

N° 3628.

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**GRANDE-BRETAGNE  
ET IRLANDE DU NORD  
ET POLOGNE**

Accord concernant le traitement des voyageurs de commerce et de leurs échantillons, signé à Varsovie, le 26 octobre 1933, et échange de notes relatif à l'adhésion de la Pologne, au nom de la Ville libre de Dantzig, à cet accord, Londres, le 26 avril 1935.

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**GREAT BRITAIN  
AND NORTHERN IRELAND  
AND POLAND**

Agreement relating to the Treatment of Commercial Travellers and their Samples, signed at Warsaw, October 26th, 1933, and Exchange of Notes relating to the Accession of Poland on behalf of the Free City of Danzig to this Agreement, London, April 26th, 1935.

No. 3628. — AGREEMENT<sup>1</sup> BETWEEN GREAT BRITAIN AND NORTHERN IRELAND AND POLAND RELATING TO THE TREATMENT OF COMMERCIAL TRAVELLERS AND THEIR SAMPLES. SIGNED AT WARSAW, OCTOBER 26TH, 1933.

*English and Polish official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Agreement took place March 23rd, 1935.*

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and THE PRESIDENT OF THE REPUBLIC OF POLAND, being desirous of fostering the development of commerce between the United Kingdom of Great Britain and Northern Ireland on the one hand and Poland on the other, and of increasing the exchange of commodities by facilitating the work of commercial travellers, have decided to conclude an Agreement for that purpose, and have appointed as their Plenipotentiaries, that is to say :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

The Right Honourable Sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw ;

THE PRESIDENT OF THE REPUBLIC OF POLAND :

M. Józef BECK, Minister of Foreign Affairs ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following stipulations :

*Article I.*

Commercial travellers representing persons, companies or firms carrying on business in Poland (hereinafter referred to as commercial travellers of Poland or of the one or other High Contracting Party as the case may be) may operate in the United Kingdom and reciprocally commercial travellers representing persons, companies or firms carrying on business in the United Kingdom (hereinafter referred to as commercial travellers of the United Kingdom or of the one or other High Contracting Party as the case may be) may operate in Poland on compliance with the regulations in force in the respective countries. It is, however, agreed that the stipulations of the Anglo-Polish Treaty of Commerce and Navigation<sup>2</sup> signed at Warsaw on the 26th November, 1923, which provide for the

<sup>1</sup> The exchange of ratifications took place at London, January 22nd, 1935.

<sup>2</sup> Vol. XXVIII, page 427 ; Vol. XXXV, page 316 ; Vol. XXXIX, page 195 ; Vol. XLV, page 123 ; and Vol. LXXXVIII, page 318. of this Series.

mutual accord of most-favoured-nation treatment, shall so long as this Treaty remains in force apply unconditionally to the treatment of such commercial travellers and their samples or specimens.

*Article 2.*

A commercial traveller of either High Contracting Party may be required to obtain from the authorities nominated by such High Contracting Party a certificate attesting his character as a commercial traveller. Any such certificate shall conform to the specimen annexed to the present Agreement.

The High Contracting Parties shall as soon as possible communicate to each other a list of the authorities in Poland and the United Kingdom respectively nominated by them as competent to issue such certificates, as well as the regulations with which the respective commercial travellers must comply in carrying on their business.

*Article 3.*

A commercial traveller may import and sell any samples or specimens, the importation of which is not prohibited, provided, however, that this Article shall not operate to allow the importation or sale of any merchandise as distinct from a sample or specimen.

*Article 4.*

Samples or specimens which are liable to import duty and the importation of which is not prohibited shall, when introduced by commercial travellers operating under the provisions of this Agreement, be temporarily admitted free of duty into the country in which they propose to operate, subject to the amount of the import duties being deposited or security given for payment if necessary.

The period for re-exportation shall be not less than twelve months. When the period of grace has expired, duty shall be payable on samples or specimens which have not been re-exported or placed in bond.

*Article 5.*

For the purposes of this Agreement, all objects representative of a specified category of goods shall be considered as samples or specimens, provided first that the said articles are such that they can be duly identified on re-exportation, and secondly that the articles thus imported are not of such quantity or value that, taken as a whole, they no longer constitute samples in the usual sense.

