

N° 1986.

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**AUTRICHE ET FRANCE**

Accord commercial, avec protocole  
de signature. Signés à Paris, le  
16 mai 1928.

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**AUSTRIA AND FRANCE**

Commercial Agreement, with Protocol  
of Signature. Signed at Paris,  
May 16, 1928.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 1986. — COMMERCIAL AGREEMENT<sup>2</sup> BETWEEN AUSTRIA AND FRANCE. SIGNED AT PARIS, MAY 16, 1928.

*French official text communicated by the Minister for Foreign Affairs of the French Republic. The registration of this Agreement took place April 5, 1929.*

THE PRESIDENT OF THE FRENCH REPUBLIC and THE FEDERAL PRESIDENT OF THE AUSTRIAN REPUBLIC, being equally desirous of promoting the development of economic relations between France and Austria, have decided to conclude a Commercial Agreement, and have appointed as their Plenipotentiaries for that purpose :

## THE PRESIDENT OF THE FRENCH REPUBLIC :

M. Aristide BRIAND, Minister for Foreign Affairs, and  
M. BOKANOWSKI, Minister of Commerce and Industry, Postal Services, Telegraphs and  
Telephones, and the Air ;

## THE FEDERAL PRESIDENT OF THE AUSTRIAN REPUBLIC :

D<sup>r</sup> Alfred GRUNBERGER, Envoy Extraordinary and Minister Plenipotentiary of Austria  
at Paris,

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

*Article 1.*

The natural and manufactured products originating in and coming from Austria enumerated in List A shall, on importation into French Customs territory, be accorded the minimum tariff rates set forth in the said list.

Natural and manufactured products originating in and coming from Austria shall, moreover, on importation into French Customs territory, be accorded the rates in the minimum tariff in force, with the exception of the items in the French Customs tariff shown in List B.

The duties shown in List A shall remain unchanged as long as the official index-number of wholesale prices does not differ by more than 20 % from the index-number for May 1928.

If such a difference should occur, the duties may be increased, and must be reduced, proportionately to the index-number. Such adjustments may, however, only be made at the

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

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> The exchange of ratifications took place at Paris, March 1, 1929.

end of a quarter. The same procedure shall be followed, in the same proportions and under the same conditions, at every subsequent change in the index-number of wholesale prices.

The reductions in duty may not, however, exceed 60 % of the rates set forth in the tariff.

The above-mentioned products to which the minimum tariff is accorded shall, on importation into French Customs territory, be granted most-favoured-nation treatment in respect of Customs duties and surtaxes of all kinds or coefficients of increase.

#### Article 2.

The natural and manufactured products of the French Customs territory enumerated in List C shall, on importation into Austrian Customs territory, be accorded the rates of duty and advantages set forth in the said List, as well as most-favoured-nation treatment.

In addition to this, the natural and manufactured products of the French Customs territory which are not mentioned in List C shall be accorded most-favoured-nation treatment on importation into Austrian Customs territory.

#### Article 3.

If the balance of advantages and concessions established by the present Agreement should be disturbed in consequence of any increase in the French minimum tariff for products exported from Austria which are not shown in List A, or in consequence of the expiry of the Austrian conventional duties or an increase in the Austrian autonomous duties for products exported from France which are not shown in List C, either High Contracting Party may request that negotiations be immediately opened and if within forty-five days these do not lead to a conclusion satisfactory to that Party, the said Party may denounce the Agreement, such denunciation to take effect one month afterwards.

#### Article 4.

Should Austrian products imported into France under the terms of the preceding Articles be subjected to *ad valorem* duties, the value to be declared for the assessment of Customs duty shall be that which the goods possess at the place and time at which they are presented to the Customs. It shall comprise the purchase price of the goods plus all charges payable in respect of importation (transport, freight, export duties, insurance, commission, cost of packing not separately assessable, etc.) up to the place of importation, exclusive of import duties.

Nevertheless, the value computed in this manner shall, if necessary, be rectified in accordance with any variations in price which may have occurred since the time of purchase.

The declaration must be supported by an invoice certified by the French diplomatic or consular authorities or, failing these, by such organisations as are competent for the purpose and as offer the necessary guarantees of reliability and have previously been approved by the French Government. Such approval may be withdrawn if it should be shown that the said organisations no longer offer the necessary guarantees of reliability.

The Customs authorities may require the production of the relevant contracts of purchase and other contracts, correspondence, etc., but shall not necessarily be bound in all cases to value the goods in accordance with these documents or the invoice.

As regards a number of products or goods which will be enumerated in decrees issued after consultation with an advisory inter-ministerial committee sitting at the Ministry of Commerce and Industry, the dutiable value may be that indicated in the official price returns or in scales of prices prepared by agreement with the industrial and commercial associations concerned and approved by the competent Government departments.

*Article 5.*

The nationals of each of the High Contracting Parties may, for the assessment of *ad valorem* Customs duties and other *ad valorem* dues and charges levied on imports by the Customs authorities of the other Party, present certificates attesting the value of the goods. These certificates the two Governments agree to take into consideration so far as their national laws allow them to do so, without, however, thereby renouncing their right to form their own decision.

The provisions of Article 15, paragraph 2, relating to certificates of origin shall apply to the issue of certificates of value and the question whether or not such certificates are in order ; the provisions of Article 15, paragraph 5, regarding consular invoices shall apply to visas and to the fees charged in this connection.

The two Governments likewise agree to take into consideration, without, however, thereby renouncing their right to form their own decision, any evidence as to the value of goods transmitted to them as emanating from reliable industrial bodies competent to furnish such evidence. This shall be used more especially in cases where a presumption of fraud in regard to the invoiced prices might involve the imposition of fines or other penalties.

*Article 6.*

As regards the products enumerated in the lists mentioned in the preceding Articles, each of the High Contracting Parties shall grant to products of the Customs territory of the other the benefit of any alterations in Customs nomenclature or in the method of computing duty which may be made in the Customs tariffs by administrative action, legislation, or treaties concluded with other Powers.

Such alterations may not, in any circumstances, entail any increase in the average amount of the duties as compared with the rates laid down, or any discrimination to the detriment of the products of the Customs territory of the other Contracting Party.

*Article 7.*

Products or goods exported from the Customs territory of one of the High Contracting Parties to the Customs territory of the other shall be accorded, in respect of export duties and charges, the most favourable treatment which either of the High Contracting Parties accords, or may hereafter accord, to any third Power.

*Article 8.*

Most-favoured-nation treatment shall not include :

A. *In commercial and tariff matters.* — (a) The special tariff régime which France may institute in regard to imports intended to facilitate financial settlements with the countries with which she was at war during the period 1914-1918.

(b) Any advantages which have been or may hereafter be granted by one of the High Contracting Parties to neighbouring countries with the object of facilitating frontier traffic within a zone which shall in no case exceed 15 kilometres in depth on either side of the frontier.

B. *In fiscal matters.* — Any advantages which either of the High Contracting Parties has granted, or may hereafter grant, to another State with a view to the adjustment of internal and foreign taxation, especially in order to avoid double taxation or to ensure reciprocal judicial protection and co-operation in matters of taxation and in criminal cases relating to taxation.

*Article 9.*

The High Contracting Parties guarantee each other most-favoured-nation treatment in the matter of Customs formalities relating to the transit, warehousing, re-exportation and transshipment of goods and to all other operations which goods may undergo on importation or exportation or in transit, as well as in the matter of charges connected therewith.

*Article 10.*

The internal duties levied in the territory of one of the High Contracting Parties, no matter on whose behalf, in respect of the production, movement, making-up or consumption of a natural or manufactured product, must not under any pretext constitute a heavier charge on the products of the other Party or be imposed under more onerous conditions than the internal taxes on like native products.

*Article 11.*

As regards the regulation of unrestricted trade, and particularly the sale, offering for sale, movement and consumption of the product, no distinction shall be made between native products and the products of the other Contracting Party.

*Article 12.*

As regards the nationality of goods imported from the territory of one of the High Contracting Parties into the territory of the other, the latter shall apply most-favoured-nation treatment in accordance with its own legislation.

*Article 13.*

The following shall not be liable, on importation, to Customs duties or charges other or higher than would be leviable if they were imported direct from their country of origin :

Austrian natural and manufactured products imported into France after passing in transit through one or more third countries, as well as the natural and manufactured products of third countries which are imported into France after passing in transit through Austria, provided that the consignments are sent direct and are not conveyed by sea ;

French natural and manufactured products which are imported into Austria after passing in transit through one or more third countries, as well as the natural and manufactured products of third countries which are imported into Austria after passing in transit through France.

*Article 14.*

The High Contracting Parties undertake not to hamper trade between the two countries by any import or export prohibition or restriction.

Nevertheless, they reserve the right to make exceptions to this rule for the following reasons, provided that such prohibitions and restrictions also apply to all other countries in which the same conditions prevail :

- (a) Prohibitions or restrictions imposed for reasons of public safety ;
- (b) Prohibitions or restrictions imposed as sanitary measures for the protection of human beings, animals or plants from disease or parasites ;

(c) Prohibitions or restrictions concerning the traffic in arms, ammunition and war material and, in exceptional circumstances, all other military supplies ;

(d) Prohibitions or restrictions designed to extend to foreign goods the prohibitions or restrictions imposed by internal legislation on the production of, trade in, and transport and consumption of, like native goods within the country ; this provision shall also apply to goods which are or may in future be subject to a State monopoly or an arrangement of the same kind ;

(e) Import or export prohibitions or restrictions necessary to enable each of the High Contracting Parties to carry out either international engagements to which they are both parties or obligations which they may have contracted towards each other.

#### Article 15.

As regards the application of Articles 1 and 2, the High Contracting Parties may require that products and goods imported into their territory be accompanied by a certificate of origin attesting :

(1) In the case of raw materials properly so called or natural products, that they originate in the other country ;

(2) In the case of a manufactured product, that as regards the raw materials incorporated in it and the labour expended upon it, it satisfies the conditions required by the importing country for the recognition of nationality as mentioned in Article 12 above.

Certificates of origin shall be issued either by the Customs authorities or by the competent Chambers of Commerce of each of the High Contracting Parties ; they shall be drawn up in accordance with the forms adopted by the Customs Administration or officially-recognised Chambers of Commerce in the exporting country ; they shall be made out either in the language of the country of origin or in the language of the country of destination. In the former case the two countries reserve the right to require a translation.

