

N° 533.

**AFGHANISTAN
ET GRANDE-BRETAGNE**

Convention de commerce, signée à
Kaboul le 5 juin 1923.

**AFGHANISTAN
AND GREAT BRITAIN**

Trade Convention, signed at Kabul,
June 5, 1923.

تصدیق مینمایم که مال فوق الذکر باز باربندی شده و بعضو رسن باز هم گرفته شده

افسر کل سرحد

مورث

بارخانه باز باربندی کردن

True Copy

(Signatures illegible.)

Secretary to the Government of India, Foreign and Political Department.

No. 533. — ANGLO-AFGHAN TRADE CONVENTION¹, SIGNED AT KABUL,
JUNE 5, 1923.

English and Persian official texts communicated by His Britannic Majesty's Foreign Office. The registration of this Convention took place December 5, 1923.

Whereas in Article 12 of the ANGLO-AFGHAN Treaty², executed on November 22, 1921, A.D. (30 Aqrab, 1300, Hijri Shamsi), the High Contracting Parties agree that representatives of the two Governments should be appointed to discuss the conclusion of a Trade Convention :

(a) To regulate the measures necessary for carrying out the purposes mentioned in Article 9 of that Treaty ; and

(b) To arrange regarding commercial matters not mentioned in that Treaty ;
wherefore the two Governments have named as their representatives :

BRITISH :

Major John Aloysius BRETT,
Mr. William Walker NIND ;

AFGHAN :

Aqa Ghulam MUHAMMAD KHAN, Minister of Commerce,
Aqa Faiz MUHAMMAD KHAN, Assistant Foreign Secretary,

to consider and discuss the matters above mentioned, and have also empowered them to consider and discuss commercial matters mentioned in Articles of the said Treaty other than Article 9, and to conclude a Trade Convention covering all matters which they were so authorised to consider and discuss.

Now, therefore, the aforesaid distinguished representatives, after meeting in the capital city of Kabul and perusing and exchanging their credentials, have concluded the following Articles :

Article 1.

Goods transiting India for export to Afghanistan in respect of which the benefits of Articles 6 or 7 of the Anglo-Afghan Treaty of November 1921 A.D. (Aqrab 1300, Hijri Shamsi) are claimed shall leave India by one or other of the following routes :

- (1) Peshawar-Khyber-Torkham.
- (2) Thal-Parachinar-Peiwar.
- (3) Chaman-Kila-i-Jadid.

Article 2.

The procedure with regard to the transit of Afghan State goods as defined in Article 7, paragraph (i), of the Anglo-Afghan Treaty in respect of which the benefit of that Article is claimed, shall be that laid down in Appendix A to this Convention.

¹ The exchange of ratifications took place at London, August 4, 1923.

² Vol. XIV, page 47 of this Series.

Article 3.

The procedure with regard to Afghan trade goods in respect of which the benefit of Article 7, paragraph (ii), of the Anglo-Afghan Treaty is claimed, shall be that laid down in Appendix B to this Convention.

Article 4.

The Afghan Government agrees to furnish to the British Minister at Kabul a reasonable number of copies of its Customs tariff schedule, and of all orders and notifications introducing any change in that schedule, or in any other way affecting commerce between Afghanistan and any portion of the British Empire.

Similarly, the British Government agrees to furnish to the Afghan Minister in London a reasonable number of copies of similar United Kingdom tariff schedules, orders and notifications, and to the Afghan Consul-General with the Government of India a reasonable number of Indian tariff schedules, orders and notifications.

Article 5.

This Convention shall be ratified and ratifications shall be exchanged at London within two months of its signature. It shall come into force immediately upon ratification, and shall remain in force for the same period as the Anglo-Afghan Treaty executed on November 22, 1921, A.D. (30th Aqrab, 1300, Hijri Shamsi).

CONCLUSION.

These five Articles having been stipulated and agreed to in the manner and form preceding, the aforesaid representatives have agreed to the present Convention, drawn up in two copies, in English and Persian, each of them signed and sealed in their respective languages, each of which shall be of equal force, and have exchanged with each other the proper authenticated instrument.

Done at Kabul, the 5th day of June, 1923, A.D. (corresponding to the 15th Jauza, 1302, Hijri Shamsi).

J. A. BRETT.
W. W. NIND.

(Signatures of the
Afghan Representatives.)

APPENDIX A.