*Article 6.*

(1) If before the expiration of the prescribed period the samples or specimens are presented with a view to re-exportation at a Custom-house open for that purpose, that Custom-house shall satisfy itself that the articles so presented to it are, in fact, those originally admitted under the conditions of Article 4. If there is no doubt in this regard, the Custom-house in question shall refund the amount of duty deposited or take the necessary steps for releasing the security given.

(2) The Customs Authorities of the importing country shall recognise as sufficient for the future identification of the samples or specimens the marks which have been affixed by the Customs Authorities of the exporting country, provided that the said samples or specimens are accompanied by a descriptive list certified by the Customs Authorities of the latter. Additional marks may, however, be affixed to the samples or specimens by the Customs Authorities of the importing country in all cases in which the latter consider the additional guarantee indispensable for ensuring the identification of the samples or specimens on re-exportation. Except in the latter case, Customs verifi-

cation shall be confined to identifying the samples and deciding the total duties and charges to which they may eventually be liable.

(3) The refund of duties paid on importation or the release of the security for the payment of these duties shall be effected without undue delay at any Custom-house open for the purpose (and not only that through which they were imported) and subject to the deduction of the duties payable on samples or specimens not produced for re-exportation or placed in bond.

(4) The High Contracting Parties will notify to each other the Custom-houses open for the purpose of re-exporting samples or specimens under this Agreement.

#### *Article 7.*

Persons carrying on business in Poland or their representatives (or the representatives of companies or firms carrying on business in Poland) who visit fairs and markets in the United Kingdom, and persons carrying on business in the United Kingdom or their representatives (or the representatives of companies or firms carrying on business in the United Kingdom) who visit fairs and markets in Poland for the purpose of carrying on their business or exhibiting their wares shall not be subject to taxes higher than those payable in similar circumstances by nationals.

#### *Article 8.*

The provisions of this Agreement do not apply to pedlars, hawkers or other salesmen who sell directly to the consumer.

#### *Article 9.*

Nothing in this Agreement shall affect the application in Poland and the United Kingdom respectively of the conditions and regulations for the time being in force therein with respect to the entry, travelling and residence of all foreigners.

#### *Article 10.*

The Republic of Poland, to whom it pertains to ensure the conduct of the foreign affairs of the Free City of Danzig under Article 104 of the Treaty of Versailles and Articles 2 and 6 of the Convention<sup>1</sup> between Poland and the Free City of Danzig signed in Paris on the 9th November, 1920, reserves the right to declare at any time while the present Agreement is in force that the Free City of Danzig is a Contracting Party to this Agreement, and that it assumes the obligations and acquires the rights laid down therein.

#### *Article 11.*

The present Agreement shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

The Agreement shall come into force on the thirtieth day after the exchange of the instruments of ratification, and shall remain in force until the expiration of three months from the date on which either of the High Contracting Parties shall have denounced it.

In witness whereof the above-named Plenipotentiaries have signed the present Agreement and have affixed thereto their seals.

Done at Warsaw in duplicate, each in the Polish and English languages, both of which shall have equal force, the 26th day of October, nineteen hundred and thirty-three.

(L. S.) William ERSKINE.

<sup>1</sup> Vol. VI, page 189; and Vol. CVII, page 459, of this Series.

## ANNEX I.

(Translation.)

POLAND.

.....  
(Issuing Office.)

## IDENTITY CARD FOR COMMERCIAL TRAVELLERS.

(Valid for twelve months including the day of issue.)

Good for ..... No. of identity card .....

It is hereby certified that the bearer of this card

M ..... born at .....

living at ..... No. .... Street.....

is the owner of <sup>(1)</sup> .....

at .....

for the purpose of trade .....

(or) is a commercial traveller employed by the firm(s) of .....

..... at .....

which possess (possesses) <sup>(1)</sup> .....

for the purposes of trade .....

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

..... the ..... 19 .

Description of the bearer.

Age .....

Height .....

Hair .....

Special marks .....

.....  
Signature of the head of the firm(s)......  
Signature of the issuing authority.

Signature of the bearer.

(photograph)

.....

<sup>(1)</sup> State the articles or nature of the trade.

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

## ANNEX II.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND.

.....  
(Issuing Office.)

## IDENTITY CARD FOR COMMERCIAL TRAVELLERS.

(Valid for twelve months including the day of issue.)

Good for ..... No. of identity card .....

It is hereby certified that the bearer of this card

M ..... born at .....

living at ..... No. .... Street .....

is the owner of <sup>(1)</sup> .....

at .....

for the purpose of trade .....