Certificates of origin issued by the Customs authorities shall not require a consular visa.

Certificates of origin issued by officially-recognised Chambers of Commerce shall be *visés* free of charge by the diplomatic or consular authorities of the country of destination.

Consular invoices relating to goods of value not exceeding 100 francs or 140 schillings calculated at gold parity shall be *visés* free of charge by the diplomatic or consular authorities of the country of destination. For a visa for consular invoices relating to goods of greater value, a fee not exceeding 5 francs or 7 schillings calculated at gold parity shall be charged.

Single documents serving both as certificate of origin and as consular invoice shall be subject to the same rates as consular invoices.

Should the consignor have reason to fear that, in spite of the certificate of origin accompanying the goods, the latter may give rise to dispute, he may have the certificate of origin confirmed by a certificate of verification, made out and signed both by the authority issuing the certificate of origin and by a technical agent appointed by the diplomatic representative of the country of destination, which appointment shall be notified to the Government of the consigning country. For the purposes of verification this agent may demand such proofs or statements as he thinks fit, and collect a fee, the amount of which shall be strictly limited to the loss of time and the travelling expenses entailed by the issue of the certificate of verification. If the goods are accompanied by a certificate of verification, they shall only be subject to the legal Customs examination should there be reason to suspect fraud or substitution of goods.

As regards postal packets, no certificate of origin shall be required in the case of imports which are not of a commercial nature.

Should goods originating in a third country not be imported direct from the country of origin into the territory of one of the High Contracting Parties, but pass in transit through the territory of the other, each of the High Contracting Parties shall, except in the case of suspected fraud or malpractice, accept the certificates issued by the competent authorities of the other Contracting Party as evidence of origin, on the same footing as those issued in the country of origin, provided they satisfy the regulations in the matter.

In any case in which either of the Governments notifies the other that fraudulent practices have taken place in connection with the issue of the said certificates, the Government to which the complaint is made shall immediately institute a special enquiry into the alleged facts, shall communicate the results of the said enquiry to the Government making the complaint, and shall, if necessary, take all measures in its power to prevent the continuance of the said fraudulent practices.

#### Article 16.

If, in the territory of one of the High Contracting Parties, the importation of goods, in view of the requirements of its internal legislation, or their clearance at a reduced Customs tariff, depends on special technical conditions connected with their composition, purity, sanitary condition, place of origin, or similar matters, the Customs authorities of the country importing these goods shall accept the certificates drawn up by a competent authority in the exporting country, provided these certificates are drawn up in such a way that the Customs authorities of the importing country can ascertain that all the conditions prescribed by the laws of the importing country for the importation and movement of the said goods have been observed.

The certificate shall not be required in the case of goods produced under the supervision of a Government administration if they are accompanied by a certificate issued by that administration showing that it has exercised supervision and containing the attestation provided for at the end of the preceding paragraph.

Should there be any doubt as to the accuracy of the certificate, the High Contracting Parties reserve the right to take any subsequent steps they may consider necessary for the purpose of verification.

The High Contracting Parties shall jointly determine the procedure to be followed in each country in drawing up this certificate : the taking of samples, precautions to prevent any substitution of goods, forms of certificate. The list of institutions and experts qualified to issue such certificate shall be communicated by each Party to the other.

As an exception, the Customs authorities of each of the High Contracting Parties may exempt importers of goods, the composition of which does not vary or which bear a trade mark, from the obligation to produce a certificate of analysis, when such goods have already been examined or analysed by them to ascertain whether they satisfy the technical conditions mentioned in the first paragraph of the present Article.

These certificates shall be *visés* under the same conditions as certificates of origin. Nevertheless, the Customs authorities of the importing country shall not require the diplomatic or consular legalisation of certificates when the signature is accompanied by the official seal of the issuing office or authority, provided that the said Customs authorities are in a position to verify the authenticity of the signature by comparing it with the facsimiles furnished by the Government of the exporting country, and that this comparison leaves no room for suspicion.

Goods accompanied by the certificate mentioned in the first paragraph of the present Article shall not require a certificate of origin as stipulated in Article 15, provided the aforesaid certificate contains the particulars required by that Article in respect of the origin of the said goods.

As regards the importation of livestock, meat, meat preparations and other animal products, and also medical and pharmaceutical substances and products, the provisions of this Article shall only apply after previous agreement between the High Contracting Parties on this special point.

*Article 17.*

Merchants, manufacturers and other traders of either of the two countries, who prove by the production of a trader's identity-card issued by the authorities of their own country that they are authorised to carry on their trade or industry in that country and that they pay therein the fees and taxes established by law, shall be entitled in the other country to make purchases, either in person or through travellers in their employ, from merchants, or in places of public sale, or from producers of goods. They may also accept orders, even on samples or patterns, from merchants at their offices or from persons who make use in their business of goods of the kind offered. They shall not be liable to any fee or due in respect of the activities mentioned in this paragraph.

Holders of a trader's identity-card shall be entitled to carry with them samples or patterns, but not goods.

They must observe the regulations in force in each country.

The trader's identity-card must correspond to the form shown in the International Convention relating to the Simplification of Customs Formalities<sup>1</sup>, signed at Geneva on November 3, 1923. No consular or other visa shall be required.

*Article 18.*

As regards samples and patterns, the High Contracting Parties shall apply the provisions contained in the International Convention relating to the Simplification of Customs Formalities, signed at Geneva on November 3, 1923.

The time-limit for re-exportation shall be twelve months.

*Article 19.*

The provisions of Articles 17 and 18 shall not be applicable to itinerant trades, nor to hawking and the soliciting of orders from persons not engaged in any trade or industry, each of the High Contracting Parties reserving full legislative freedom on this subject.

*Article 20.*

The nationals of each of the High Contracting Parties shall, in the territory of the other, enjoy most-favoured-nation treatment in respect of travelling, residence and establishment as well as in respect of the conduct of trade, industry, or any other occupation and of all rights and interests connected therewith. They shall have free and unrestricted access to the Courts.

The nationals of each of the High Contracting Parties shall have full liberty to own movable and immovable property in the territory of the other, and to acquire the ownership of such property by purchase, gift, inheritance, testamentary disposition or otherwise, under the same conditions as are applicable, according to the laws of the country in which the property is situated, to the nationals of any third State. They shall have control of such property under the same conditions as the latter.

The nationals of each of the High Contracting Parties shall be exempted in the territory of the other Party from all compulsory military service, whether in the army, navy, or air force or in the national guard or militia, and from all compulsory personal military services or contributions. They shall similarly be exempted from all contributions in money or in kind imposed in lieu of personal services.

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<sup>1</sup> Vol. XXX, page 371 ; Vol. XXXV, page 324 ; Vol. XXXIX, page 208 ; Vol. XLV, page 140 ; Vol. L, page 161 ; Vol. LIV, page 398 ; Vol. LIX, page 365 ; Vol. LXIX, page 79 ; Vol. LXXXIII, page 394, of this Series ; and page 319 of this Volume.



The nationals of each of the High Contracting Parties established in the territory of the other shall nevertheless continue to be liable to the charges arising out of the ownership of landed property, as well as compulsory billeting and other special military contributions or requisitions to which all nationals of the country are liable by law as owners or occupiers of buildings or land.

In no case may any of the above-mentioned charges be imposed by one of the High Contracting Parties unless they are also imposed on its nationals.

In the case of requisitions and contributions or of expropriation on grounds of public utility, the nationals of each of the High Contracting Parties shall not be treated in the territory of the other less favourably than the nationals of the country itself or the nationals of the most favoured nation.

As regards taxes and imposts of all kinds, as well as all other fiscal charges in the nature of taxes, no matter on whose behalf they are levied, the nationals of each of the High Contracting Parties shall enjoy in every respect in the territory of the other Party both for their persons and their property, rights and interests, including their trade, industry and occupation, the same treatment and the same protection at the hands of the authorities and Courts dealing with fiscal matters as nationals of the country or nationals of the most favoured nation.

Should the laws of either of the High Contracting Parties, now or at some future time, make the granting to foreigners of national treatment in fiscal matters conditional upon reciprocity, the High Contracting Parties hereby agree in the present Article that they regard this condition of reciprocity as being fulfilled.

#### *Article 21.*

Joint stock companies and other commercial companies, including industrial, financial, insurance, traffic and transport companies, having their seat in the territory of one of the High Contracting Parties and properly constituted according to that Party's laws, shall also be recognised by the other Contracting Party as being properly constituted.

The legality of their constitution and their right to appear in the courts shall be decided by reference to their articles of association and the laws of their country of origin.

The operations of companies established in accordance with the laws of one of the High Contracting Parties shall, so far as they are carried on in the territory of the other, be governed by the laws and regulations of the latter.

Should either of the High Contracting Parties require a company of the other Contracting Party to obtain a previous and revocable authorisation before it is allowed to do business in its territory, the latter Party shall have the right to subject the companies of the former to the same treatment.

Nevertheless, the High Contracting Parties agree that they will not, by means of this stipulation in regard to previous authorisation, hinder the establishment of companies carrying on business usually permitted to the companies of all other countries, nor will they withdraw the authorisation once it is given, except on account of infringements of the laws and regulations of the country. They also undertake not to refuse or withdraw this authorisation merely on grounds of economic competition.

The companies of each of the High Contracting Parties may, provided they observe the laws and regulations of the other Party, acquire, own or lease movable and immovable property in its territory and exercise their rights or carry on their industry therein; they shall have free and ready access to the courts. In every case, the above-mentioned companies shall, after their admission, enjoy the same rights as are or may in future be accorded in these matters to like companies of the most favoured nation. Nevertheless, the most-favoured-nation clause shall not entitle either of the High Contracting Parties to demand more favourable treatment for its companies than that which it grants to the companies of the other Party.

National treatment shall apply to the companies of the other country in the matter of military contributions and requisitions and of expropriation on grounds of public utility.

The treatment and protection to be accorded in fiscal matters to the companies of each of the High Contracting Parties defined in the first paragraph shall be in every respect similar to the treatment and protection provided under Article 20 in these matters for nationals of each of the High Contracting Parties.

It is understood that taxes on the capital or income of companies of each of the High Contracting Parties established in the territory of the other may be levied only on their property situated in that country or on the profits or income which they make there.

