

法規名稱：EXCHANGE OF LETTERS BETWEEN THE COORDINATION COUNCIL FOR NORTH AMERICAN AFFAIRS AND THE AMERICAN INSTITUTE IN TAIWAN, CONCERNING AMENDMENT TO COTTON, WOOL AND MAN-MADE FIBER TEXTILES AND TEXTILE PRODUCTS AGREEMENT OF JUNE 8,1978 (AD.1980.04.10)

簽訂日期：民國 69 年 04 月 10 日

生效日期：民國 69 年 04 月 10 日

I Letter from Mr. David Dean, Chairman of the Board and Managing Director of American Institute in Taiwan, to Mr. Konsin C. Shah, Representative of Coordination Council for north American Affairs.

March 6,1980

Mr. Konsin C. Shah, Representative Coordination Council for North American Affairs

5161 River Road

Washington, D.C. 20016

Dear Konsin,

Pursuant to the consultations held in Washington, D.C. February 4-7, 1980 regarding the Agreement relating to Trade in Cotton, Wool, and Man-Made Fiber Textiles and Textile Products with annexes, dated June 8,1978, as amended (the Agreement), I note that :

1 (a) With respect to the use of the flexibility provisions in the Agreement, CCNAA, undertakes to limit utilization of swing and carryover/carryforward to the following maximum limits for the Specific Limit Categories and Sub-Categories listed below during Agreement Year 1980

only:

Category	Percent Swing/ Carryover/ Swing	Percent Carry- forward	Carry-
331		2	3
333/4/5	6		



(333/4)	(6)		
(335)	(6)		
338/339	6		
340	6		
341	4		
347/348	6		
(347)	(6)		
(348)	(4)		
633/4/5		2.5	2
(633/4)		(2.5)	(2)
(635)		(2.5)	(2)
638		3	2
639		2	2
640		2	3
641		3	2
645/646		2	2
648		2	2
659-pt.			
(headwear)	5		
659-pt.			
(Swimwear)	5		
440		1	3
445/6		1	3

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(b) Sub-paragraph (a) hereof shall not affect the flexibility provisions for Groups I and III, as provided for in the Agreement.

2 CCNAA agrees that in 1980 exports from Taiwan to the United States of products in Category 434 will not exceed 23,786 dozen.

3 AIT and CCNAA agrees that it is not necessary to hold a major review, as provided in paragraph 20 (c) of the Agreement prior to November 15, 1980.

I would appreciate your confirmation of the above understandings.

Sincerely,

(Signed)

David Dean

Chairman of the Board

and Managing Director

II Letter from Mr. Konsin C. Shah, Representative of Coordination Council for North American Affairs, to Mr. David Dean, Chairman of the Board and Managing Director of American Institute in Taiwan.

April 10, 1980

Mr. David Dean

Chairman of the Board

and Managing Director

American Institute in Taiwan

1700 North Moore Street

Arlington, VA 22209

Dear David:

I wish to acknowledge receipt of your letter dated March 6, 1980 containing a proposed three-point amendment to the Agreement relating to Trade in Cotton, Wool and Man-Made Fiber Textiles and Textile Products dated June 8, 1978, as amended, between our two countries. I also wish to confirm, pursuant to instructions, that my Government accepts the proposed amendment as contained in your letter mentioned above.

Sincerely,

(Signed)

Konsin C. Shah

Representative

III Letter from Mr. David Dean, Chairman of the Board and Managing Director of American Institute in Taiwan, to Mr. Konsin C. Shah, Representative of Coordination Council for North American Affairs.

March 7, 1980

Mr. Konsin C. Shah, Representative

Coordination Council for North

American Affairs

5161 River Road

Washington, D.C. 20016

Dear Konsin,

I refer to discussions held in Washington, D.C February 4-7,1980 between representatives of the Coordination Council for North American Affairs (CCNAA) and the American Institute in Taiwan (AIT) concerning exports to the United States of America of cotton, wool, and man-made fiber textiles and textile products from Taiwan. As agreed during these discussions, I propose the following regarding implementation of the Agreement relating to Trade in Cotton, Wool, and Man-made Fiber Textiles and Textile Products dated June 8,1978:

1 The textile products in the following Specific Limit categories shall, effective January 1,1980, cease to be subject to the Specific Limits set out in Annex B to the Agreement and shall become subject to the export certification system referred to in paragraph 5 of the Agreement as amended in this letter.

