

N° 1389.

ESPAGNE ET NORVÈGE

Convention de commerce, avec protocole de signature et protocole additionnel, signés à Madrid, le 7 octobre 1922, et échange de notes, Madrid, les 7 et 14|20 octobre 1922, et 5 août|13 octobre 1926.

SPAIN AND NORWAY

Commercial Convention, with Protocol of Signature and Additional Protocol, signed at Madrid, October 7, 1922, and Exchange of Notes, Madrid, October 7 and 14|20, 1922, and August 5|October 13, 1926.

N^o 1389. — CONVENTION¹ DE COMMERCE ENTRE LA NORVÈGE ET L'ESPAGNE, SIGNÉE A MADRID, LE 7 OCTOBRE 1922.

Textes officiels français et espagnol communiqués par le ministre des Affaires étrangères de Norvège. L'enregistrement de cette convention a eu lieu le 18 décembre 1926.

French and Spanish official texts communicated by the Norwegian Minister for Foreign Affairs. The registration of this Convention took place December 18, 1926.

SA MAJESTÉ LE ROI DE NORVÈGE et SA MAJESTÉ LE ROI D'ESPAGNE, également animés du désir de resserrer les liens d'amitié et les rapports de commerce qui unissent la Norvège et l'Espagne, ont décidé d'un commun accord de conclure à cet effet une convention de commerce et ont nommé pour leurs plénipotentiaires, savoir :

SA MAJESTÉ LE ROI DE NORVÈGE :

M. Michaël Ström LIE, son envoyé extraordinaire et ministre plénipotentiaire près Sa Majesté catholique, commandeur de première classe de l'Ordre de Saint Olaf ;

SA MAJESTÉ LE ROI D'ESPAGNE :

Don Joaquin Fernández PRIDA, sénateur du Royaume, Grand-Croix de l'ordre de Léopold II de Belgique, etc., son ministre d'Etat ;

Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants :

Article premier.

Le Gouvernement espagnol appliquera aux marchandises norvégiennes en général les taux de la seconde colonne du tarif de douanes espagnol de tout temps en vigueur, et aux marchandises norvégiennes énumérées à la liste A annexée à la présente convention, les taux fixés dans ladite liste.

Les marchandises énumérées aux listes A et B annexées à la présente convention, jouiront en Espagne du traitement de la nation la plus favorisée.

Le Gouvernement norvégien appliquera aux marchandises espagnoles en général les taux minima du tarif des douanes norvégien de tout temps en vigueur, et aux marchandises espagnoles énumérées à la liste C annexée à la présente convention, les taux fixés dans ladite liste. Toutes les marchandises espagnoles jouiront en Norvège du traitement de la nation la plus favorisée.

Article 2.

Le Gouvernement norvégien s'engage à permettre pendant la durée de la présente convention l'importation en fûts ou en bouteilles, ainsi que le transport et la vente à l'intérieur, des vins et des vins mousseux espagnols d'une teneur d'alcool égale ou inférieure à 14 degrés, sans limiter la consommation.

¹ Cette convention a été mise en vigueur le 30 septembre 1922, avec effet rétroactif au 1^{er} septembre 1922.

¹ This Convention was put into force on September 30, 1922, with retroactive effect as from September 1, 1922.

PROTOCOLE ADDITIONNEL

Au moment de conclure une convention destinée à régler les relations commerciales entre la Norvège et l'Espagne, les Gouvernements norvégien et espagnol, désireux de ménager aux rapports économiques entre les deux pays les plus grandes facilités de développement possible, s'engagent réciproquement, en ce qui concerne leurs relations maritimes, à se conformer aux stipulations suivantes :

Le Traité de navigation¹ conclu entre la Norvège et l'Espagne le 15 mars 1883, prolongé par déclaration² du 23 juin 1887 et dénoncé le 11 février 1922, restera exécutoire conformément aux dispositions de l'article premier de la déclaration du 23 juin 1887, jusqu'au 11 février 1923.

Si, avant cette date, un nouveau traité de navigation n'a pas été conclu entre les deux pays, le Gouvernement espagnol accordera aux navires norvégiens, et le Gouvernement norvégien aux navires espagnols le traitement, de la nation la plus favorisée jusqu'à l'expiration d'un délai de trois mois après que le présent protocole aura été dénoncé par l'une ou l'autre des Parties contractantes. Cette dénonciation ne pourra en tous cas avoir lieu avant le 1^{er} juin 1923.

En foi de quoi les plénipotentiaires ont signé le présent protocole.

Fait à Madrid, en double expédition, le sept octobre mil neuf cent vingt-deux.

(Signé) M. LIE.

(Signé) Joaquin F. PRIDA.

Pour copie conforme :
Ministère des Affaires étrangères à Oslo,
le 13 décembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*
G. von Tangen.

ÉCHANGE DE NOTES

I

LÉGATION ROYALE DE NORVÈGE.

MADRID, le 7 octobre 1922.

MONSIEUR LE MINISTRE,

A l'occasion de la Convention de commerce signée ce jour même, j'ai l'honneur, d'ordre de mon gouvernement, afin d'éviter tout malentendu concernant l'interprétation de certaines dispositions du protocole de clôture, annexé à ladite convention de communiquer à Votre Excellence les remarques suivantes :

En ce qui concerne le paragraphe 2 du protocole de clôture, il est bien entendu que l'importation des vins espagnols, dont la teneur d'alcool, dans certaines années, dépasserait 14 degrés, ne sera exceptionnellement tolérée que s'il s'agit de vins purs, provenant uniquement de la fermentation du jus de raisins frais et n'ayant subi aucune addition d'alcool, sous quelque forme que ce soit.

Pour ce qui est du premier alinéa du paragraphe 3 du protocole de clôture, il est de même bien entendu qu'au cas où la liberté d'importation dont jouissent en Norvège les vins d'une teneur alcoolique égale ou inférieure à 14 degrés, serait étendue aux vins et autres boissons alcooliques

¹ DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome IV, page 784.

¹ *British and Foreign State Papers*, Vol. 74, page 702.

² DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome IV, page 788.

titrant jusqu'à 21 degrés d'alcool, le Gouvernement norvégien serait libéré de l'obligation assumée par lui de pourvoir à l'importation d'une quantité annuelle minimum de 500.000 litres d'alcools et de vins titrant plus de 14 degrés d'alcool originaires et en provenance d'Espagne.

