

REPUBLIC OF  
IRELAND



Treaty Series No. 113 (1972)

**Exchange of Notes**  
between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the Republic of Ireland  
amending the Agreement of  
14 December 1965 establishing a Free Trade  
Area between the two Countries

Dublin, 31 March 1972

[The Exchange of Notes entered into force on 31 March 1972]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
October 1972*

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**EXCHANGE OF NOTES  
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM  
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE  
GOVERNMENT OF THE REPUBLIC OF IRELAND  
AMENDING THE AGREEMENT OF 14 DECEMBER 1965  
ESTABLISHING A FREE TRADE AREA BETWEEN  
THE TWO COUNTRIES**

*Her Majesty's Ambassador at Dublin to the Minister for Foreign Affairs  
of the Republic of Ireland<sup>(1)</sup>*

*British Embassy,  
Dublin.*

*31 March 1972*

Your Excellency,

I have the honour to refer to the Free Trade Area Agreement signed at London on 14 December, 1965<sup>(2)</sup> between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland. On 1 January, 1972 the Government of the United Kingdom varied the rate of duty chargeable under Commonwealth Preference arrangements on certain cotton textile products. Article II (3) of the Agreement provides that if the Government of the United Kingdom intend to take such action, the two Governments shall jointly determine what origin rules shall apply thereafter to goods of the kind in question consigned from the Republic of Ireland to the United Kingdom; and when announcing their intention to impose a tariff against certain cotton textiles originating in the Commonwealth Preference Area the Government of the United Kingdom accordingly sought consultations with the Government of the Republic of Ireland. As a result of these consultations the two Governments agree that the rules of origin applicable to the products in question shall be those set out in Part I, Sections A and B of the Memorandum attached to this Note. The Government of the United Kingdom accept the proposal of the Government of the Republic of Ireland that certain changes be made in the United Kingdom rules of origin applicable to textile products containing silk and/or man-made fibres and that the Free Trade Area Agreement be amended accordingly. These amendments are set out in Part II of the Memorandum.

The Government of the United Kingdom have not proposed any further modification of the rules of origin for cotton textile products in the light of their decision to retain existing quantitative restrictions for such products. They reserve the right, however, to seek discussions with the Government of the Republic of Ireland and to enlist their co-operation if it appears that United Kingdom quota controls are being undermined by the unlimited access of processors in the Republic of Ireland to direct imports from the restricted countries, or evaded by transshipment via the Republic of Ireland.

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<sup>(1)</sup> A Note and Memorandum in similar terms dated 31 March, 1972, was addressed to Her Majesty's Ambassador at Dublin by the Minister for Foreign Affairs of the Republic of Ireland.

<sup>(2)</sup> Treaty Series No. 31 (1966), Cmnd. 3026.

There has also been consultation between the two Governments regarding a proposal to amend the rules of origin in operation in the Republic of Ireland for cotton textile products originating in the United Kingdom. An amendment to these rules and, as appropriate, to the Free Trade Area Agreement, which is acceptable to the two Governments is set out in Part I, Section C of the Memorandum attached to this Note.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

JOHN PECK

**MEMORANDUM CONCERNING TRADE IN COTTON AND OTHER  
TEXTILES BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND AND THE REPUBLIC OF IRELAND**

**PART I**

**A. Definitions**

1. Part I of this Memorandum applies to yarns, woven fabrics (grey cloth and finished cloth), apparel and made-up articles of the descriptions listed in the Annex hereto, excluding goods of the descriptions listed in Part IV of Annex C to the Anglo-Irish Free Trade Area Agreement.

2. "Restricted territories" means those territories from which exports to the United Kingdom of the goods described in 1 above were on 31 December, 1971 subject to quantitative restrictions either on exportation from such territories to the United Kingdom or on importation into the United Kingdom.

3. "Commonwealth Preference Area" means the area thus designated in Section 2 (3) and 2 (4) of the Import Duties Act, 1958, excluding the United Kingdom and the Republic of Ireland.

