



TREATY SERIES No. 35 (1924).

TREATY OF COMMERCE

BETWEEN THE

UNITED KINGDOM AND THE CZECHOSLOVAK REPUBLIC

AND

ACCOMPANYING DECLARATION.

Signed at London, July 14, 1923.

[Ratifications exchanged at London, September 4, 1924.]

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of His Majesty.*

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**Treaty of Commerce between the United Kingdom
and the Czechoslovak Republic and accompanying
Declaration.**

Signed at London, July 14, 1923.

[Ratifications exchanged at London, September 4, 1924.]

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the Czechoslovak Republic, being desirous of further facilitating and extending the commercial relations already existing between their respective countries, have determined to conclude a Treaty of Commerce with this object, and have appointed as their Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: the Most Honourable the Marquess Curzon of Kedleston, K.G., His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the Czechoslovak Republic: his Excellency Dr. Eduard Benes, Minister for Foreign Affairs of the Czechoslovak Republic;

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

ARTICLE 1.

The subjects or citizens of each of the Contracting Parties and goods the growth, produce or manufacture of the territories of the two Contracting Parties and the vessels of each of the two Contracting Parties shall enjoy unconditionally in the territories of the other treatment at least as favourable in all respects as that accorded to the subjects or citizens and the produce of the soil and industry and the vessels of the most favoured foreign country. This treatment shall be accorded in all matters of commerce and navigation, both as regards importation, exportation and transit, and in general in all that concerns customs duties and formalities and commercial operations; the establishment of the subjects or citizens of each of the Contracting Parties in the territories of the other; the exercise of commerce, industries and professions, the payment of taxes, and the treatment of commercial travellers and their samples.

ARTICLE 2.

Articles the produce or manufacture of the territories of one of the Contracting Parties imported into the territories of the other,

from whatever place arriving, shall not be subjected to other or higher duties or charges than those paid on the like articles the produce or manufacture of any other foreign country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any article the produce or manufacture of the territories of either of the Contracting Parties into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country.

The Contracting Parties shall be entitled to determine under what circumstances certificates of origin may be required. They undertake to examine the possibility of coming to an arrangement for the issue of these certificates without any Consular fee being charged.

Articles the produce or manufacture of the territories of either of the Contracting Parties exported to the territories of the other shall not be subjected to other or higher duties or charges than those paid on the like articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any articles from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other foreign country.

In the event of import licences being required for the importation of any class of goods into the territories of either of the Contracting Parties, the licensing system shall not be so worked as to cause discrimination against the goods produced or manufactured in the territories of the other Contracting Party, and the conditions under which licences may be obtained for the importation of such goods shall be not less favourable than those applied in the case of similar goods the produce or manufacture of any other foreign country.

In conformity with this principle, and so long as the licensing system continues in the Czechoslovak Republic, the Czechoslovak Republic undertakes to admit goods produced or manufactured in His Britannic Majesty's territories to an annual amount to be agreed upon.

The only exceptions to the foregoing general rules shall be in the case of the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons or of animals or of plants useful to agriculture and of the measures applicable in the territories of either of the two Contracting Parties to articles enjoying a bounty in the territories of the other Contracting Party.

ARTICLE 3.

Nothing in this Treaty shall be held to prohibit the imposition in His Britannic Majesty's territories of special rates of customs duty on specified articles of Czechoslovak origin, other or higher than those levied on similar articles the produce or manufacture of any other foreign country, in cases where such special rates of customs duty are levied in pursuance of legislation of general application enabling the imposition of such duties on articles the produce or manufacture of any country, where such articles are being sold or offered for sale in the part of His Britannic Majesty's territories concerned at prices

which, by reason of depreciation, in the value in relation to sterling of the currency of the country in which the articles are produced or manufactured, are below the prices at which similar articles can be profitably produced or manufactured in the part of His Britannic Majesty's territories concerned, and that by reason thereof employment in that part of His Britannic Majesty's territories is being, or is likely to be, seriously affected.

