

N° 1067.

---

**AUTRICHE ET ESPAGNE**

Convention de commerce, signée à  
Madrid, le 3 février 1925.

---

**AUSTRIA AND SPAIN**

Commercial Convention, signed at  
Madrid, February 3, 1925.

---

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 1067. — COMMERCIAL CONVENTION <sup>2</sup> BETWEEN AUSTRIA AND SPAIN, SIGNED AT MADRID, FEBRUARY 3, 1925.

---

*French official text communicated by the Spanish Representative on the Council of the League of Nations. The registration of this Convention took place January 26, 1926.*

---

HIS CATHOLIC MAJESTY THE KING OF SPAIN and the PRESIDENT OF THE AUSTRIAN FEDERAL REPUBLIC, being equally desirous of fostering the development of economic relations between Spain and Austria, have resolved to conclude a convention to this effect and have appointed as their plenipotentiaries :

HIS MAJESTY THE KING OF SPAIN,

His Excellency M. Fernando ESPINOSA DE LOS MONTEROS Y BERMEJILLO, Under-Secretary in charge of the Ministry for Foreign Affairs ;

The PRESIDENT OF THE AUSTRIAN FEDERAL REPUBLIC,

His Excellency M. Jean André D'EICHHOFF, Envoy Extraordinary and Minister Plenipotentiary of Austria in Spain,

Who having communicated their full powers found in good and due form have agreed upon the following provisions :

*Article 1.*

The nationals of each of the two States shall enjoy in the territory of the other State, as regards their establishment, the carrying on of trade and industry, their movable and immovable property, and their other interests, the rights granted to the nationals of the most favoured nation. They shall be free to conduct their business either in person or through an agent of their choice without being subjected in this respect to any other restrictions than those provided for by the laws and regulations in force.

*Article 2.*

(1) The natural or manufactured products originating in or coming from Spain or any Spanish possession enumerated in Schedule A shall be subjected on their importation into Austria to the duties specified in the said schedule ; they shall in any case, together with all other products originating in or coming from Spain, enjoy the benefit of the greatest reduction of duty which Austria grants or may grant in future to any other Power in virtue of tariff measures or commercial conventions both as regards import duties and any surtax, coefficient or supplement to which these duties are or may be subject.

---

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

<sup>2</sup> Came into force, February 16, 1925.

Nevertheless Spain renounces the right to claim the benefit of any preferential advantages with regard to tariffs which Austria may grant in application of Article 222 of the Treaty of St. Germain.

(2) The natural or manufactured products originating in or coming from Austria enumerated in Schedule B shall not be subjected on their importation into Spain to any duties other or higher than those fixed in the said schedule.

(3) The natural or manufactured products originating in or coming from Austria included among the tariff items mentioned in Schedule C shall not be subjected on importation into Spain to any duties other or higher than those which Spain imposes or may impose on the products of any other country.

Nevertheless, Austria renounces the right to claim the benefit of the preferential treatment which Spain has established or may establish in favour of Portuguese products and of products originating in or coming from the Spanish zone in Morocco or the Spanish-American Republics.

(4) All natural or manufactured products originating in or coming from Austria other than those enumerated in Schedule B and those referred to in Schedule C shall be subjected on importation into Spain to the duties specified in the second column of the Customs tariff in force at the time.

(5) Natural or manufactured products originating in or coming from Austria shall not be subjected on their importation into Spain to any surtax or increase or to any coefficient at present existing or which may in future be established, the application of which would be equivalent to an increase in the Customs duties.

(6) Each of the Contracting Parties undertakes, moreover, not to apply in its trade with the other, in respect either of importation or exportation, treatment other or less favourable than that applied to a third State. This obligation relates in particular to the application of Customs regulations, Customs procedure, the checking and inspection of imported goods, the payment of duties and fees, the classification and interpretation of Customs tariffs and the exercise of monopolies.

(7) Natural or manufactured products originating in or coming from Austria shall enjoy, as regards their importation into the Canary Islands and the Spanish possessions in North Africa, all the advantages which Spain grants or may grant to a third country.

(8) "Manufactured products" of the Contracting Parties shall be taken to include objects which are manufactured from material temporarily imported from abroad and subjected to industrial transformation.

