

N° 2941.

JAPON ET PORTUGAL

Accord concernant le commerce et
la navigation. Signé à Lisbonne,
le 23 mars 1932.

JAPAN AND PORTUGAL

Agreement regarding Commerce and
Navigation. Signed at Lisbon,
March 23, 1932.

¹ TRADUCTION. — TRANSLATION.

No. 2941. — AGREEMENT ² BETWEEN JAPAN AND PORTUGAL
REGARDING COMMERCE AND NAVIGATION. SIGNED AT LISBON,
MARCH 23, 1932.

French official text communicated by the Director of the Japanese Office accredited to the League of Nations and the Head of the Portuguese Office accredited to the League of Nations. The registration of this Agreement took place April 22, 1932.

THE GOVERNMENT OF HIS MAJESTY THE EMPEROR OF JAPAN and THE GOVERNMENT OF THE PORTUGUESE REPUBLIC, being desirous of encouraging the development of commercial relations between Japan and Portugal, have resolved, as a provisional measure applicable until the conclusion of a treaty of commerce and navigation regulating all economic relations between the two countries, to authorise their respective Plenipotentiaries to embody in the present Agreement the following provisions regarding commerce and navigation, upon which the High Contracting Parties are already agreed :

Article 1.

Natural and industrial products of the territories of either High Contracting Party shall, irrespective of the place from which they come, enjoy most-favoured-nation treatment, upon importation into the territory of the other, as regards both import and internal duties and any other advantage which is or which may hereafter be granted to any other foreign country.

Article 2.

The provisions of the present Agreement shall not apply to the advantages which either High Contracting Party grants or may hereafter grant by way of exception to contiguous States, or to the treatment granted to the products of national fisheries or of fisheries which are, as regards the importation of their products assimilated to national fisheries, or to the special favours which Portugal grants or may hereafter grant exclusively to Brazil.

Article 3.

As regards the importation into the territories of either High Contracting Party of any natural or industrial product of the other Party, no prohibitions or restrictions shall be maintained or imposed unless they are also applicable to the importation of similar natural or industrial products of any other foreign country.

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 Came into force April 22, 1932.

Exceptions to this rule shall only be made in the case of prohibitions or restrictions of a sanitary or other nature dictated by considerations of public health and necessary for the protection of cattle or useful plants.

Article 4.

(a) Japan undertakes, for the duration of the present Agreement, to allow the importation, transport and sale within the country of all Portuguese wines of a strength of 21° or under. Nevertheless, this provision may cease to apply should Japan establish a wine monopoly.

(b) Japan recognises that the appellations "Porto" (Port, Oporto, Port Wine, Portwein, and combinations of similar names) and "Madeira" (Madère, Madeira Wine, Madeirawein and combinations of similar names), together with the appellations "Setubal Muscatel" and "Carcavelos" are regional appellations exclusively applicable to the wines of the Portuguese territories of the Douro, the island of Madeira, Setubal and Carcavelos, and undertakes to allow the importation of wines bearing these appellations only if they come from the aforesaid territories and are accompanied by certificates of origin issued by the competent Portuguese authorities. These provisions shall apply even if the regional appellation is accompanied by the name of the actual place of origin or the expression "type", "kind", "quality" or any other similar expression.

(c) The provisions of this Agreement shall not affect the regulations contained in the Japanese laws on wines for the protection of public health.

(d) The provisions of this Article shall not be regarded as affecting engagements already existing between Japan and third Powers.

Article 5.

During the period of validity of the present Agreement, the High Contracting Parties shall grant each other most-favoured-nation treatment in matters of navigation, and in particular as regards charges on maritime commerce.

Article 6.

The provision of the present Agreement shall be applicable to all the territories and possessions belonging to either High Contracting Party or administered by such Party.

Article 7.

The present Agreement shall come into force thirty days after the date of signature.

It shall be valid for one year from the date of its entry into force.

Should it not be denounced by either High Contracting Party at least three months before the expiration of the said period, the present Agreement shall be renewed by tacit consent and shall remain in force until the expiration of a period of three months from the date of its denunciation.

Done in duplicate at Lisbon on the twenty-third day of the third month of the seventh year of Showa, corresponding to March 23, one thousand nine hundred and thirty-two.

(L. S.) Tamekichi OHTA.

(L. S.) Fernando Augusto BRANCO.