*Article 22.*

The Austrian Government shall have the right to appoint consuls-general, consuls, and vice-consuls or consular agents, in all commercial centres in which consuls-general, consuls, and vice-consuls or consular agents of a third State are installed.

Subject to reciprocity, the consuls-general, consuls, and vice-consuls or consular agents of each of the High Contracting Parties shall enjoy in the territory of the other the same rights, privileges and immunities as are or may hereafter be accorded to the like officials or agents of the same rank and of the same kind belonging to the most favoured nation.

*Article 23.*

The High Contracting Parties undertake to give effective application to the Paris International Convention of March 20, 1883, for the Protection of Industrial Property, revised<sup>1</sup> at The Hague on November 6, 1925, and also to the various particular agreements for the protection of industrial property made separately under Article 15 of the said Convention, so far as they have acceded to those agreements.

*Article 24.*

Each of the High Contracting Parties undertakes to adopt all necessary legislative or administrative measures to protect the natural or manufactured products of the other from all forms of unfair competition in commercial transactions.

The High Contracting Parties agree to prohibit and punish by seizure and by other appropriate penalties the importation, exportation, manufacture, distribution, sale or offering for sale in their territories of all goods bearing upon themselves or their immediate make-up or outer wrappings any marks, names, devices or descriptions whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type, nature or special characteristics of such goods.

*Article 25.*

Each of the High Contracting Parties undertakes to adopt legislative and administrative measures making the use of false indications of origin for products of the wine industry originating in the territory of either of the High Contracting Parties a punishable offence.

The importation, exportation, manufacture, distribution, sale or offering for sale of the above-mentioned products shall be punished by confiscation and by other appropriate penalties when any marks, names, devices or descriptions whatsoever constituting false indications, knowingly employed, of the origin of these products appear on the barrels, bottles, wrappings or cases containing them.

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<sup>1</sup> Vol. LXXIV, page 289; Vol. LXXXIII, page 464, of this Series, and page 366, of this Volume.

Goods contravening this provision may be confiscated either on the initiative of the Administration, or on the application of the Public Prosecutors' Department or of an interested party, whether person, company or syndicate, in conformity with the legislation of each of the High Contracting Parties.

The prohibition to use a regional or local appellation for products other than those which are justly entitled thereto shall be operative even when the genuine origin of the products is mentioned or false appellations are accompanied by corrective words such as "class, type, imitation", or others.

The present Article shall not in any case prevent the vendor of wine from giving his name and address upon the receptacle. In the absence of any regional appellation, he will be required to add the country of origin to his address in equally conspicuous lettering whenever the name of a locality or any other indication in the address might lead to confusion with a locality or property situated in another country.

In the case of products of the wine industry, no appellation of origin of the High Contracting Parties, if it is legally protected in the country of production and has been duly notified to the other Party, may be regarded as a generic name, nor may it be declared to have become public property. Delimitations and restrictions referring to these appellations shall likewise be recognised.

The High Contracting Parties undertake to consider at a later date the possibility of extending the above provisions to all products, in addition to products of the wine industry, deriving their specific qualities from the soil or climate.

*Article 26.*

On all questions relating to international transit the High Contracting Parties shall refer to the Barcelona Convention and Statute of April 20, 1921, on Freedom of Transit<sup>1</sup>. The provisions of these Acts, even if they should be denounced, shall continue to govern their mutual relations.

*Article 27.*

In all questions relating to the international régime of railways, the High Contracting Parties shall, in their mutual relations, apply the provisions of the Convention and Statute on the International Régime of Railways<sup>2</sup> drawn up at Geneva on December 9, 1923.

*Article 28.*

As regards navigation on international rivers, the High Contracting Parties shall refer to the Acts governing such navigation, and in particular to the Barcelona Convention and Statute<sup>3</sup> of April 20, 1921, on the Régime of Navigable Waterways of International Concern, and to the International Convention of Paris of July 23, 1921, instituting the definitive Statute of the internationalised Danube<sup>4</sup>. The provisions of these Acts, even if they should be denounced, shall continue to govern their mutual relations.

<sup>1</sup> Vol. VII, page 11; Vol. XI, page 406; Vol. XV, page 304; Vol. XIX, page 278; Vol. XXIV, page 154; Vol. XXXI, page 244; Vol. XXXV, page 298; Vol. XXXIX, page 166; Vol. LIX, page 344; Vol. LXIX, page 70; and Vol. LXXXIII, page 373, of this Series.

<sup>2</sup> Vol. XLVII, page 55; Vol. L, page 180; Vol. LIX, page 383; Vol. LXIII, page 417; Vol. LXIX, page 92; Vol. LXXVIII, page 472; Vol. LXXXIII, page 403, of this Series; and page 336, of this Volume.

<sup>3</sup> Vol. VII, page 35; Vol. XI, page 406; Vol. XV, page 306; Vol. XIX, page 280; Vol. XXIV, page 156; Vol. L, page 160; Vol. LIX, page 344; and Vol. LXIX, page 71, of this Series.

<sup>4</sup> Vol. XXIV, page 173, of this Series.

*Article 29.*

Subject to the following supplementary provisions, the High Contracting Parties agree to bring into force immediately, in their mutual relations, the provisions of the Geneva Convention and Statute of December 9, 1923, on the International Régime of Maritime Ports<sup>1</sup>.

Austrian vessels may enter a French port or ports either to land the whole or part of their passengers or cargo coming from abroad, or to take on board the whole or part of their passengers or cargo for conveyance abroad.

The Austrian Government undertakes not to take, or to allow organisations under its control to take, any measure, and not to conclude with foreign Governments or organisations any agreement, the effect of which would be to eliminate French vessels and maritime trade or place them at any disadvantage whatsoever as compared with the Austrian flag or with the flags of third countries, particularly as regards the transport of goods, passengers and emigrants, whether from Austria or from a foreign country, passing through any part of Austrian territory, no matter what route or port is or is to be used.

Shipping concerns of one of the Contracting Parties engaged in the transport of emigrants shall enjoy in the other country the same treatment in every respect as national shipping concerns. This equality of treatment shall apply in particular to their emigration agencies, their vessels and the emigrants transported, from whatever place they come and whatever may be the embarkation port of the emigrants.

In the ports of the French colonies, Austrian merchant vessels shall, if they conform to the provisions made for public order and security and to the local laws and regulations, enjoy most-favoured-nation treatment.

*Article 30.*

The nationality of vessels shall be recognised by both the High Contracting Parties in accordance with the laws and regulations of each, and shall be established from the documents and certificates on board issued by the competent authorities.

Any Austrian vessel which may be compelled through stress of weather or *force majeure* to take shelter in a French port shall, in all respects, enjoy therein the treatment granted to the vessels of the most favoured nation. The same shall apply to the stranding or shipwreck of an Austrian vessel on the coasts of French territory.

*Article 31.*

Vessels of one of the High Contracting Parties and their crews and cargoes shall enjoy on the inland waterways of the other Contracting Party, as well as in its inland ports open to traffic, the same treatment as the vessels, crews and cargoes of the most favoured nation.

As regards all charges and dues in respect of inland navigation, neither of the Contracting Parties shall treat the vessels of the other Party, their crews and cargoes, on its inland waterways or in its inland ports open to traffic, less favourably than its own vessels, crews and cargoes or than those of the most favoured nation.

The provisions of the two foregoing paragraphs shall not apply to the carrying trade between two ports belonging to the same national inland system.

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<sup>1</sup> Vol. LVIII, page 285; Vol. LXIX, page 102; Vol. LXXII, page 485; and Vol. LXXXIII, page 416, of this Series.

All vessels belonging to Austrians or to an Austrian company, and all vessels belonging to Frenchmen or recognised according to French law as French vessels, shall be regarded, for the purposes of the present Agreement, as vessels of the High Contracting Parties.

*Article 32.*

Natural and manufactured products originating in and coming from Austria, when imported into the so-called assimilated French colonies, i. e., those having substantially the same Customs system as the home country, shall be accorded the minimum tariff, whether this tariff is the tariff of the home country or a special tariff for all products enjoying most-favoured-nation treatment.

On importation into the Austrian Customs territory, the natural and manufactured products of the so-called assimilated French colonies shall, if they are enumerated in List C, be accorded the rates of duty and advantages set forth in the said List, and, whether they are included in List C or not, enjoy most-favoured-nation treatment.

In the so-called non-assimilated colonies, i. e., those having a special Customs system, and in Tunis, products originating in and coming from Austria shall be accorded the lowest rates of duty which are or may hereafter be granted to any other Power in pursuance of tariff measures or commercial agreements. Products of the so-called non-assimilated French colonies and of the French protectorates and mandated territories shall be accorded most-favoured-nation treatment on importation into Austria.

*Article 33.*

The provisions of Articles 5, 6, 7, 8, 9, 10, 11, 12, 13, 15 and 16 relating to trade between the two countries shall apply to the French colonies and Tunis.

*Article 34.*

The granting of most-favoured-nation treatment shall not entitle Austria to claim the benefit of such preferential treatment as France has accorded or may hereafter accord within her Customs territory to the French colonies, protectorates and mandated territories, or which French colonies and protectorates have accorded or may hereafter accord to France or to the French colonies, protectorates and mandated territories.

*Article 35.*

Any disputes which may arise between the High Contracting Parties concerning the interpretation or application of the present Agreement, and which it has not been possible to settle by diplomatic means, shall by common consent be submitted, by way of a special agreement (*compromis*), either to the Permanent Court of International Justice under the conditions and according to the procedure prescribed by its Statute, or to a Court of Arbitration under the conditions and according to the procedure prescribed by the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes<sup>1</sup>.

Failing agreement between the Parties regarding the special agreement (*compromis*), and after one month's notice, either Party shall be entitled to take the dispute direct, by making application, before the Permanent Court of International Justice.

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<sup>1</sup> *British and Foreign State Papers*, Vol. 100, page 298.

## Article 36.

The present Agreement shall be ratified, and the instruments of ratification shall be exchanged at Paris.

Nevertheless, the High Contracting Parties have agreed to apply, as from ten days after the date of signature, those provisions of the present Convention which, according to their respective laws, do not require the previous sanction of their Parliaments.

The remaining provisions shall apply as from ten full days after notification given in Paris that the Agreement has been ratified by Austria, with the exception, however, of the provisions relating to tariffs, which require the previous sanction of the French Chambers.

