

N° 4374.

UNION SUD-AFRICAINE
ET FRANCE

Echange de notes comportant un accord commercial provisoire, Prétoria, le 27 août 1935, et échange de notes prorogeant cet accord, Prétoria, le 28 mars 1938.

UNION OF SOUTH AFRICA
AND FRANCE

Exchange of Notes constituting a Provisional Commercial Agreement, Pretoria, August 27th, 1935, and Exchange of Notes renewing this Agreement, Pretoria, March 28th, 1938.

No. 4374. — EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNION OF SOUTH AFRICA AND THE FRENCH GOVERNMENT CONSTITUTING A PROVISIONAL COMMERCIAL AGREEMENT¹. PRETORIA, AUGUST 27TH, 1935.

English official text communicated by the Accredited Representative of the Union of South Africa to the League of Nations. The registration of this Exchange of Notes took place June 22nd, 1938.

DEPARTMENT
OF EXTERNAL AFFAIRS.

P. M. 55/60.

I.

PRETORIA, August 27th, 1935.

MONSIEUR LE CHARGÉ D'AFFAIRES,

I have the honour to place on record that the Union and the French Government have agreed provisionally and pending a more embracing agreement as follows :

1. The following goods the produce or manufacture of France, to wit :

Cotton piece-goods not being canvas, blanketing or kaffirsheeting containing 50 per cent. or more of cotton and specified under Tariff item No. 76 (a) (i) and (ii) ;

Woollen piece-goods, woven or knitted, under Tariff item No. 76 (b) ;

Mixed piece-goods (containing 50 per cent. or more of artificial silk) under Tariff item No. 76 (c) (i) and (d) (i) ;

New hats, caps and bonnets of wool, felt, hair, straw and other vegetable fibre, under Tariff item No. 69 (d) and (e) ;

Beads under Tariff item No. 299 ;

shall enjoy, when imported into the Union from France, the benefit of the intermediate tariff.

2. The following goods originally coming from and produced in the Union shall, when imported into France, enjoy the tariff applicable to similar products of the most-favoured nation, to wit :

(1) Hides and skins, raw (item 21 of the French Customs Tariff) ;

(2) Pelts, raw (item 22 of the French Customs Tariff) ;

¹ Extended to July 31st, 1936, by Exchange of Notes of December 17th, 1935.

Extended to July 31st, 1937, by Exchange of Notes of May 6th, 1936.

Extended to December 31st, 1937, by Exchange of Notes of May 8th, 1937.

Extended to March 31st, 1938, by Exchange of Notes of December 22nd, 1937.

Extended to September 30th, 1938, by Exchange of Notes of March 28th, 1938. (See page 48 of this Volume.)

¹ TRADUCTION. — TRANSLATION.

N^o 4374. — ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT DE L'UNION SUD-AFRICAIN ET LE GOUVERNEMENT FRANÇAIS COMPORTANT UN ACCORD² COMMERCIAL PROVISOIRE. PRÉTORIA, LE 27 AOÛT 1935.

Texte officiel anglais communiqué par le représentant de l'Union Sud-africaine près la Société des Nations. L'enregistrement de cet échange de notes a eu lieu le 22 juin 1938.

DÉPARTEMENT
DES AFFAIRES EXTÉRIEURES.

I.

P. M. 55/60.

PRÉTORIA, le 27 août 1935.

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai l'honneur de confirmer que le Gouvernement de l'Union et le Gouvernement français, à titre provisoire et en attendant la conclusion d'un accord plus général, sont convenus des dispositions suivantes :

1. Les articles ci-après, produits ou manufacturés en France, à savoir :

Tissus de coton en pièces, à l'exclusion de la toile à voiles, des couvertures ou des draps dits kaffir-sheeting, contenant 50 % ou plus de coton et mentionnés au N^o 76 a) (i) et (ii) du tarif ;

Tissus de laine en pièces, tissés ou tricotés, du N^o 76 b) du tarif ;

Tissus mélangés en pièces (contenant 50 % ou plus de soie artificielle) du N^o 76 c) (i) et d) (i) du tarif ;

Chapeaux, casquettes et bonnets neufs de laine, de feutre, de poils, de paille et d'autres fibres végétales, du N^o 69 d) et e) du tarif ;

Conterie du N^o 299 du tarif,

bénéficieront, à leur importation dans l'Union en provenance de la France, des taux du tarif intermédiaire.

2. Les articles ci-après originaires de l'Union et produits dans cette dernière bénéficieront à leur importation en France du tarif applicable aux mêmes produits de la nation la plus favorisée, à savoir :

1^o Peaux brutes (article 21 du tarif douanier français) ;

2^o Pelleteries brutes (article 22 du tarif douanier français) ;

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

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

² Prorogé jusqu'au 31 juillet 1936 par un échange de notes du 17 décembre 1935.

Prorogé jusqu'au 31 juillet 1937 par un échange de notes du 6 mai 1936.

Prorogé jusqu'au 31 décembre 1937 par un échange de notes du 8 mai 1937.

Prorogé jusqu'au 31 mars 1938 par un échange de notes du 22 décembre 1937.

