

No. 8080

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**IRELAND  
and  
PORTUGAL**

**Exchange of notes constituting an agreement providing for  
the reciprocal grant of most-favoured-nation treatment  
in the matter of shipping. Dublin, 11 November 1957**

*Official texts: English and Portuguese.*

*Registered by Ireland on 7 February 1966.*

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**IRLANDE  
et  
PORTUGAL**

**Échange de notes constituant un accord relatif à l'application  
réciproque du traitement de la nation la plus favorisée  
au trafic maritime. Dublin, 11 novembre 1957**

*Textes officiels anglais et portugais.*

*Enregistré par l'Irlande le 7 février 1966.*

No. 8080. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN IRELAND AND PORTUGAL PROVIDING FOR THE RECIPROCAL GRANT OF MOST-FAVOURLED-NATION TREATMENT IN THE MATTER OF SHIPPING. DUBLIN, 11 NOVEMBER 1957

I

*From the Portuguese Chargé d'Affaires in Dublin to the Minister for External Affairs of Ireland*

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

11 de Novembro de 1957

Excelencia,

Tenho a honra de informar Vossa Excelencia de que o Governo Português, tendo em consideração o desejo do Governo Irlandês de que seja abolido o diferencial de bandeira que incide sobre os navios irlandeses, concorda com tal abolição e está disposto, para este fim, a concluir um Acordo nos seguintes termos :

1—As empresas de navegação irlandesas, bem como os navios irlandeses, seus passageiros e cargas não serão sujeitos em Portugal Continental, Ilhas Adjacentes e Províncias Ultramarinas Portuguesas a quaisquer condições, restrições, direitos ou taxas diferentes ou mais onerosas, em lei ou de facto, que aquelas applicaveis a empresas de navegação de qualquer outro Estado, a navios registados em qualquer outro Estado seus passageiros ou mercadorias neles transportados.

2—Esta igualdade de tratamento aplicar-se-à antes de mais à liberdade de acesso aos portos, à sua utilização, ao completo usufruto das facilidades dadas à navegação, às operações comerciais para os navios, suas mercadorias e passageiros, a todas as facilidades quanto ao lugar de atracação, de carga ou descarga, aos direitos ou taxas de toda a natureza applicaveis aos navios, às suas mercadorias ou aos seus passageiros, cobrados em nome ou por conta do Governo, das autoridades publicas, dos concessionarios ou estabelecimentos de qualquer especie.

3—O mesmo tratamento será dado às empresas de navegação e aos navios portugueses, como aos seus passageiros e mercadorias neles transportados, na Irlanda.

4—Com excepção do que aqui fica estabelecido, nada neste Acordo será considerado como lesando os direitos e obrigações provenientes do Tratado de Comercio e Navegação entre Portugal e o Estado Livre da Irlanda assinado em Dublin em 29 de Outubro de 1929.

<sup>1</sup> Came into force on 11 November 1957, by the exchange of the said notes.

Caso o Governo Irlandês dê a sua concordancia, a presente Nota e a resposta de Vossa Excelencia constituirão o Acordo entre os dois Governos sobre a materia, que vigorará até que qualquer dos dois Governos, com um prazo de seis meses, notifique o outro da sua intenção de fazer cessar os seus efeitos.

Aproveito o ensejo para reiterar a Vossa Excelencia os protestos da minha mais alta consideração.

Amilcar LINO FRANCO

[TRANSLATION — TRADUCTION]

11 November 1957

Excellency,

[*See note II*]

I take this opportunity of reiterating to your Excellency the assurances of my highest consideration.

Amilcar LINO FRANCO

## II

*From the Minister for External Affairs of Ireland to the Portuguese Chargé d'Affaires in Dublin*

11 November, 1957

Sir,

I have the honour to acknowledge the receipt of your Note dated the 11th November, 1957, of which the following is an English translation :

“ I have the honour to inform Your Excellency that the Government of Portugal, having noted the desire of the Government of Ireland that such flag discrimination as affects Irish ships should be abolished by the Government of Portugal, are agreeable to such abolition and are prepared for this purpose to conclude an agreement in the following terms :

“ 1. Shipping companies incorporated in Ireland and ships registered in Ireland their passengers and cargoes shall not be subject in Continental Portugal and in the adjacent islands or in Portuguese Overseas Provinces to any conditions, restrictions, duties or charges other, or more onerous in law or in fact, than those applicable to shipping companies incorporated in any other country, to ships registered in any other country or to goods or passengers carried in such ships.

“ 2. The foregoing equality of treatment shall apply in particular to freedom of access to ports, the use of ports, the full enjoyment of the facilities accorded to shipping, commercial operations for ships their cargoes and passengers, facilities of all kinds relating to berthing at the quayside, loading and unloading, the duties levies and taxes of all kinds applicable to ships their cargoes and passengers levied by or on behalf of the Government, public authorities, concession holders or establishments of all kinds.

“ 3. Shipping Companies incorporated in Portuguese territory, ships registered in Portuguese territory and passengers and cargoes carried in such ships shall be accorded similar treatment in Ireland.

“ 4. Save as herein provided nothing in this Agreement shall be deemed to prejudice the rights and obligations arising out of the Treaty of Commerce and Navigation between the Irish Free State and Portugal signed at Dublin on 29th October, 1929.<sup>1</sup>

“ If the foregoing is acceptable to the Government of Ireland, this Note and Your Excellency’s reply will constitute an Agreement in this matter between the two Governments which will remain in force until six months after the date on which either Government notifies the other of their intention to terminate it. ”

I have the honour to state that the foregoing is acceptable to the Government of Ireland and to confirm that your Note and this Note in reply thereto constitute an Agreement in this matter between our two Governments which will remain in force until six months after the date on which either Government notifies the other of their intention to terminate it.

Accept, Sir, the assurance of my high consideration.

Proinsias MAC AOGÁIN

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<sup>1</sup> League of Nations, *Treaty Series*, Vol. CXXXXI, p. 145.