latvia  
MT = Malta  
PL = Poland  
PT = Portugal  
SE = Sweden  
SI = Slovenia  
SK = Slovakia"

- a one-digit number identifying the year, corresponding to the last figure in year, e.g. '5' for 2005, '6' for 2006 and '7' for 2007;
- a two-digit number identifying the particular issuing office concerned in the People's Republic of China;
- a five-digit number running consequently from 00001 to 99999 allocated to the intended Member State of customs clearance.

3. The export licence and certificate of origin may be issued after the shipment of the products to which they relate. In such cases they will bear either the endorsement "délivré à posteriori" or the endorsement "issued retrospectively".

4. In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such certificate or licence so issued will bear the endorsement "duplicata".  
The duplicate must bear the date of the original export licence or certificate of origin.

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Appendix to Annex II

**Specimen of Certificate of Origin**

|  |   |  |                                |
|--|---|--|--------------------------------|
| 1. Exporter (name, full address, country)<br>Exportateur (nom, adresse complète, pays)   | <b>ORIGINAL</b>                                     | 2. N°  |                                |
|  | 3. Year<br>Année                                    | 4. Category number<br>Numéro de catégorie  |                                |
| 5. Consignee (name, full address, country)<br>Destinataire (nom, adresse complète, pays)   | <b>CERTIFICATE OF ORIGIN</b><br>(Textile products)  |  |                                |
|  | <b>CERTIFICAT D'ORIGINE</b><br>(Produits textiles)  |  |                                |
| 8. Place and date of shipment – Means of transport<br>Lieu et date d'embarquement – Moyen de transport   | 6. Country of origin<br>Pays d'origine              | 7. Country of destination<br>Pays de destination   |                                |
|  | 9. Supplementary details<br>Données supplémentaires |  |                                |
| 10. Marks and numbers – Number and kind of packages – DESCRIPTION OF GOODS<br>Marques et numéros – Nombre et nature des colis – DESIGNATION DES MARCHANDISES |   | 11. Quantity(1)<br>Quantité  | 12. FOB value(2)<br>Valeur fob |
|  |   | 13. CERTIFICATION BY THE COMPETENT AUTHORITY – VISA DE L'AUTORITE COMPETENTE<br>I, the undersigned, certify that the goods described above originated in the country shown in box No 6 in accordance with the provisions in force in the European Community.<br>Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté européenne. |                                |
| 14. Competent authority (name, full address, country)<br>Autorité compétente (nom, adresse complète, pays)   |   | At – A ....., on – le.....<br><br>(Signature) (Stamp - cachet)   |                                |

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight – Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.

(2) In the currency of the sale contract – Dans la monnaie du contrat de vente.

**Specimen of Export Licence referred to under Double checking**

|  |  |  |       |
|--|--|--|-------|
| 1. Exporter (name, full address, country)<br>Exportateur (nom, adresse complète, pays)   | <b>ORIGINAL</b>  |  | 2. N° |
|  | 3. Year<br>Année   | 4. Category number<br>Numéro de catégorie        |       |
| 5. Consignee (name, full address, country)<br>Destinataire (nom, adresse complète, pays)   | <b>EXPORT LICENCE<br/>(Textile products)</b>   |  |       |
|  | <b>LICENCE D'EXPORTATION<br/>(Produits textiles)</b>   |  |       |
| 8. Place and date of shipment – Means of transport<br>Lieu et date d'embarquement – Moyen de transport   | 6. Country of origin<br>Pays d'origine   | 7. Country of destination<br>Pays de destination |       |
|  | 9. Supplementary details<br>Données supplémentaires  |  |       |
| 10. Marks and numbers – Number and kind of packages – DESCRIPTION OF GOODS<br>Marques et numéros – Nombre et nature des colis – DESIGNATION DES MARCHANDISES | 11. Quantity(1)<br>Quantité(1)   | 12. FOB Value(2)<br>Valeur fob(2)                |       |
|  | 13. CERTIFICATION BY THE COMPETENT AUTHORITY – VISA DE L'AUTORITE COMPETENTE<br>I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Community.<br><br>Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté européenne. |  |       |
| 14. Competent authority (name, full address, country)<br>Autorité compétente (nom, adresse complète, pays)   | At – A ....., on – le.....<br><br>(Signature) (Stamp - Cachet)   |  |       |

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight – Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
(2) In the currency of the sale contract – Dans la monnaie du contrat de vente.

