

N° 2092.

FRANCE ET TURQUIE

Convention pour les voyageurs de
commerce. Signée à Angora, le
1^{er} novembre 1927.

FRANCE AND TURKEY

Convention relating to Commercial
Travellers. Signed at Angora,
November 1, 1927.

¹ TRADUCTION. — TRANSLATION.No. 2092. — CONVENTION² BETWEEN FRANCE AND TURKEY
RELATING TO COMMERCIAL TRAVELLERS. SIGNED AT ANGORA,
NOVEMBER 1, 1927.

French official text communicated by the Minister for Foreign Affairs of the French Republic. The registration of this Convention took place July 22, 1929.

THE PRESIDENT OF THE FRENCH REPUBLIC, of the one part, and THE PRESIDENT OF THE TURKISH REPUBLIC, of the other part, being desirous of promoting their commercial relations and of encouraging trade by facilitating the work of their commercial travellers, have decided to conclude a Convention relating to commercial travellers, and have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE FRENCH REPUBLIC:

His Excellency M. DAESCHNER, Envoy Extraordinary and Minister Plenipotentiary of the French Republic in Turkey ;

THE PRESIDENT OF THE TURKISH REPUBLIC

His Excellency TEWFIK ROUSCHDI Bey, Turkish Minister for Foreign Affairs ;

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

Article 1.

Merchants, manufacturers and other persons engaged in industry who are nationals of one of the Contracting Parties and who prove by the production of identity cards issued by the competent authorities of their country, that they are entitled to exercise their trade or industry in that country and that they pay the legal taxes and charges, shall be authorised, either personally or through commercial travellers in their employ, to purchase goods in the territory of the other Contracting Party from merchants or from manufacturers or in places of public sale. They may also solicit orders from merchants or other persons who utilise in their industry goods of the kind offered. They shall also be entitled to carry with them, or have sent to them, samples or specimens. They shall not be subject to any special tax or charge by reason of the activities mentioned in this paragraph. All objects representative of a specified category of goods shall be considered as samples or specimens, provided first that the said articles are such that they can be duly identified on re-exportation, and secondly, that the articles thus imported are

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Angora, June 9, 1929.

not of such quantity or value that, taken as a whole, they no longer constitute samples in the usual sense.

The identity card must conform to the specimen contained in Annex A. The Contracting Parties shall inform each other as to the authorities who are competent to issue these cards and as to the regulations with which commercial travellers are required to comply when exercising their trade.

It is understood, however, that the commercial travellers mentioned above may not conclude sale transactions on behalf of merchants or business men not mentioned in their card.

With the exception of goods the importation of which is prohibited, articles liable to Customs duty or any other charge shall, when imported as samples and specimens, be temporarily admitted free of import or export duty, subject to re-exportation and to the following conditions :

(a) When making their Customs declaration, these travellers shall submit a descriptive list in three copies certified by the Customs authorities of the exporting country and showing in detail the samples or specimens imported by them. If they are not in possession of the descriptive list, they shall, when making their declaration, submit a new list in three copies indicating in detail the samples or specimens.

The Customs authorities of the importing country may demand that the list be translated into the language of the country.

(b) In order that the samples or specimens may be identified upon re-exportation, they shall be stamped or sealed with wax or lead according to their nature and form in the country of exportation. The Customs authorities of each Party shall officially send specimens of these stamps and seals to the Customs authorities of the other Party, so as to ensure the verification of the marks affixed to the samples.

When the affixing of marks is impossible or inexpedient, identification by means of photographs, drawings or complete and detailed descriptions is allowed. Nevertheless, the Customs authorities of the importing country may affix additional marks to these samples in all cases in which they consider this indispensable for ensuring the identification of these samples on their re-exportation. With regard to the costs of stamping and sealing, each of the Contracting Parties reserves the right to apply in this respect such legislation as it may think fit.

Apart from the latter case, Customs verification shall consist simply in ascertaining the identity of the samples and determining the amount of any duties and taxes which may be leviable.

If the samples or specimens are not provided with marks affixed in the country of exportation, the Customs authorities of the country of importation shall affix new marks.

