

No. 5060

**FEDERATION OF RHODESIA AND NYASALAND
and
PORTUGAL**

Trade Agreement. Signed at Lisbon, on 29 November 1958

Official texts: English and Portuguese.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
17 March 1960.*

**FÉDÉRATION DE LA RHODÉSIE ET DU NYASSALAND
et
PORTUGAL**

Accord commercial. Signé à Lisbonne, le 29 novembre 1958

Textes officiels anglais et portugais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
17 mars 1960.*

No. 5060. TRADE AGREEMENT¹ BETWEEN THE FEDERATION OF RHODESIA AND NYASALAND AND PORTUGAL. SIGNED AT LISBON, ON 29 NOVEMBER 1958

The Government of Portugal and the Government of the Federation of Rhodesia and Nyasaland, considering that it is desirable to promote and facilitate commercial relations between their respective territories;

And particularly bearing in mind the relationship resulting from the contiguity of the Federation of Rhodesia and Nyasaland and Mozambique, and the terms of Article XI of the Beira Convention of the 17th of June, 1950;

Have determined to conclude an Agreement and have nominated as their representatives for this purpose :

The Government of Portugal :

His Excellency Dr. Marcello Nunes Duarte Mathias, Minister for Foreign Affairs,

The Government of the Federation of Rhodesia and Nyasaland :

His Excellency the Honourable Sir Roy Welensky, C.M.G., M.P., Prime Minister and Minister for External Affairs,

who have agreed as follows :

Article I

The Contracting Governments will grant to each other most favoured nation treatment so that the goods grown, produced or manufactured in Continental Portugal, Madeira, the Azores and the Overseas Provinces (hereinafter referred to as the territories of Portugal) when imported into the Federation of Rhodesia and Nyasaland, and, reciprocally, goods grown, produced or manufactured in the Federation of Rhodesia and Nyasaland, when imported into the territories of Portugal, will not be subject to customs duties and charges of any kind imposed on or in connection with importation higher than those which are levied at the time of importation on similar goods grown, produced or manufactured in any other country :

Provided that :

- (a) Such goods grown, produced or manufactured in the Federation of Rhodesia and Nyasaland will not enjoy preferential treatment in the customs tariff which is, at the time of importation, granted in any of the territories of Portugal

¹ Came into force on 26 June 1959 by the exchange of the instruments of ratification, in accordance with article VII.

- to goods grown, produced or manufactured in any of the other territories of Portugal; nor will they benefit from the special provisions which Portugal has made or may at a later date make, by agreements, with Spain or Brazil in view of the special relations which exist with these countries;
- (b) Such goods grown, produced or manufactured in the territories of Portugal shall not be entitled to the benefits of any preference which is, at the time of importation, granted by the Federation of Rhodesia and Nyasaland to goods grown, produced or manufactured in any of the Territories listed in Annexure A¹ to the General Agreement on Tariffs and Trade;²
- (c) Neither of the Contracting Governments shall be entitled to the benefit or any advantage, privilege, or facility which the other Contracting Government may grant, in respect of all or part of its territory, by virtue of any agreement constituting a customs union or free trade area.

Article II

Goods grown, produced or manufactured in the territories of the Contracting Governments, when imported into the territories of Portugal on the one hand or into the Federation of Rhodesia and Nyasaland on the other hand, from wherever they may be consigned, will enjoy treatment no less favourable than that granted in the importing territory to similar goods grown, produced or manufactured in any other country, in respect of fees and other charges which the respective Governments, local authorities or any body or corporation may levy in respect of the distribution, sale, consumption, processing or manipulation of such imported goods within the country, and in matters relating to the application of such fees and other charges.

Article III

In respect of the importation of goods, the entry of which is not subject to quantitative restrictions, the Contracting Governments will reciprocally accord to one another in matters which are not provided for in Articles I and II treatment no less favourable than that applied to any country other than, in the case of Portugal, the Portuguese Monetary Area and, in the case of the Federation of Rhodesia and Nyasaland, the countries comprising the Sterling Area.

With respect to goods, the importation of which is subject to quantitative restrictions, each Contracting Government will consider sympathetically any

¹ United Nations, *Treaty Series*, Vol. 55, p. 284; Vol. 138, p. 334; Vol. 226, p. 342; Vol. 280, p. 350, and Vol. 281, p. 394.

² See footnote 4, p. 110 of this volume.

requests made to it by the other for the grant of quotas, particularly with regard to products comprised in the traditional trade between the Federation of Rhodesia and Nyasaland and Mozambique which, although free from quantitative restrictions at the date of the present Agreement, may, in the future, become subject to quantitative restrictions.

In considering such requests, the Contracting Governments will take special cognizance of industrial development in the Federation of Rhodesia and Nyasaland and in Mozambique, and of the necessity of promoting the export of the manufactured products of these Territories.

Each Contracting Government will inform the other immediately of any alteration in its regime relating to quantitative restrictions.

Article IV

Each Contracting Government undertakes, in accordance with the legislation in force within its territory, to adopt all necessary measures to guarantee the goods grown, produced or manufactured in the territory of the other Contracting Government against unfair competition or fraud.

Article V

Live animals (including poultry), fish (excluding canned fish) and unmanufactured products of the soil of a vegetable nature, either wild or cultivated, including unmanufactured foodstuffs, when reared, grown or produced in the Federation of Rhodesia and Nyasaland, or in Mozambique, will be exempted from import duties and all other customs charges when imported into any part of Mozambique or into any part of the Federation of Rhodesia and Nyasaland respectively.

The Stamp Duty (*selo de despacho*) applied in Mozambique to imports is not included in the exemptions referred to in this Article.

Article VI

The Contracting Governments will grant to each other reciprocally, in Angola and the Federation of Rhodesia and Nyasaland (the areas of origin and destination being defined later), the same customs privileges, granted as between neighbours, referred to in Article V, as soon as the transport facilities and the requirements of frontier trade result in a commercial exchange between Angola and the Federation of Rhodesia and Nyasaland of the goods referred to in Article V.

Article VII

This Agreement shall be ratified and the ratifications shall be exchanged at Lisbon as soon as possible. It shall come into force on the date of the exchange

of ratifications and shall thereafter remain in force for an initial period of three years from that date. Thereafter it shall remain in force until terminated by either Contracting Government after due notice to the other. Termination shall take effect upon the expiry of six months from the date of such notice; provided that, without derogation from the remaining provisions of this Agreement, either Contracting Government may, at any time and by simple notification to the other, denounce the special provisions of Article VI.

IN WITNESS WHEREOF the representatives of the respective Governments duly authorised for this purpose have signed the present Agreement and thereto set their seals.

DONE in Lisbon in duplicate in Portuguese and in English, both texts having equal validity, on the 29th day of November 1958.

On behalf of the Government of the Federation of Rhodesia
and Nyasaland :

(Signed) Roy WELENSKY

On behalf of the Government of Portugal :

(Signed) Marcello MATHIAS