If this sanction is obtained, the exchange of ratifications shall take place and the whole of the Agreement shall enter into force within ten days of the exchange of the instruments of ratification.

Should sanction be refused, Austria shall be entitled to denounce those provisions of the Agreement which are in force, such denunciation to take effect one month afterwards.

As from April 1, 1929, the High Contracting Parties shall be entitled to denounce the present Agreement, such denunciation to take effect three months afterwards.

In faith whereof the respective Plenipotentiaries, duly authorised for that purpose, have signed the present Agreement and have thereto affixed their seals.

Done at Paris in duplicate on the sixteenth day of May, one thousand nine hundred and twenty-eight.

(L. S.) A. BRIAND.

(L. S.) M. BOKANOWSKI.

(L. S.) GRUNBERGER.

## LIST A.

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
Ex 128 bis	80 mm. and above . . . . .	100 kg.	Fr. Ct. 3.25
	Common woods, squared or sawn, other than railway-sleepers, of the thickness of <sup>1</sup> . . . . .	ditto	3.50
	more than 35 mm. and less than 80 mm. . . . .	ditto	4.50
	more than 2 mm. up to 35 mm. inclusive, not including veneering sheets, large or small . . . . . 2 mm. or less. . . . .	ditto ditto	dutable as No. 603 <i>quater</i> A

<sup>1</sup> For common woods and fine woods saturated or having undergone any form of chemical preparation the duties shown above are increased by 3 francs per 100 kg. The foregoing note applies also to woods included under No. 133 of the French Tariff.

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
168	Cellulose pulp . . . . .	100 kg.	Fr. Ct. 6.50
207 ter	Fine steel for tools . . . . .	ditto	3.25 <sup>1</sup>
207 quater	Special steel containing :	ditto	13.00
207 quinq.	At least 5 % of nickel, except sheets :	ditto	6.50 <sup>1</sup>
207 quinq.	From 0.5 % to 6 % of chromium . . . . .	ditto	75.00
207 quinq.	From 0.5 % to 6 % of tungsten . . . . .	ditto	75.00
207 quinq.	From 0.2 % to 2 % of molybdenum . . . . .	ditto	75.00
207 quinq.	From 0.1 % to 0.5 % of vanadium . . . . .	ditto	75.00
207 quinq.	From 0.1 % to 0.5 % of titanium . . . . .	ditto	75.00
210 bis	Special steel containing :	100 kg.	300.00
ex 221	More than 6 % of chromium . . . . .	ditto	300.00
ex 221	More than 6 % of tungsten . . . . .	ditto	300.00
ex 221	More than 2 % of molybdenum . . . . .	ditto	300.00
ex 221	More than 0.5 % of vanadium . . . . .	ditto	300.00
ex 221	More than 0.5 % of titanium or any other rare elements . . . . .	ditto	300.00
ex 221	Flat sheets of nickel steel, cut or not . . . . .	ditto	94.00
ex 221	Copper :		
ex 221	Pure or alloyed with zinc, tin, aluminium or manganese :		
ex 221	Rolled or hammered into bars of any section with a greatest diameter of :		
ex 221	50 mm. or more . . . . .	ditto	45.00
ex 221	Less than 50 mm. . . . .	ditto	50.00
ex 221	Drawn, in bars not exceeding 5 metres in length and of diameter :		
ex 221	50 mm. or more . . . . .	ditto	49.50
ex 221	Less than 50 mm. down to 5 mm. . . . .	ditto	55.00
ex 221	Less than 5 mm. . . . .	ditto	Dutiable as copper wire
ex 221	Wire, polished or not, except gilt, silvered or nickelled; of diameter :		
ex 221	More than 3 mm. . . . .	ditto	75.00
ex 221	From 1/10 mm. to 3 mm. inclusive . . . . .	ditto	100.00
ex 221	Less than 1/10 mm. . . . .	ditto	150.00
ex 225	Gilt or silvered, in lumps or ingots, hammered, drawn, rolled or spun . . . . .	ditto	800.00
ex 225	Nickel :		
ex 225	Pure :		
ex 225	Hammered, in bars, rolled . . . . .	100 kg.	30.00
ex 225	In wire of thickness :		
ex 225	1 mm. or more . . . . .	ditto	45.00
ex 225	Less than 1 mm. . . . .	ditto	60.00

<sup>1</sup> Subject to such measures of control as may be issued by the Ministries concerned, wood pulp imported for the purpose of manufacturing paper, other than machine-made fancy paper, weighing more than 35 grammes per sq. metre, and for manufacturing so-called fancy paper coated white, for use in printing newspapers and periodicals, will continue to be admitted at the following rates:

Pulp, mechanical, dry (100 kg.) . . . . .	1 fr. 50
» » moist (100 kg.) . . . . .	0 75
» chemical, dry (100 kg.) . . . . .	3 00
» » moist (100 kg.) . . . . .	1 50

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
			Fr. Ct.
ex 225 (continued)	Nickel :		
	Alloyed with copper, with or without zinc :		
	Hammered, rolled :		
	In discs, washers or chips, rough, as cut out.	100 kg.	74.00
	Other . . . . .	ditto	57.00
	Wire of thickness :		
	1 mm. and more. . . . .	ditto	60.00
	Less than 1 mm. . . . .	ditto	66.00
o60	Peroxide of hydrogen . . . . .	<i>ad val.</i>	20 %
ex 0135	Natural calcined magnesia . . . . .	100 kg.	Free
0150	Carbonate of lead (white lead) . . . . .	ditto	35.00
ex 332	Bricks and wares with base of magnesia . . . . .	ditto	6.50
361	Incandescent electric lamps :		
	Glass bulbs open and without internal or external fittings . . . . .	ditto	225.00
	With filaments in vacuum :		
	With carbon filaments :		
	With mountings . . . . .	kg.	12.00
	Without mountings . . . . .	ditto	16.00
	With metal filaments, weighing each :		
	Less than 5 grammes, with or without mountings . . . . .	kg.	60.00
	From 5 to 15 grammes, with or without mountings. . . . .	ditto	30.00
	16 grammes and more :		
	With mountings . . . . .	ditto	16.00
	Without mountings . . . . .	ditto	20.00
	With metal filaments in gas or steam atmospheres, weighing each :		
	With mountings, up to 15 grammes . . . . .	ditto	30.00
	With mountings, 16 grammes and more. . . . .	ditto	20.00
	Without mountings, up to 15 grammes . . . . .	ditto	40.00
	Without mountings, 16 grammes and more . . . . .	ditto	30.00
ex 361bis	Wireless valves (lamps) . . . . .	<i>ad val.</i>	12 %
ex 461 ter	Stencils and gold-beater's skin, papers (other than photographic) covered with reproducing paste . . . . .	100 kg.	200.00
464 ter	Cardboard wares, boxes and the like, of superior manufacture, <i>i e.</i> , decorated with paintings, reliefs, designs, chromos, stuffs, wood, straw, etc. . . . .	ditto	500.00
ex 468	Fashion papers . . . . .	ditto	Free
496 bis	Imitation jewellery :		
	Clasps, brooches, bracelets, finger-rings, buckles, ornamental buttons, metal shapes for buttons, chains, thimbles, slides, rings (spring or other), swivels, purses of meshwork, catches of all kinds, etc., of common metals with or without ornaments of real or imitation coral, of vitrifications, mother of pearl, bone, ivory, tortoiseshell, imitation or real pearls, etc., and metal parts of such articles :		
	Of aluminium, German silver, nickel, copper, steel, iron, zinc, tin, lead, gilt, silvered, coppered, oxidized, with or without ornaments : of fine steel "à pointes" . . . . .	<i>ad val.</i>	20 %



No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
			Fr. Ct.
496 bis (continued)	Imitation jewellery : Of copper, German silver, or nickel, treated with aqua fortis, varnished, enamelled, polished, nickelled, with or without ornaments, mourning jewellery of iron ornamented with glass or with hardened wood, of zinc, lead, iron, or ordinary steel, nickelled, of zinc, lead, iron or ordinary steel, polished or varnished with fittings . . . . . Of zinc, lead, iron or ordinary steel, without fittings or ornaments . . . . .	<i>ad val.</i>  ditto	20 %  20 %
524 (a)	Dynamo-electric machines and industrial electric transformers, dry or in oil, weighing each :  3,000 kg. or more . . . . . 1,000 kg. incl. to 3,000 kg. excl. . . . . 500 » » » 1,000 » » . . . . . 200 » » » 500 » » . . . . . 50 » » » 200 » » . . . . . 10 » » » 50 » » . . . . . 5 » » » 10 » » . . . . . 2 ½ kg. incl. to 5 » » . . . . . Less than 2 ½ kg. . . . .	kg. ditto ditto ditto ditto ditto ditto ditto ditto	1.30 1.45 1.90 2.80 3.20 4.50 9.80 15.00 20.00
524 bis B	Apparatus for cutting off, regulating, protecting and distributing electric current, including switch-boards, mounted or not :  Non-automatic apparatus solely worked by hand, weighing : 5,000 kg. and more . . . . . 2,000 kg. incl. to 5,000 kg. excl. . . . . 1,000 » » » 2,000 » » . . . . . 200 » » » 1,000 » » . . . . . 50 » » » 200 » » . . . . . 10 » » » 50 » » . . . . . 5 kg. incl. to 10 kg. excl., containing :  More than 50 % of metal parts . . . . . 50 % or less of metal parts . . . . . Less than 5 kg., containing : More than 50 % of metal parts . . . . . 50 % or less of metal parts . . . . . Apparatus which could be converted into automatic apparatus, but imported without the automatic parts . . . . .  Automatic apparatus imported complete, including the automatic parts . . . . .  Automatic parts imported separately, for use with the apparatus mentioned in the preceding paragraph. . . . . Apparatus for automatic regulation of current . . . . .	kg. ditto ditto ditto ditto ditto ditto ditto ditto ditto ditto ditto ditto ditto ditto ditto <i>ad val.</i> ditto	1.50 1.70 1.90 2.80 3.50 5.00  7.00 5.50  7.00 4.75  Same duties as above  Duties as for non-automatic apparatus increased by 25 % 20 % 15 %