(9) No export duties or taxes shall be imposed on goods exported to the territory of the other Contracting Power other or higher than those imposed on similar goods exported to any other country.

(10) In order that the trade of the respective countries may enjoy the advantages of the treatment stipulated in the present Convention and in order at the same time to preclude any possibility of abuse, each of the Contracting Parties may require that the natural or manufactured products of the other country should be accompanied at the time of their importation by a certificate of origin.

This certificate of origin shall be delivered either by the Chamber of Commerce under the authority of which the consignor is placed, or by any other authority or trade corporation which the country of destination may approve. Each of the two Parties may also require that the certificate should be legalised by a diplomatic or consular representative of the country of destination.

Certificates of origin shall be dispensed with in the case of postal packets.

(11) The provisions of the present article shall not entitle either Party to benefit by any special regime which may be established in respect of frontier traffic within a zone of an average width not exceeding 15 kilometers on either side of the frontier and which is exclusively limited to the requirements of the population of such zone, or is justified by the special economic situation resulting from the establishment of new frontiers.

### Article 3.

Internal duties imposed on behalf of the State, the communes or any other authorities, which are or may be levied on the production, manufacture or consumption of an article in the territory

of one of the Contracting Parties shall in no case be greater or more burdensome than the duties levied on similar goods of national origin.

*Article 4.*

The Contracting Parties shall not establish or maintain prohibitions or restrictions relating to the importation or exportation of each other's goods which are not applied in the same manner in respect of the importation or exportation of the same goods from or to any other country in similar circumstances.

*Article 5.*

(1) Traders or manufacturers of either of the two countries who can produce a trading licence issued by the competent authorities of their country showing that they are authorised in the country of their domicile to carry on their trade or industry and that they pay the legal taxes and duties in that country may, either personally or through travellers in their employ, make purchases in the territory of the other Contracting Party from merchants or producers or at public places of sale. They may also take orders, even with the aid of samples, from traders or other persons using in their trade or industry goods corresponding to such samples. In neither case shall they be subject to any special tax in this connection.

(2) Traders or manufacturers and commercial travellers in their employ who are provided with a trading licence shall be entitled to carry with them samples but not goods.

(3) Trading licences shall be issued in conformity with the specimen shown in Annex D. The Contracting Parties shall furnish each other with a list of the authorities competent to issue trading licences. Each of the Contracting Parties shall be entitled to charge a moderate fee for the issue of this licence.

(4) Commercial travellers provided with a licence shall not be entitled to do business on behalf of traders or manufacturers other than those indicated on their licences.

(5) As regards the formalities to which commercial travellers may be subjected in the territories of the Contracting Parties, the two Parties shall mutually accord one another treatment not less favourable than that granted to any other nation.

(6) Samples of goods liable to Customs duty which are introduced by commercial travellers or which are sent in advance or after them shall on both sides be admitted free of import and export duty under the conditions which may at any time be laid down in the laws of the respective countries.

(7) The re-exportation of samples or specimens must be guaranteed in the two countries at the Customs Office of importation either by a cash deposit equivalent to the duty payable or by the deposit of security which is valid under the law of the country in question.

*Article 6.*

The present Convention shall be ratified and the ratifications shall be exchanged at Madrid as soon as possible. It shall come into force on the tenth day after the exchange of ratifications.

The present Convention shall continue to be binding until it is denounced by one of the Contracting Parties. In case of denunciation it shall remain in force until three months after the day on which the other Party has received notice of denunciation.

In faith whereof the respective Plenipotentiaries have signed the present Convention and have affixed their seals thereto.

Done at Madrid in duplicate, February 3, 1925.

(Signed) FERNANDO ESPINOSA DE LOS MONTEROS.

(Signed) EICHHOFF.