L'importation des 500.000 litres d'alcools et de vins titrant plus de 14 degrés d'alcool sera provisoirement répartie de la manière suivante :

	Litres
Vins de Xérès de marque et de bonne qualité	125.000
Vins de Malaga de marque et de bonne qualité... ..	225.000
Vins de Tarragone et de Valencia de marque et de bonne qualité ...	100.000
Cognac et liqueurs de marque et de bonne qualité	50.000

Dans les six mois qui suivront la mise en vigueur de la convention et ensuite chaque année, les deux gouvernements entreroient en pourparlers pour introduire, dans la répartition du contingent, les modifications dont l'expérience aurait démontré la nécessité. Dans le cas où de telles modifications ne pourraient être introduites d'un commun accord entre les deux gouvernements, la répartition jusqu'alors en vigueur restera exécutoire.

Il est également bien entendu que la disposition du paragraphe 3, deuxième alinéa, du protocole de clôture, ne vise pas la vente ou l'emploi des vins et alcools dans un but pharmaceutique, industriel, scientifique ou technique.

Je prie Votre Excellence de bien vouloir me confirmer que le Gouvernement de Sa Majesté catholique est d'accord en ce qui concerne les remarques précédentes.

Veuillez agréer, Monsieur le Ministre, les assurances de ma très haute considération.

Son Excellence M. Fernández Prida,
Ministre d'Etat, etc., etc., etc.

(Signé) M. LIE.

Pour copie conforme :

Ministère des Affaires étrangères à Oslo,
le 13 décembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*

G. von Tangen.

II

TEXTE ESPAGNOL — SPANISH TEXT.

MINISTERIO DE ESTADO.
COMERCIO.

MADRID, 7 de Octubre 1922.

EXCMO. SEÑOR,

Muy Señor mio : Tengo el honor de acusar recibo de su atenta Nota de esta fecha en la cual, de orden de su Gobierno, y para evitar toda mala inteligencia respecto de determinadas disposiciones del Protocolo de Firma anejo al Convenio firmado en el día de hoy, se sirve V. E. hacerme las manifestaciones siguientes :

En lo que se refiere al párrafo segundo del Protocolo de Firma queda entendido que la importación en Noruega de vinos españoles que puedan exceder, en algunos años, de 14 grados, sólo se tolerará excepcionalmente tratándose de vinos puros procedentes exclusivamente de la fermentación del zumo de uvas frescas que no hayan sido adicionadas con alcohol en cualquier forma que sea ;

En cuanto al inciso primero del párrafo tercero del mismo Protocolo queda entendido igualmente, que si en cualquier tiempo se extendiera en Noruega a los vinos de graduación superior a 14 grados la libre importación hoy concedida a los que la tienen hasta esa graduación inclusive,

el Gobierno noruego quedaría exento de la obligación, por él aceptada, de importar anualmente un minimum de 500.000 litros de alcoholes y vinos de graduación superior a 14 grados originarios y procedentes de España ;

Que la distribución provisional de los 500.000 litros de alcoholes y vinos de graduación superior a 14 grados será la siguiente :

	Litros :
Vinos de Jerez de marca y de buena calidad	125.000
Vinos de Málaga de marca y de buena calidad	225.000
Vinos de Tarragona y de Valencia de marca y de buena calidad... ..	100.000
Cognac y licores de marca y de buena calidad... ..	50.000

Que en los seis meses siguientes a la entrada en vigor del Convenio, y después cada año, los Gobiernos español y noruego entrarán en tratos para introducir en el reparto de contingente las modificaciones que la experiencia aconsejare. En el caso de que no llegaran a un acuerdo respecto al particular seguirá aplicándose la distribución hasta entonces en vigor ;

Queda entendido asimismo que lo dispuesto en el segundo inciso del párrafo tercero del Protocolo de firma no hace referencia a la venta o al empleo de vinos y alcoholes con fines farmacéuticos, industriales, científicos o técnicos.

En respuesta a su citada Nota tengo la honra de participar a V. E. que el Gobierno de S. M. se halla conforme con las observaciones que V. E. se ha servido transmitirme y a las que dejo hecha referencia.

Aprovecho la ocasión para reiterar a V. E. las seguridades de mi más distinguida consideración.

Excmo. Señor Michael S. Lie.
Enviado Extraordinario y Ministro
Plenipotenciario de Noruega,

(firmado) Fernández PRIDA.

Pour copie conforme :

Ministère des Affaires étrangères à Oslo,
le 13 décembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*
G. von Tangen.

¹ TRADUCTION. — TRANSLATION.

MINISTÈRE D'ÉTAT.

MADRID, 7 octobre 1922.

MONSIEUR LE MINISTRE.

J'ai l'honneur d'accuser réception de votre note en date de ce jour, par laquelle, d'ordre de votre gouvernement, et pour éviter tout malentendu au sujet de l'interprétation de certaines dispositions du protocole de signature annexé à la convention signée ce jour même, vous avez bien voulu me faire les déclarations suivantes :

En ce qui concerne le paragraphe 2 du protocole de signature, il est bien entendu que l'importation en Norvège des vins espagnols, dont la teneur en alcool dépasserait, certaines années, 14 degrés ne sera exceptionnellement tolérée que s'il s'agit de vins purs, provenant uniquement de la fermentation du jus de raisins frais et n'ayant subi aucune addition d'alcool, sous quelque forme que ce soit :

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

TEXTE ESPAGNOL. — SPANISH TEXT.

IV.

MINISTERIO DE ESTADO.
COMERCIO.

MADRID, 7 de Octubre 1922.

EXCMO SEÑOR,

Muy Señor mio : He recibido la Nota de esta fecha en la cual y con ocasión de la firma, que ha tenido lugar en el día de hoy, del Convenio de comercio concertado entre España y Noruega, se sirve participarme V. E. que el Gobierno noruego considera que dicho Convenio, (que fué puesto en vigor el 30 de Septiembre último, dándole efecto retroactivo a contar del 1º del propio mes de Septiembre) continua en vigor a reserva de que sea ratificado ulteriormente por el Storting, de conformidad con lo dispuesto en su artículo 6º, y me interesa V. E. que le confirme por una Nota análoga a la que tiene a bien dirigirme, que el Gobierno de S. M. está de acuerdo con el de Noruega respecto a este particular, a reserva, igualmente, de la ratificación ulterior de dicho Convenio por las Cortes.

En respuesta a dicha Nota, tengo la honra de participar a V. E. que el Gobierno de S. M. está de acuerdo con el que V. E. tan dignamente representa en que el referido Convenio continúe en vigor, a reserva de su ratificación ulterior por España y Noruega en la forma que proceda con arreglo a sus respectivas disposiciones legales.

Aprovecho esta ocasión para reiterar a V. E. las seguridades de mi consideración más distinguida.

(firmado) Fernández PRIDA.

Excmo. Señor Michael Strom Lie,
Enviado Extraordinario y
Ministro Plenipotenciario de Noruega.

