

N° 1083.

FRANCE ET PORTUGAL

Arrangement commercial et protocole de signature, signés à Paris, le 4 mars 1925.

FRANCE AND PORTUGAL

Commercial Agreement with Protocol of Signature, signed at Paris, March 4, 1925.

¹ TRADUCTION. — TRANSLATION.No. 1083. — COMMERCIAL AGREEMENT² BETWEEN FRANCE AND PORTUGAL, SIGNED AT PARIS, MARCH 4, 1925.

French official text communicated by the Prime Minister, Minister for Foreign Affairs of the French Republic. The registration of this Agreement took place February 6, 1926.

Article 1.

THE FRENCH GOVERNMENT and THE PORTUGUESE GOVERNMENT agree to apply the provisions laid down in the Agreements signed at Lisbon on January 30 and September 16, 1922, subject to the following modifications.

Article 2.

The minimum tariff shall be applied to French goods imported into Portugal, both as regards existing import duties and any duties which Portugal may in the future levy in their place.

Article 3.

Ordinary wines produced in Portugal and exported from that country, when imported into France, shall, to the extent of an annual quota of 150,000 hectolitres, be accorded a percentage of reduction on the difference between the general tariff and the minimum tariff, so calculated that, in relationship to existing duties and coefficients, it shall equal a duty of 30 francs per hectolitre.

The annual quota shall be so divided that 100,000 hectolitres may be imported before the end of the first six months after the coming into force of this Agreement, and 50,000 hectolitres during the following six months.

Ordinary wines imported in excess of the above-mentioned quantities shall be subject to the duties set out in the general tariff.

Article 4.

If at any time the duties or coefficients of the minimum French tariff for ordinary wines are fixed at a rate higher than the intermediate duty referred to in Article 3, the new tariff shall immediately be applied to ordinary wines produced in Portugal, without any limit as to quantity.

Article 5.

As long as the present Agreement remains in force, and notwithstanding the present regulations in France prohibiting the importation of liqueurs, wines produced in Oporto and Madeira,

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² Came provisionally into force March 15, 1925.

if accompanied by certificates issued by the competent Portuguese authorities, may be imported under the minimum tariff, as well as other liqueurs produced in Portugal and exported therefrom, without any limitation as to quantity, provided they contain not less than 16.5 ° of alcohol.

Article 6.

Exemption from the prohibitions in force in Portugal shall be granted to products originating in France and exported therefrom, as set out in the annexed list, to the extent of the quotas provided therein.

Should either of the High Contracting Parties in the future decree further prohibitions, the concession of exemptions and the fixing of new quotas shall be examined at the request of either of the High Contracting Parties, in order that commercial relations between the two countries shall be affected as little as possible.

Article 7.

Cocoa from St. Thomas Island and Prince's Island, imported into France after transhipment in the port of Lisbon, shall continue to receive the benefit of through transport if it is accompanied by a certificate issued by the French Consulate in Lisbon to the effect that it has been consigned from the country of origin to France, and also if the French Government considers it necessary, by a through bill of lading drawn up when goods leave the country of origin.

Article 8.

The High Contracting Parties undertake to apply effectively the Berne International Convention¹ of September 9, 1886, for the protection of literary and artistic property, revised at Berlin on November 13, 1908, in particular by taking administrative and other necessary measures to ensure the collection of authors' fees in all establishments, theatres, cinemas, cafés, etc.

The High Contracting Parties also undertake effectively to apply the Conventions of March 20, 1883², and the subsequent Conventions, in particular those of April 14, 1891, and June 2, 1911, concerning the protection of appellations of origin³, trade-marks and trade-names⁴.

Article 9.

The present Agreement shall come into force ten days after its signature, and shall remain in force in any case until December 1, 1925.

The High Contracting Parties undertake to commence, during this period, negotiations for the conclusion of a commercial convention.

On its expiration the present Agreement shall be prolonged by tacit consent for periods of three months, unless one of the High Contracting Parties denounces it two months at least before the expiration of the first or any ensuing three-monthly period.

Done in duplicate at Paris on March 4, 1925.

(L. S.) (Signed) EDOUARD HERRIOT.

(L. S.) (Signed) RAYNALDY.

(L. S.) (Signed) ANTONIO DA FONSECA.

¹ Vol. I, pages 217 and 243; Vol. III, page 259; Vol. XI, page 358; Vol. XXIV, page 138 and Vol. XXXV, page 296 of this Series.

² British and Foreign State Papers, Vol. 74, page 44.

³ British and Foreign State Papers, Vol. 96, page 837 and Vol. 104, page 137.

⁴ British and Foreign State Papers, Vol. 96, page 839.

ANNEXED LIST.

Notwithstanding the regulations at present in force in Portugal prohibiting the importation of certain categories of motor-car chassis and complete motor-cars, it is understood that chassis of the prohibited categories may be imported into Portugal to the number of 100, and motor-cars of the prohibited categories to the number of 250.

PROTOCOL OF SIGNATURE.

When proceeding to sign the Agreement dated this day, the High Contracting Parties have agreed to define its application in the following terms :

As regards the application of Article 6, the High Contracting Parties agree that motor-cars or chassis, intended not for private use but for public services — whether such services be established by the Portuguese authorities or by private firms or companies — shall not be included in estimating the quota.

The said motor-cars and chassis may be imported into Portugal, when proof has been furnished of the use to which they will be put, without any limitation as to quantity.

As regards the application of Article 7, it is understood that the consular guarantee required to ensure that goods shall receive the benefits of through transport shall consist of a certificate stating that, on leaving St. Thomas Island or Prince's Island, the goods have been consigned to France as their final destination.

Should the French Government subsequently require that cocoa produced in and coming from St. Thomas Island or Prince's Island shall be accompanied by a through bill of lading issued at the place of origin, it shall inform the Portuguese Government of the fact one month before this measure is applied.

Done in duplicate in Paris on March 4, 1925.

(Signed) EDOUARD HERRIOT.

(Signed) RAYNALDY.

(Signed) ANTONIO DA FONSECA.