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643

644

647

2 In Annex B, the following sub-categories of Category 695 will be converted to the Specific limits set forth below, beginning with the 1980 Agreement Year:

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Category	1980 base Level
659-sub (swimwear)	1,802,000 lbs.
(women's, girls' & infants')	1,696,000 lbs.
(men's & boys")	238,500 lbs.

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3 In Annex B, the Specific Limit for merged Category 645/646 in 1980 shall be 3,785,919 dozen.

4 In Annex B, the Group Limit for Group III shall be:

1980	1981	1982
5,459,397 SYE	5,513,991 SYE	5,569,131 SYE

5 During 1980 the maximum permissible level of exports for Category 638 shall be 1,944,754 dozen including (a) swing of 3 percent, (b) carryover/carryforward of 2 percent, (c) shift of 10 percent from Category 639 and (d) additional special shift of up to 320,000 dozens from Category 639 at an exchange ratio in dozens of 3:2 (3 dozens deducted from Category 639 for each two dozens shifted to Category 638). CCNAA will inform AIT of the amounts that will be shifted.

6 During 1980 only, and within the Aggregate and applicable Group Limits as they may be adjusted pursuant to paragraphs 6 and 8 of the Agreement, the limit for Category 338/339 may be exceeded by up to 10 percent in addition to the adjustment pursuant to Sub-paragraph 7 (a) of the Agreement so long as an equivalent quantity in dozens is deducted in the same Agreement Year from the Limits for either Category 638 or Category 639, provided further that any deduction from Category 638 must be used only in connection with export of products falling within Category 338 and any deduction from Category 639 must be used only in connection with export of products falling within Category 339. CCNAA will inform AIT of which Categories it wishes to adjust and the amounts involved.

7 Paragraph 5 of the Agreement shall be changed to read as follows:

" 5 An Export certification (EC) System shall be established, effective from the 1st of January 1980 and until the termination of the Agreement on December 31,1982. Each Category and Sub-Category not subject to a Specific Limit shall be subject to the Aggregate and applicable Group Limits and the consultation procedures as set forth in this paragraph.

"(a) CCNAA shall provide weekly reports promptly (i.e., as soon as possible but in no case later than five days following the close of the reporting period) to AIT on export. certifications (EC's) by category, issued for exports to the United Sta-

tes for textile categories included in the EC system.

"(b) AIT may request consultations with a view to agreement on an appropriate level of restraint for any Category or Sub-Category not given a Specific Limit for any Agreement Year whenever, in the view of AIT, conditions in the U.S. market are such that a limitation on further trade in any such Category or Sub-Category is necessary in order to eliminate a real risk of market disruption.

"(c) The request for such consultations be supported as soon as possible, and in any case within 21 days of the date of the request, by a statement of market conditions in the United States which in the opinion of AIT make necessary the request for consultations. This statement shall include data similar to that contemplated in paragraphs 1 and 2 of Annex A of the Arrangement.

"(d) Upon receipt of a request for such consultations, CCNAA, as requested by AIT, shall cease or otherwise limit further issuance of EC's for a period of seven (7) U.S. working days. AIT may request CCNAA to extend such period and may also request CCNAA to limit the issuance of EC's to a level different from that specified in paragraph 5 (e) (i) and (ii) below, whichever is applicable.

" CCNAA shall consider any such request sympathetically and shall respond promptly. Unless agreed otherwise, CCNAA shall have the right, following the expiry of the period of seven (7) U.S. working days mentioned above, to resume the issuance of EC's up to the level specified in paragraph 5 (e) (i) and (ii) below, whichever is applicable. EC's thus issued as well as EC's issued prior to receipt of the request for consultations may be honored by the issuance of export licenses by CCNAA. Unless agreed otherwise, CCNAA and AIT shall consult as soon as possible within 30 days of the request for such consultations and shall make their best efforts to complete such consultations within 30 days of the commencement.