Pour copie conforme :

Ministère des Affaires étrangères à Oslo,
le 13 décembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*

G. von Tangen.

1 TRADUCTION. — TRANSLATION.

MINISTÈRE D'ÉTAT.
COMMERCE

MADRID, le 7 octobre 1922.

MONSIEUR LE MINISTRE,

J'ai l'honneur d'accuser réception de votre note, en date de ce jour, dans laquelle, à l'occasion de la signature, qui a eu lieu ce jour même, de la Convention commerciale conclue entre l'Espagne et la Norvège, vous avez bien voulu me faire connaître que le Gouvernement norvégien considère que ladite convention (qui a été mise en vigueur le 30 septembre 1922, avec effet rétroactif à partir du 1^{er} du même mois) demeure en vigueur, sous réserve qu'elle sera ratifiée ultérieurement par le

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

Il va sans dire que le terme de « 14 degrés », employé dans les articles 2 et 3 de la convention, doit être compris comme 14 degrés de volume.

Il est bien entendu que l'expression « sans en limiter la consommation », employée à l'alinéa 1 de l'article 2, signifie que le Gouvernement norvégien ne prendra pas de mesures spéciales de restriction telles qu'un contingentement de l'importation ou un rationnement de la consommation privée en vue d'empêcher les consommateurs de bonne foi d'obtenir les quantités de vins qu'ils désireront. Il va sans dire que ceci ne déroge en rien aux droits que la législation norvégienne confère aux municipalités en matière de licence, non plus qu'au droit dont jouit tout gouvernement d'édicter les mesures de police qui seraient nécessaires dans certains cas spéciaux, pourvu que celles-ci n'équivalent pas en fait à mettre obstacle à la vente ou au débit légitimes.

Il est clair que les mots de l'alinéa 4 de l'article 2 : « toute personne ou institution se livrant au commerce des vins », veulent dire, « toute personne ou institution autorisée à faire le commerce des vins », et que les mots « personne ou institution », employés ici et en d'autres endroits n'empêcheront pas que les licences dont il s'agit soient accordées exclusivement à des *samlags*.

Il est évident qu'au cas où un monopole serait établi, les particuliers, restaurateurs et débitants ne pourront obtenir l'importation de vins et de vins mousseux espagnols, visés à l'alinéa 6 dudit article, que par l'entremise dudit monopole. Il va sans dire que rien ne s'oppose à ce que les personnes condamnées pour ivrognerie, ou soupçonnées de se livrer à la contrebande du vin, ne se voient refuser l'exécution de leurs commandes.

Le dernier alinéa de l'article 2 doit être compris dans ce sens que les municipalités norvégiennes ne pourront empêcher par des réglementations locales, interdisant, par exemple, le transport du vin dans les limites de la commune, que les personnes désirant faire légalement des commandes, n'en obtiennent la livraison. Sous la désignation « vins » sont compris tous produits qui d'après la législation espagnole ont droit aux appellations soit de « vins », soit de « vins mousseux ».

Il est bien entendu que la disposition de l'article 4, suivant laquelle les vins et vins mousseux ne pourront être frappés d'aucune prohibition spéciale, n'empêchera naturellement pas que les autorités norvégiennes prennent les mesures nécessaires pour assurer le maintien de la tranquillité publique et, par exemple, en temps de grève, interdisent à cet effet le débit des boissons alcooliques.

MADRID, le 14 octobre 1922.

Pour copie conforme :

Ministère des Affaires étrangères à Oslo,
le 13 décembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*

G. von Tangen.

TEXTE ESPAGNOL. — SPANISH TEXT.

VI.

MINISTERIO DE ESTADO.

NOTA VERBAL

El Ministerio de Estado tiene la honra de acusar recibo a la Legación de Noruega de la Nota del Señor M. Lie de fecha 14 del corriente con la cual dicho Representante se sirvió remitir el texto definitivo del Memorandum referente a la interpretación y aplicación de varias disposiciones del Convenio de comercio entre España y Noruega firmado aquel mismo día ; y al participar a la citada

noruegas puedan tomar las medidas necesarias con objeto de asegurar al mantenimiento del orden público y por ejemplo, en tiempo de huelga, prohiban a este efecto la venta de bebidas alcohólicas.

MADRID, 20 de Octubre de 1922.

Pour copie conforme :

Ministère des Affaires étrangères à Oslo,
le 13 décembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*

G. von Tangen.

¹ TRADUCTION. — TRANSLATION.

MINISTÈRE D'ÉTAT.

NOTE VERBALE

Le Ministère d'Etat a l'honneur d'accuser réception, à la Légation de Norvège, de la note de M. M. Lie, en date du 14 octobre, par laquelle le représentant de la Norvège a bien voulu remettre le texte définitif du mémorandum, relatif à l'interprétation et à l'application de certaines dispositions de la Convention de commerce conclue entre l'Espagne et la Norvège, et signé le même jour ; en faisant connaître à ladite légation que le Gouvernement de Sa Majesté approuve la teneur du document ci-dessus mentionné, le Ministère d'Etat a l'honneur de joindre à la présente note un mémorandum analogue en espagnol.

MADRID, le 20 octobre 1922.

A la Légation de Norvège.

MINISTÈRE D'ÉTAT.

MÉMORANDUM

Il est bien entendu que les « vins » et « vins mousseux » dont il s'agit dans l'article 2, ainsi qu'à l'article 4 de la Convention de commerce entre la Norvège et l'Espagne, sont ceux qui, d'après la législation espagnole actuellement en vigueur, ont droit à ces appellations, et pour lesquels les certificats d'analyse mentionnés dans le même article 2, fournissent la preuve de ce droit.

Il va sans dire que le terme de « 14 degrés » employé dans les articles 2 et 3 de la convention doit être compris comme 14 degrés de volume.

Il est bien entendu que l'expression « sans en limiter la consommation », employée à l'alinéa 1 de l'article 2, signifie que le Gouvernement norvégien ne prendra pas de mesures spéciales de restriction telles qu'un contingentement de l'importation ou un rationnement de la consommation privée en vue d'empêcher les consommateurs de bonne foi d'obtenir les quantités de vins qu'ils désireront. Il va sans dire que ceci ne déroge en rien aux droits que la législation norvégienne confère aux municipalités en matière de licence, non plus qu'au droit dont jouit tout gouvernement d'édicter les mesures de police qui seraient nécessaires dans certains cas spéciaux, pourvu que celles-ci n'équivalent pas en fait à mettre obstacle à la vente ou au débit légitimes.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

TEXTE ESPAGNOL. — SPANISH TEXT.

II.

MINISTERIO DE ESTADO
COMERCIO.
Nº 75.

MADRID, 13 de Octubre de 1926.