Prorogé jusqu'au 30 septembre 1938 par l'échange de notes du 28 mars 1938. (Voir page 48 de ce volume.)

- (3) Wool and woollen sheepskins (ex item 23 of the French Customs Tariff) ;
 (4) Hairs combed or carded of Angora Goats (ex item 25 of the French Customs Tariff) ;
 (5) Asbestos (ex item 179^{ter} B of the French Customs Tariff) ;
 (6) Manganese ore (item 231 of the French Customs Tariff) ;

3. No goods shall be regarded as having been manufactured or produced in France unless at least 25 per cent. of the factory or works cost of those goods is represented by material produced and labour performed in France.

4. The Union Government undertake not to extend, during the currency of this Agreement, to the detriment of French goods, the list of goods in respect of which the maximum tariff is to be applied.

5. This Agreement shall come into force from to-day and shall continue in force during the year 1935.

6. This Agreement shall be subject to ratification by both Houses of Parliament of the Union in its next Session and by the Parliament of France.

7. The Union shall, for the purposes of this Agreement, include the Mandated Territory of South West Africa.

I will greatly appreciate receiving from you the assurance that the above represents correctly the terms agreed upon.

Please accept, Monsieur le Chargé d'Affaires, the assurance of my highest consideration.

H. D. J. BODENSTEIN,
Secretary for External Affairs.

The French Chargé d'Affaires,
 972 Arcadia Street,
 Pretoria.

II.

RÉPUBLIQUE FRANÇAISE.

PRETORIA, *August 27th*, 1935.

SIR,

I beg to acknowledge receipt of your letter of even date and to give you the assurance that the following terms as set forth in your letter under reply correctly reflect the Agreement arrived at between the French and the Union Governments :

1. The following goods, the produce or manufacture of France, to wit :

Cotton piece-goods not being canvas, blanketing or kaffirsheeting containing 50 per cent. or more of cotton and specified under Tariff item No. 76 (a) (i) and (ii) ;

Woollen piece-goods, woven or knitted, under Tariff item No. 76 (b) ;

Mixed piece-goods (containing 50 per cent. or more of artificial silk) under Tariff item No. 76 (c) (i) and (d) (i) ;

New hats, caps and bonnets of wool, felt, hair, straw and other vegetable fibre, under Tariff item No. 69 (d) and (e) ;

Beads under Tariff item No. 299 ;

shall enjoy, when imported into the Union from France, the benefit of the intermediate tariff.

2. The following goods originally coming from and produced in the Union shall, when imported into France, enjoy the tariff applicable to similar products of the most-favoured nation, to wit :

- (1) Hides and skins, raw (item 21 of the French Customs Tariff) ;
- (2) Pelts, raw (item 22 of the French Customs Tariff) ;
- (3) Wool and woollen sheepskins (ex item 23 of the French Customs Tariff) ;
- (4) Hairs combed or carded of Angora Goats (ex item 25 of the French Customs Tariff) ;
- (5) Asbestos (ex item 179ter B of the French Customs Tariff) ;
- (6) Manganese ore (item 231 of the French Customs Tariff).

3. No goods shall be regarded as having been manufactured or produced in France unless at least 25 per cent. of the factory or works cost of those goods is represented by material produced and labour performed in France.

4. The Union Government undertake not to extend, during the currency of this Agreement, to the detriment of French goods, the list of goods in respect of which the maximum tariff is to be applied.

5. This Agreement shall come into force from to-day and shall continue in force during the year 1935.

6. This Agreement shall be subject to ratification by both Houses of Parliament of the Union in its next Session and by the Parliament of France.

7. The Union shall, for the purposes of this Agreement, include the Mandated Territory of South West Africa.

Please accept, Sir, the assurance of my highest consideration.

M. DE SIMONIN,
Chargé d'Affaires for France.

To the Secretary for External Affairs,
Department of External Affairs,
Union Buildings,
Pretoria.

Certified a true copy :

P. R. Botha,
Under-Secretary for External Affairs,
Pretoria.

EXCHANGE OF NOTES

BETWEEN THE GOVERNMENT OF THE UNION OF SOUTH AFRICA AND THE FRENCH GOVERNMENT CONSTITUTING AN AGREEMENT FOR THE FURTHER PROLONGATION, UNTIL SEPTEMBER 30TH, 1938, OF THE PROVISIONAL COMMERCIAL AGREEMENT OF THE 27TH AUGUST, 1935, BETWEEN THE TWO COUNTRIES. PRETORIA, MARCH 28TH, 1938.

Registered on October 12th, 1938, at the request of the Accredited Representative of the Union of South Africa to the League of Nations.

I.

DEPARTMENT
OF EXTERNAL AFFAIRS.

P.M. 55/60.

PRETORIA, *March 28th, 1938.*

MR. MINISTER,

I have the honour to place on record that the Government of the Union of South Africa agree to the further prolongation, to the 30th September, 1938, of the operation of the Preliminary Commercial Agreement which was concluded between the Governments of the Union of South Africa and France on the 27th August, 1935, as subsequently extended, provided that this Agreement will lapse if not ratified by Resolution of both Houses of Parliament of the Union of South Africa during its next ensuing Session.