## ANNEX III

### ADMINISTRATIVE COOPERATION

1. The Commission and the Chinese authorities will cooperate closely to implement the provisions of these Administrative Arrangements. To this end, contacts and exchanges of views (including on technical matters) will be facilitated, in particular to establish the authenticity and accuracy of documentation required under the provisions of these Administrative Arrangements.
2. The Chinese authorities will send to the Commission the names and addresses of the governmental authorities competent for the issue and verification of export licences and certificates of origin together with specimens of the stamps used by these authorities. The Chinese authorities will also notify the Commission of any change in this information.
3. Verification of certificates of Chinese origin or export licences will be carried out at random by the Chinese authorities.
4. The competent Community authorities may request subsequent verification of certificates of the People's Republic of China origin or export licences at random or whenever they have reasonable doubt as to the authenticity of such certificates or licences or as to the accuracy of the information regarding the products in question. In such cases the competent authorities in the Community will return the certificate of Chinese origin or export licence, or a copy thereof to the Chinese authorities, giving, where appropriate, the reasons for an enquiry. If the invoice has been submitted, such invoice will be attached to the certificate or licence or its copy. The authorities will also forward any information that has been obtained suggesting that the particulars given on the said certificate or licence are inaccurate.
5. Will the results of the random verification referred to in point 1 above reveal serious contravention of the provisions of these Administrative Arrangements, the Chinese authorities will notify the competent Community authorities of the results. Where the competent Community authorities have requested verification under point 2 above, the results of such verification will be communicated to the competent Community authorities within three months at the latest. The information communicated will indicate whether the disputed certificate or licence applies to the goods actually exported and whether these goods are eligible for export in accordance with the arrangements established by these Administrative Arrangements. Where the competent Community authorities so request, the information communicated will also include copies of such other available documentation as may facilitate the full determination of the facts and, in particular, the true origin of the goods.
6. For the purpose of subsequent verification of certificates of Chinese origin and export licences, copies of these together with relevant supporting documentation required to be lodged with the Chinese authorities for the issue of such certificates or licences will be kept for a period of at least two years by the Chinese authorities.
7. Where the verification procedure referred to in point 1 above or where information available to the Commission or to the Chinese authorities indicates or appears to indicate that the provisions of these Administrative Arrangements are being contravened, both authorities will cooperate closely and with appropriate urgency to prevent such contravention.
8. To this end, the Chinese authorities will, on their own initiative or at the request of the Commission, carry out appropriate enquiries or arrange for such enquiries to be carried out concerning operations which are or appear to be in contravention of these Administrative Arrangements. The Chinese authorities will communicate the results of these enquiries to the Commission together with such other available information as may facilitate the determination of the true origin of the goods.
9. By agreement between the Commission and the Chinese authorities, officials designated by the Commission may be present at the enquiries referred to in point 2.
10. In pursuance of the cooperation referred to in point 1, the Chinese authorities and the Commission will exchange any relevant information in preventing the contravention of the provisions of these Administrative Arrangements, particularly where the Community has reasonable grounds to consider that the products in question may be in transit across the territory of the People's Republic of China

prior to their importation into the Community. This information will include at the request of the Community copies of all relevant documentation. The Chinese authorities will provide such information as is available and in accordance with Chinese law.

11. The Commission will where appropriate at the request of the Chinese authorities cooperate in cases of circumvention which affect the People's Republic of China, in conformity with procedures in force in the Community.

12. Where it is established to the satisfaction of the Commission and the competent authorities of China that the provisions of these Administrative Arrangements have been contravened, the Chinese authorities and the Commission agree to take all reasonable measures to prevent a recurrence of such contravention.