EXCMO. SEÑOR,

Muy señor mío : Recibida la tenta Nota de V. E. de fecha 5 de Agosto último, por la que se sirve comunicar que conforme a los deseos expuestos por el Gobierno de S. M. el Rey de Noruega, de que las mercancías comprendidas en las partidas 543 y 836, del Arancel español vigente, sean incluídas en la lista B aneja al vigente Convenio comercial hispano-noruego, desea que por parte de S. M. el Rey de España, se confirme la citada concesión, me es muy grato informar a V. E. por la presente Nota, en canje con la de esa Legación de la citada fecha, que a partir del 1º de Noviembre próximo, las mercancías noruegas especificadas en las mencionadas partidas 543 y 836, pasan á figurar en la lista B aneja a dicho Convenio y gozarán por lo tanto desde dicha fecha a su entrada en el Reino del trato de mayor favor.

Aprovecho esta oportunidad para reiterar a V. E. las seguridades de mi alta consideración.

(firmado) J. YANGUAS.

Excmo. Señor Michael S. Lie,
Enviado Extraordinario y Ministro
Plenipotenciario de S. M. el Rey
de Noruega.

Pour copie conforme :

Le Ministère des Affaires étrangères à Oslo,
le 3 novembre 1926.

*Le Directeur des Affaires politiques
et commerciales :*

G. von Tangen.

¹ TRADUCTION. — TRANSLATION.

MINISTÈRE D'ÉTAT.
COMMERCE.
Nº 75.

MADRID, le 13 octobre 1926.

MONSIEUR LE MINISTRE,

J'ai l'honneur d'accuser réception de votre note du 5 août dernier, par laquelle, vous référant au désir exprimé par le Gouvernement de Sa Majesté le Roi de Norvège, que les marchandises

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

¹ TRADUCTION. — TRANSLATION.

No. 1389. — COMMERCIAL CONVENTION BETWEEN NORWAY AND SPAIN. SIGNED AT MADRID, OCTOBER 7, 1922.

HIS MAJESTY THE KING OF NORWAY and HIS MAJESTY THE KING OF SPAIN, being equally desirous of strengthening the bonds of friendship and of promoting commercial relations between Norway and Spain, have decided by common consent to conclude a Commercial Convention for this purpose, and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF NORWAY :

M. Michael Ström LIE, His Envoy Extraordinary and Minister Plenipotentiary to His Catholic Majesty, Commander of the First Class of the Order of Saint Olaf ;

HIS MAJESTY THE KING OF SPAIN :

Don Joaquin Fernández PRIDA, Senator of the Kingdom, Grand Cross of the Order of Leopold the Second of Belgium, etc., His Minister of State ;

Who, having communicated their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

The Spanish Government shall apply to Norwegian goods in general the duties specified in the second column of the Spanish Customs Tariff in force for the time being, and to the Norwegian goods enumerated in Schedule A annexed to the present Convention, the duties specified in the said Schedule.

The goods enumerated in Schedules A and B annexed to the present Convention shall enjoy most-favoured-nation treatment in Spain.

The Norwegian Government shall apply to Spanish goods in general the minimum duties in the Norwegian Customs Tariff in force for the time being and to the Spanish goods enumerated in Schedule C annexed to the present Convention, the duties specified in the said schedule. All Spanish goods shall enjoy most-favoured-nation treatment in Norway.

§ :

Article 2.

The Norwegian Government undertakes to permit, for the duration of the present Convention, the importation in casks or bottles and the transport and internal sale in Norway of Spanish wines and sparkling wines of a strength equal to or under 14 degrees of alcohol, without limiting the consumption thereof.

The Norwegian Government undertakes provisionally to accept certificates of analysis issued by the Spanish official laboratories as proof that the imported wines are the produce solely of the fermentation of the juice of fresh grapes, and that they fulfil the hygienic conditions prescribed by Spanish legislation. The foregoing provision shall remain in force pending an agreement between the two Governments concerning the form and contents of the aforesaid certificates.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

The schedule of Spanish official laboratories appointed to issue the certificates of analysis mentioned above shall be communicated by the Spanish Government to the Norwegian Government.

Commercial travellers or traders travelling in Norway on behalf of a Spanish firm shall be entitled with or without samples, to canvass for orders from, but not to bank goods to any person or firm trading in wines, either wholesale or retail.

The Norwegian Government undertakes to grant to Spanish wines of an alcoholic strength equal to or under 14 degrees treatment as favourable in all respects as any which may hereafter be granted to products of the same alcoholic strength imported from other countries, and so far as regards transport, sale and consumption, the most favourable treatment which has been or may hereafter be granted to products of the same alcoholic strength from countries other than Spain, to beers of an alcoholic strength exceeding 4.75 degrees, or to beverages of national production of an alcoholic strength identical with that of Spanish wines and sparkling wines.

Irrespective of the regulations adopted in Norway for the import, sale, transport, and consumption of the wines and sparkling wines mentioned above, the Norwegian Government undertakes to permit private persons, as well as restaurant-proprietors and wine-merchants, to import and transport for their consumption or trade all brands of Spanish wines and sparkling wines mentioned above, without restriction of quantity.

The above undertakings on the part of the Norwegian Government shall hold good in all cases notwithstanding any local regulations to the contrary.

Article 3.

Irrespective of the nature of the regulations adopted in Norway for the import, production, sale, transport and consumption of strongly-alcoholised beverages (spirits and strong wines), the Norwegian Government undertakes to permit, within the limits of the said regulations and for the duration of the present Convention, the import, transport, and sale in Norway of Spanish alcoholic beverages and wines of all kinds of an alcoholic strength exceeding 14 degrees, on condition that the said products are accompanied by certificates of analysis issued by the Spanish official laboratories.

The said certificates, the form and contents of which will be decided later by agreement between the two Governments, shall guarantee the composition of the above-mentioned natural products.

The composition of products covered by a trade-mark shall be guaranteed by a single final analysis carried out by the Spanish official laboratories. The certificate of analysis shall be sent to the Norwegian Ministry of Finance and Customs, which shall take note thereof and shall issue to the Royal Custom Houses instructions authorising for a period of one year from that date the importation of the products to which the interim certificate applies, without requiring the production of special certificates for each consignment.

The composition of products not covered by a trade mark shall be guaranteed by a certificate of analysis issued by the Spanish official laboratories, and in default of such certificate, their composition may be examined by the Norwegian authorities at their discretion.

The schedule of Spanish official laboratories appointed to issue the certificates of analysis mentioned above shall be communicated by the Spanish Government to the Norwegian Government.

Irrespective of the regulations adopted in Norway for the importation of alcoholic liquors and wines of an alcoholic strength exceeding 14 degrees, the Norwegian Government undertakes to ensure that persons or firms authorised to sell such products to the public or to employ them in their industries or for pharmaceutical, scientific, or technical purposes shall at all times be entitled to demand the delivery of products of Spanish firms named by them.