4. "The Eastern Area" means the following countries: Albania, Bulgaria, the People's Republic of China, Czechoslovakia, East Germany, Hungary, North Korea, the People's Republic of Mongolia, Poland, Romania, the Union of Soviet Socialist Republics and North Vietnam.

**B. Cotton textiles exported from the Republic of Ireland to the United Kingdom**

I. Subject to B (II) and B (III) below, goods of the descriptions listed in the Annex shall be regarded as originating in the Republic of Ireland if any materials of the descriptions listed in the Annex imported into the Republic of Ireland and used in producing the goods have borne duty in the Anglo-Irish Free Trade Area at a rate which, after account is taken of any drawback or other relief from duty, is not less than the rate shown in the Customs and Excise Tariff of the United Kingdom as applicable to those materials at the time of their importation into the Anglo-Irish Free Trade Area.

II. Notwithstanding B (I)

cloth woven in the Republic of Ireland and containing less than 15% by weight of yarn spun in a restricted territory or in the Commonwealth Preference Area.

apparel and made-up articles not containing cloth woven in a restricted territory or in the Commonwealth Preference Area.

shirts (ex-61.03) containing not less than one-third by weight of wool.

may be regarded as originating in the Republic of Ireland if they have been manufactured there and the conditions of Article II (1) (b) of the Anglo-Irish Free Trade Area Agreement are fulfilled as though the goods were included in Schedule 1 of Part III of Annex C of the Agreement.

III. Notwithstanding B (I)

cloth woven in the Republic of Ireland and containing 15% or more by weight of yarn spun in the Eastern Area.

apparel and made-up articles containing cloth woven in the Eastern Area.

will not be regarded as originating in the Republic of Ireland unless, in addition to the conditions of B (I) the conditions of Article II (1) (b) of the Anglo-Irish Free Trade Area Agreement are fulfilled as though the goods were included in Schedule 1 to Part III of Annex C of the Agreement.

For the purposes of B (I) or B (III), any yarn or fabric which was landed in the Republic of Ireland or the United Kingdom before 1 April, 1972, shall be deemed to have borne duty in the Area to which this Agreement applies at the rate referred to in B (I).

**C. Cotton textile exports from the United Kingdom to the Republic of Ireland**

Yarns, woven fabrics, apparel and made-up articles shall be regarded as originating in the United Kingdom if they comply with the requirements of Article II (1) (a) of the Anglo-Irish Free Trade Area Agreement and if, in respect of any yarn, grey cloth or finished cloth imported into the United Kingdom and contained in the goods, duty has been paid at a rate which is not less than the rate shown in the Customs and Excise Tariff of the United Kingdom as applicable to those goods at the time of their importation, and has not been or will not be drawn back, remitted or repaid. Any yarn or fabric which was landed in the United Kingdom before 1 April, 1972, shall be deemed to have borne duty at the rate specified.

**PART II**

**Woven shirts**

Part IV of Annex C of the Anglo-Irish Free Trade Area Agreement is hereby amended by the insertion of the following:

§ ex 61.03 Men's and boys' shirts, containing more than 5% by weight of silk and/or man-made fibres.	Manufacture from fibres, yarns or fabric (ex chapters 50 to 59) provided that the fabric has borne duty in the Anglo-Irish Free Trade Area at a rate which, after account is taken of any drawback or other relief from duty, is not less than the rate shown in the Customs and Excise Tariff of the United Kingdom as applicable to the fabric at the time of its importation into the Anglo-Irish Free Trade Area; or from material not falling in Chapters 50 to 62.
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**Women's dresses**

Part IV of Annex C of the Anglo-Irish Free Trade Area Agreement is hereby amended by the insertion of the following:

§ ex 60.05 Women's and girls' knitted or crocheted dresses, complete and ready for wear, containing more than 5% by weight of silk and/or man-made fibres.	Manufacture from fibres or yarns; or (except in the case of lining) from knitted or crocheted fabric ex 60.01 or 60.06, provided that it has borne duty in the Anglo-Irish Free Trade Area at a rate which, after account is taken of any drawback, or other relief from duty, is not less than the rate shown in the Customs and Excise Tariff of the United Kingdom as applicable to the fabric at the time of its importation into the Anglo-Irish Free Trade Area; or from materials not falling in Chapters 50 to 62.
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#### **Introductory Note 4**