Nevertheless no special rates of customs duty shall be imposed on goods manufactured in Czechoslovakia until the expiration of three months from the date on which the Czechoslovak Government have been notified of the intention of the Government of the part of His Britannic Majesty's territories concerned to impose such duty. In the event of such notice being given this Convention shall, notwithstanding the provisions of Article 11, at the request of the Czechoslovak Government, cease to have effect as between Czechoslovakia and such part of His Britannic Majesty's territories from the date on which the Czechoslovak goods in question become liable to the special duty referred to.

ARTICLE 4.

His Britannic Majesty will not invoke the provisions of Article 1 of this Treaty to secure the advantages of any special arrangements which may be concluded between the Czechoslovak Republic and either Austria or Hungary in pursuance of the economic clauses of the Treaties of Peace with Austria and Hungary for the accord by the Czechoslovak Republic of a special Customs régime to certain natural or manufactured products which both originate in and come from these countries. Either of the Contracting Parties shall likewise not invoke the advantages granted by the other Party to neighbouring foreign States to facilitate small frontier traffic within a zone corresponding to the frontier district of the territories of each of the Contracting Parties, but not exceeding 15 kilometres in breadth on each side of the frontier in general, or in exceptional cases 25 kilometres.

ARTICLE 5.

Each of the Contracting Parties shall permit the importation or exportation of all merchandise which may be imported or exported and also the carriage of passengers from or to their respective territories upon the vessels of the other on terms which shall not be less favourable than those accorded to national vessels or the vessels of the most favoured foreign country.

ARTICLE 6.

The subjects or citizens of either of the Contracting Parties shall not be subject in respect of their persons or property or in respect of their commerce or industry to any taxes whether general or local or to imposts or obligations of any kind whatever other or greater than those which are or may be imposed upon the subjects or citizens of the other Contracting Party.

Limited liability and other companies and associations carrying on any description of business and already or hereafter to be organised in accordance with the laws of either Contracting Party and registered

in the territories of such Party are authorised in the territories of the other to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other party.

Such companies and associations of either Contracting Party admitted to carry on business in the territories of the other shall not be subjected to conditions less favourable than those applied to the similar companies or associations of any other foreign country.

Either Contracting Party in framing and administering laws and regulations with regard to the taxation of such companies and associations of the other party admitted to carry on business shall be guided by the principle embodied in the first paragraph of this Article; and the two Contracting Parties further agree, with a view to preventing so far as possible any unfavourable treatment of the business of companies or associations of either party in the territories of the other as compared with the treatment of national companies or associations, to conclude a separate special agreement as soon as possible.

ARTICLE 7.

The stipulations of the present Treaty with regard to the mutual accord of the treatment of the most favoured nation apply unconditionally to the treatment of commercial travellers and business representatives visiting their respective territories and to any samples carried by them. Each of the Contracting Parties undertakes to communicate to the other the form of certificate that may be required for such commercial travellers and representatives and to recognise as competent to issue such certificates the authorities nominated by the other party.

ARTICLE 8.

It is understood that nothing in this Treaty shall be held to confer any right or impose any obligation upon either Contracting Party which may be in conflict with any general International Convention to which either of them is or hereafter may be a Party.

ARTICLE 9.

The stipulations of the present Treaty shall not be applicable to India or to any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates unless notice is given by His Britannic Majesty's Representative at Prague of the desire of His Britannic Majesty that the said stipulations shall apply to any such territory.

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates shall enjoy in Czechoslovakia complete and unconditional most-favoured-nation treatment, subject to the reservation contained in Article 4, so long as goods produced or manufactured in Czechoslovakia are accorded in India or such self-governing Dominion, Colony, Possession or Protectorate treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

ARTICLE 10.

The terms of the preceding Article relating to India and to His Britannic Majesty's self-governing Dominions, Colonies, Possessions and Protectorates shall apply also to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty.

ARTICLE 11.

The present Treaty shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force immediately upon ratification, and shall be binding during five years from the date of its coming into force. In case neither of the Contracting Parties shall have given notice to the other, twelve months before the expiration of the said period of five years of its intention to terminate the present Treaty, it shall remain in force until the expiration of one year from the date on which either of the Contracting Parties shall have denounced it.

As regards, however, India or any of His Britannic Majesty's self-governing Dominions, Colonies, Possessions or Protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of the present Treaty shall have been made applicable under Articles 9 and 10, either of the Contracting Parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in duplicate at London, the 14th day of July, 1923.