.....

(or) is a commercial traveller employed by the firm(s) of .....

..... at .....

which possess (possesses) <sup>(1)</sup> .....

for the purposes of trade .....

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

..... the ..... 19 .

Description of the bearer.

Age .....

Height .....

Hair .....

Special marks .....

.....  
Signature of the head of the firm(s)......  
Signature of the issuing authority.

Signature of the bearer :

(photograph)

.....

<sup>(1)</sup> State the articles or nature of the trade.

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

<sup>1</sup> TRADUCTION. — TRANSLATION.N<sup>o</sup> 3628. — ACCORD ENTRE LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD ET LA POLOGNE, CONCERNANT LE TRAITEMENT DES VOYAGEURS DE COMMERCE ET DE LEURS ÉCHANTILLONS. SIGNÉ A VARSOVIE, LE 26 OCTOBRE 1933.

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES, et LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, désireux de développer les relations commerciales entre le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, d'une part, et la Pologne, d'autre part, et d'augmenter les échanges de marchandises en facilitant l'activité de leurs voyageurs de commerce, ont décidé de conclure à cette fin un accord, et ont nommé pour leurs plénipotentiaires :

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :

POUR LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD :

Le très honorable sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., ambassadeur extraordinaire et plénipotentiaire de Sa Majesté à Varsovie ;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE :

M. Józef BECK, ministre des Affaires étrangères ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

*Article premier.*

Les voyageurs de commerce représentant des particuliers, sociétés ou entreprises qui exercent leur activité en Pologne (dénommés ci-après voyageurs de commerce de la Pologne, ou de l'une ou l'autre des Hautes Parties contractantes, selon le cas) pourront opérer dans le Royaume-Uni, et, réciproquement, les voyageurs de commerce représentant des particuliers, sociétés ou entreprises qui exercent leur activité dans le Royaume-Uni (dénommés ci-après voyageurs de commerce du Royaume-Uni, ou bien de l'une ou l'autre des Hautes Parties contractantes, selon le cas) pourront opérer en Pologne, s'ils se conforment aux règlements en vigueur dans l'un ou l'autre de ces pays. Il est convenu, cependant, que les stipulations du traité de commerce et de navigation anglo-polonais, signé à Varsovie le 26 novembre 1923, qui prévoit l'octroi réciproque du traitement de la nation la plus favorisée, s'appliqueront inconditionnellement au traitement de ces voyageurs de commerce et de leurs échantillons ou modèles, aussi longtemps que ce traité restera en vigueur.

*Article 2.*

Les voyageurs de commerce de l'une ou l'autre des Hautes Parties contractantes pourront être tenus de demander aux autorités désignées par cette Partie contractante un certificat attestant leur

<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.

## ECHANGE DE NOTES

ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT POLONAIS RELATIF A L'ADHÉSION DE LA POLOGNE, AU NOM DE LA VILLE LIBRE DE DANTZIG, AUX DISPOSITIONS DE L'ACCORD ANGLO-POLONAIS DU 26 OCTOBRE 1933, CONCERNANT LE TRAITEMENT DES VOYAGEURS DE COMMERCE ET DE LEURS ÉCHANTILLONS. LONDRES, LE 26 AVRIL 1935.

*Textes officiels français et anglais communiqués par le Secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne, le 12 juillet 1935.*

## I.

AMBASSADE DE POLOGNE  
A LONDRES.  
N<sup>o</sup> 82/27.

*Le 26 avril 1935.*

MONSIEUR LE MINISTRE,

D'ordre de mon gouvernement j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit :

Le Gouvernement polonais, auquel il appartient d'assurer la conduite des affaires extérieures de la Ville libre de Dantzig en vertu de l'article 104 du Traité de Paix, signé à Versailles le 28 juin 1919 et des articles 2 et 6 de la Convention entre la Pologne et la Ville libre de Dantzig, signée à Paris le 9 novembre 1920, déclare, en agissant pour la Ville libre de Dantzig et en exécution de l'article 10 de l'Accord entre la Pologne et la Grande-Bretagne concernant le traitement des commis-voyageurs et de leurs échantillons, signé à Varsovie le 26 octobre 1933, que la Ville libre de Dantzig devient Partie contractante audit accord à partir du 15<sup>e</sup> jour qui suivra la date de la réception par le Gouvernement de Sa Majesté britannique de la présente notification.