## SCHEDULE A.

| Number in Austrian Tariff. | Description of Goods.   | Import duty per 100 kgs in gold crowns. |
|----------------------------|---|---|
| ex 5                       | Ground red pepper :   |   |
|                            | (a) Capsicum dulce . . . . .  | 50.—                                    |
|                            | (b) Capsicum picante (guindilla, paprika and the like) . . . . .  | 125.—                                   |
| 9 b                        | Dried figs :  |   |
|                            | (1) in small boxes, cases or baskets weighing :   |   |
|                            | Up to 5 kgs. . . . .  | 16.—                                    |
|                            | More than 5 kgs. . . . .  | 8.—                                     |
|                            | (2) Strung or otherwise packed . . . . .  | 8.—                                     |
|                            | <i>Note.</i> — Dried figs for the manufacture of coffee substitutes or jam are admitted at the reduced duty of . . . . .      | 2.—                                     |
| ex 10                      | Dried Malaga or Denia raisins in bunches . . . . .  | 25.—                                    |
|                            | Other dried raisins loose or in bunches with the exception of currants . . . . .  | 35.—                                    |
| 11                         | Citrons, lemons, cedrats . . . . .  | 3.—                                     |
|                            | Citrons, lemons and cedrats preserved in brine ; peel of cedrats and citrons ground up or preserved in brine or not . . . . . | 3.—                                     |
| 12                         | Oranges and tangerines . . . . .  | 6.—                                     |
|                            | Oranges and tangerines preserved in brine :   |   |
|                            | Small unripe oranges, peel of oranges and tangerines ground up and preserved in brine or not. . . . .                         | 3.—                                     |
| ex 12                      | Bananas (Pisang). . . . .   | 8.—                                     |
| 13                         | Dates. . . . .  | 50.—                                    |
| 15                         | Almonds :   |   |
|                            | (1) Fresh almonds. . . . .  | 8.—                                     |
|                            | (2) Dried almonds :   |   |
|                            | (a) with shell . . . . .  | 8.—                                     |
|                            | (b) without shell. . . . .  | 15.—                                    |
| ex 16                      | Fresh, dried and salted olives. . . . .   | 10.—                                    |
| 32                         | Rice, husked or not . . . . .   | 1.—                                     |
| ex 33                      | Fresh table grapes :  |   |
|                            | (1) In baskets and boxes weighing :   |   |
|                            | (a) Up to 5 kgs. . . . .  | 10.—                                    |
|                            | (b) More than 5 kgs. and up to 10 kgs. . . . .  | 15.—                                    |
|                            | (2) Almeria grapes in barrels packed in cork powder . . . . .   | 10.—                                    |
| ex 35                      | Fruits not specially mentioned — fresh :  |   |
|                            | ex (a) Fine table fruit :   |   |
|                            | (1) Peaches . . . . .   | 8.—                                     |
|                            | (2) Apricots . . . . .  | 5.—                                     |
|                            | (3) Cherries . . . . .  | 5.—                                     |
|                            | (4) Egrlots . . . . .   | 5.—                                     |
|                            | (5) Apples . . . . .  | 5.—                                     |
| ex 36                      | Prepared fruits :   |   |
|                            | (a) prunes :  |   |
|                            | (1) not in packing or in packing weighing 25 kgs. gross or more . . . . .   | 10.—                                    |
|                            | (2) in other packings. . . . .  | 12.—                                    |
|                            | (b) Other fruits, dried, and fruits of all kinds prepared simply in another manner, etc. :                                    |   |
|                            | ex (1) pulp, flesh and juice of fruits (with the exception of the pulp, flesh and juice of plums) . . . . .                   | 6.—                                     |

