AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

between the European Community and the Republic of Malta amending the memorandum of understanding between the European Economic Community and the Republic of Malta regarding textile trade to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union [1]

A. *Letter from the European Community*

Brussels, 4 June 1997

Sir,

I have the honour to refer to the Memorandum of Understanding between the European Economic Community and the Republic of Malta regarding textile trade initialled on 28 November 1990, as last amended and extended on 24 October 1991.

1. In order to take into account the likely accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union on 1 January 1995, the European Community considers that the following amendments should be made to the Memorandum of Understanding between the European Economic Community and the Republic of Malta regarding textile trade:

2.1. Annex II of the Memorandum of Understanding which sets out the quantitative levels for exports from Malta to the Community, is replaced for the period 1 January to 31 December 1995 by Appendix I to this letter.

2.2. In addition, as a result of the change of name from 'European Economic Community' to 'European Community' due to the entry into force of the Treaty on European Union, the model of the 'Export Licence' attached to Annex I of the Memorandum of Understanding is replaced by Appendix II to this letter.

2.3. Should one or more acceding countries not join the European Union the adjustments calculated for this or these countries shall be deducted from the 'Adjusted Limits' set out in Appendix I to this letter.

2.4. Notwithstanding the modifications referred to under point 2.2, during a transitional period that will end on 30 June 1995, the competent authorities of Malta shall be authorized to continue issuing the forms that were in use in 1994.

2.5. Should inaccuracies appear in the trade figures used to establish the adjustments contained in Appendix I, technical revisions of these adjustments will be made following consultations and provided that the request for consultations is made not later than 28 February 1995.

3. I should be obliged if you could kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this Agreement in the form of an Exchange of Letters shall enter into force on the first day of the month following the day on which the Parties have notified each other that the legal procedures necessary to this end have been completed. In the meantime, it shall be applied provisionally from 1 January 1995 on the conditions to be specified in an Exchange of Notes (see Appendix III).

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council
of the European Union

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[1] The Treaty of Accession of Austria, Finland and Sweden entered into force on 1 January 1995.

Appendix I

ANNEX II

COMMUNITY QUANTITATIVE LIMITS 1995

Group	Category	Unit	Existing Limit 1995	Ajustment for			Adjusted Limit 1995
				Sweden	Finland	Austria	
Direct quotas							
IB	6	1 000 pieces	13 000	270	121	224	13 615
Outward processing traffic quotas 1995							
IB	6	1 000 pieces	9 120	317	142	262	9 842

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	**ORIGINAL**	2 **No**
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	**EXPORT LICENCE** **(Textile products)** **LICENCE D'EXPORTATION** **(Produits textiles)**	
	6 Country of origin Pays d'origine	7 Country of destination Pays de destination
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	9 Supplementary details Données supplémentaires	

10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB value (2) Valeur fob (2)

13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE

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.

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) Autorité compétente (nom, adresse complète, pays)	At — À ....., on — le ..... (Signature) (Stamp — Cachet)

(1) Show net weight (kg) and also quantity in the unit prescribed for category where other than the 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.

Appendix III

Exchange of notes

The Directorate-General for External Economic Relations of the Commission of the European Communities presents its compliments to the Mission of the Republic of Malta to the European Communities and has the honour to refer to the Memorandum of Understanding regarding textile trade between the Republic of Malta and the European Economic Community, initialled on 28 November 1990, as last amended and extended on 24 October 1991 and further amended by the Exchange of Letters initialled on 20 December 1994.

The Directorate-General wishes to inform the Mission of Malta that whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Memorandum of Understanding, the European Community is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1995. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Memorandum of Understanding provided that one hundred and twenty days' notice is given.

The Directorate-General for External Economic Relations would be obliged if the Mission of the Republic of Malta would confirm its agreement to the foregoing.

The Directorate-General for External Economic Relations of the Commission of the European Communities avails itself of this opportunity to renew to the Mission of the Republic of Malta to the European Communities the assurance of its highest consideration.

The Mission of the Republic of Malta to the European Communities presents its compliments to the Directorate-General for External Economic Relations of the Commission of the European Communities and has the honour to refer to the Note of the Directorate-General of 4 June 1997 regarding the Memorandum of Understanding regarding textile trade between the Republic of Malta and the European Economic Community, initialled on 28 November 1990, as last amended and extended on 24 October 1991 and further amended by the Exchange of Letters initialled on 20 December 1994.

The Mission of the Republic of Malta wishes to inform the Directorate-General that, whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Memorandum of Understanding, the Government of the Republic of Malta is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1995. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Memorandum of Understanding provided that one hundred and twenty days' notice is given.