(c) After the importer has presented to the Customs the descriptive list or the declaration of the samples, the Customs inspection shall take place, and if the list or the declaration corresponds to the samples and the marks affixed thereto are in order, the Customs duties on each of these samples and the excise duties, if any, shall be determined and the amount of these taxes and charges shall be deposited either in money or in the form of some security deemed to be adequate by the competent authorities of the country of importation, always provided that any special formalities relative to the verification of the assay of platinum, gold or silver articles have been observed. The provisions relating to security shall be settled by the respective Governments in a general manner. The weighing dues and other charges shall definitively be paid and the descriptive list or a copy of the declaration duly authenticated by the Customs authorities shall be returned to the importer.

Nevertheless, the importer shall, instead of calculating and depositing the duties on each of the samples in accordance with the articles of the tariff relating thereto, have the right to pay these duties on the sample submitted at the highest rates of the tariff, for all the samples. The Customs authorities shall be bound to comply with this proposal.

(d) Samples or specimens imported in this way shall be returned within a year to the exporting country or re-exported to some other country either through the Customs office through which they were imported or through another. The period may be extended, if necessary, by the Customs authorities of the importing country.

(e) The descriptive list or declaration and the samples or specimens re-exported shall be submitted by the person concerned to the Customs, which, after verifying them, shall reimburse without delay and against a receipt the whole of the duties paid on importation, or release the security deposited in respect of these duties. Such reimbursement or release shall only be effected in the case of samples or specimens re-exported.

The Customs dues deposited in respect of samples or specimens not re-exported after the expiry of the period provided for under (d) or sold on the spot shall be credited to the Administration or collected from the guarantors.

(f) Reimbursement of the duties paid on importation, or the release of the security shall be effected by all the Customs offices on the frontier or inland which are competent for the purpose. The Contracting Parties shall communicate to one another the lists of the offices recognised as competent.

The principle of equality of treatment with any third country remains in any case reciprocally assured as regards the provisions of this Article.

The provisions of this Article shall not apply to itinerant trades or the soliciting of orders from private persons.

Article 2.

Nationals of the Contracting Parties proceeding to fairs or markets for the purpose of carrying on their trade shall not, in the territory of the other Party, be treated less favourably than the nationals of the country, provided that they can produce an identity card which conforms to the specimen annexed hereto (Annex B), issued by the authorities of the country of which they are nationals.

The provisions of the first paragraph shall not apply to persons engaged in itinerant industries, to itinerant trades or to the soliciting of orders from persons not engaged in industry or commerce. Each of the Contracting Parties reserves the right to apply in this respect such legislation as it may think fit.

Article 3.

The present Convention shall be ratified and the ratifications shall be exchanged at Angora as soon as possible.

It shall come into force a month after the exchange of ratifications and shall remain in force for a year and a half. After that date, it shall remain in force for as long as it has not been denounced by one of the Contracting Parties and for six months after such denunciation.

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

Done in duplicate at Angora, November 1, 1927.

(Signed) DAESCHNER.

(Signed) ROUSCHDI.

ANNEX A.

NAME OF STATE.

(Issuing Office.)

IDENTITY CARD FOR COMMERCIAL TRAVELLERS.

VALID FOR TWELVE MONTHS INCLUDING THE DAY OF ISSUE.

Good for No. of identity card

It is hereby certified that the bearer of this card :

M. born at
 living at No. Street
 is the owner of ¹
 at
 for the purpose of trade

(or) is a commercial traveller employed by { the firm of
 { the firms of
 at
 which { possesses
 { possess
 for the purposes of trade

The bearer of this card intends to solicit orders in the above-mentioned countries and to make purchases for the firm (s) referred to. It is hereby certified that the said firm (s) is (are) authorised to carry out its (their) business and trade at and that it pays (they pay) the taxes, as provided by law, for that purpose.

....., the 19.....

Signature of the head of the firm (s) :

.....

Description of the bearer.

Age.....
 Height
 Hair
 Special marks.....

Signature of the bearer :

.....

ANNEX B.

IDENTITY CARD FOR PERSONS VISITING FAIRS OR MARKETS.

It is certified that M., bearer of this card, desiring to proceed with his goods to (for French nationals : to Turkey ; for Turkish nationals : to France), is domiciled at and is liable to pay the legal charges and taxes in respect of the exercise of his trade or industry.

The present certificate is valid for a period of months.

(Place, date, and signature of the authority issuing the certificate.)

¹ State the articles or nature of the trade.

N. B. — The first entry should only be completed for heads of commercial or manufacturing businesses.