

REPUBLIC OF  
IRELAND



Treaty Series No. 89 (1977)

# Exchange of Notes

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the Republic of Ireland

further amending the Agreement  
of 14 December 1965  
establishing a Free Trade Area  
between the Two Countries

Dublin, 27 June 1977

[The Exchange of Notes entered into force on 27 June 1977]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
November 1977*

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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  
FURTHER 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.*

Your Excellency,

27 June 1977.

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland establishing a Free Trade Area between the two countries, which was signed at London on 14 December, 1965<sup>(2)</sup> and to the various Letters concerning the Agreement exchanged on 6<sup>(2)</sup> and 29 June, and 14 July, 1966<sup>(3)</sup>, 11 March<sup>(4)</sup>, and 15 October, 1968<sup>(5)</sup> and 31 March, 1972<sup>(6)</sup> and to correspondence between officials of our two Governments concerning modification of the Rules of Origin in operation under the Agreement which require consequent amendments to the Agreement and amendments and additions to Annex C thereof.

In that correspondence agreement was reached between officials on Rules of Origin to be applied:

- (a) as from 1 April, 1972 to tufted carpets of United Kingdom origin on which preference is claimed under the Agreement; this rule requires an additional entry to Part II of Annex C to the Agreement, the text of which is set out in Annex I to this letter;
- (b) as from 1 January, 1974 to goods qualifying for Commonwealth preference consigned to the United Kingdom from the Republic of Ireland; these rules, which were required because of the modification of the Commonwealth preference as from 1 January, 1974 involved a modification of Article II (1) (b) of the Agreement, the text of which is set out in Annex II to this Letter;
- (c) as from 1 January, 1974 to goods qualifying under Article II (1) (b) (ii) of the Agreement; these rules, which were required in consequence of

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<sup>(1)</sup> A Note with Annexes in similar terms dated 27 June 1977 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.

<sup>(3)</sup> Treaty Series No. 51 (1966), Cmnd. 3089.

<sup>(4)</sup> Treaty Series No. 38 (1968), Cmnd. 3666.

<sup>(5)</sup> Treaty Series No. 38 (1969), Cmnd. 3938.

<sup>(6)</sup> Treaty Series No. 113 (1972), Cmnd. 5138.

the accession of the United Kingdom and Denmark to the EEC<sup>(7)</sup> and the conclusion of Agreements between the European Economic Community and the remaining countries parties to the Convention establishing the European Free Trade Area<sup>(8)</sup> involved amendments to Part IV of Annex C, the texts of which are set out in Annex II to this Letter.

I now have the honour to confirm that the Government of the United Kingdom agree that the Free Trade Agreement should be so amended.

ROBIN HAYDON

## ANNEX I

### ADDITION TO SCHEDULE TO PART II OF ANNEX C OF THE ANGLO/IRISH FREE TRADE AREA AGREEMENT

Column 1 <i>Tariff heading No.</i>	Column 2 <i>Finished product</i>	Column 3 <i>Qualifying process</i>
ex 58.02*	Tufted carpets, the pile of which is inserted by a machine in a pre-existing base fabric.	Manufacture from natural fibres, not spun or thrown; or from waste of man-made fibres falling in 56.03 or waste of natural fibres; or from fibres of the kind defined in Note 1 (a) to Chapter 51 (discontinuous fibres ex 56.01 or tow ex 56.02); or from coir yarn ex 57.07; or from materials not falling in Chapters 50 or 62.

Add to paragraph (2) to Part II of Annex C of the Agreement.

“In the case of products denoted by \* and which contain two or more textile materials, a total amount of such material or materials (other than any jute fabric content and other than the material predominating by weight) not exceeding 20 per cent by weight of all the textile materials in the product need not have been manufactured in the area to which this Agreement applies from the starting point specified in the relative process, but may have been introduced into the process at any stage. For the purpose of this provision, each of the following shall be regarded as a single textile material:

- (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.
- (f) Metallised textiles.
- (g) Wool.
- (h) Other animal hair.
- (i) Flax and ramie.
- (j) Cotton.
- (k) Other vegetable fibres.”

<sup>(7)</sup> Treaty Series No. 1 (1973)—Part II, Cmnd. 5179—II, as amended by Treaty Series No. 1 (1973)—Part I, Cmnd. 5179—I, Treaty Series No. 43 (1973), Cmnd. 5277, and Treaty Series No. 63 (1975), Cmnd. 6013. A consolidated text of the Treaty in force on 1 January 1973 is also published by Her Majesty's Stationery Office (SBN 11 590122 1).

<sup>(8)</sup> Treaty Series No. 30 (1960), Cmnd. 1026.

## ANNEX II

### MODIFICATION TO THE ORIGIN RULES AND AMENDMENT TO PART IV OF ANNEX C OF THE ANGLO/IRISH AGREEMENT

1. MODIFICATION TO ARTICLE II (1) (b)—Add at beginning of (b) “goods shall not be treated as grown, produced or manufactured in the Republic of Ireland unless they are consigned to the United Kingdom from a place in that Country and unless they are in free circulation in that country; and for these purposes goods shall not be treated as being in free circulation unless any customs duty or charge of equivalent effect payable on the import of the goods, or on the import of materials and parts used in the production or manufacture of the goods, into the Republic of Ireland, has been paid and has not subsequently been refunded or, if any such customs duty or charge of equivalent effect has been refunded, compensatory levy has been paid in respect of the goods on export to the United Kingdom by virtue of an instrument of the European Economic Community made under Article 45 (2) of the Act annexed to the Treaty concerning the Accession of the United Kingdom and the Republic of Ireland to that Community; subject to the foregoing provisions,”

#### 2. AMENDMENT TO PART IV OF ANNEX C

- (a) In paragraph 9 after “EFTA” in the first three places where it occurs there shall be inserted “or Danish”;
- (b) for the last part of the paragraph there shall be substituted the following:

“References in this note to goods of EFTA or Danish origin are references to goods:

- (a) which, under the Agreements, signed on 22 July 1972, between the European Community and respectively Austria, Iceland, Portugal, Sweden and Switzerland, the Agreement signed on 14 May 1973, between the Community and Norway and the Agreement signed on 5 October 1973 between the Community and Finland, are to be regarded as products originating in those countries and which satisfy the provisions of Article 25 (1) of Protocol 3 to those Agreements; or
- (b) which, if imported into the United Kingdom, would be entitled, as goods of Denmark, to exemption from import duty: Provided (in all cases) that the goods have not benefited from drawback or other relief from import duty in whichever of the above-mentioned countries they underwent their last process of production”.