Commercial travellers or traders travelling in Norway on behalf of Spanish firms shall be entitled, with or without samples, to canvass for orders from, but not to hawk goods to, any person or firm authorised to sell to the public alcoholic liquors or wines of an alcoholic strength exceeding 14 degrees or to employ them in his or its industry or for pharmaceutical, scientific or technical purposes.

The foregoing provision shall apply in all cases irrespective of the regulations existing in Norway for the importation of, or for the trading in alcoholic liquors or wines of an alcoholic strength exceeding 14 degrees.

The Norwegian Government undertakes to grant to liquors and wines of an alcoholic strength exceeding 14 degrees imported from Spain treatment as favourable in all respects as that applied to products of any kind of the same alcoholic strength produced in Norway or imported from any other country.

The above undertakings on the part of the Norwegian Government shall hold good in all cases notwithstanding any local regulations to the contrary.

Article 4.

The Norwegian Government undertakes not to introduce for the products mentioned in Articles 2 and 3 (Spanish spirits, wines, and sparkling wines) any special prohibitions, duties, or surtaxes which might have the effect of reducing the imports authorised by the preceding Articles.

Article 5.

The provisions of the present Convention shall not apply either to special favours which Spain has granted or may hereafter grant to Portugal, Morocco (Spanish zone), or the Spanish-American Republics, nor to the special favours which Norway has granted or may hereafter grant to the co-terminous countries, to Denmark, or to Iceland.

Article 6.

The present Convention shall come into force as soon as the instruments of ratification have been exchanged. The instruments of ratification shall be exchanged at Madrid as soon as the formalities prescribed by the respective laws of the two countries have been completed. The Convention shall remain in force for one year as from the date of the exchange of the said instruments of ratification. If, three months prior to the date on which the said period of one year expires, the Convention has not been denounced by either of the Contracting Parties, it shall remain in force after that date, and shall only cease to have effect three months after denunciation by either of the Contracting Parties.

In the event of denunciation, goods despatched from either of the two countries prior to the date on which the Convention expires and arriving in the other country within fifteen days favouring the said date shall enjoy the benefits of the Convention.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have thereto affixed their seals,

Done in Madrid in duplicate, the seventh day of October, One thousand nine hundred and twenty-two.

(Signed) M. LIE.

(Signed) Joaquin F. PRIDA.

PROTOCOL OF SIGNATURE.

Upon concluding the Commercial Convention this day, the Norwegian and Spanish Governments, being anxious to obviate any dispute which might arise out of the application of the said Convention, have thought it desirable to particularise the following points :

1. All wine originating in or coming from Spain, of an alcoholic strength equal to or under 14 degrees, being exclusively the produce of the fermentation of the juice of fresh grapes, and

fulfilling the hygienic conditions prescribed by Spanish legislation, shall be regarded as table wine, on condition that it is accompanied by a certificate issued by an oenological station or by any other duly authorised Spanish institution, stating that the alcoholic strength of the wine in question does not exceed 14 degrees, and that its composition is in conformity with the rules of Spanish legislation, and with the stipulations of Article 2 of the Convention.

2. Should the alcoholic strength of the table wines mentioned in the preceding paragraph exceed 14 degrees in certain years, the two Governments will agree to allow a specified increase of the alcoholic strength as soon as the Spanish Government has, in each case, notified the Norwegian Government of the nature of the wine in question.

3. So long as the importation of spirits and wines exceeding 14 degrees in alcoholic strength is subject in Norway to a system of prohibition or restriction, there shall be imported into Norway, for the duration of the present Convention, an annual minimum quantity of 500,000 litres of spirits and wines exceeding 14 degrees in alcoholic strength originating in and coming from Spain, and, should the importation of the said products be reserved to a State Monopoly or be controlled by the State, the latter shall be obliged to make arrangements for the importation of the said quantity of the beverages mentioned above.

The Norwegian Government undertakes to see that the said wines and spirits are not subjected in Norway to manipulations which might have the result of modifying their nature or special character.

4. The Norwegian Government undertakes not to permit the re-export for commercial purposes of Spanish spirits and wines forming part of the annual quota of 500,000 litres of spirits and wines exceeding 14 degrees in strength as specified in the preceding paragraph.

5. The Norwegian Government further undertakes to acquire immediately after the coming into force of the Convention, in accordance with a list which will be submitted to it by the Spanish Minister at Christiania (Oslo), all consignments of spirits and wines exceeding 14 degrees in alcoholic strength stored in the Norwegian Customs warehouses on March 20, 1921, for which the Spanish exporter has not received payment at the prices current on the day of their arrival in the Customs warehouse.

It is understood that the consignments thus acquired by the Norwegian Government will not be held to form part of the annual quota of 500,000 litres of spirits and wines exceeding 14 degrees specified in paragraph 3 of the present Protocol.

6. The Norwegian Government shall permit the importation, without certificates of analysis, of Spanish spirits, sparkling wines, and other wines placed on board ship within fifteen days following the publication in the *Gaceta de Madrid* of the Convention concluded this day, subject, however, to the usual right of investigation by the Norwegian Customs authorities.

7. With regard to Article 4 of the present Convention, it is understood that, should the importation of light wines or of strong wines and spirits be reserved to a State monopoly or controlled by the State, the said monopoly will not be authorised to impose on the business transacted by it any charge more than sufficient to cover its expenses and have a fair commercial profit.

8. With regard to the application of Articles 2 and 3 of the Convention, it is understood that no obstacle will be raised in Norway to the introduction of samples required either by representatives or traders travelling on behalf of Spanish firms, or — provided that they comply with the conditions prescribed for traders and representatives — by the local agents of the said Spanish firms, and despatched by the Spanish producers or traders to the said representatives, traders, or local agents.

In faith whereof the Plenipotentiaries have signed the present Protocol.

Done at Madrid, in duplicate, the seventh day of October, One thousand nine hundred and twenty-two.

(Signed) M. LIE.

(Signed) Joaquin F. PRIDA.

SCHEDULE A.
SPANISH IMPORT DUTIES.

