

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 703 final.

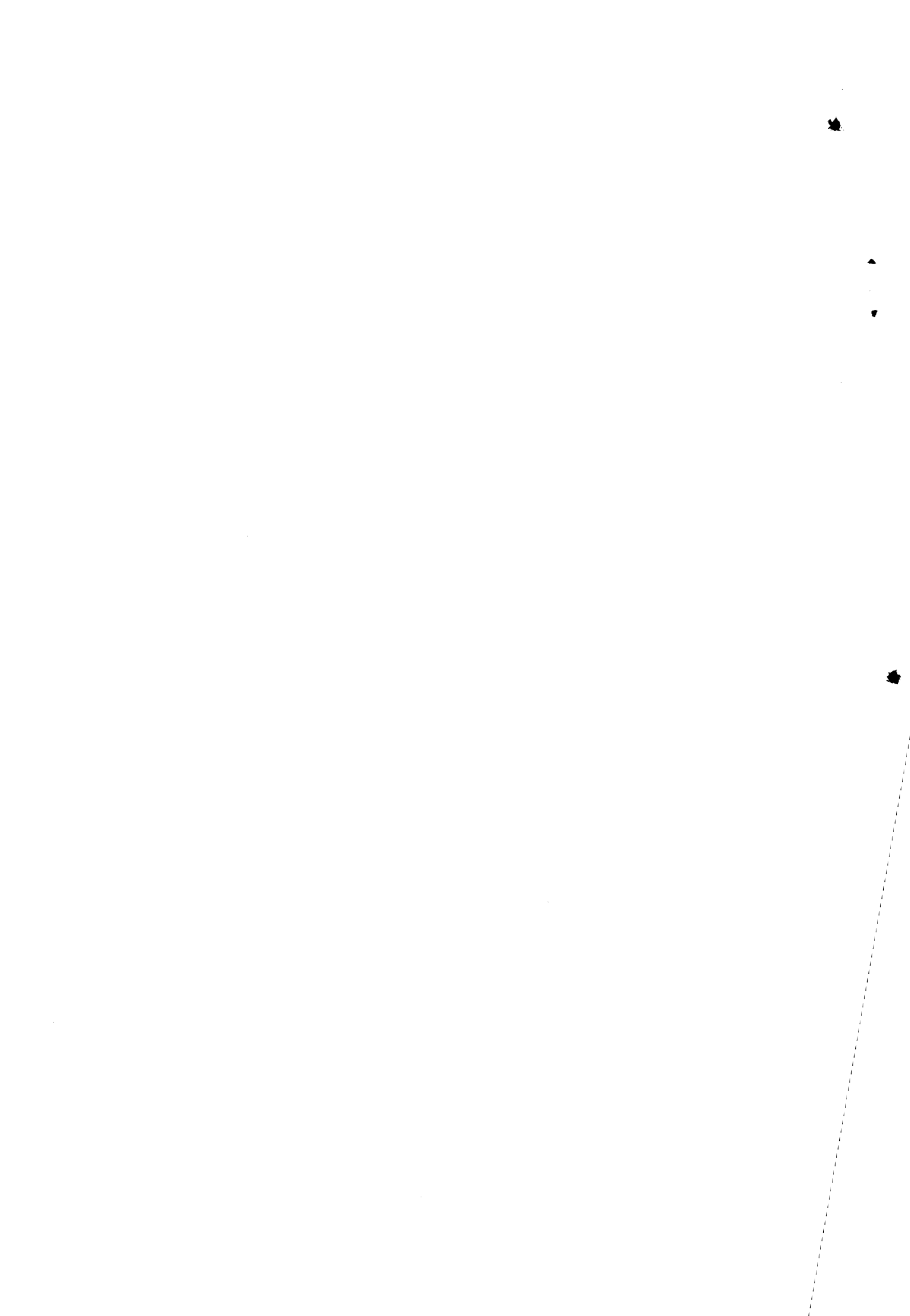
Brussels, 23 November 1981

RECOMMANDATION FOR A COUNCIL REGULATION (EEC)

on the conclusion of the Additional Protocol to the Agreement between
the European Economic Community and the People's Republic of Bangladesh
on trade in textile products consequent on the accession on the Hellenic
Republic to the Community

(submitted to the Council by the Commission)

COM(81) 703 final.



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EXPLANATORY MEMORANDUM

1. Under the Act of Accession of Greece to the European Communities (Article 123), it was agreed that the Community would negotiate protocols of adaptation to the bilateral agreements on trade in textile products between the Community and third countries.
2. By Decision of 1 August 1980 the Council authorised the Commission to open negotiations with Bangladesh to conclude an agreement on such adaptation.
3. In accordance with that Council Decision and in consultation with the Article 113 Committee, the Commission conducted negotiations with Bangladesh from 23rd September 1980 to 3th January 1981.

Following the negotiations, a draft Protocol was drawn up extending the terms of the original bilateral agreement to trade between Bangladesh and the enlarged Community, thus (inter alia)

- extending the existing consultation procedures whereby new voluntary restraint measures may be introduced for categories of products not at present subject to limitation, where certain thresholds are exceeded, in respect of both the whole Community and Greece.

The Heads of Delegation initialled the text of the draft Protocol on 8th January 1981 having noted it correctly represented the results of the negotiations.

4. The Protocol has already been implemented by Council Regulation (EEC) No 3553/80 of 22 December 1980 (1) amending the existing régime established by Regulation (EEC) No 3059/78 of 21 December 1978 (2).

5. The Commission considers that the draft Protocol embodies an arrangement which is acceptable to the Community. It therefore recommends that the Council :

- (i) approve the Protocol by adopting the Regulation, the draft of which is annexed hereto;
- (ii) pending approval of the Protocol, take the necessary decisions in connection with the signing thereof.