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
524 bis B (continued)	Electric apparatus known as current-rectifiers. . . .	<i>ad val.</i>	Fr. Ct. Dutiable as industrial transformers (No. 524 A)
	Valves, tubes, or lamps, vapour or emanation, incandescent of fluorescent, for the above apparatus, weighing each :		
	• With glass or transparent receptacles :		
	20 kg. or more . . . . .	kg.	63.00
	5 kg. incl. to 20 kg. excl. . . . .	ditto	80.00
	1 » » » 5 » » . . . . .	ditto	100.00
	½ » » » 1 » » . . . . .	ditto	160.00
	Less than ½ kg. <sup>1</sup> . . . . .	ditto	220.00
	With metal receptacles :		
	3,000 kg. or more . . . . .	ditto	6.40
	1,000 kg. incl. to 3,000 kg. excl. . . . .	ditto	10.00
	Less than 1,000 kg. . . . .	ditto	14.00
524 bis C	Electric soldering (welding) apparatus, except electric soldering-irons, weighing :		
	1,000 kg. and more . . . . .	ditto	1.90
	Less than 1,000 kg. . . . .	ditto	2.60
ex 524 bis N	Dynamo-electric detonators for firing mine-fuses . . .	<i>ad val.</i>	20 %
525 bis C	Hoisting apparatus, including lifts and their pulling cables ; unenumerated balances, weigh-bridges and presses, weighing each :		
	20,000 kg. or more . . . . .	100 kg.	60.00
	1,000 kg. to 20,000 kg. excl. . . . .	ditto	75.00
	500 » » 1,000 » » . . . . .	ditto	90.00
	Less than 500 kg. . . . .	ditto	110.00
ex 537	Scythes and sickles . . . . .	100 kg.	300.00
ex 555	Lamp-maker's wares of cast iron, moulded, tinned, coppered, bronzed, varnished, enamelled, or rendered inoxidizable :		
	Decorated by applications of enamel in several colours . . . . .	ditto	102.70
	With designs or printings, or decorated in gold. . .	ditto	118.50
	Others . . . . .	ditto	79.00
568	Household wares and all articles of iron, steel or black sheet-iron, not enumerated :		
	Neither painted nor polished and not having been worked in any way . . . . .	ditto	96.90
	Painted, polished, coated with lead or zinc, or galvanized . . . . .	ditto	102.60
	Varnished :		
	Not decorated or printed by decalcomania or otherwise, one or two shades . . . . .	ditto	90.00
	Others . . . . .	ditto	114.00
	Tinned-plain or plain tin-plate . . . . .	ditto	145.00
	Enamelled-plain, even shaded, granited . . . . .	ditto	145.00
	Copper, tinned-painted, tinned-varnished . . . . .	ditto	171.00

<sup>1</sup> For apparatus of this kind weighing less than ½ kg., the importer may request the application of the duty shown for No. 361 bis, if that appears to him to be more favourable than the duty shown in the present number.

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
568 (continued)	Household wares and all articles of iron, steel or black sheet-iron, not enumerated :		Fr. Ct.
	Enamelled-decorated without gold . . . . .	100 kg.	199.50
	Enamelled-marbled, without gold or other metal, and without printings or decorations by decalcomania or otherwise . . . . .	ditto	170.00
	Printed in one or two colours without gold :		
	In plain sheets . . . . .	100 kg.	199.50
	Others . . . . .	ditto	228.00
	Enamelled-decorated with gold ; marbled or granited with gold ; printed in more than two colours or in gold :		
	In plain sheets . . . . .	ditto	228.00
	Others . . . . .	ditto	256.50
	Tanks, tuns, vats of iron, steel or steel pig ; casks, barrels or small barrels of iron or steel or sheet iron or steel, even if with accessories of other materials, also separate parts thereof :		
	Having parts painted, polished, varnished, lead-coated, galvanized or zincked . . . . .	ditto	105.00
	Enamelled or tinned . . . . .	ditto	145.00
ex 572	Tubes in copper, of pure or alloyed with any other metal, for all purposes . . . . .	ditto	110.00
573	Art and ornamental wares of copper or bronze :		
	A. Smith's wares :		
	Not chiselled nor engraved nor ornamented by means of matrices, stamping or otherwise . . . . .	kg.	8.00
	Others . . . . .	ditto	13.00
	B. Cloisonné enamels . . . . .	ditto	9.00
	C. Other articles, including imitations (zinc and lead, pure or alloyed) . . . . .	ditto	5.00
ex 574	Lamp-maker's and tinsmith's wares of copper, pure or alloyed with zinc or tin :		
	Lamp-burners and gas-burners of copper, pure or alloyed, whether combined or not with tin-plate (other than for acetylene), and component parts, whether or not polished, burnished, varnished or tinned . . . . .	100 kg.	550.00
	Lamp-wares, lanterns, hurricane-lamps, hanging lamps and lighting wares (other than lamp- and gas-burners and art ware or ornamental ware), of iron, zinc, tin or copper, pure or alloyed, or formed by combinations of these metals, and detached and component parts, whether or not polished, burnished, varnished, tinned, lead-coated or galvanized :		
	Miners' lamps for oil or spirit flame . . . . .	ditto	350.00
	Other articles . . . . .	ditto	430.00
ex 578	Tubes of zinc, alloyed or not with lead, soldered, with bottoms of diameter not exceeding 20 millimetres, not having been worked in any way mentioned in sub-paragraphs 2, 3 and 4 of paragraph A. of No. 578, plain . . . . .	ditto	50.00

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
579	Manufactures of pure or alloyed nickel, of nickel-plate or of nickelled metals : Smith's wares for the table, furnishing, ornamentation, toilet, etc., table vessels : Neither chiselled nor engraved, nor ornamented by means of matrices, stamping or otherwise. . . . . Others . . . . . Table plate (spoons, forks, ladles, knife-handles, unmounted) : Neither chiselled nor engraved nor ornamented by any process . . . . . Others . . . . . Other objects : Of pure or alloyed nickel, including nickelled steel or ferro-nickel, or plated with pure or alloyed nickel, not specified or classified elsewhere : Articles simply hammered, embossed or pressed, weighing each : 50 kg. and more . . . . . 25 kg. inclusive to 50 kg. exclusive . . . . . 10 »   »   » 25 »   » . . . . . 1 »   »   » 10 »   » . . . . . Less than 1 kg. . . . . Articles cast, stamped or forged, rough. . . . . Kitchen utensils . . . . . Other articles : For technical use . . . . . Others . . . . . Of common metals other than aluminium and assimilated metals, but including zinc, nickelled, not specified or classified elsewhere : Kitchen utensils . . . . . Other articles : For technical use . . . . . Others . . . . .	kg. ditto  kg. ditto   ditto ditto ditto  ditto ditto ditto  ditto ditto ditto  ditto ditto ditto  ditto ditto	Fr. Ct.   9.00 13.50  9.00 11.00   1.25 1.40 1.60 1.90  2.05 3.10 5.00 6.50 7.50  5.00 6.50 7.50
600	Wood, planed, grooved and (or) tongued, planks, strips or veneers for flooring, planed, grooved and (or) tongued : Of oak or hard wood . . . . . Of fir wood or soft wood . . . . .	100 kg. ditto ditto	18.50 12.95 3.00
601 bis ex 603 quater A	Wood, cut for roller-blinds . . . . . Veneering sheets, large and small, of common wood, fine wood or West Indian wood, sawn to a thickness of or under 2 millimetres, also of woods of the same kinds, rolled out or sliced, of any thickness, without jointings, planed or not : Not cut for a particular purpose, nor painted nor varnished nor waxed :  Of alder, poplar, pitch-pine, plane, fir or aspen. Of other kinds of wood . . . . .	ditto ditto ditto	20.00 30.00

No. in French Tariff	Designation of Goods	Unit of taxation	Duty applicable
			Fr. Ct.
ex 620 G	4. Combs of hardened rubber or ebonite, with or without parts of non-precious metal. . . . .	kg.	6.50
	8. Separators for electricity and receptacles for accumulators of hardened rubber or ebonite . . .	ditto	3.50
ex 620 bis	Hinge-plates of paper or board of amianthus or asbestos <sup>1</sup> :		
	In sheets (cut or not) of rectangular shape. . . .	100 kg.	150.00
	Shaped, cut, not rectangular in shape, reinforced or not with metal wire, cloth or parts . . . . .	ditto	250.00
626	Hats of hair felt or of wool and hair felt :		
	Shapes, including felt plates and thin shapes ( <i>chemises</i> ), neither dressed nor blocked nor with formed brims ( <i>tournurés</i> ) . . . . .	<i>ad val.</i>	12 %
	Other :		
	Not trimmed . . . . .	ditto	14 %
	Partially trimmed or trimmed hats ( <i>garnis chapeliers</i> ) with or without crown . . . . .	ditto	14 %
648 ter B	Cerium metal, ferro-cerium and all other metal alloys of rare earths, also pyrophoric irons . . . . .	kg.	25 00

## LIST B.

Number in the French Customs Tariff.