| Number<br>in Austrian<br>Tariff. | Description of Goods.   | Import duty<br>per 100 kgs<br>in gold crowns. |
|----------------------------------|---|---|
| 38<br>ex 39                      | (2) Other . . . . .<br>Onions and garlic . . . . .<br>Vegetables not specially mentioned and other kitchen-garden produce,<br>fresh :<br>(a) vegetables for table use :<br>(1) potatoes : from March 15 to July 14. . . . .<br>(2) cauliflowers : from September 1 to May 31 . . . . .<br>(3) Other . . . . .   | 12.—<br>3.—<br><br><br>free<br>5.—<br>10.—    |
| ex 40                            | Vegetables of all kinds (except truffles) and other kitchen-garden<br>produce, dried, etc.<br>ex (c) Other :<br>preserved tomatoes in casks or barrels. . . . .   | 6.—   |
| ex 75                            | Pure olive oil :<br>(a) In casks, leather bags, bladders or other receptacles used by<br>trade, weighing 25 kgs. or more . . . . .<br>(b) In bottles, jars and other similar receptacles weighing less than<br>25 kgs. . . . .  | 4.—<br>8.—                                    |
|                                  | <i>Note.</i> — Consignments of these goods must be accompanied by a certifi-<br>cate of analysis issued by an official Spanish laboratory to the effect<br>that they contain pure olive oil. In case of doubt the pureness of<br>the oil may be tested in an official Austrian laboratory at the<br>expense of the person in charge of the goods.   |   |
| ex 86                            | Spirituous liquors :<br>ex (a) cognac, mixtures containing brandy, " anisados " and liquors<br>(c) arrack, rum and other spirituuous liquors . . . . .  | 300.—<br>200.—                                |
| ex 87                            | Wines :<br>ex (a) in casks :<br>Wines, containing up to 13% of alcohol by volume, of Rioja,<br>Mancha, Panades, Ampurdan, Castille, Estremadura, Leon<br>and Galicia, accompanied by a document delivered by the<br>competent Spanish authorities certifying that the appella-<br>tion of origin is a true one, up to the annual quota of 50,000<br>hectolitres. . . . .<br>Wines containing more than 13 % and up to 18 % of alcohol<br>by volume (with the exception of concentrated wines) . . . . .<br>Wines containing more than 18 % and up to 21 % inclusive<br>of alcohol by volume, Sherry and the like, Malaga and the<br>like, Tarragona, Priorato sweet wines, Malmsey and musca-<br>tel wines . . . . .<br>ex (b) in bottles :<br>All the wines enumerated above . . . . . | 45.—<br>30.—<br>40.—<br>80.—                  |
| 99 b<br>ex 105 a                 | Fish, prepared (marinated or preserved in oil, etc.) in casks . . . . .<br>Liquorice, inspissated, in boxes (even in the shape of rods and sticks)<br>or moulded into tablets . . . . .<br><i>Note.</i> — Liquorice in the form of small tubes, rings, etc., is excepted.   | 20.—<br>9.50                                  |
| ex 106                           | Fruit preserves, inspissated must, inspissated or sweetened juices of<br>fruits and berries, tamarinds :<br>ex (a) candied fruits . . . . .<br>peel of Southern fruits, candied . . . . .<br>(b) juice of fruits and berries, inspissated or sweetened, jams<br>(d) other . . . . .   | 120.—<br>60.—<br>60.—<br>80.—                 |

| Number<br>in Austrian<br>Tariff. | Description of Goods.   | Import duty<br>per 100 kgs<br>in gold crowns.         |
|----------------------------------|---|---|
| ex 107                           | Comestibles not specially mentioned and all comestibles in hermetically sealed receptacles as long as they are not subject to higher duties :<br>ex (b) sardines in pure olive oil in hermetically sealed receptacles<br>ex (c) preserved vegetables not in hermetically sealed receptacles<br>Preserved tomatoes (in hermetically sealed receptacles) .<br>Mixed pickles : asparagus, French beans, green peas, in hermetically sealed receptacles . . . . .<br>Other vegetables and other vegetable products for kitchen use, prepared, hermetically sealed. . . . .<br>ex (g) Other : Olives in hermetically sealed receptacles . . . . .<br>Preserved fruits in hermetically sealed receptacles . . . . . | 40.—<br>40.—<br>45.—<br>70.—<br>100.—<br>40.—<br>65.— |
| 108                              | Coal, etc. . . . .  | free.   |
| 109                              | Ores, etc. treated or not . . . . .   | free.   |
| ex III                           | Bark, also roots, leaves, flowers, fruit (e.g. myrobalans) valonia, gall-nuts and the like (including sumach) whether or not cut, ground or otherwise broken up for dyeing or tanning . . . . .   | free.   |
| ex 120                           | Turpentine . . . . .  | 12.—  |
| 172                              | Wool, raw, washed, combed, bleached, dyed, milled, and waste . . . . .  | free.   |
| 271 a                            | Inlaid linoleum ; linoleum less than 2.2 mm. in thickness . . . . .   | 40.—  |
| 309                              | Cork cubes . . . . .  | 1.—   |
| 310                              | Cork in sheets and slabs with bark . . . . .<br>Cork dust and cork powder . . . . .   | 4.—<br>2.50   |
| 311                              | Cork paving blocks. . . . .   | 9.—   |
| 312                              | Stoppers, soles and other wares of cork, artificial cork in sheets and slabs and other wares of this material, cork wares of all kinds combined with fine cloth . . . . .   | 20.—  |
| ex 412                           | Lead ashes . . . . .  | free.   |
| ex 522b                          | Ochre, artificial iron oxide . . . . .  | 3.—   |
| ex 523                           | Mineral paints :<br>ex (a) (1) zinc white, zinc grey (zinc oxide) . . . . .<br>(a) (2) lithopone. . . . .<br>(b) (2) ground litharge, yellow oxide of lead, massicot, minium . .<br>(b) (3) ceruse (lead white) . . . . .<br>(c) (2) White of baryta . . . . .  | 8.—<br>free.<br>10.—<br>10.—<br>free.                 |
| ex 537                           | Candles, night-lights and tapers :<br>(a) tallow candles . . . . .<br>(b) wax candles, wax cierges, wax torches . . . . .<br>(c) tapers. . . . .  | 14<br>28.—<br>15.—                                    |
| ex 549                           | Books . . . . .<br><i>Note.</i> — The products enumerated above are to be taxed on importation into Austria at the rates indicated in the schedule and are to enjoy most-favoured-nation treatment with regard both to duties and to the application of the notes contained in the Convention.  | free.   |