RULES FOR THE EXEMPTION FROM CUSTOMS DUTY OF GOODS IMPORTED ON BEHALF OF THE GOVERNMENT OF AFGHANISTAN.

The following procedure shall be adopted in giving effect to the Customs concessions granted under Articles 6 and 7 of the Treaty between the British Government and the Government of Afghanistan in respect of exemption from payment of duty on goods imported at British Indian ports on behalf of the Government of Afghanistan for immediate transport to that country :

Rule 1. — Goods purporting to be the property of the Afghanistan State shall, on arrival at the port of entry in India, be entered and cleared in the manner prescribed under the Sea Customs Act, but such goods shall be exempted from payment of the duty chargeable under the tariff on production of a request in the attached Form A (in quadruplicate) signed by the Consul for Afghanistan or other agent of the Afghanistan Government, certifying that the goods are the property of the Government of Afghanistan,

are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade, and are being sent to Afghanistan under the orders of that Government. The request shall include a description of the nature and quantity of the goods and their value and shall also specify by which of the three authorised routes the goods are intended to be transported, viz. :

1. Peshawar-Khyber-Torkham.
2. Thal-Parachinar-Peiwar.
3. Chaman-Kila-i-Jadid.

Rule 2. — In all cases in which free entry is allowed on the strength of such request, the goods shall be brought to the Custom-house (or to any place specified by the Collector of Customs) for verification, and shall, unless of a clearly distinguishable nature, be sealed with the Customs seal in the presence of a Custom-house officer before transmission.

Rule 3. — The Collector of Customs shall then forward to the British frontier Customs officer concerned two copies, and to the Government of India, Commerce Department, one copy of the prescribed Form A duly filled in by the Customs.

Rule 4. — The British frontier Customs officer, after examining the goods and being satisfied as to their identity, shall certify on the one copy of the Form A sent to him that they have been transported to Afghanistan either in the same condition as when they left the port of entry or after being repacked and resealed, and shall return it to the Collector of Customs concerned. He shall forward the other copy to the British Minister at Kabul or such officer as the Minister may name in this behalf.

APPENDIX B.

RULES FOR THE REFUND OF INDIAN IMPORT DUTIES ON TRADE GOODS TRANSITING INDIA TO AFGHANISTAN.

(1) *Procedure at the Custom-house.*

Rule 1. — When goods are imported for re-export to Afghanistan, the importer or his agent shall at the time of entering them at the Custom-house :

- (a) Declare that the goods are intended for such re-export ;
- (b) Furnish, in quadruplicate, an invoice of the goods so declared in Form B annexed, specifying therein by which of the three authorised routes the goods are intended to be transported, viz. :
 - (1) Peshawar-Khyber-Torkham ;
 - (2) Thal-Parachinar-Peiwar ;
 - (3) Chaman-Kila-i-Jadid ;
- (c) Pay the duty chargeable under the tariff ;
- (d) State whether he wishes the refund to be paid at the Custom-house or at the nearest frontier treasury.

Rule 2. — On compliance with the provisions of Rule 1, the goods shall be sealed with the Customs seal and delivered to the owner, together with the original copy of the invoice duly checked and completed. At the same time, the duplicate and triplicate copies of the invoice shall be forwarded by the Collector of Customs to the frontier Customs officer at railhead.

Rule 3. — In order to secure refund of the duty paid under Rule 1 (c), the importer or his agent must produce before the Collector of Customs, or officer in charge of the frontier treasury named by him under Rule 1 (d), the original invoice duly endorsed :

- (a) By the frontier Customs officer or border examiner to the effect that the goods have crossed the frontier in the presence of an Afghan Government official ;
- (b) By an Afghan Government official to the effect that the goods have been received for registration and levy of Afghan Customs duty.

Rule 4. — The details of the goods covered by such invoices shall be entered by the Collector of Customs in a separate register to be maintained for the purposes.

(2) *Procedure at the Frontier (Railhead).*

Rule 5. — On receipt of the invoices from the Collector of Customs, the frontier Customs officer shall retain the duplicate and forward the triplicate copy to the border examiner.