(L.S.) CURZON OF KEDLESTON.

(L.S.) DR. EDUARD BENES.

DECLARATION.

Ad ARTICLE 2.

IN pursuance of Article 2 of the Treaty of Commerce signed this day, the Czechoslovak Government undertake that, during the temporary continuance of the existing system of import restriction in Czechoslovakia, goods produced and manufactured in the territories of His Britannic Majesty of the classes specified in the annexed Schedule shall be admitted into Czechoslovakia up to amounts not less than the quantities shown therein.

The Czechoslovak Government further undertake that, in the event of other or greater contingents being granted to any third country in respect of any article of interest to the trade of His Britannic Majesty's territories, an adequate contingent shall, at the request of His Britannic Majesty's representative at Prague, be granted for similar articles produced or manufactured in His Britannic Majesty's territories, it being the intention of the Czechoslovak Government that in the administration of the system of import restrictions there shall be no discrimination against the trade of His Britannic Majesty's territories.

The Czechoslovak Government also hereby declare their readiness at any time to give sympathetic consideration to any request made by His Britannic Majesty's representative at Prague for the granting of a suitable contingent in respect of any article not at present included in the Schedule, or for otherwise modifying the Schedule.

Ad ARTICLE 6.

The Czechoslovak Government undertake, in the event of British companies or associations applying for licences to carry on any description of business in Czechoslovakia, to give in general the same favourable consideration to such applications as to those made on behalf of similar companies or associations of any other foreign country.

The above Declaration shall take effect as from the coming into force of the Treaty of Commerce signed this day, and shall remain in force as long as that Treaty is in operation.

Done at London, the 14th July, 1923.

DR. EDUARD BENES.

SCHEDULE.

Cocoa beans	Tons	2,500	Motor cycles	Number	500
Cocoa powder	"	250	Motor parts and motor		
Chocolate and chocolate			cycle parts	Tons	200
confectionery	"	200	Motor cars	Number	150
Tea (in bulk)... ..	"	800	Motor lorries	"	150
Tea (in packets and			Motor ploughs... ..	"	50
tins)	"	200	Steam plough tackles	"	50
Pepper	"	500	Boilers and steam en-		
Spirits in barrels and			gines (including steam		
bottles (except raw			rollers and steam		
alcohol)	"	250	lorries)	Tons	5,000
Smoked herrings	"	1,500	Electrical technical		
Dried fruits	"	100	goods, motors, and		
Canned fruits	"	300	dynamoes, cables and		
Canned fish	"	200	wires	"	200
Jams (in jars)	"	200	Textile machinery	"	2,500
Cakes and Biscuits	"	10	Duplicating machines		
Essential oils (except				Number	100
juniper and cori-			Soap (household and		
ander)	"	2	toilet)	Tons	1,000
Tanning extracts	"	2,000	Perfumes	"	2
Cotton yarns	"	1,500	Asbestos and asbestos		
Cotton thread and			goods... ..	"	200
other goods	"	1,000	Coal tar dyes and deri-		
Woollen yarns	"	1,500	vatives	"	200
Woollen cloth	"	750	Chemicals and chemical		
Flax yarn, linen thread			products (except anti-		
and linen manufac-			mony and carbon di-		
tures... ..	"	75	sulphate)	"	1,500
Jute yarns and manu-			Paints and varnishes... ..	"	100
factures	"	500	Disinfectant (for spray-		
Hemp yarn	"	50	ing trees, vines and		
Silk and silk goods	"	50	hops)	"	100
Artificial silk	"	150	Fertilisers (except		
Ready-made clothing... ..	"	100	superphosphates)	"	5,000
Hats (felt and straw,			Oils and fats for in-		
men's and women's)			dustrial purposes	"	10,000
	Number	50,000	Lubricating oils	"	500
Rubber	Tons	2,500	Photographic dry plates	"	50
Rubber goods	"	1,000	Cutlery and tools	"	250
Leather... ..	"	1,500	Metal wares	"	1,000
Leather goods... ..	"	500	Paper for special pur-		
Bicycles	Number	1,000	poses and paper		
Bicycle parts	Tons	10	manufactures	"	125