



Treaty Series No. 6 (1933)

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Exchange of Notes

between His Majesty's Government in Canada and
the Government of Brazil

regarding

Commercial Relations between Canada and Brazil

Rio de Janeiro, December 4, 1931

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

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN CANADA AND THE GOVERNMENT OF BRAZIL REGARDING COMMERCIAL RELATIONS BETWEEN CANADA AND BRAZIL.

Rio de Janeiro, December 4, 1931.

Mr. Keeling to Dr. A. de Mello Franco.

British Embassy,

M. le Ministre,

Rio de Janeiro, December 4, 1931.

IN order to regulate the commercial relations between Canada and Brazil, I have the honour, at the instance of His Majesty's Government in Canada, to inform your Excellency that that Government is desirous of concluding a commercial agreement with the Brazilian Government. Inasmuch, however, as under Canadian law parliamentary authority is required for the extension of most-favoured-nation treatment to foreign countries and since the Canadian Parliament will not be in session for several weeks, the Canadian Government is prepared to enter into a temporary agreement to the following effect:—

- (a) Goods, the produce or manufacture of Brazil, imported into Canada (whether for consumption, re-export or transit) will receive treatment according to the Canadian intermediate tariff.
- (b) Goods, the produce or manufacture of Canada, imported into Brazil (whether for consumption, re-export or transit) will receive treatment not less favourable than that granted to goods the produce or manufacture of any other countries.
- (c) Nothing in this agreement, however, shall affect the rights of the Government of Canada to modify, maintain, or extend preferential treatment accorded to any State of the British Commonwealth of Nations.
- (d) It is agreed that the above provisions of this temporary agreement shall not extend to advantages now accorded to adjacent countries in order to facilitate frontier traffic or to advantages granted to a third country in virtue of a customs union which has already been or may hereafter be concluded.
- (e) The present Note and a Note from your Excellency confirming the acceptance of Brazil of the agreement shall constitute an agreement between the two Governments, which shall come into force immediately and continue in force until a most-favoured-nation agreement shall be concluded.

I avail, &c.

EDWARD KEELING.

Dr. A. de Mello Franco to Mr. Keeling.

*Ministerio das Relações Exteriores,
Rio de Janeiro,*

Senhor Encarregado de Negocios, *Em 4 de dezembro de 1931.*

TENHO a honra de accusar o recebimento da nota em que Vossa Senhoria da a conhecer que, com o fim de regular as relações commerciaes entre o Brasil e o Canada, e de conformidade com instrucções do Governo de Sua Majestade no Canada, esse Governo dese ja concluir um accordo commercial com o Governo brasileiro. Como, entretanto, pela lei canadense, e necessaria a autorisação parlamentar para a concessão do tratamento da nação mais favorecida a paizes estrangeiros, e visto que o Parlamento canadense não se reunira durante varias semanas, o Governo canadense deseja celebrar um accordo temporario para os seguintes effeitos :

- (a) Os artigos, productos naturaes ou manufacturados do Brasil importados no Canada (seja para consumo, reexportação ou transito) receberão tratamento de confirma dade com a tarifa intermediaria canadense;
- (b) Os artigos, productos naturaes ou manufacturados do Canada importados no Brasil (seja para consumo, reexportação ou transito) receberão tratamento não menos favoravel do que o que fôr concedido aos artigos, productos naturaes ou manufacturados de qualquer outro paiz;
- (c) As disposições deste accordo não attingirão, comtudo, o direito do Governo do Canada de modificar, manter ou estender o tratamento preferencial concedido a qualquer Estado do " Commonwealth " Britannico de Nações;
- (d) Fica convencionado que as supracitadas disposições deste accordo temporario não são extensivas as vantagens já conferidas a paizes limitrophes para se facilitar o trafico de fronteiras, ou as vantages concedidas a outro paiz, em virtude de uma união aduaniera já concluida ou que venha a sel-o;
- (e) A presente nota de acceitação pelo Governo brasileiro e a nota em que Vossa Senhoria submete a proposta do Governo de Sua Majestade no Canada constituirão um accordo entre os dois Governos, o qual entrará immediatamente em vigor e continuara a vigorar até que seja concluido um accordo baseado no tratamento da nação mais favorecida.

2. Em resposta, apraz-me communicar-lhe que o Governo brasileiro acceita a proposta submettida por Vossa Senhoria e assume os compromissos della decorrentes, constantes da nota a que tenho a honra de responder.

Aproveito, &c.

AFRANIO DE MELLO FRANCO.

(Translation.)

Ministry for Foreign Affairs,

M. le Chargé d'Affaires,

Rio de Janeiro, December 4, 1931.

I HAVE the honour to acknowledge the receipt of the Note in which you informed me that in order to regulate the commercial relations between Brazil and Canada, and in accordance with the instructions of His Majesty's Government in Canada, that Government desires to conclude a commercial agreement with the Brazilian Government. Since, however, by Canadian law, parliamentary sanction is required for the concession of most-favoured-nation treatment to foreign countries, and seeing that the Canadian Parliament will not meet for several weeks, the Canadian Government desires to conclude an agreement in the following terms:—

- (a) Brazilian goods, raw materials or manufactured, imported into Canada (whether for consumption, re-export or transit) shall be treated in accordance with the Canadian intermediate tariff;
- (b) Canadian goods, raw materials or manufactured products imported into Brazil (whether for consumption, re-export or transit) shall receive treatment not less favourable than that granted to the goods, raw materials or manufactured products of any other country;
- (c) The provisions of this agreement shall not, however, affect the right of the Canadian Government to modify, maintain or extend the preferential treatment granted to any State of the British Commonwealth of Nations;
- (d) It is agreed that the above provisions of this temporary agreement do not apply to advantages already granted to neighbouring countries to facilitate frontier traffic, nor to advantages granted to another country in virtue of a customs union already concluded or which may come to be concluded in the future;
- (e) The present Note of acknowledgment from the Brazilian Government and the Note in which you submitted the proposal of His Majesty's Government in Canada shall constitute an agreement between the two Governments, which shall come into force immediately and shall continue in force until the conclusion of a most-favoured-nation treaty.

2. In reply, I have pleasure in informing you that the Brazilian Government accepts the proposal submitted by you and assumes the responsibilities arising therefrom, contained in the Note to which I have the honour to reply.

I avail, &c.

A. DE MELLO FRANCO.