The present Note, and your confirmatory reply in similar terms, will be regarded as an Agreement between our two Governments in this matter, with effect from the 1st April, 1938.

Please accept, Mr. Minister, the renewed assurance of my highest consideration.

(Sgd.) H. D. J. BODENSTEIN,
Secretary for External Affairs.

The Envoy Extraordinary and
Minister Plenipotentiary of
the French Republic,
972 Arcadia Street,
Pretoria.

ÉCHANGE DE NOTES

ENTRE LE GOUVERNEMENT DE L'UNION SUD-AFRICAINE ET LE GOUVERNEMENT FRANÇAIS COMPORTANT UN ACCORD CONCERNANT LA PROLONGATION JUSQU'AU 30 SEPTEMBRE 1938 DE L'ACCORD COMMERCIAL PROVISOIRE DU 27 AOÛT 1935 ENTRE LES DEUX PAYS. PRÉTORIA, LE 28 MARS 1938.

Enregistré le 12 octobre 1938 à la demande du représentant de l'Union Sud-africaine près la Société des Nations.

I.

¹ TRADUCTION. — TRANSLATION.

DÉPARTEMENT
DES AFFAIRES EXTÉRIEURES.

P.M. 55/60.

PRÉTORIA, *le 28 mars 1938.*

MONSIEUR LE MINISTRE,

J'ai l'honneur de vous informer que le Gouvernement de l'Union Sud-africaine accepte de prolonger à nouveau et jusqu'au 30 septembre 1938 l'Accord commercial provisoire conclu entre les Gouvernements de l'Union Sud-africaine et de la France le 27 août 1935 et prolongé ultérieurement, à la condition que cet accord deviendra nul s'il n'est pas ratifié par résolution des deux Chambres du Parlement de l'Union Sud-africaine au cours de sa prochaine session.

La présente note et votre confirmation conçue en termes analogues seront considérées comme constituant un accord entre nos deux gouvernements, qui entrera en vigueur le 1^{er} avril 1938.

Veuillez agréer, etc.

(Signé) H. D. J. BODENSTEIN,
Secrétaire aux Affaires extérieures.

L'Envoyé extraordinaire et
Ministre plénipotentiaire de la
République française,
972, Arcadia Street,
Prétoria.

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

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

II.

RÉPUBLIQUE FRANÇAISE.
LÉGATION DE FRANCE
EN AFRIQUE DU SUD.

PRÉTORIA, le 28 mars 1938.

MONSIEUR LE SECRÉTAIRE
AUX AFFAIRES EXTÉRIEURES,

Me référant à votre lettre en date de ce jour relative à l'Accord commercial préliminaire conclu entre le Gouvernement français et celui de l'Union Sud-africaine le 27 août 1935 et prolongé ensuite jusqu'au 31 mars 1938, j'ai l'honneur de vous informer que le Gouvernement français accepte de prolonger de nouveau et jusqu'au 30 septembre 1938 ledit accord commercial à la condition que cet accord deviendra nul s'il n'est pas ratifié par le Parlement de l'Union dans sa prochaine session.

Je vous confirme que votre lettre mentionnée ci-dessus et la présente réponse constitueront un accord entre nos deux gouvernements qui entrera en vigueur le 1^{er} avril 1938.

Veuillez agréer, Monsieur le Secrétaire aux Affaires extérieures, l'assurance de ma haute considération.

(Sgd.) M. DE SIMONIN,
*Envoyé extraordinaire
et Ministre plénipotentiaire
de la République française
dans l'Union Sud-africaine.*

Monsieur le Secrétaire aux Affaires
extérieures de l'Union Sud-africaine,
Département des Affaires extérieures,
Prétoira.

II.

¹ TRADUCTION. — TRANSLATION.

FRENCH REPUBLIC.
FRENCH LEGATION IN
SOUTH AFRICA.

PRETORIA, March 28th, 1938.

SIR,

With reference to your Note of to-day's date, relative to the Preliminary Commercial Agreement which was concluded between the Governments of France and the Union on the 27th August, 1935, and subsequently extended to the 31st March, 1938, I have the honour herewith to place on record that the Government of France agree to the further prolongation of the above Preliminary Commercial Agreement to the 30th September, 1938, provided that this Agreement will lapse if not ratified by the Parliament of the Union during its next ensuing Session.

It is hereby confirmed that your Note under reference and this reply thereto constitute an Agreement between our two Governments, coming into force on the 1st April, 1938.

Please accept, Sir, the renewed assurance of my highest consideration.

(Sgd.) M. DE SIMONIN,
*Envoy Extraordinary
and Minister Plenipotentiary
for the French Republic
in the Union of South Africa.*

The Secretary for External Affairs,
Department of External Affairs,
Pretoria.

Certified a true copy :

P. R. Botha,
Under-Secretary for External Affairs,
Pretoria.

¹ Traduction du Gouvernement de l'Union Sud-africaine.

¹ Translation of the Government of the Union of South Africa.