No. in Spanish Customs Tariff	Description of Articles	Kg.	Duty in Pesetas
107	Wood worked into articles for building or ship-building	100	17.60
110	Logs for making pulp for paper	1,000	0.75
115	Turned or carved articles of common wood, whether painted or varnished or not, except furniture and beading	100	42.—
ex 141	Sawdust	100	0.80
191	Transmission-belts and cords of leather, tubes, and other manufactures of leather or skin for machinery	1	3.20
214	Guano and other organic manures, including fish- and herring-powder not used as a food-stuff	100	0.05
218	Other animal products, including hard roes.	100	0.50
259	Tungsten, vanadium, and any other special alloy steel with a density of more than 8.00	100	120.—
329	Cables of iron or steel wire with admixture of textile fibres	100	45.—
370	Fish-hooks of all kinds.	1	4.—
458	Aluminium wire not covered with textile materials	100	28.—
459	Cables of aluminium wire, whether or not with part of other metals	100	38.—
627	Dynamos, electro-motors, ventilators, coupled with electric motors, alternators, transformers, and magnetos, starters rheostats, and detached component parts of the same : Weighing more than 5,000Kg.	100	36.—
ex 629	Generating sets : Weighing more than 5,000 Kg.	<i>ad valorem</i>	15 %
633	Interrupters, cut-outs, switches, lamp-holders, suspensions, lamp-sockets (<i>casquillos</i>), coupling-sleeves, and similar auxiliary material for electric installations, made with parts of metal mounted on any kind of insulating material, weighing each : From 1 to 100 Kg. " 100 " 1,000 " " 1,000 " 5,000 " " 5,000 upwards	100 100 100 100	90.— 80.— 60.— 40.—
643	Telegraphic and telephonic apparatus, central switchboards and other detached and component parts	1	2.—
802	Cod-liver oil, not purified	100	4.—
803	Cod-liver oil, purified or medicinal	100	6.—
804	Other animal oils, including whale-oil, crude	100	2.—
805	Other animal oils, including whale-oil purified (odourless)	100	5.—
886	Synthetic nitrates of calcium (<i>Norge-salpeter</i>), ammonia and sodium, and other synthetic nitrogenous compounds	100	0.10
ex 918	Oxalic acid and commercial oxalates.	100	28.—
958	Nitrate of soda	100	24.—
1328	Fish-powder (for food purposes).	100	12.—
1331	Other fish, salt pressed, smoked, or pickled, except in tins	100	18.—
1409	Milk preserved without the addition of other substances, and condensed milk without sugar	100	100.—
1540	Wooden houses	<i>ad valorem</i>	15 %

SCHEDULE B.

NORWEGIAN GOODS WHICH WILL ENJOY MOST-FAVOURLED-NATION TREATMENT UPON IMPORTATION INTO SPAIN.

No. in Spanish Customs Tariff	Description of Articles
11 to 16 18 29 and 1496 97 to 99 and 111 to 112 100 to 103 254 to 256 456 to 463 480 to 486 493 to 501	Paving stone and building stone, etc. Portland cement (artificial). Packing and washers for machinery. Staves, cross-beams, poles and barrel-staves (including wooden packing-cases). Wood, common, in boards and planks. Ferromanganese, ferrosilicon, ferrotungsten, and other special alloys not specified. Aluminium and aluminium articles. Zinc and zinc articles. Internal-combustion engines, driven by gas fuel, light liquid fuel (petrol, alcohol, etc.), and heavy liquid fuel.
527 to 530 ex 534 to 538 and 590 to 593 575 584 to 587 588 789 806 833 866 889 890 892 to 893 923	Elevating and conveying machines of all kinds. Machinery for the preserved food industry. Machinery of all kinds for raising water and for land irrigation. Machinery of all kinds for conveying liquids. Pumps and material for fighting fire. Tars. Fatty oils, hardened. White lead. Carborundum. Alkaline phosphates. Superphosphate of lime. Hydrochloric acid. Calcium carbide.
1021 to 1031 1327 1329 1424 1425	Wood-pulp, mechanical and chemical (cellulose), and unmanufactured paper of all kinds. Codfish, salted and dried (including filleted cod packed in wooden or tin boxes). Fish, fresh or with the salt indispensable for its preservation. Isinglass. Preserved fish. Metallic cloth for the manufacture of paper. Wooden pipes. Molybdenum. Feldspar.

SCHEDULE C.

No. in Norwegian Tariff	Description of Articles	Kg.	Duty in Kroner
163	Oranges, lemons, citrons, and bitter oranges, fresh. . . .	Per Kg.	0.02
164	Grapes, fresh	»	0.02
165	Bananas, fresh	»	0.05
171	Figs, fresh and dried, and fig-cake	»	0.05
172	Raisins	»	0.08
174	Chestnuts	»	0.10
175	Almonds	»	0.05
223	Melons	»	0.02
229	Dried vegetables	»	0.25
325	Cork, unwrought	»	Free
326	Cork stoppers without metallic fittings :		
	(1) Over 31 mm. long	»	0.50
	(2) Under 31 mm. long	»	0.50
532	Hazelnuts	»	0.40
566	Kitchen salt, raw or refined	»	Free
591	Rice :		
	In the husk, in bulk	per 100 Kg.	3.90
	» » » packed	Per Kg.	0.05
592	Husked, packed	»	0.07
774	Wine (not sparkling) of a strength up to 21 degrees of alcohol :		
	In bottles	Per litre	1.50
	In casks	»	0.40

ADDITIONAL PROTOCOL.

Upon concluding a Convention with the object of regulating the commercial relations between Norway and Spain, the Norwegian and Spanish Governments, desirous of facilitating as far as possible the development of commercial relations between the two countries, reciprocally undertake to conform, so far as regards their maritime relations, with the following provisions :

The Treaty of Navigation concluded between Norway and Spain on March 15, 1883, extended by Declaration under date of June 23, 1887, and denounced on February 11, 1922, will remain in force in conformity with the provisions of Article 1 of the Declaration of June 23, 1887, until February 11, 1923.

Should no new Treaty of Navigation have been concluded between the two countries prior to the aforesaid date, the Spanish Government will grant to Norwegian vessels, and the Norwegian Government to Spanish vessels, most-favoured-nation treatment up to the expiration of a period of three months following the denunciation of the present Protocol by either of the Contracting Parties. Such denunciation shall not in any case be made before June 1, 1923.

In faith thereof the Plenipotentiaries have signed the present Protocol.

Done at Madrid in duplicate, the seventh day of October, One thousand nine hundred and twenty-two.

(Signed) M. LIE.

(Signed) Joaquin F. PRIDA.

EXCHANGE OF NOTES.

I.

ROYAL NORWEGIAN LEGATION.

MADRID, *October 7, 1922.*

YOUR EXCELLENCY,

In connection with the Commercial Convention signed this day, I have been instructed by my Government, with a view to obviating any misunderstanding as regards the interpretation of certain provisions of the Protocol of Signature annexed to the said Convention, to communicate to you the following statements :

With regard to paragraph 2 of the Final Protocol, it is understood that the importation of Spanish wines the strength of which may, in certain years, exceed 14 degrees of alcohol will only be permitted as an exceptional measure in the case of pure wines exclusively the produce of the fermentation of the juice of fresh grapes and with no addition of alcohol, in any form whatsoever.

