

N° 1266.

ALLEMAGNE ET PORTUGAL

Arrangement commercial. Signé à
Lisbonne, le 20 mars 1926.

GERMANY AND PORTUGAL

Commercial Agreement. Signed at
Lisbon, March 20, 1926.

¹TRANSLATION.

No. 1266. — COMMERCIAL AGREEMENT BETWEEN THE GERMAN REICH AND THE PORTUGUESE REPUBLIC. SIGNED AT LISBON, MARCH 20, 1926.

The undersigned Plenipotentiaries, namely :

For THE GERMAN GOVERNMENT :

Dr. Ernst Arthur VORETZSCH, Envoy Extraordinary and Minister Plenipotentiary of the German Reich at Lisbon ;

For THE PORTUGUESE GOVERNMENT :

Dr. Vasco BORGES, Minister for Foreign Affairs of the Portuguese Republic ;

Have agreed as follows :

Article 1.

The agricultural and industrial products of Portugal and the adjacent islands, shall enjoy in Germany most-favoured-nation treatment in respect of import duties, Customs quotas, internal taxes, or any other similar advantages which are or may be granted to a third Power. The products of the Portuguese colonies imported into Germany shall enjoy the same treatment, whether imported direct from the colonies or by way of the mother-country.

No special surtaxes whatever shall be chargeable in Germany on Portuguese goods.

Article 2.

German industrial and agricultural products shall enjoy in Portugal and the adjacent islands the benefit of the lowest tariff, both as regards the import duty rates now in force in Portugal and any other rates that might replace them.

Germany shall enjoy most-favoured-nation treatment for the importation into Portugal and the adjacent islands of the goods enumerated in the lists annexed to the commercial agreements of Portugal with Norway and the Netherlands for so long as these agreements are in force, and also of any goods in respect of which most-favoured-nation treatment may be provided for in future treaties with France, Great Britain, and the United States. The same treatment shall be accorded to German goods as regards payment of Customs in gold or paper, Customs quotas, Customs formalities, internal taxes, or any other advantages which are or may be granted to a third State. As regards import prohibitions, German goods in Portugal and the adjacent islands, and Portuguese goods in Germany, shall enjoy most-favoured-nation treatment ; any cancellation of a prohibition that may, even temporarily, be granted, in favour of a third Power, shall be applied to these goods also, immediately and without compensation.

The quota for motor-cars granted to France in the Commercial Agreement between Portugal and France, of March 4, 1925, shall be accorded to Germany so long as that Agreement remains in force.

¹ Translated by the Secretariat of the League of Nations.

In the Portuguese colonies German goods shall be treated like the goods of other nations.

German commercial travellers in Portugal, and Portuguese commercial travellers in Germany, shall enjoy most-favoured-nation treatment.

Article 3.

German shipping shall enjoy in Portugal and the adjacent islands a 25% reduction on the existing shipping taxes or such shipping taxes as may be introduced in future, for so long as Portuguese shipping enjoys equal treatment in Germany with that of other nations.

Article 4.

In the event of Portugal, during the operation of the existing Agreement, granting to a third Power, with the exception of Spain and Brazil, any advantages, privileges, or reduction of duties to which Germany has no claim under the present Agreement, the Portuguese Government will, at the request of the German Government, be willing to consider in a friendly spirit the possibility of granting the same advantages, privileges or reductions of duties to Germany. In the event of such advantages, privileges or reductions of duties being refused, the German Government shall be entitled to denounce the present Agreement at a month's notice.

Article 5.

Portuguese nationals shall enjoy in Germany, and German nationals shall enjoy in Portugal, the adjacent islands and the Portuguese colonies, the same rights as the subjects and nationals of the most favoured nation, both as regards the exercise of trade and industry, and as regards entry into the country, residence, and the acquisition of immovable property.

Article 6.

(a) The German Government undertakes, for the duration of the present Agreement, to allow the free importation, transport and sale within the country of all Portuguese wines of a strength of 21° or less, in casks or bottles.

(b) The German Government recognises that the appellations "port" (Porto, Oporto, Port Wine, Portwein, and similar composite names) and "madeira" (Madeirawein, and similar composite names) are regional appellations exclusively applicable to the wines of the Portuguese territories of the Douro and the Island of Madeira, and undertakes to allow the importation of such wines only provided that they come from the aforesaid Portuguese territories and were exported from the ports of Oporto or Funchal, with certificates of origin from the competent Portuguese authorities. These provisions shall apply, even if the aforesaid regional appellations are accompanied by the name of the actual place of production or the expression "type", "kind", "quality", or any similar expression.

(c) Port and Madeira wines or other reinforced wines of Portuguese origin, having a strength of not less than 17.6° Gay Lussac (140 grammes to the litre), and not more than 22.7° Gay Lussac (180 grammes to the litre), shall not pay in Germany duty exceeding 32 Reichsmarks per 100 kilograms, if in receptacles of 50 litres or more, or duty exceeding 55 Reichsmarks per 100 kilograms if in other receptacles. Any reductions of Customs duties granted by Germany to a third country for strong wines, even if of a particular kind and coming from a particular place, shall also be applied to these Portuguese wines.

(d) The German Government will recognise certificates of origin issued by the competent Portuguese authorities, but reserves the right to verify the accuracy of the certificates and to make certain of the identity of the goods.

The provisions of this Agreement shall not affect the application of the German laws for the testing of wines in the interests of public health.

Article 7.

For the duration of the present Agreement, the German Government shall not charge Customs duties exceeding the following :

	Rate per 100 kg. Reichsmarks
Pineapples	4
Sardines in hermetically sealed receptacles	30
Tunny-fish in hermetically sealed receptacles	30
Cork, cut sheets and cubes, with bark.	5
Cork, cut sheets and cubes, without bark	10
Cork discs	10
Cork stoppers	12

Article 8.

In the event of the German Government placing import prohibitions on fruit, it shall allow Portugal, for the importation of pineapples and fresh fruit, the quotas fixed in the commercial Agreement between the two countries, dated April 28, 1923.

Article 9.

The Portuguese Government shall prohibit the use of the mark "Solingen" on cutlery not produced in Germany.

Article 10.

The visas of the administrative and consular authorities on passports of the nationals of both countries, shall be valid for one year.

Article 11.

The present Agreement shall come into force in both States on April 1, 1926, if the German Government has at least eight days before that date notified the Portuguese Government that the Agreement has been ratified by the German legislative bodies. Should this notification not be made on the appointed date, the present Agreement shall come into force eight days after the said notification.

The Agreement shall be concluded for a period of one year from the date of its coming into force. Should it not be denounced three months before the expiration of this period, it shall be renewed by tacit agreement for periods of six months unless denounced by either of the Contracting Parties three months before the expiration of any one of these periods of six months.

In faith whereof, the Plenipotentiaries have signed the present Agreement.

Done in duplicate, in German and Portuguese, at Lisbon, on March 20, 1926.

(Signed) Ernst Arthur VORETZSCH.

(Signed) Vasco BORGES.