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(Acts whose publication is obligatory)

RECOMMENDATION

COUNCIL REGULATION (EEC)

on the conclusion of the Additional Protocol to the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in textile products consequent on the accession of the Hellenic Republic to the Community.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Additional Protocol to the Agreement between the European Economic Community and the People's Republic of Bangladesh

on trade in textile products to take account of the accession of the Hellenic Republic to the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The Additional Protocol to the Agreement between the European Economic Community and the People's Republic of Bangladesh

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

on trade in textile products,
consequent on the accession of the Hellenic Republic to the Community is hereby approved on behalf of the Community.

The text of the Protocol is annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 13 of the Additional Protocol (1).

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

For the Council

(1) The date of entry into force of the Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

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Additional Protocol to the Agreement between
the European Economic Community and the People's
Republic of Bangladesh on trade in textile products
consequent on the accession of the Hellenic Republic
to the Community

initialed on 8 January 1981

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THE COUNCIL OF THE EUROPEAN COMMUNITIES :

of the one part, and

THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

of the other part,

CONSIDERING the accession of the Hellenic Republic to
the European Communities on 1 January 1981

HAVING REGARD to the Agreement between the European Economic Community
and the People's Republic of Bangladesh and hereafter called the "Agreement",
signed on 23 July 1979.

HAVE DECIDED to determine by common accord the adjustments and transitional
measures to the Agreement consequent on the accession of the Hellenic
Republic to the European Economic Community

and TO CONCLUDE THIS PROTOCOL :

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Article 1

The text of the Agreement as hereby amended, including its annex, protocols and exchange of notes forming an integral part thereof, shall be drawn up in Greek and that text shall be authentic in the same way as the original texts.

Article 2

The Agreement shall be amended as follows :

1. Protocol C, paragraph 2, shall be replaced by the following :
'Where the Community finds, under the system of administrative control set up, that the level of imports of products in a given category listed in the Annex originating in Bangladesh exceeds, in relation to 102% of the preceding year's total imports into the territories within which the Treaty establishing the European Economic Community applied at 31 December 1980 of products in that category, the following percentages':
 - for categories of products in Group I, 0.2%
 - for categories of products in Group II, 1.5%
 - for categories of products in Group III, IV or V 4%

it may request the opening of consultations in accordance with the procedure specified in Article 5 of the Agreement, with a view to reaching agreement on a suitable level of limitation for products in that category.'

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2. Protocol C, paragraph 6 to the Agreement shall be replaced by the following :

'Quantitative limits on a regional basis may be introduced only where imports of a given product into any region of the Community exceed, in relation to the amounts calculated by the fraction 100/102 (one hundred divided by one hundred and two) of the amounts determined in accordance with paragraph 2, the following regional percentages':

Germany	28.5%
Benelux	10.5%
France	18.5%
Italy	15%
Denmark	3%
Ireland	1%
U.K.	23.5%
Greece	2%

3. For the purpose of calculating 'the preceding year's total imports' referred to in 1. above both of 1980 and 1981, imports from the Hellenic Republic shall be those recorded in 1980.

Article 3

This Protocol forms an integral part of the Agreement.

Article 4

1. This Protocol shall be approved by the contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the date on which the contracting parties notify each other of the completion of the procedures necessary for this purpose.
2. It shall apply with effect from 1st January 1981.

Article 5

This Protocol is drawn up in duplicate, in the Danish, Dutch, English, French, German, Greek and Italian languages, each of these texts being equally authentic.

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EXCHANGE OF NOTES

The Mission of the People's Republic of Bangladesh to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Agreement in textile products negotiated between the People's Republic of Bangladesh and the Community, signed on 23 July 1979, and to the Additional Protocol to the Agreement consequent on the accession of the Hellenic Republic to the Community initialled on 8 January 1981.

The Mission of the People's Republic of Bangladesh wishes to inform the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Additional Protocol, the Bangladesh Government is prepared to allow the provisions of the Additional Protocol to apply de facto from 1st January 1981 if the Community is disposed to do likewise.

The Mission of the People's Republic of Bangladesh would like also to propose that the present note and the Community's note in reply shall constitute an Agreement between the Bangladesh Government and the Community.

The Mission of the People's Republic of Bangladesh avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration.

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The Directorate-General for External Relations of the Commission presents its compliments to the Mission of the People's Republic of Bangladesh to the European Communities and has the honour to refer to the Mission's note of today reading as follows :

"The Mission of the People's Republic of Bangladesh to the European Communities presents its compliments to the Directorate-General for External Relations of the Commission of the European Communities and has the honour to refer to the Agreement in textile products negotiated between the People's Republic of Bangladesh and the Community signed on 23 July 1979, and to the Additional Protocol to the Agreement consequent on the accession of the Hellenic Republic to the Community initialled on 8 January 1981.

The Mission of the People's Republic of Bangladesh wishes to inform the Directorate-General that whilst awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Additional Protocol, the Bangladesh Government is prepared to allow the provisions of the Additional Protocol to apply de facto from 1st January 1981 if the Community is disposed to do likewise.

The Mission of the People's Republic of Bangladesh would like also to propose that the present note and the Community's note in reply shall constitute an Agreement between the Bangladesh Government and the Community.

The Mission of the People's Republic of Bangladesh avails itself of this opportunity to renew to the Directorate-General for External Relations the assurance of its highest consideration."

The Directorate of External Relations has the honour to confirm to the Mission of the People's Republic of Bangladesh that it is agreed on the content of the foregoing note and considers therefore that the exchange of notes constitutes an agreement between the Bangladesh Government and the Community.

The Directorate-General for External Relations avails itself of this opportunity to renew to the Mission of the People's Republic of Bangladesh to the European Communities the assurance of its highest consideration.

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