The list of textile materials appended to Introductory Note 4 to Part IV of Annex C to the Anglo-Irish Free Trade Area Agreement shall be amended to read:

- (a) silk and waste silk;
- (b) man-made fibres, continuous, of the kind defined in Note 1 (a) to Chapter 51 of the Brussels Nomenclature;
- (c) man-made fibres, continuous, of the kind defined in Note 1 (b) to Chapter 51 of the Brussels Nomenclature;
- (d) man-made fibres, discontinuous, of the kind defined in Note 1 (a) to Chapter 51 of the Brussels Nomenclature;
- (e) man-made fibres, discontinuous, of the kind defined in Note 1 (b) to Chapter 51 of the Brussels Nomenclature.

Items (d) to (i) in the present list shall be relettered accordingly.

#### **Introductory Note 9**

The full stop at the end of Introductory Note 9 to Part IV of Annex C to the Anglo-Irish Free Trade Area Agreement shall be replaced by a comma, and the following words added:

“ and which have not benefitted from drawback or kindred relief from import duty in the Member State of the Association in which they underwent their last process of production ”.

## ANNEX

The goods to which Part I of the Memorandum applies are the following:

A. Yarns, woven fabrics and articles made of woven fabrics containing more than 50 per cent by weight of cotton and classified within the following United Kingdom tariff headings:

<i>Tariff heading</i>	<i>Description</i>
<i>Yarns</i>	
55.05	Cotton yarn not put up for retail sale.
55.06	Cotton yarn put for retail sale.
<i>Woven fabrics</i>	
55.07	Cotton gauze.
55.08	Terry towelling and similar terry fabrics.
55.09	Other woven fabrics.
58.04	Woven pile fabrics and chenille fabrics.
59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads.
59.14	Wicks of woven, plaited or knitted textile materials, for lamps, stoves lighters, candles and the like, tubular knitted gasmantle fabric and incandescent gasmantles.
<i>Apparel</i>	
61.01	Men's and boys' outer garments.
61.02	Women's, girls' and infants' outer garments.
61.03	Men's and boys' under garments including collars, shirt fronts and cuffs.
61.04	Women's, girls' and infants' under garments.
61.05	Handkerchiefs.
61.06	Shawls, scarves, mufflers, mantillas, veils and the like.
61.07	Ties, bow ties and cravats.
61.08	Collars, tuckers, fallals, bodicefronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments.
61.09	Corsets, corset belts, suspender belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric) whether or not elastic.
61.10	Gloves, mittens, mitts, stockings, socks and sockettes not being knitted or crocheted goods.
61.11	Made-up accessories for articles of apparel (for example dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets).
<i>Made-up articles</i>	
62.01	Travelling rugs and blankets.
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles.
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods.
62.05	Other made-up textile articles (including dress patterns).

B. Woven fabrics and articles made of woven fabrics, the cotton content of which exceeds 50 per cent by weight of the total textile fabric content, and classified within the following United Kingdom tariff headings:

*Woven fabrics*

- 58.10 Embroidery, in the piece, in strips or in motifs.
- 59.07 Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundation and similar uses.
- 59.08 Textile fabrics impregnated, coated, covered or laminated or coated with preparations of cellulose derivatives or of other artificial plastic materials.
- 59.09 Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil.
- 59.11 Rubberised textile fabrics, other than rubberised knitted or crocheted goods.
- 59.12 Textile fabrics otherwise impregnated or coated, painted textile fabrics being theatrical scenery, studio backcloths or the like.
- 59.15 Textile hose-piping, and similar tubing, with or without lining, armour or accessories of other materials.
- 59.16 Transmissions, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other materials.
- 59.17 Textile products and textile articles of a kind commonly used in machinery or plant.