## SCHEDULE B.

| Number in Spanish Tariff. | Description of goods.   | Import duty in gold pesetas. |
|---------------------------|---|------------------------------|
| 199                       | Trunks, valises, handbags, hat cases and other similar articles made of leather or covered with leather or skin . . . . .   | Kgs. n. 8.—                  |
| 228                       | Jewellery of common metals coated with gold . . . . .   | » 40.—                       |
| 250                       | Articles of common metals silvered, gilt or coated with platinum, not included under other tariff numbers . . . . .   | » 16.—                       |
| ex 377                    | Milk cans of tin-plated iron. . . . .   | 100 » 128.—                  |
| 537                       | Machine tools for working metals, weighing from 4,000 Kgs. to 10,000 Kgs inclusive . . . . .  | 100 Kg.g 45.—                |
| 538                       | Machine tools for working metals weighing more. than 10,000 Kgs. . . .  | » 27.—                       |
| 577                       | Machinery used in industrial mills, and separate parts for the same . .   | » 68.—                       |
| 593                       | Machinery not included in any other number of this tariff, weighing more than 1,500 Kgs. . . . .  | » 50.—                       |
| ex 593                    | Refrigerators and ice machines weighing more than 1,500 Kgs . . . . .   | » 48.—                       |
| 629                       | Electric installations and commutators weighing more than 1,000 Kgs . .   | 100 Kg.n. 48.—               |
| 729-730                   | Chassis with engines and complete automobiles weighing :  |                              |
|                           | (a) Up to 800 Kgs . . . . .   | Kgs. n. 1.—                  |
|                           | (b) More than 800 Kgs and up to 1200 Kgs . . . . .  | » 1.20                       |
|                           | (c) More than 1,200 Kgs and up to 1,600 Kgs . . . . .   | » 1.40                       |
|                           | (d) More than 1,600 Kgs and up to 2,000 Kgs . . . . .   | » 1.60                       |
|                           | (e) More than 2,000 Kgs and up to 2,400 Kgs . . . . .   | » 2.—                        |
|                           | (f) More than 2,400 Kgs . . . . .   | » 2.40                       |
| 731                       | Motor and electric lorries, vehicles and trucks for carrying goods, motor omnibuses and motor cisterns or tanks and framework with engine for lorries . . . . .   | » 0.80                       |
| 732                       | Framework without engines, longitudinal bars, suspensions, gearing and separate parts not specially mentioned for automobiles . . . . .   | » 1.—                        |
| 816                       | Toilet soap not perfumed. . . . .   | » 2.—                        |
| 1288                      | Artificial silk yarn, not twisted, natural colour or bleached . . . . .   | » 2.40                       |
| 1298                      | Fabrics of silk, floss silk or artificial silk, bleached, dyed, printed or goffered, including those impregnated or coated with rubber . .  | » 40.80                      |
| ex 1298                   | Ribbons of silk, floss silk or artificial silk . . . . .  | » 40.80                      |
| 1429                      | Sweetmeats, confectionery, preserves in sugar, and non-medicinal syrups   | » 2.80                       |
| 1502                      | Articles of rubber for hygiene, orthopaedic or medical purposes without admixture of other materials . . . . .  | » 6.40                       |
| 1537                      | Hats and caps in wool or hair felt . . . . .  | per piece 3.20               |
|                           | The products enumerated above are to be taxed, on importation into Spain, at the rates indicated in the schedule. With regard to the application of the notes contained in the Convention, they shall enjoy most-favoured-nation treatment. |                              |