The Mission of the Republic of Malta to the European Communities avails itself of this opportunity to renew to the Directorate-General for External Economic Relations of the Commission of the European Communities the assurance of its highest consideration.

B. *Letter from the Republic of Malta*

Brussels, 4 June 1997

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'I have the honour to refer to the Memorandum of Understanding between the European Economic Community and the Republic of Malta regarding textile trade initialled on 28 November 1990, as last amended and extended on 24 October 1991.

1. In order to take into account the likely accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union on 1 January 1995, the European Community considers that the following amendments should be made to the Memorandum of Understanding between the European Economic Community and the Republic of Malta regarding textile trade:

2.1. Annex II of the Memorandum of Understanding which sets out the quantitative levels for exports from Malta to the Community, is replaced for the period 1 January to 31 December 1995 by Appendix I to this letter.

2.2. In addition, as a result of the change of name from "European Economic Community" to "European Community" due to the entry into force of the Treaty on European Union, the model of the "Export Licence" attached to Annex I of the Memorandum of Understanding is replaced by Appendix II to this letter.

2.3. Should one or more acceding countries not join the European Union the adjustments calculated for this or these countries shall be deducted from the "Adjusted Limits" set out in Appendix I to this letter.

2.4. Notwithstanding the modifications referred to under point 2.2, during a transitional period that will end on 30 June 1995, the competent authorities of Malta shall be authorized to continue issuing the forms that were in use in 1994.

2.5. Should inaccuracies appear in the trade figures used to establish the adjustments contained in Appendix I, technical revisions of these adjustments will be made following consultations and provided that the request for consultations is made not later than 28 February 1995.

3. I should be obliged if you could kindly confirm the acceptance of your Government of the foregoing. Should this be the case, this Agreement in the form of an Exchange of Letters shall enter into force on the first day of the month following the day on which the Parties have notified each other that the legal procedures necessary to this end have been completed. In the meantime, it shall be applied provisionally from 1 January 1995 on the conditions to be specified in an Exchange of Notes (see Appendix III).'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government
of the Republic of Malta

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The Directorate-General for External Economic Relations would be obliged if the Mission of the Republic of Malta would confirm its agreement to the foregoing.

The Directorate-General for External Economic Relations of the Commission of the European Communities avails itself of this opportunity to renew to the Mission of the Republic of Malta to the European Communities the assurance of its highest consideration.

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The Mission of the Republic of Malta wishes to inform the Directorate-General that, whilst awaiting the completion of the necessary procedures for the conclusion and coming into force of the amended Memorandum of Understanding, the Government of the Republic of Malta is prepared to allow the provisions of the Agreement to apply *de facto* from 1 January 1995. This is on the understanding that either Party may at any time terminate this *de facto* application of the amended Memorandum of Understanding provided that one hundred and twenty days' notice is given.

The Mission of the Republic of Malta to the European Communities avails itself of this opportunity to renew to the Directorate-General for External Economic Relations of the Commission of the European Communities the assurance of its highest consideration.

Hecho en Bruselas, el cuatro de junio de mil novecientos noventa y siete.

Udfærdiget i Bruxelles, den fjerde juni nitten hundrede og syvoghalvfems.

Geschehen zu Brüssel am vierten Juni neunzehnhundertsiebenundneunzig.

Έγινε στις Βρυξέλλες, στις τέσσερις Ιουνίου χίλια εννιακόσια ενενήντα επτά.

Done at Brussels on the fourth day of June in the year one thousand nine hundred and ninety-seven.

Fait à Bruxelles, le quatre juin mil neuf cent quatre-vingt-dix-sept.

Fatto a Bruxelles, addì quattro giugno millenovecentonovantasette.

Gedaan te Brussel, de vierde juni negentienhonderd zevenennegentig.

Feito em Bruxelas, em quatro de Junho de mil novecentos e noventa e sete.

Tehty Brysselissä neljäntenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäseitsemän.

Som skedde i Bryssel den fjärde juni nittonhundranittiosju.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

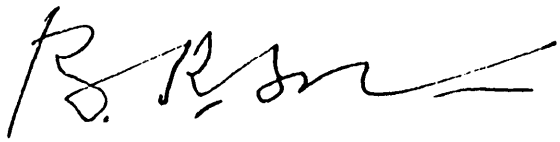
Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



Por el Gobierno de la República de Malta

For Republikken Maltas regering

Für die Regierung der Republik Malta

Για την Κυβέρνηση της Δημοκρατίας της Μάλτας

For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta

Pelo Governo da República de Malta

Maltan tasavallan hallituksen puolesta

På Republiken Maltas regerings vägnar

