

No. 18240

**PHILIPPINES
and
MALTA**

**Trade Agreement (with annexes). Signed at Valletta on
23 March 1977**

Authentic text: English.

Registered by the Philippines on 29 January 1980.

**PHILIPPINES
et
MALTE**

**Accord commercial (avec annexes). Signé à La Valette le
23 mars 1977**

Texte authentique : anglais.

Enregistré par les Philippines le 29 janvier 1980.

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE REPUBLIC OF MALTA

The Government of the Republic of the Philippines and the Government of the Republic of Malta (hereinafter referred to as "the Contracting Parties"),

Desirous of facilitating and developing trade and economic relations between their two countries in accordance with their development and trade needs and objectives on equitable and mutually beneficial bases, and

Convinced that co-operation in trade is essential to achieving maximum development in their respective countries,

Have agreed as follows:

Article 1. The Contracting Parties shall make every possible effort towards expanding the reciprocal exchange of goods and services between them with the aim of favouring the industrial, commercial and economic development of both countries in accordance with the laws and regulations prevailing in each country.

Article 2. The Contracting Parties shall grant each other most-favoured-nation treatment in all matters relating to:

- (a) Customs duties and charges of any kind, including the method of levying such duties and charges imposed on or in connection with the importation, exportation, transit or warehousing of goods or imposed on the transfer of payments for imports or exports;
- (b) Rules and formalities connected with customs clearance;
- (c) All internal taxes or other internal charges of any kind imposed on or in connection with imported and exported goods; and
- (d) Issuance of import and export licences.

Article 3. The provisions of article 2 shall not apply to:

- (a) Special preferences or advantages accorded by the Government of the Republic of the Philippines to another country in replacement of previously existing preferences or advantages;
- (b) Special preferences or advantages which are or will be accorded by the Government of the Republic of Malta to Member States of the European Economic Community;
- (c) Tariff preferences or other advantages which either Party grants or may grant to facilitate border traffic;
- (d) Special preferences or other advantages accorded by either Party resulting from its association in a customs union or a free trade area, or from measures leading to the formation of a customs union or a free trade area; and

¹ Came into force on 17 January 1979, the date of the exchange of notes, which took place at Rome, confirming its approval in conformity with the respective laws of the Contracting Parties, in accordance with article 13.

- (e) Tariff preferences or other advantages which either Contracting Party may grant to the other developing countries under any trade expansion or economic co-operation scheme.

Article 4. 1. The Contracting Parties shall grant, subject to and in accordance with the laws and regulations in force in their respective countries, all possible facilities for the export from and the import into each other's country of all commodities mentioned in annexes A and B to this Agreement.

2. The Commodities in annexes A and B are only indicative and shall not preclude commercial transactions in respect of goods not listed therein. The said annexes may be amended by an Exchange of Notes between the two Contracting Parties.

Article 5. In order to facilitate commercial exchanges between the two countries and subject to the laws and regulations in force in both countries, the Contracting Parties agree to furnish each other, on request, all available and necessary information for the promotion of trade between the two Contracting Parties.

Article 6. In order to further promote commercial exchanges between the two countries and subject to existing international commitments as well as to laws and regulations in force in both countries, the Contracting Parties agree to grant freedom of transit to commercial goods originating from the territory of either of them and destined for the territory of the other or of a third country; as well as to commercial goods originating from a third country and destined for the territory of the other Contracting Party.

Article 7. All current payments between the two countries shall be effected in mutually agreed freely convertible currencies through normal banking channels in accordance with their respective foreign exchange regulations and other pertinent laws.

Article 8. 1. The Contracting Parties shall set up a Joint Commission composed of representatives of both Parties to implement and review the operation of the present Agreement and examine any problem affecting trade exchanges between the two countries. The Commission shall meet annually or at the request of either Party at a mutually convenient date and place.

2. In order to facilitate the implementation of the present Agreement, both Parties may also consult with each other through normal diplomatic or governmental channels in respect of any matter arising from or in connection with this Agreement.

Article 9. Merchant cargo-bearing vessels of either Contracting Party shall enjoy, with respect to entry into, stay in, and departure from the ports of the other country, most-favoured-nation treatment on the facilities granted by each country in accordance with the respective laws and regulations in force therein. Each Contracting Party reserves to its own vessels the right to engage in coastal trade, shipping and fishing within its territorial waters.

Article 10. The Contracting Parties shall, subject to the laws and regulations in force in both countries, and on conditions agreed upon by the competent authorities of both Parties, allow on their territories the organisation of trade fairs and exhibitions; grant each other the necessary facilities for the organisa-

tion and operation of such fairs and exhibitions and allow the free importation and exportation of the following:

- (a) A reasonable quantity of samples of goods and publicity materials to be used in such fairs and exhibitions and necessary for obtaining orders and publicity; and
- (b) Tools and materials which are to be used for installing said trade fairs and exhibitions.

Such samples, tools and materials if disposed of or sold locally shall be subject to the corresponding duties and taxes.

Article 11. The provisions of this Agreement shall not limit the rights of either Contracting Party to adopt or execute measures:

- (a) For reasons of public health, morals, order or security;
- (b) For the protection of plants and animals against diseases;
- (c) To safeguard its external financial position and general balance of payments;
- (d) To prevent injury to domestic industries or the threat thereof.

Article 12. Either Contracting Party may by written notice to the other, through normal diplomatic channels, request a revision of this Agreement to which the other Contracting Party must reply within 120 days from the receipt of such notice.

Article 13. The present Agreement shall enter into force on the date of the Exchange of Notes confirming that it has been ratified or approved in conformity with the respective laws of the Contracting Parties. It shall remain in force for one year and shall continue in force thereafter unless terminated by either Party through a three month prior written notice.

Article 14. The provisions of this Agreement shall continue to be applied after its expiry to any existing and unexpired contract concluded in pursuance of the present Agreement.

DONE at Valletta, Malta, this twenty-third day of March, 1977, in two originals in English both texts being equally authentic.

[Signed — Signé]¹

For the Government
of the Republic of the Philippines

[Signed — Signé]²

For the Government
of the Republic of Malta

ANNEX A

GOODS EXPORTABLE FROM THE REPUBLIC OF MALTA TO THE REPUBLIC OF THE PHILIPPINES

Yarns
Textile fabrics, woven and knitted
Articles of clothing

¹ Signed by Troadio T. Quiazon Jr. — Signé par Troadio T. Quiazon.

² Signed by Patrick Holland — Signé par Patrick Holland.

Carpets
Embroidered badges
Footwear
Leather garments and other articles
Rubber manufactures
Plastic articles (including clothing)
Detergents
Paints
Decorative glass
Water fittings
Stainless steel sinks
Hand tools
Car radiators
Car signalling equipment
Books and other printed matter
Spectacle frames
Musical instruments
Vessels (cargo carriers, coasters, tugs, etc.)
(And any other products which may be agreed upon).

ANNEX B

GOODS EXPORTABLE FROM THE REPUBLIC OF THE PHILIPPINES TO THE REPUBLIC OF MALTA

Hardwood, sawn lumber, plywood, veneer and blockboard
Pulp and paper (including newsprint)
Hardboard
Sugar
Canned fruits and juices
Confectionery
Desiccated coconut
Pineapples
Bananas
Mangoes
Spices
Copra
Castor beans
Coconut oil
Aluminium products
Garments
Furniture
Basketware
Handicrafts
Industrial chemicals
Canned and frozen tuna, shrimps
Tobacco products
Paper products
Footwear
Coir products
(And any other products which may be agreed upon).