2, 3, 14, 14 bis, 14 quinquies, 18 ter, 18 quater, 20, 30, 30 bis, 34 bis, 35, 35 bis, 37, 38, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 95, 60, 62, 63, 65, 66, 75, 75 bis, 75 ter, 75 quater, 76, 76 bis, 76 ter, 77, 78, 78 bis, 79, 81, 82, 85, 88, 91 bis, 92, 96, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110 A, 110 B, 110 bis, 111, 111 bis B, 112, 115 quater, 117, 118, 119, 120, 121, 122, 123, 124, 125, 134, 138, 139, 140, 142, 142 bis, 143, 144, 144 bis, 145, 145 bis, 147, 148, 149, 150, 151, 152, 153, 155, 156, 156 bis, 159, 164 ter, 164 quater, 177 bis, 177 ter, 179 bis, 179 quinquies, 180, 181, 181 bis, 188, 188 bis, 189, 190, 192, 193, 193 bis, 195, 196, 197, 198, 198 bis, 198 ter, 198 quater, 198 quinquies, 198 sexes, 199, 199 bis, 199 ter, 226, 228, 229, 230, 231, 232, 030, 055, 056, 0117, 0118, 0132, 037, 0251, 0253, 0253 bis, 0253 ter, 0254, 0254 bis, 0255, 0255 bis, 0255 ter, 0255 quater, 0256, 0257, 0258, 0258 bis, 0259, 0260, 0261, 0262, 0264, 0265, 0265 bis, 0265 ter, 0268, 0268 bis, 0268 ter, 0269, 0269 bis, 0270, 0270 bis, 0271, 0271 bis, 0271 ter, 0272, 0273, 0274, 0275, 0276, 0277, 0277 bis, 0278, 0279, 0280, 0281, 0282, 0283, 0286, 0286 bis, 0289, 0289 bis, 0290, 0290 bis, 0291, 0300, 0301, 0302, 0303, 0304, 0305, 0310, 0310 bis, 0311, 0311 bis, 0311 ter, 0311 quater, 0312, 0312 bis, 0312 ter, 0313, 0313 bis, 0313 ter, 0314, 0314 bis, 0315, 0315 bis, 0315 ter, 0315 quater, 0316, 0316 bis, 0316 ter, 0317, 0317 bis, 0318, 0319, 0320, 0321, 0321 bis, 0322, 0323, 0324, 0325, 0325 bis, 0326, 0326 bis, 0327, 0327 bis, 0327 ter, 0328, 0329, 0336, 0336 bis, 0336 ter, 0337, 0338, 0339, 0341, 0342, 0349, 0350, 0354, 0355, 0357, 0358, 0359, 0359 bis, 0361, 0362, 0364, 0365, 0366, 0367, 0369, 0370, 0372, 0383, 0384, 0385, 0386, 0389, 283, 284, 286, 289, 290, 291, 292, 313, 315 ter, 319 bis, 320 ter, 321, 323, 329, 333, 334, 348, 348 bis, 348 ter, 348 quater, 352, 353, 354, 379, 391, 393, 399, 400, 400 bis, 402, 419 bis, 429, 437, 448, 449, 452, 464 quater, 478, 495 bis, 497, 498, 499, 500, 500 bis, 500 ter, 501, 501 bis, 501 ter, 501 quater, 502, 504 quater, 507, 508, 509, 509 bis, 514, 515, 516, 516 bis, 517, 517 bis, 519 bis, 521 quater, 524 B, 524 bis, 544 bis A, 547, 562, 596, 596 bis, 599, 603, 603 bis, 606, 607, 609, 610, 610 bis, 613, 615, 616, 629, 631, 631 bis, 632, 648.

<sup>1</sup> If combined with more than 10 % by weight of rubber, guttapercha, balata, or the like, articles of asbestos (amianth) pay duties as for similar objects of rubber, unless such duties are less than those on asbestos (amianth) articles. If the proportion of rubber, gutta-percha, balata and the like is not more than 10 %, the duties on asbestos (amianth) wares are applicable.

## LIST "C".

No. in Austrian Tariff	Designation of Goods	Rates of duty in gold kronen per 100 kg.
ex 37	Truffles . . . . .	100
ex 61	Oysters, lobsters . . . . .	300
ex 86 (a)	Cognac and armagnac . . . . .	240
	Liqueurs . . . . .	300
ex 86 (c)	Rum (produce of sugar-cane, i.e., colonial rum, accompanied by a certificate of origin) :	
	(a) In casks . . . . .	130
	(b) In bottles . . . . .	155
ex 87	Wines :	
	Ex (a) In casks, up to 13° (Bordeaux wines and all other wines and all other wines originating in and coming from France, entitled to an appellation of origin, accompanied by a certificate issued by the competent French authorities stating that these wines are entitled to the said appellation by virtue of French law), up to a quota of 40,000 hectolitres . . . . .	45
	Ex (b) In bottles <sup>1</sup> Bordeaux wines and all other wines originating in and coming from France, entitled to an appellation of origin, accompanied by a certificate issued by the competent French authorities stating that these wines are entitled to the said appellation by virtue of French law . . . . .	80
ex 88	Sparkling wines (Champagnes and all other wines originating in and coming from France, entitled to an appellation of origin, accompanied by a certificate issued by the competent French authorities stating that these wines are entitled to the said appellation by virtue of French law) . . . . .	150
ex 104	Flours for children, composed of starches, cereal flours, sugar, with the addition of cocoa-powder not exceeding 5 % of the total weight ( <i>phosphatine Falières</i> and the like) . . . . .	85
ex 107 (b)	Sardines, tunny and mackerel, pickled or in oil . . . . .	40
	Other fish, pickled or in oil . . . . .	60
ex 107 (c)	Mushrooms, asparagus, artichokes, spinach, prepared for consumption in airtight receptacles . . . . .	45
107 (e)	Preserves of lobsters and crayfish and liver pâté . . . . .	300
ex 107 (v)	Meats and pâtés (other than liver pâté) in airtight receptacles . . . . .	120
139	Cotton yarns prepared for retail sale . . . . .	140
150	Lace, etc. :	
	(a) Valenciennes, etc. . . . .	1,550
	(b) Other . . . . .	950
ex 152	Laces (except for footwear) . . . . .	200
ex 176	Combed woollen yarn, not specially mentioned :	
	(a) Unbleached, single :	
	(1) Up to No. 45 metric . . . . .	20
	(2) Over No. 45 metric . . . . .	30
	(b) Unbleached, of two or more threads :	
	(1) Up to No. 45 metric . . . . .	32
	(2) Over No. 45 metric . . . . .	42

<sup>1</sup> The following are not considered as wines in bottles, namely : wines imported in demijohns, carboys, jugs and other similar receptacles of which the capacity is above 10 litres.

No. in Austrian Tariff	Designation of Goods	Rates of duty in gold kronen per 100 kg.
ex 180 (d) 2	I. Woollen tissues not specially mentioned, weighing 100 grammes or less per sq. metre and with a width of 0.85 metres or less : (a) Unbleached . . . . . 225 (b) Dyed . . . . . 350 (c) Printed . . . . . 450 II. Others (weighing less than 200 grammes per sq. metre) : (a) Unbleached . . . . . 240 and 10 % <i>ad val.</i> (b) Dyed and woven in colours . . . . . 250 and 10 % <i>ad val.</i> (c) Printed . . . . . 250 and 10 % <i>ad val.</i>	
195	Yarn of silk combined with other textile materials, etc. : (a) With burls of waste silk . . . . . 40 (b) Other . . . . . 60	
197	Crape and crapy tissues, gauze and light tissues : (a) Embroidered or printed . . . . . 1,250 (b) Other . . . . . 1,000	
198	Tulle, lace, etc. . . . . 1,600	
199	Bolting cloth . . . . . 700	
200	Furnishing stuffs . . . . . 1,400	
ex 202	Tissues not specially mentioned : Ex (a) Plain, unfigured : (1) In colours other than black, or woven in dyed threads . . . . . 950 (2) Printed . . . . . 1,200 (b) Figured : (1) On dyed, or dyed black . . . . . 1,050 (2) Other colours, or woven in dyed threads . . . . . 1,150 (3) Printed . . . . . 1,300	
238 (a)	Straw paper . . . . . Free.	
ex 246	Cigarette-paper in sheets, etc. . . . . 28	
ex 250 (c) 2	Books and albums reproducing patterns of embroideries, lace, etc., with explanatory text . . . . . 30 Indiarubber footwear . . . . . 120	
ex 259	Tubing, etc. . . . . 75	
260 (a)	Joints . . . . . 80	
260 (b)	Vehicle-wheel tyres : (a) Covers : (1) For motor vehicles (motor-cars, motor-cycles, etc.) . . . . . 210 (2) Other . . . . . 160 (b) Inner tubes . . . . . 150 (c) Solid tyres . . . . . 90	
ex 261	Wares of hardened indiarubber, etc. : Ex (a) Rough pressed, the pressing seams being visible : Pipe-stems of ebonite . . . . . 60 Ex (b) Other, combined or not with fine materials : Pipe-stems of ebonite . . . . . 100	
ex 264	Rubbered tissues, other (except hospital sheets) . . . . . 110	
ex 265 (b) 3	Buck-, goat-, kid-, sheep- and lambskins, prepared . . . . . 70	
279 (b)		
280	Glove-leather of all kinds . . . . . 50	
ex 281	Patent leather of all kinds . . . . . free	
ex 430 (b) 2	Milk-cans of aluminium with capacity of 10 litres or more . . . . . 125	

No. in Austrian Tariff	Designation of Goods	Rates of duty in gold kronen per 100 kg.
433	Lace (bullion) ; tinsel, etc. :	
	(a) Gilt . . . . .	420
	(b) Silvered . . . . .	220
	(c) Other . . . . .	130
434	Wares of drawn wire (galloons, passementerie, etc.) of base metals or alloys thereof :	
	(a) Of wire, bullion, tinsel, etc., gilt . . . . .	800
	(b) Of wire, bullion, tinsel, etc., silvered . . . . .	660
	(c) Other . . . . .	220
ex 452 (c)	Carbons for electrical apparatus : Carbons for batteries, weighing less than 1 kg. per linear metre (carbons of 6 mm. diameter and 54 mm. length) . . . . .	free
ex 459	Motor cars :	
	(1) Weighing less than 1,000 kg. and priced at less than 4,500 gold kronen, with open coachwork . . . . .	120 and 25 % <i>ad val.</i>
	(2) Other . . . . .	and 40 % <i>ad val.</i>
462 (b)	Spare parts of engines for motor vehicles, other . . . . .	240
517	Vinegars, fats and oils, perfumed . . . . .	300
518	Aromatic essences :	
	(a) Containing alcohol or ether . . . . .	500
	(b) Other . . . . .	200
519	Perfumery and cosmetics, etc. :	
	(a) Not containing alcohol :	
	(1) Tooth paste and tooth-powders . . . . .	400
	(2) Other :	
	(a) Powders . . . . .	600
	(b) Other . . . . .	400
	(b) Containing alcohol . . . . .	1,500
ex 522 (b)	Ochre . . . . .	3
539	Soaps :	
	(a) Common, etc. . . . .	15
	(b) Fine . . . . .	50
	(c) Shaving-soaps, in small packages . . . . .	80

### PROTOCOL OF SIGNATURE.

On signing the Agreement of this day's date, THE AUSTRIAN FEDERAL GOVERNMENT and THE GOVERNMENT OF THE FRENCH REPUBLIC have decided to define in the present Protocol the conditions for its application, as follows :

#### *Ad Article I.*

The minimum tariff shall be applied to materials of all kinds used for packing any of the commodities which benefit by the minimum tariff, provided such materials are cleared separately, as required by the Customs regulations.

Products originating in or coming from Austria, which are accorded the advantages specified in the present Agreement, shall, as regards surtaxes in respect of warehousing and origin, be granted the rates applicable to identical products originating in or coming from any other country.