With regard to the first sub-paragraph of paragraph 3 of the Final Protocol, it is also understood that should the freedom of importation enjoyed in Norway by wines of a strength equal to or under 14 degrees of alcohol be extended to wines or other alcoholic beverages of a strength not exceeding 21 degrees of alcohol, the Norwegian Government will be released from the undertaking assumed by it to make arrangements for the importation of a minimum annual quantity of 500,000 litres of spirits and wines of a strength exceeding 14 degrees of alcohol originating in and coming from Spain.

The import of the 500,000 litres of spirits and wines of a strength of over 14° of alcohol will be provisionally distributed as follows :

	Litres
Sherry of a recognised brand and of good quality	125,000
Malaga, of a recognised brand and good quality	225,000
Tarragona and Valencia wines of a recognised brand and of good quality	100,000
Brandy and liqueurs of a recognised brand and of good quality	50,000

In the six months following the coming into force of the Convention, and annually thereafter, the two Governments will enter into negotiations with a view to modifying the distribution of the quota in any way which experience may show to be necessary. Should it be impossible to make such modifications by agreement between the two Governments, the distribution then in force shall remain operative.

It is also understood that the provision of paragraph 3, second sub-paragraph, of the Final Protocol, does not relate to the sale or use of wines and spirits for pharmaceutical, industrial, scientific, or technical purposes.

I venture to request you to be good enough to confirm the agreement of His Catholic Majesty's Government with the foregoing statements.

I have, etc.

(Signed) M. LIE.

To His Excellency M. Fernández Prida,
Minister of State, etc., etc., etc.

II.

MINISTRY OF STATE,
COMMERCE.MADRID, *October 7, 1922.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your note of to-day's date in which, in accordance with your Government's instructions and with a view to obviating any misunderstanding as regards the interpretation of certain provisions of the Protocol of Signature annexed to the Convention signed this day, you were good enough to make the following statements :

With regard to paragraph 2 of the Protocol of Signature, it is understood that the importation into Norway of Spanish wines the strength of which may in certain years exceed 14 degrees of alcohol will only be permitted as an exceptional measure in the case of pure wines exclusively the produce of the fermentation of the juice of fresh grapes and with no addition of alcohol in any form whatsoever.

With regard to the first paragraph of paragraph 3 of the said Protocol, it is also understood that should the freedom of importation enjoyed in Norway by wines of a strength equal to or under 14 degrees of alcohol be at any time extended to wines of a strength of over 14 degrees of alcohol, the Norwegian Government will be released from the undertaking assumed by it to import a minimum annual quantity of 500,000 litres of alcoholic beverages and wines of a strength exceeding 14 degrees originating in and coming from Spain.

The 500,000 litres of spirits and wines of a strength exceeding 14 degrees will be provisionally distributed as follows :

	Litres
Sherry of a recognised brand and of good quality... ..	125,000
Malaga, of a recognised brand of good quality	225,000
Tarragona Valencia wines of a recognised brand and of good quality ...	100,000
Brandy and Liqueurs of a recognised brand and of good quality	50,000

In the six months following the coming into force of the Convention, and annually thereafter, the two Governments will enter into negotiations with a view to modifying the distribution of the quota in any way which experience may show to be necessary. Should it be impossible to make such modifications by agreement between the two Governments, the distribution then in force shall remain operative.

It is also understood that the provision of paragraph 3, second sub-paragraph, of the Final Protocol does not relate to the sale or use of wines and spirits for pharmaceutical, industrial, scientific, or technical purposes.

In reply to your above-mentioned note, I have the honour to inform you that His Catholic Majesty's Government is in agreement with the statements which you were good enough to communicate to me and to which I have referred above.

I have, etc.

(Signed) Fernández PRIDA.

To His Excellency Michael S. Lie,
Envoy Extraordinary and Minister Plenipotentiary
of Norway.

III.

ROYAL NORWEGIAN LEGATION.

MADRID, October 7, 1922.

YOUR EXCELLENCY,

Upon signing this day the Commercial Convention between our two countries, I am instructed by my Government to inform you that the Norwegian Government considers that the said Convention, which, pending signature, was put into force on September 30, 1922, to take effect retrospectively as from September 1, 1922, remains in force subject to the reservation that it be subsequently ratified by the Storting, in conformity with the stipulations contained in Article 6.

I should be grateful if you would be good enough to send me a Note similar to the present Note informing me whether His Catholic Majesty's Government is in agreement with my Government that the Convention will remain in force subject to subsequent ratification by the Cortes.

I have, etc.

(Signed) M. LIE.

To his Excellency M. Fernández Prida,
Minister of State, etc., etc., etc.

IV.

MINISTRY OF STATE.
COMMERCE.

MADRID, *October 7, 1922.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your note of to-day's date, in which, upon signing this day the Commercial Convention between Spain and Norway, you were good enough to inform me that the Norwegian Government considers that the said Convention (which was put into force on September 30, 1922, to take effect retrospectively as from September 1) remains in force, subject to the reservation that it be ratified subsequently by the Storting in conformity with the stipulations of Article 6; you also requested me to send you a Note similar to that which you were good enough to address to me confirming the agreement of His Majesty's Government with the Norwegian Government on this point, subject likewise to subsequent ratification of the said Convention by the Cortes.

In reply to the said Note, I have the honour to inform you that His Majesty's Government is in agreement with the Government which you so worthily represent that the said Convention will remain in force subject to its subsequent ratification by Spain and Norway in the form prescribed by their respective legal provisions.

I have, etc.

(Signed) Fernández PRIDA.

To his Excellency Michael Ström Lie,
Envoy Extraordinary and Minister Plenipotentiary of Norway.

V.

ROYAL NORWEGIAN LEGATION.

MADRID, *October 14, 1922.*

YOUR EXCELLENCY,

With reference to my conversation of yesterday with His Excellency the Under-Secretary of State concerning the Memorandum relative to the interpretation and application of certain provisions of the Commercial Convention between Norway and Spain, which Memorandum forms the subject of my Note of June 18 last and of your Note of June 26, and which I had the honour to present upon signing the said Convention, I venture to forward to you herewith the final text of the said Memorandum, modified in accordance with the desires expressed by His Excellency the Under-Secretary of State in the course of the conversation to which I have referred above.

I have, etc.

(Signed) M. LIE.

To His Excellency, M. Fernández Prida,
Minister of State, etc., etc., etc.

ROYAL NORWEGIAN LEGATION.

MEMORANDUM.

It is understood that the "wines" and "sparkling wines" mentioned in Articles 2 and 4 of the Commercial Convention between Norway and Spain are the wines which are entitled under the Spanish laws now in force to be known by these names, and which are proved to enjoy this right by the certificates of analysis mentioned in the said Article 2.

