

N° 1532.

**FINLANDE
ET TCHÉCOSLOVAQUIE**

Convention de commerce et de navigation, avec protocole de signature.
Signés à Helsinki, le 2 mars 1927.

**FINLAND
AND CZECHOSLOVAKIA**

Convention of Commerce and Navigation, with Protocol of Signature.
Signed at Helsinki, March 2, 1927.

¹ TRADUCTION. — TRANSLATION.No. 1532. — CONVENTION ² OF COMMERCE AND NAVIGATION BETWEEN FINLAND AND CZECHOSLOVAKIA. SIGNED AT HELSINKI, MARCH 2, 1927.

French official text communicated by the Finnish Minister for Foreign Affairs and by the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Convention took place September 20, 1927.

THE PRESIDENT OF THE REPUBLIC OF FINLAND, of the one part, and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, of the other part, being equally desirous of promoting and developing commercial relations between the two countries, have decided to conclude a Convention on Commerce and Navigation, and have for that purpose appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF FINLAND,

M. Väinö VOIONMAA, Minister for Foreign Affairs ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC,

M. Jan Brož, Counsellor of the Legation ;

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

Article 1.

The nationals of each of the Contracting Parties shall enjoy in the territory of the other Party the same treatment in all respects as is accorded to the nationals of the most favoured nation.

They may not be subjected to any taxes, dues or contributions of any nature or kind whatever other or higher than those imposed on the nationals of the other Contracting Party.

Article 2.

Limited liability companies, co-operative societies and other companies of a commercial character which have their headquarters in the territory of one of the Contracting Parties and which are regularly constituted therein in conformity with the laws of that Party, shall, so long as all the formalities required by law are duly observed, enjoy within the territory of the other Party, in every respect, the same treatment as is accorded to similar companies of the most favoured

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 Warsaw, July 16, 1927.

nation, it being understood however that the right of such companies to exercise their trade or industry in the territory of the other Party shall continue to be regulated by the special laws and regulations in force therein.

The aforesaid companies and co-operative societies shall not be subject to taxes, dues or contributions of any kind whatever higher than those imposed on the companies and co-operative societies of the country in question.

Article 3.

Nationals, companies or co-operative societies of one of the Contracting Parties having their domicile in the territory of the other Party, may only be subjected therein to the taxes, dues and contributions referred to in Articles 1 and 2 in respect of such part of their assets as is situated in the country in which the aforesaid taxes, dues and contributions are levied, or in respect of any trade or industry which they exercise, or of any income which they earn therein.

Article 4.

Finnish nationals not domiciled in Czechoslovakia, and Finnish companies and co-operative societies exporting goods from Finland to Czechoslovakia shall not be subject in Czechoslovakia to taxes on the profits derived from such export trade unless they have branch establishments in that country.

If they carry on their trade or industry wholly or partly in Czechoslovakia, the portion of the profits derived from the business transacted in Czechoslovakia shall alone be liable to taxation in that country.

The same treatment shall be applied to goods exported to Finland by Czechoslovak nationals, companies and co-operative societies.

Article 5.

Internal taxation levied for the benefit of the State, communes, or corporations which is, or may be, imposed on the production, manufacture or consumption of articles in the territory of one of the Contracting Parties shall under no circumstances constitute a higher or more burdensome charge on products of the other Party than on similar products of the country itself.

Article 6.

Merchants, manufacturers and other traders of either Contracting Party who can produce an identity card issued by the competent authorities of their country, showing that they are authorised to carry on their trade or industry in that country and that they pay therein the dues and taxes required by law, shall be entitled, provided that they observe the laws and regulations in force in both countries, to effect purchases in the territory of the other Contracting Party, either personally or through travellers in their employ, from merchants or producers or in the public market. They may accept orders, even upon samples and patterns, from merchants or other persons who make use, in their own trade or industry, of goods of the same nature as those offered.

If either of the Contracting Parties should impose special taxes or trading licence fees, the other Party shall be entitled to adopt similar measures, in order to re-establish reciprocity.