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

## EXCHANGE OF NOTES

BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE POLISH GOVERNMENT RELATING TO THE ACCESSION OF POLAND, ON BEHALF OF THE FREE CITY OF DANZIG, TO THE PROVISIONS OF THE ANGLO-POLISH AGREEMENT OF OCTOBER 26TH, 1933, RELATING TO THE TREATMENT OF COMMERCIAL TRAVELLERS AND THEIR SAMPLES. LONDON, APRIL 26TH, 1935.

*English and French official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain, July 12th, 1935.*

<sup>1</sup> TRADUCTION. — TRANSLATION.

## I.

POLISH EMBASSY  
IN LONDON.  
No. 82/27.

*April 26th, 1935.*

SIR,

Acting upon instructions from my Government, I have the honour to inform you of the following :

The Polish Government, to whom it pertains to ensure the conduct of the foreign relations of the Free City of Danzig under Article 104 of the Treaty of Peace, signed at Versailles on June 28th, 1919, and Articles 2 and 6 of the Convention between Poland and the Free City of Danzig, signed at Paris on November 9th, 1920, declares, on behalf of the Free City of Danzig and in execution of Article 10 of the Agreement between Poland and Great Britain relating to the treatment of commercial travellers and their samples, signed at Warsaw on October 26th, 1933, that the Free City of Danzig becomes a Contracting Party to the said Agreement on the fifteenth day following the date of the receipt by His Majesty's Government in the United Kingdom of the present notification.

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



J'ai l'honneur de prier Votre Excellence de bien vouloir m'accuser réception de la présente note.

Je saisis cette occasion pour présenter à Votre Excellence les assurances de ma plus haute considération, avec laquelle j'ai l'honneur d'être, Monsieur le Ministre, de Votre Excellence le très dévoué et obéissant serviteur

Edward RACZYŃSKI,  
*Ambassadeur extraordinaire  
et plénipotentiaire.*

Son Excellence le très honorable  
Sir J. Simon, K.C.V.O., P.C., M.P.,  
etc., etc., etc.

## II.

FOREIGN OFFICE, S. W. I.

No. C/3444/315/55.

*April 26th, 1935.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of Your Excellency's note No. 82/27 of to-day's date stating that the Polish Government, to whom it pertains to ensure the conduct of the foreign relations of the Free City of Danzig, declare, on behalf of the Free City of Danzig and in execution of Article 10 of the Agreement between Poland and Great Britain relating to the treatment of commercial travellers and their samples, signed at Warsaw on the 26th October, 1933, that the Free City of Danzig becomes a Contracting Party to the said Agreement on the fifteenth day following the date of the receipt by His Majesty's Government in the United Kingdom of your note, *i. e.* on the 11th May.

2. I have the honour to inform you that His Majesty's Government in the United Kingdom have taken note of your communication under reply.

I have the honour to be, with the highest consideration, Your Excellency's obedient Servant.

John SIMON.

His Excellency  
Count Edward Raczyński,  
etc., etc., etc.

I have the honour to request you to be good enough to acknowledge receipt of the present note, and to be, etc.

Edward RACZYŃSKI,  
*Ambassador Extraordinary  
and Plenipotentiary.*

The Right Honourable  
Sir J. Simon, K.C.V.O., P.C., M.P.,  
etc., etc., etc.

## II.

FOREIGN OFFICE, S. W. I.

No C/3444/315/55.

*26 avril 1935.*

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser réception de la note de Votre Excellence N° 82/27 en date d'aujourd'hui, exposant que le Gouvernement polonais, à qui il appartient d'assurer la conduite des affaires extérieures de la Ville libre de Dantzig, déclare, au nom de la Ville libre de Dantzig et en exécution de l'article 10 de l'Accord entre la Pologne et la Grande-Bretagne concernant le traitement des commis-voyageurs et de leurs échantillons, signé à Varsovie le 26 octobre 1933, que la Ville libre de Dantzig devient Partie contractante audit accord à partir du quinzième jour qui suivra la date de la réception, par le Gouvernement de Sa Majesté dans le Royaume-Uni, de votre notification, c'est-à-dire le 11 mai.

2. J'ai l'honneur de porter à votre connaissance que le Gouvernement de Sa Majesté dans le Royaume-Uni a pris acte de votre communication.

Je saisis cette occasion, etc.

John SIMON.

Son Excellence  
le Comte Edward Raczyński,  
etc., etc., etc.