It is understood that the term "14 degrees" in Articles 2 and 3 of the Convention is to be held to signify 14 degrees of volume.

It is understood that the expression "without limiting the consumption thereof" in paragraph 1 of Article 2 means that the Norwegian Government will take no special restrictive measures, such as rationing importation or private consumption with a view to preventing *bona-fide* consumers from obtaining the quantities of wines they desire. It is further understood that the above does not in any way affect the rights conferred by Norwegian legislation upon Municipalities as regards licensing, nor the right enjoyed by all Governments to issue any police regulations which may be necessary in certain special circumstances, provided that such regulations are not in point of fact tantamount to placing an embargo upon legitimate sale or retailing.

It is understood that the words in paragraph 4 of Article 2 "any person or firm trading in wines" shall be held to mean "any person or firm authorised to trade in wines", and that the words "person or firm" in this and in other passages will not prevent the licences in question from being granted exclusively to *samlags*.

It is understood that should a monopoly be established, private individuals, restaurant-proprietors, and retailers will only be able to obtain imports of Spanish wines and sparkling wines mentioned in paragraph 6 of Article 2 through the said monopoly. It is further agreed that nothing shall prevent the refusal of the execution of orders received from persons sentenced for drunkenness or suspected of smuggling wine.

The last paragraph of Article 2 will be held to mean that the Norwegian municipalities will not be entitled, by means of local regulations — for instance regulations prohibiting the transport of wine within the limits of the commune — to prevent persons desirous of placing orders legally from obtaining delivery of such orders. The term "wines" will be held to include all products which under Spanish legislation are entitled to be designated either as "wines" or as "sparkling wines".

It is understood that the provision of Article 4, whereby no special prohibitions shall be introduced for wines or sparkling wines, will not prevent the Norwegian authorities from taking the necessary steps to ensure the maintenance of public order, and, for example, for this purpose to prohibit the retail sale of alcoholic beverages during a strike.

MADRID, *October 14, 1922.*

VI.

MINISTRY OF STATE,

NOTE VERBALE.

The Ministry of State has the honour to acknowledge the receipt of the Note of October 14, from M. M. Lie, in which the Norwegian Representative was good enough to communicate the final text of the Memorandum relative to the interpretation and application of certain provisions of the Commercial Convention between Spain and Norway, signed on the same date; the Ministry of State begs to inform the Norwegian Legation that H. M. Government is in agreement with the contents of the said document and has the honour to attach to the present Note a similar Memorandum in Spanish.

MADRID, *October 20, 1922.*

To the Norwegian Legation.

MINISTRY OF STATE.

MEMORANDUM.

It is understood that the "wines" and "sparkling wines" mentioned in Articles 2 and 4 of the Commercial Convention between Norway and Spain are the wines which are entitled under the Spanish laws now in force to be known by these names, and which are proved to enjoy this right by the certificates of analysis mentioned in the said Article 2.

It is understood that the term " 14 degrees " in Articles 2 and 3 of the Convention is to be held to signify 14 degrees of volume.

It is understood that the expression " without limiting the consumption thereof " in paragraph 1 of Article 2 means that the Norwegian Government will take no special restrictive measures, such as rationing importation or private consumption with a view to preventing *bona-fide* consumers from obtaining the quantities of wines they desire. It is further understood that the above does not in any way affect the rights conferred by Norwegian legislation upon Municipalities as regards licensing, nor the right enjoyed by all Governments to issue any police regulations which may be necessary in certain special circumstances, provided that such regulations are not in point of fact tantamount to placing an embargo upon legitimate sale or retailing.

It is understood that the words in paragraph 4 of Article 2 " any person or firm trading in wines " shall be held to mean " any person or firm authorised to trade in wines ", and that the words " person or firm " in this and in other passages will not prevent the licences in question from being granted exclusively to *samlags*.

It is understood that should a monopoly be established, private individuals, restaurant-proprietors, and retailers will only be able to obtain import of Spanish wines and sparkling wines mentioned in paragraph 6 of Article 2 through the said monopoly. It is further agreed that nothing shall prevent the refusal of the execution of orders received from persons sentenced for drunkenness or suspected of smuggling wine.

The last paragraph of Article 2 will be held to mean that the Norwegian Municipalities will not be entitled, by means of local regulations — for instance regulations prohibiting the transport of wine within the limits of the commune — to prevent persons desirous of placing orders legally from obtaining delivery of such orders. The term " wines " will be held to include all products which under Spanish legislation are entitled to be designated either as " wines " or as " sparkling wines ".

It is understood that the provision of Article 4, whereby no special prohibitions shall be introduced for wines or sparkling wines, will not prevent the Norwegian authorities from taking the necessary steps to ensure the maintenance of public order, and, for example, for this purpose to prohibit the retail sale of alcoholic beverages during a strike.

MADRID, *October 20, 1922.*

EXCHANGE OF NOTES.

I.

NORWEGIAN LEGATION.

No. 1389.

MADRID, *August 5, 1926.*

YOUR EXCELLENCY,

In your Memorandum of July 17, you were good enough to inform me that you were prepared, in accordance with my Government's desire, to include in Schedule B annexed to the Convention between Norway and Spain, and specifying the Norwegian goods which will enjoy most-favoured-nation treatment upon importation into Spain, the Norwegian products falling under Nos. 543 and 836 of the Spanish Customs Tariff.

With reference to the foregoing statement, I should be grateful if you would be good enough to confirm the agreement of His Catholic Majesty's Government with my Government as to the inclusion in Schedule B, annexed to the Convention between Norway and Spain, of the Norwegian goods falling under Nos. 543 and 836 of the Spanish Customs Tariff.

I have, etc.

(Signed) M. LIE.

To : His Excellency, M. José de Yanguas Messia,
Minister of State, etc., etc., etc.

II.

MINISTRY OF STATE.
COMMERCE.

No. 75

MADRID, *October 13, 1926.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your Note of August 5 last, in which, with reference to the desire expressed by the Government of H. M. the King of Norway that the goods falling under Nos. 543 and 836 of the Spanish Customs Tariff should be included in Schedule B annexed to the Commercial Convention at present in force between Spain and Norway, you requested the Government of H. M. the King of Spain to confirm the foregoing concession ; in reply to the above Note from your Legation, I have much pleasure in informing you hereby, that, as from November 1 next, the Norwegian goods falling under Nos. 543 and 836 will be included in Schedule B annexed to the said Convention, and will consequently enjoy from that date most-favoured-nation treatment upon admission to the Kingdom.

I have, etc.,

(Signed) J. YANGUAS.

To :

His Excellency M. Michaël S. Lie,
Envoy Extraordinary and Minister Plenipotentiary
of H. M. the King of Norway.