*Ad Articles 1 and 2.*

As regards the interpretation of Lists A and C, it is understood that when the numbers of the items are preceded by the word " ex ", the concession shall be confined to the products expressly mentioned in the said Lists.

When the numbers are not preceded by the word " ex ", it is understood that the concession applies to the whole of the tariff item.

As regards Lists A and B, the numbers in the French tariff are merely given as an indication, and may be subsequently rectified. The duties stipulated in List A shall be applicable to all products covered by the descriptions adopted for those goods.

*Ad Article 1 (List A).*

*Ad No. 210 bis, Flat sheets of tungsten steel or chromium. steel* — Flat sheets of tungsten steel or chromium steel are included under this item if the content of tungsten or of chromium is less than 6 %.

*Ad No. 0126 Terrar.* — It is understood that the French Customs Administration shall for the present consider the product with a base of zirconium oxide known as " terrar " as assimilable to tin oxide (No. 0126), which is free of Customs duty.

The question of the importation of this product into France shall be further considered when the two Governments enter upon negotiations regarding the duties upon French motor-cars and French silk goods imported into Austria.

*Ad No. 524 bis N, Wind-screen wipers.* — The duties set out in this item shall apply to wind-screen wipers.

*Ad Article 2 (List C).*

*Ad No. 87, Wines.* — This item also includes medicinal wines containing 17.50 % or less of alcohol by volume.

The Austrian Government undertakes to increase from 20 milligrammes per litre to 100 milligrammes per litre the content of free sulphurous acid admitted, with a tolerance of 10 %.

It is understood that the present Customs treatment of wines containing natural carbonic acid shall not be changed.

*Ad No. 88, Sparkling wines.* — In fixing at 150 gold kronen per 100 kg. the import duty for sparkling wines originating in and coming from France, it has been agreed that the Austrian tax on sparkling wines shall not exceed 30 % of the value on which the tax is assessed.

*Ad No. 139, Cotton yarns prepared for retail sale.* — If, within six months of the entry into force of the duty of 140 gold kronen, French imports into Austria of cotton yarns prepared for retail sale should be reduced by more than 15 %, the two Governments agree to enter into negotiations with a view to reducing the said duty ; in the event of these negotiations not having been brought to a successful conclusion within two months, the French Government may denounce the present Convention, such denunciation to take effect one month afterwards.

*Ad Class XXI, Silk goods.* — Silk goods shall, with the approval of the French Government, form the subject of a new tariff régime, which shall also be conventionalised and shall apply as soon as Austria confines to re-exported goods the benefit of duty for the finishing trade which that country has up to the present granted to all silk wares originating in certain countries.

The two Governments undertake to open negotiations regarding the new tariff régime on October 1st, 1928, at latest, and to continue them with a view to the introduction of the new tariff régime and the corresponding restriction on the finishing trade on February 1st, 1929.

If by that date it has not been possible to reach an agreement between the two Governments, France shall be entitled to denounce the present Convention, such denunciation to take effect one month afterwards.

*Ad No. 265, b-3, Hospital sheets.* — Plain fabrics rubber-coated on both sides for sanitary use shall be considered as hospital sheets.

*Ad No. 459, Motor vehicles.* — It is understood that the duties set out in List C shall continue to apply until the re-establishment of freedom of importation, which is to be instituted immediately on the application of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions. The two Governments agree to enter into negotiations three months before such application with regard to the treatment of motor vehicles on importation into Austria, and they are agreed in recognising that, if it is not found possible to reach an agreement regarding this treatment, France shall be entitled to denounce the present Agreement, such denunciation to take effect two months afterwards.

*Ad 462 b, Spare parts of engines for motor vehicles.* — The duty of 240 gold kronen shall apply for so long as the duties imposed on motor vehicles by virtue of the preceding paragraph shall remain in force.

#### *Ad Article 4.*

As regards the application of *ad valorem* duties, each of the High Contracting Parties shall take into due consideration, without, however, renouncing its right of verification, any documents which may be officially communicated by the Government of the other Party and guaranteed by it.

As regards the application of Article 4, paragraph 5, the French Government declares that this Article is not intended to substitute home prices for the actual prices ruling abroad as the basis for the levying of duties, but to fix, in respect of those products alone the value of which cannot be determined on other bases, an estimated value, in the computation of which regard must be had both to the prices charged at home and to the actual prices ruling in the principal foreign markets.

Further, it is understood that, should the Austrian Government consider that the official price returns and special scales mentioned in Article 4, in conformity with which invoice prices are adjusted, are based on estimates which are open to criticism, it may ask the French Government for full particulars concerning the basis of these estimates.

The High Contracting Parties agree that the provisions of Article 4 shall not apply to motor vehicles included under No. 614 *ter* of the French tariff.

#### *Ad Article 10.*

The High Contracting Parties agree that the provisions of Article 10 shall also apply to the turnover tax.

#### *Ad Article 11.*

The equality of treatment provided for in Article 11 shall not affect the measures which each Government reserves the right to apply in virtue of Articles 23, 24 and 25 of the present Agreement, with a view to suppressing unfair competition.

#### *Ad Article 12.*

With reference to the application of Article 12, the French Government shall consider that the administrative regulation whereby goods or products which have undergone complete transformation in a third foreign country having a more favourable Customs tariff than their country of origin shall be deemed to have originated in the said third country, whether or not the transformation was effected under Customs supervision, extends, as regards the determination of their nationality, to the products set out hereafter, originating in and coming from Austria.

Number in French Customs Tariff	Designation of Goods
ex 34	Yolk of eggs.
74	Malt.
ex 96	Coffee, roasted, or coffee substitutes.
110 bis	Oils, boiled or oxidised.
ex 128 bis	Woods, squared or sawn, saturated or having undergone any form of chemical preparation.
ex 133	
136 bis	Straw or wool of wood.
ex 175	Marble, cut, polished, ornamented with mouldings or otherwise worked.
ex 175 bis	Alabaster, carved or otherwise worked.
ex 177	Stonework, chiselled, ornamented with mouldings.
178 bis	Emery in powder. Corundum in grits.
178 ter	Emery on paper or tissues ; grindstones of emery, etc.
178 quater	Stones for grinding and sharpening tools.
ex 180	Slates, framed or not, intended specially for writing or drawing.
180 bis	Slates with frames of varnished or white wood, with abacus or with metal sheath for a pencil.
ex 200	Gold, beaten into leaves and in impalpable powder.
ex 201	Silver, hammered into leaves.
ex 203	Aluminium in leaves or in powder, rolled, forged or cast.
ex 221	Copper, pure or alloyed with zinc, rolled or hammered ; in plates, in wire ; polished or not ; copper, gilt or silvered, in lumps or ingots, hammered, drawn or spun on thread or on silk, bronze or powder.
ex 223	Tin, pure or alloyed, hammered or rolled, drawn in wire and slabs of tin.
ex 224	Zinc, rolled.
ex 225	Nickel, produce of first fusion, pure, refined, hammered, rolled, in wire ; nickel alloyed with copper, with or without zinc, in ingots or lumps, hammered, rolled and in wire.
ex 298	Lakes and similar colouring matters, except in crude state.
301	Pencils.
ex 301 bis	Leads for pencils.
317	Chicory, roasted or ground, and chicory substitutes in grains or ground.
380, 381 bis	Silk thread.
476	Skins and hides, prepared.
ex 493	Peltries, not specially mentioned, prepared or in sewn pieces.
494	Peltries, worked or made up.
577	Tin pots or other manufactures of tin, pure or alloyed with antimony, zinc or lead.
578	Zinc manufactures of all kinds.
579 bis	Manufactures of aluminium other than jewellery and manufactures of aluminium bronze.
ex 585	Percussion-caps for sporting purposes, for practice.
594	Beadings and mouldings of wood.
594 bis	Frames of wood of all sizes.
604 quater	Manufactures of wood : veneers, counter-veneers and other (concession limited to the kinds of wood existing in Austria).
ex 620 ter	Mica in sheets or plates.

*Ad Article 13.*

As regards the application of Articles 1 and 2, each of the High Contracting Parties agrees that it will not consider that through transport by land has been interrupted should goods be unloaded and reloaded *en route* in the other Party's territory, even if these operations involve in that territory :

(1) A change in the method of transport ;

Or, under the supervision of the Customs authorities in the intermediate country ;

- (2) Re-packing ;
- (3) Division into several lots ;
- (4) Sorting.

As a proof of through transport, the declarants must present to the Customs in the country of destination :

(a) In the first case mentioned above, the original invoices, despatch-notes, waybills, and all documents concerning transport and proving that when they left their country of origin the goods were actually intended for the country of importation and that they did not remain at intermediate places longer than was necessary for transshipment and for a change in the method of transport ;

(b) The other three cases, certificates from the Customs authorities of the intermediate country, certifying :

- The identity of the goods ;
- The treatment they have undergone ;
- That when they left the place of origin they were actually intended for the country of import ;
- That they did not remain at intermediate places longer than was necessary for repacking, division into lots, or sorting.

These various documents may be rejected by the Customs authorities in the country of importation in the case of suspected fraud or substitution.

In consideration of the special geographical situation of Austria, France agrees to accord the benefit of through transport to goods originating in and coming from the Austrian Republic which are imported into France, even if they have been transported by sea from the ports of Bremen, Hamburg, Stettin, Lübeck, Trieste, Fiume, Susak, Venice, Genoa, Galatz, and Braila, provided, however, that their origin is proved by a certificate in due order, and that the transport is proved, by waybills and bills of lading relating to river transport or sea transport, to have taken place without interruptions other than those necessitated by transshipment *en route* and without entering warehouses or coming on the market in third countries.

#### *Ad Article 14.*

Subject to the exceptional cases provided for in Article 14, each of the High Contracting Parties undertakes not to impose, after June 1, 1928, any further import or export prohibitions.

Each of the High Contracting Parties shall communicate to the other, before the entry into force of the present Agreement, a list of the import and export prohibitions in force in its territory.

Although the application of Article 14 has not been extended to the French colonies and Tunis, the French Government declares that it has no intention of introducing prohibitions or restrictions in those territories for the purpose of establishing differential treatment to the prejudice of Austria.

Nothing in the present Agreement shall affect the right of the Parties to adopt, in respect of exportation or importation, any measures which may be necessary to meet extraordinary and abnormal circumstances, and to protect the vital economic or financial interests of the country.