## SCHEDULE C.

## CLASS I.

Nos. 14, 22, 29, 63, 84, 95.

## CLASS II.

Nos. 100, 101, 102, 111, 112, 113, 115, 116, 119, 120, 121, 122, 130.

## CLASS III.

Nos. 203, 204.

## CLASS IV.

Nos. 232, 225, 226, 227, 229, 243, 244, 245, 246, 247, 248, 249, 259, 290, 292, 293, 295, 329, 330, 344, 346, 347, 348, 349, 350, 353, 354, 360, 361, 362, 363, 364, 365, 377, 380, 387, 388, 389, 399, 400, 401, 439, 440, 441, 442, 446, 447, 448, 449, 450, 453, 454, 457, 462, 468, 470, 471, 475.

## CLASS V.

Nos. 494, 495, 499, 500, 519, 520, 521, 522, 531, 534, 535, 536, 539, 540, 541, 542, 543, 548, 566, 567, 570, 574, 584, 585, 586, 587, 589, 590, 591, 592, 594, 595, 596, 597, 615, 620, 621, 622, 623, 624, 625, 626, 627, 628, 635, 640, 641, 644, 655, 657, 661, 688, 695.

## CLASS VI.

Nos. 817, 819, 823, 824, 831, 832, 833, 834, 835, 836, 856, 875, 923, 958.

## CLASS VII.

Nos. 1021, 1022, 1025, 1027, 1028, 1029, 1032, 1051, 1052, 1053, 1071, 1072, 1088, 1089.

## CLASS VIII.

Nos. 1155, 1157.

## CLASS IX.

Nos. 1185, 1186, 1187, 1208, 1209, 1211.

## CLASS X.

Nos. 1264, 1265, 1266, 1272, 1274.

## CLASS XI.

Nos. 1303, 1310, 1311, 1316.

## CLASS XII.

No. 1428.

## CLASS XIII.

Nos. 1446, 1456, 1460, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1471, 1472, 1484, 1496, 1503, 1506, 1513, 1526, 1529, 1540.

The products included in the tariff items mentioned above, on importation into Spain, are to enjoy most-favoured-nation treatment with regard both to duties and to the application of the notes contained in the Conventions.

## ANNEX D.

## FORM

Name of State.

*(Issuing Authority.)*

## TRADE LICENCE FOR A COMMERCIAL TRAVELLER

valid for twelve months from date of issue.

Valid for ..... No. of trade licence .....

It is herewith certified that the holder of this

licence M .....  
 born at ..... resident at .....  
 possesses ..... under the  
 name of .....  
 (or) is a commercial traveller in the service of the firm (s) of .....  
 ..... at .....  
 which possess (es) <sup>1</sup> .....  
 under the name of .....

As the bearer of this licence intends to solicit orders in the above-mentioned countries and to make purchases for the above firm (s), it is certified that the said firm (s) is (are) authorised to exercise its (their) trade and industry at..... and pay (s) the taxes required by law to this end.

..... 19.....

Signature of head of the firm (s) :

.....

## DESCRIPTION OF BEARER :

Age.....  
 Height .....  
 Hair .....  
 Special marks .....  
 Signature of bearer .....

<sup>1</sup> Give name or factory of business.

N. B. Only the first part of the form should be filled in in the case of the head of a commercial or industrial establishment.