Rule 6. — Goods which require repacking after arrival at railhead must be brought by the owner or his agent to one of the repacking depots established at Peshawar, Thal or Chaman, where the frontier Customs officer or his subordinate appointed for the purpose shall check them with the original copy of the invoice, and compare the latter with the duplicate copy received from the port of entry. If the seals are intact and the goods correspond with the description in the invoice, the frontier Customs officer shall allow the goods to be repacked and resealed under his supervision, shall endorse on each copy of the invoice details of any changes in the number or description of the packages involved by such repacking, shall return the goods to the owner, together with the original copy of the invoice so endorsed, and shall forward the duplicate copy to the border examiner after noting the repacking particulars in a register to be maintained for the purpose. On receipt of the duplicate the border examiner shall note the repacking particulars on the reverse of the triplicate copy and return the duplicate.

(3) *Procedure at the Frontier (Border).*

Rule 7. — Goods which do not require repacking and goods which have been repacked in accordance with Rule 6 must be presented for inspection and examination, if necessary, at the time of crossing the frontier before the border examiner and the official appointed for this purpose by the Afghan Government. If on such inspection the seals affixed at the Custom-house or repacking depot are intact and the packages correspond with the particulars given in the original and triplicate copies of the invoice, the border examiner and the Afghan Government official shall sign the appropriate certificates printed on the face of each copy of the invoice. The original copy of the invoice shall be returned to the owner, and the triplicate to the frontier Customs officer at railhead. The frontier Customs officer shall sign the export certificate on the face of the duplicate invoice and transmit (1) the duplicate copy to the Collector of Customs or the treasury officer, as the case may be, and (2) the triplicate copy to the Secretary, British Legation, Kabul, or other officer named by the Minister at Kabul in this behalf.

Rule 8. — The officer in charge of the frontier treasury concerned shall, before making payment of the refund, compare the original copy of the invoice produced by the owner with the duplicate copy received from the frontier Customs officer. After payment he shall retain the original copy and transmit the duplicate to the Collector of Customs, with an endorsement to the effect that payment has been made.

FORM A.

Consul for Afghanistan's Serial No.....
 Customs Serial No.....

From To

I have the honour to request that the undermentioned goods imported per s.s..... which arrived at on and which are being cleared by Messrs may be admitted without payment of duty. I certify that the goods are the property of the Government of Afghanistan, are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade, and are being sent to Afghanistan under orders of that Government via (route). The goods will be presented before the frontier Customs officer or official named by him in this behalf for identification before crossing the border.

.....
Consul for Afghanistan
(or other duly authorised agent).

Dated.....

Serial No.	Marks and Nos.	No. and Description of Packages	Dimensions of Packages	Contents	Value	
					Rs.	As.

To be filled in by Customs.

Import General Manifest No
 No. and date of Bill of Entry

Identified and all goods, except those of a clearly distinguishable nature, sealed in my presence.
 Admit free.

.....
Customs Examiner.

.....
Collector of Customs.

Custom-house,

Dated..... 192.....

Certified that the above-mentioned goods have been transported to Afghanistan *in the same condition as when they left the port of entry* after being repacked and resealed.

.....
Frontier Customs Officer.

Dated..... 192.....

FORM B.

No..... Dated..... Invoice (in quadruplicate). Original.
 INVOICE of Goods to be transmitted under Customs seal through British India to Afghanistan from.....
 by via..... (route).

Marks and Numbers on Packages (1.)	Number and Description of Packages (2.)	Description of Goods (3.)	Weight or Quantity ¹ (4.)	Value for Duty ¹ (5.)	Rate of Duty (6.)	Amount of Duty ¹ (7.)	Number and Date of Bill of Entry (8.)	Gross Weight of Packages (9.)	Attestation of British Officer identifying goods on arrival at (to.)
				Rs. a. p.		R. a. p.		Cwt. qr. lb.	Certified that the goods mentioned herein have been duly identified, have passed the frontier at in their original condition in an altered condition as noted on reverse, and have been handed over to an Afghan Government official. <i>British Official.</i>
									Certified that the goods mentioned herein have been received for registration and levy of Afghan Customs duty. <i>Afghan Government Official.</i>

¹ To be entered in words as well as figures.

Certified that the above-mentioned packages have been identified by me and sealed with the Customs seal under my supervision.
 I do declare the contents of this invoice to be truly stated, and request that the refund of duty may be paid at..... Treasury.
 Examiner.
 Custom-house.
 Custom-house.
 Owner
 Dated
 Assistant Collector of Customs.
 192...

Original Packages and Marks	Number of New Packages

Certified that the above goods have been repacked and resealed in my presence :

.....
Frontier Customs Officer.

Dated.....

..... Repacking Depot.