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## ANNEX IV

### OPT

Re-imports in the sense of points 3 and 4 under Temporary imports - exports of these Administrative Arrangements into the Community of products listed in the table below will be subject to the provisions of the Administrative Arrangements except as specifically provided for by the particular provisions set out below:

1. Only re-imports into the Community subject to the specific levels set out in the table below, will be considered re-imports in the sense of point 3 under Outward processing (OPT).
2. Re-imports not covered by the table below may be submitted to specific agreed levels following consultations with the Chinese authorities, provided the products concerned are subject to the agreed levels of the MoU.
3. The Commission may, at its own discretion, and bearing in mind the interest of both authorities, or in the framework of a request examine the possibilities of transfers between categories and advance use or carry-over of portions of specific agreed levels from one year to another.
4. However the Commission may automatically carry out the flexibilities in the sense of point 3 up to the following extent:
  - (a) transfer between categories up to 20 % of the share established for the category to which the transfer is made;
  - (b) carry-over of specific agreed levels from one year to another up to 10,5 % of the share for the year of actual utilization;
  - (c) advance use of specific agreed levels from one year to another up to 7,5 % of the share for the year of actual utilization.
5. The Commission will inform the Chinese authorities of any measures taken pursuant to the preceding points.
6. Debiting against a specific agreed level referred to in point 1 will be carried out by the competent authorities of the Community at the time of issuing the prior authorization provided for by the Community regulation on economic outward processing, Regulation (EC) No 3017/95. A specific agreed level will be debited for the year in which a prior authorization is issued.
7. A certificate of origin will be issued for all products covered by this Annex by the Chinese authorities in accordance with the provisions of Annex II, bearing a reference to the prior authorization referred to in point 6 as evidence that the processing operation described in the prior authorization has been carried out by the Chinese authorities.
8. The Commission will provide the Chinese authorities with the names, addresses and the specimens of stamps used by the competent authorities of the Community for the issue of the prior authorizations referred to in point 6.

Specific agreed levels for Outward processing (OPT)

| Textiles category |            | 11 June to 31 December 2005 | 2006   | 2007   |
|-------------------|------------|-----------------------------|--------|--------|
| 4                 | 1000 units | 208                         | 408    | 449    |
| 5                 | 1000 units | 453                         | 886    | 975    |
| 6                 | 1000 units | 1,642                       | 3,216  | 3,538  |
| 7                 | 1000 units | 439                         | 860    | 946    |
| 26                | 1000 units | 791                         | 1,550  | 1,705  |
| 31                | 1000 units | 6,301                       | 12,341 | 13,575 |

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## ANNEX V

### Competent authorities in China for the issuance of export licences

- 01=BEIJING 北京
- 02=TIANJIN 天津
- 03=HEBEI 河北
- 04=SHANXI 山西
- 05=NEIMENGGU 内蒙古
- 06=LIAONING 辽宁
- 07=JILIN 吉林
- 43=CHANGCHUN 长春
- 08=HEILONGJIANG 黑龙江
- 09=SHANGHAI 上海
- 10=JIANGSU 江苏
- 42=NANJING 南京
- 11=ZHEJIANG 浙江
- 12=ANHUI 安徽
- 13=FUJIAN 福建
- 14=JIANGXI 江西
- 15=SHANDONG 山东
- 16=HENAN 河南
- 17=HUBEI 湖北
- 18=HUNAN 湖南
- 19=GUANGDONG 广东
- 20=GUANGXI 广西
- 21=SICHUAN 四川

- 41=CHENGDU 成都  
22=GUIZHOU 贵州  
23=YUNNAN 云南  
24=XIZANG 西藏  
25=SHANNXI 陕西  
26=GANSU 甘肃  
27=QINGHAI 青海  
28=NINGXIA 宁夏  
29=XINJIANG 新疆  
31=CHONGQING 重庆  
32=WUHAN 武汉  
33=DALIAN 大连  
34=SHENYANG 沈阳  
35=HAERBIN 哈尔滨  
36=GUANGZHOU 广州  
37=XI AN 西安  
38=QINGDAO 青岛  
39=NINGBO 宁波  
40=HAINAN 海南  
44=XIAMEN 厦门  
48=SHENZHEN 深圳

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