

N° 1075.

FRANCE ET PANAMA

Convention sur le traitement des
voyageurs de commerce, signée à
Panama, le 16 août 1922.

FRANCE AND PANAMA

Agreement regarding the Treatment
of Commercial Travellers, signed
at Panama, August 16, 1922.

¹ TRADUCTION. — TRANSLATION.No. 1075. — AGREEMENT ² BETWEEN FRANCE AND PANAMA REGARDING THE TREATMENT OF COMMERCIAL TRAVELLERS, SIGNED AT PANAMA, AUGUST 16, 1922.

French official text communicated by the Prime Minister, Minister for Foreign Affairs of the French Republic. The registration of this Agreement took place February 6, 1926.

THE FRENCH REPUBLIC and THE REPUBLIC OF PANAMA, desirous of promoting their commercial relations and of encouraging trade by facilitating the work of their commercial travellers, have decided to sign an Agreement for that purpose and have appointed as their respective Plenipotentiaries :

THE PRESIDENT OF THE FRENCH REPUBLIC :

M. DE SIMONIN, French Chargé d'Affaires at Panama ;

THE PRESIDENT OF THE REPUBLIC OF PANAMA :

M. Narciso GARAY, Secretary of State for Foreign Affairs of the Republic of Panama ;

Who, having exchanged their full powers which were found in good and due form, have agreed upon the following provisions :

Article 1.

Merchants, manufacturers and other traders domiciled in the territory under the jurisdiction of one of the High Contracting Parties shall be entitled to act as commercial travellers, either in person or through agents or employees, in the territory placed under the jurisdiction of the other Party, on payment to the latter Party of the fees charged for a single licence, which shall be valid throughout its territory.

Each of the High Contracting Parties reserves the right, in case of war, to prevent nationals of enemy countries, or other foreigners whose presence might be regarded as undesirable in the interests of public order or national security, from carrying on business, either in accordance with the provisions of the present Agreement or in any other manner.

Article 2.

In order to obtain the licence in question, the person concerned must produce a certificate issued in the country of domicile of the merchants, manufacturers and other traders whom he

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Panama, August 17, 1925.

represents, accrediting him as a commercial traveller. This certificate shall be made out by the authorities designated for that purpose by the respective countries and shall be attested by the Consul of the country in which the person concerned proposes to do business. On this document being produced the authorities of the last-named country shall issue the national licence referred to in the previous Article.

Article 3.

Commercial travellers shall be allowed to sell their samples without requiring a special importers' licence.

Article 4.

All samples which have no commercial value shall enter the country free of duty.

Samples shall be regarded as without commercial value when they are marked, sealed or rendered unfit for use in such a manner that they cannot be employed for other purposes.

Article 5.

Samples which have a commercial value shall be admitted provisionally if a deposit is made to cover the payment of Customs duties in case the samples should not be re-exported within six months.

Article 6.

Customs formalities shall be simplified as far as possible in order to avoid delays in the delivery of samples.

Article 7.

Hawkers and other traders who sell direct to consumers, but are not permanently established in the country in which they do business, shall not be regarded as commercial travellers but shall pay licence fees according to the class of business in which they engage.

Article 8.

The following shall require no licence :

- (a) Persons who are travelling with the sole object of studying the market and its requirements, even if they establish commercial relations in the country, provided, however, that they do not dispose of any goods by sale ;
- (b) Persons doing business through local agencies which pay the licence fees or other charges to which their concerns are liable ;
- (c) Commercial travellers who only effect purchases.

Article 9.

Any concessions which one of the High Contracting Parties may grant, either by a law or by a treaty or convention, with a view to modifying one of the provisions of the present Agreement, shall *ipso facto* be granted to the other Party.

Article 10.

The present Agreement shall be ratified and the exchange of ratifications shall take place at Panama or in Paris within two years from the present date, or earlier if possible.

The present Agreement shall remain in force for a period of six months reckoned from the day on which one of the two Contracting Parties notifies the other of its intention to denounce it ; both Parties reserve the right to give such notice at any time. It is further agreed between the Parties that the present Agreement shall cease to be in force six months after the receipt by either of them of the ratification in question.

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

Done in duplicate at Panama on the sixteenth day of August, nineteen hundred and twenty-two.

(Signed) M. DE SIMONIN.

(Signed) NARCISO GARAY.