"(e) (i) In the event that consultations do not result in agr-

- reement, AIT shall have the right to request CCNAA to limit exports of the relevant products during the Agreement Year in which the request for consultations is made to a level not less than the highest of:
- (A) the level of the trade in the relevant product of category or the immediately preceding Agreement Year plus either 20 percent of that level (in the case of cotton and man-made fiber products) or 6 percent of that level (in the case of wool products).
  - (B) the average of the level of trade in the relevant product or category for all previous Agreement Years since January 1, 1978 plus either 20 percent of that level (in the case of cotton and man-made fiber products) or 6 percent of that level (in the case of wool products),
  - (C) the limit requested by AIT for the cessation of issuance of EC's in accordance with paragraph 5 (d) hereof.
- (ii) Except as provided for in paragraph (iv) below in respect of any product or category where a limit has been established for a single Agreement Year and where, in the immediately subsequent Agreement Year AIT makes another request for consultations under paragraph 5 (b) of this Agreement, and, in the event that such consultations do not result in agreement, AIT shall have the right to request CCNAA to limit exports of the relevant products during the Agreement Year in which the request for consultations is made, to a level not less than the higher of:
- (A) the limit established for the immediately preceding year plus either 8 percent of that limit (in the case of cotton and manmade fiber products) or 3 percent of that limit (in the case of wool products),
  - (B) the limit requested by AIT for the cessation of issuance of EC's in accordance with paragraph 5 (d) hereof.
- (iii) Where AIT makes a request under paragraph 5 (e) (i) and (ii) hereof, CCNAA agrees that it will honor such a request.



- (iv) In respect of any product or category for which a limit is established in any one Agreement Year, either side may, prior to the start of the immediately following agreement Year, elect to convert that limit into a Specific Limit effective as such, from the 1st of January of the immediately following Agreement Year and that product or category shall remain subject to a Specific Limit for the duration of this Agreement. Where such a conversion is made, the Specific Limit so created shall, from the date of effectiveness, be accorded annual growth at 5.0 percent (in respect of cotton and man-made fiber products) or 1 percent (in respect of wool products). The Specific Limit so created shall, beginning in the year of effectiveness be accorded flexibility pursuant to paragraphs 7 (a) and 8 of this Agreement, except that the carryover provisions of paragraph 8 shall not apply until the second year.
- (v) Should two requests in respect of the same category or product be made under paragraph 5 (b) hereof during the term of this Agreement but in different Agreement Years, not being consecutive years, the provisions of paragraph 5 (e) (i) shall apply to the second of the two requests.
- (vi) For the purpose of paragraph 5 hereof the phrase "Level of Trade" shall mean the level of trade established by consultations to be held within the first six months after the end of each Agreement Year or, where such consultations have not been completed, the level of trade by date of export.
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8 The procedures described in paragraph 5 (a) of the Agreement, as proposed in paragraph 7 of this letter, will become effective June 1, 1980. Until June 1, 1980 CCNAA will provide AIT, on a biweekly basis, with statistics of exports from Taiwan to the United States of products in the categories subject to the EC system.

If CCNAA concurs with the foregoing, then this letter and your letter of confirmation will constitute an understanding between

us regarding implementation of the Agreement.

Sincerely,

(Signed)

David Dean

Chairman of the Board

and Managing Director

IV Letter from Mr. Konsion C. Shah, Representative of Coordination Council for North American Affairs, to Mr. David Dean, Chairman of the Board and Managing Director of American Institute in Taiwan.

April 10, 1980

Mr. David Dean

Chairman of the Board

and Managing Director

American Institute in Taiwan

1700 North Moore Street

Arlington, VA 22209

Dear David:

I wish to acknowledge receipt of your letter dated March 7, 1980 containing a proposed eightpoint amendment to the Agreement relating to Trade in Cotton, Wool and Man-Made Fiber Textiles and Textile Products dated June 8, 1978 as amended, between our two countries.

I am authorized by my Government to formally inform you that it accepts the proposed amendment contained in your letter mentioned above and agrees that your letter and this letter constitute an understanding between us regarding implementation of the Agreement.

Sincerely,

(Signed)

Konsin C. Shah

Representative