In view of the serious disadvantages resulting from prohibitions and restrictions, these measures may only be imposed in cases of exceptional necessity, and must not constitute an arbitrary means of protecting home production or discriminating against the other Contracting State. Their duration must be limited to that of the causes or circumstances from which they arise.

The High Contracting Parties agree that under the economic conditions at present existing in the two countries, no new application must be given to the provisions of the two preceding paragraphs, and that they merely retain a contingent right, which the High Contracting Parties do not intend to use except in circumstances of exceptional gravity such as they do not anticipate.

They further declare that should one of them appear to the other to be taking action, based on the provisions of the two preceding paragraphs, which is likely to disturb the balance of advantages and concessions arising out of the present Agreement to the latter's prejudice, the latter Party may request that negotiations be immediately opened and, should these negotiations not be brought to a satisfactory conclusion within forty-five days of the date of the request, it may denounce the present Agreement, such denunciation to take effect two months afterwards.

The High Contracting Parties declare that they are prepared to substitute for this procedure any other method for the settlement of similar disputes which may be stipulated in the International Convention for the Abolition of Import and Export Prohibitions and Restrictions.

As regards the prohibition to import medals, token-money, and similar metal articles, Austria shall enjoy the same exceptions as States entitled to the minimum tariff.

Until the re-establishment of free importation of motor vehicles into Austria, the quotas at present enforced by Austria shall be increased in proportion to the increase in motor traffic in that country.

*Ad Article 15.*

The High Contracting Parties jointly declare that the reference to Article 12 contained in Article 15, paragraph (1) (2), applies not only to the above-mentioned provisions of that Article, but also to the relevant provisions in the Protocol of Signature.

No proof of origin will be required on entry into France in the case of the following products imported from Austria :

Logs, rough, wood sawn or squared, cellulose pulp, lime, cement, marble, paving-stones, building stone, rough or worked, broken stones for macadamising roads, plaster, tiles, magnesia, bricks and wares with base of magnesia ;

Arms, automobiles, stoves of cast-iron or of sheet metal, scythes and sickles, pianos, machines and machinery, motor-cycles, side-cars, bearing an indelible Austrian trade-mark.

It is understood that in all cases the Customs authorities retain the right to have recourse to legal expert advice if they consider the origin of consignments to be doubtful.

*Ad Article 20.*

The High Contracting Parties agree that the last paragraph of Article 20 shall also apply to exemptions in respect of family responsibilities.

*Ad Article 21.*

It is understood that so far as the laws of either High Contracting Party concerning companies are based upon the concession system, that Party reserves the right to examine each individual case.

The High Contracting Parties agree that profits on business done abroad by firms established in their territory shall be liable to the taxes and charges mentioned in the last paragraph of Article 21.

*Ad Articles 20 and 21.*

The provisions of Article 20, paragraph 1, shall not apply to the regulations concerning passports and identity-cards in force in Austria and in France (supervision of travellers, residence, etc.).

The High Contracting Parties agree that this exception shall not be applied in such a way as to exclude whole classes of persons (*Personenkreise*) from the benefit of the said Article.

Subject to the right of expulsion which each of the High Contracting Parties may exercise in conformity with its laws and police regulations and with international law, neither of the High Contracting Parties shall in any way restrict or limit the establishment and activities of the nationals of the other Party at present residing in its territory.

It is understood, however, that neither the provisions of the preceding paragraph nor the stipulations of Article 20, paragraph 1, shall affect the regulations in force concerning the admittance of foreign workers to the territory of each of the Contracting Parties and their employment therein.

It is further understood that most-favoured-nation treatment shall not include advantages arising out of special Conventions concluded by either High Contracting Party with third States with the object of regulating the employment of foreign workers, including clerical workers.

As regards the application of the last two paragraphs of Article 20, the High Contracting Parties declare that, in the matter of the collection of Customs duties, clearance formalities and charges relating thereto, each country will grant national treatment to the nationals of the other.

No measure affecting the ownership or use of the property, rights and interests of persons and companies of one of the High Contracting Parties may be taken by the other Party unless it is applicable, under the same conditions, to the property, rights and interests of its own nationals. Any measure for the transfer of such property, rights and interests, and any measure limiting or restricting the possession or use thereof, shall entail the payment of fair compensation, provided that such compensation is accorded to the nationals of the country.

The High Contracting Parties agree that no exception shall be made to the provisions of Articles 20 and 21 except in the case of certain fees not in the nature of taxes, which are charged in respect of certain definite administrative acts.

The High Contracting Parties agree that all the provisions of Article 21 concerning the treatment of companies shall also apply to their affiliated companies, branches and agencies.

In order to avoid double taxation, each of the High Contracting Parties shall refrain from taxing the profits made by shipping concerns, the centre of management of which is situated in the territory of the other Party. This provision shall not apply to profits which do not arise from navigation as such, but from subsidiary activities such as those of agencies maintained in places where the company's ships and boats do not call.

The High Contracting Parties, being desirous of promoting the solution of the problem of double taxation, whether national or international, shall keep each other informed of the efforts that are being made with this object in their country, with a view to consulting each other on the matter in due course, or to facilitating international agreements for the solution of the problem.

If, as the result of changes introduced in the laws and regulations of either Contracting Party after the signature of the present Convention, the treatment resulting from the most-favoured-nation clause should, on the whole, become less favourable in one State than in the other, negotiations shall be opened with a view to deciding upon measures calculated to ensure fair reciprocity on the most liberal basis. These measures, once they have been agreed upon, shall be applied by the Governments of the High Contracting Parties in the territory of each of the two States.

#### *Ad Article 29.*

Within three months of the entry into force of the present Agreement the High Contracting Parties shall examine together how far their respective laws concerning the tonnage-measurement of merchant ships, and also concerning the security of navigation and health measures on board the said vessels, are equivalent, with a view to arriving, if possible, at the reciprocal recognition of the value of the certificates issued by virtue of the said laws.

*Ad Article 29, paragraph 4.*

As regards the application of Article 29, paragraph 4, the Austrian Government declares that although in matters of emigration its legislation makes shipping companies and emigration agencies, whether national or foreign, subject to a State concession which must be obtained beforehand, and to Government supervision, it has acceded to the Geneva Convention and Statute on the International Régime of Maritime Ports without making, with regard to emigration, the reservation referred to in Article 12 of the said Statute.

The Austrian Government further declares that it will not withdraw the authorisation granted under the Imperial Ordinance of November 29, 1865, to the Compagnie Générale Transatlantique, the Compagnie des Chargeurs Réunis, the Société Générale des Transports Maritimes à Vapeur, and the Compagnie de Navigation Sud-Atlantique, for the transport of emigrants, unless these companies fail to comply with the provisions of that ordinance and the terms of the concession granted to them.

Any subsequent applications for concessions from other French shipping concerns shall be sympathetically considered, and shall in no case be treated less favourably than applications made by shipping concerns of the most favoured nation.

The French Government, having noted the declarations contained in the preceding paragraphs, agrees in consequence that it will not make use of the right based on the counter-reservation which it stipulated on signing the said Geneva Convention and Statute so long as the exercise of the concessions granted to the four companies mentioned above is not interfered with, and so long as the Austrian Government deals equitably with any French companies which may subsequently apply to it for an emigration concession.

The French Government likewise agrees not to apply compensatory measures forthwith, should it consider that French interests have been injured, and to enter into negotiations with the Austrian Government with a view to the protection of the said interests. These negotiations shall be opened immediately, and shall be brought to a conclusion within one month of the French Government's request. If an agreement is not reached within that time, France may declare that she is released from her obligations under Articles 29 and 30 of the present Convention, and thenceforward the maritime relations between the Contracting Parties shall be governed solely by the municipal law of each and by the international conventions to which they are both parties.

The compensatory measures referred to above may not, however, be taken by the French Government until two months after the termination of the negotiations. The same shall apply to any measures of retortion which the Austrian Government may think fit to take.

*Ad Articles 32 and 33.*

As regards the admittance of Austrian nationals to French colonies and their residence therein, the French Government shall not establish any measures of discrimination against them.

It shall accord most-favoured-nation treatment to the Austrian nationals, whether natural persons or companies, that are or may in future be allowed to establish themselves in French colonial territory, provided they observe the laws relating to public order and security and the local laws.

The French Government shall recommend the Tunisian Government not to establish measures of discrimination against Austrian nationals as regards their admittance to and residence in Tunis.

It shall recommend that Government to grant to Austrian nationals, whether natural persons or companies, established in Tunisian territory, the benefit of the general rights accorded to the nationals of the various Powers, provided they observe the laws relating to public order and security and the local laws.

For the purposes of this Protocol the terms "admittance", "residence", and "establishment" have the same meaning as the terms "admittance", "residence" and "establishment" employed in Articles 20 and 21.

The French Government shall recommend the Tunisian Government to extend the provisions of Article 29 to Tunisian ports, fishing and coastwise trade being, however, excluded.

The French Government shall recommend to the Shereefian Government the following amendments to the present régime applicable to Austrian goods and merchant ships in Morocco :

Natural and manufactured products originating in or coming from Austria shall, on importation into the French zone of Morocco, be subject to the Customs duties levied on the like products of any third Power, i. e., they shall be accorded most-favoured-nation treatment.

Subject to the exceptions provided for in Article 14 of the present Agreement, the importation of such products shall not be made conditional on any special authorisation.

Austrian merchant ships shall be allowed to call at ports in the French zone of Morocco for the purpose of loading and unloading goods and embarking or landing passengers. They shall not be subject to any differential treatment as regards these operations and the collection of the charges relating thereto, nor as regards the representation in ports of the companies to which the ships belong. The crews shall have the right to land and to carry out their duties on shore freely and without hindrance.

The French Government shall recommend the Shereefian Government to agree to the application of the foregoing provisions to the Tangier zone.

The High Contracting Parties agree that the provisions of the present Convention and the annexed Protocol of Signature concerning the so-called assimilated colonies shall not apply to Indo-China for the time being.

*Ad Article 35.*

For so long as the Austrian Federal Government has not acceded to the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes, it shall be entitled, on proceeding to appoint members of the Court of Arbitration provided for in Article 35 of the present Agreement, to choose one of its own nationals not included in the general list of members of the Permanent Court of Arbitration.