Czechoslovak and Finnish commercial travellers who are furnished with identity cards in conformity with the specimen form agreed upon between the Contracting Parties and issued by the authorities of their respective countries shall be entitled to carry with them samples and patterns but not goods.

The Contracting Parties shall communicate to each other the names of the authorities who are qualified to issue identity cards, and the regulations which commercial travellers must observe while conducting their business.

Articles imported as samples with the above-mentioned object shall, in each of the two countries, be temporarily admitted free of duty on compliance with the Customs regulations and formalities laid down to ensure their re-exportation, or the payment of the prescribed Customs duties if they are not re-exported within the period allowed in the laws and regulations of the respective countries. Nevertheless, this privilege shall not apply to articles which by reason of their quantity or value cannot be regarded as samples, or which owing to their nature cannot be identified on re-exportation. The right to decide whether a sample is entitled to be admitted free of duty belongs in all cases exclusively to the competent authorities of the importing country.

The above provisions shall not affect the import and export restrictions which are in force in the two countries.

If the samples or patterns are produced for re-export before the expiration of the regulation period at a Customs office which is competent to deal with them, the said office shall satisfy itself that the articles produced are the same as those for which the temporary permit granting exemption from import duty was issued. If there is no doubt on this point, the office shall register the goods as re-exported and shall refund the value of the duties deposited.

If it is found that the samples or patterns have not been re-exported before the expiration of the prescribed period, the amount of the duties shall accrue to the Treasury.

The Customs officials of the importing country may, if they think fit, affix supplementary marks in addition to those officially fixed in the exporting country to identify the samples or patterns.

The above provisions shall not apply to itinerant traders, to hawkers or to the soliciting of orders from persons who are not engaged in industry or trade, each of the High Contracting Parties reserving full legislative freedom in this respect.

Article 7.

As regards import duties and charges and any additional charges, coefficients or increases of any kind whatsoever which are or may be levied on the importation of goods, each of the Contracting Parties undertakes to grant to the natural or manufactured products of the other Party, unconditionally and without reserve, the benefits of any privilege or exemption which it has granted or may grant to similar goods of a third Power.

Natural or manufactured products exported from the territory of one of the Contracting Parties to the territory of the other shall enjoy the most favourable treatment accorded in regard to the export duties and charges which are at present in force or which may subsequently be imposed.

Article 8.

Without prejudice to the provisions of Article 7, goods the natural or manufactured products of Czechoslovakia, as enumerated in list A annexed hereto, shall when imported into Finland enjoy the percentage reductions specified in that list. The said percentage reductions shall apply to any surcharges or coefficients of increase which are or may hereafter be in force.

Goods the natural or manufactured products of Finland, as enumerated in list B annexed hereto, shall when imported into Czechoslovakia enjoy the percentage reductions indicated in that list. The said percentage reductions shall apply to the duties under the Czechoslovak tariff, including the coefficients and increases provided for therein which are or may hereafter be in force.

Article 9.

There shall be reciprocal freedom of commerce and navigation between the territories of the two Contracting Parties.

Nevertheless, the Contracting Parties reserve the right to prohibit or restrict imports and exports in the following cases, provided that the said prohibitions or restrictions are simultaneously applicable to all other countries in which similar circumstances prevail :

- (1) For reasons connected with public security ;
- (2) For reasons connected with public health (including the special regulations in force in Finland in regard to wine and alcoholic liquors) or with a view to the protection of animals or plants against diseases or parasites ;
- (3) In respect of seed which by reason of its origin cannot germinate in the country into which it is imported ;
- (4) In respect of war supplies when exceptional circumstances prevail ;
- (5) In order to extend to foreign goods prohibitions and restrictions which have been or may hereafter be imposed by internal legislation on the production of, traffic in, consumption or transport of home produced goods of the same kind within the country.
- (6) In respect of articles subject to a State monopoly.

Should the Contracting Parties consider it necessary by reason of exceptional circumstances to maintain or introduce prohibitions or restrictions on the import or export of certain goods, they undertake to enter into negotiations with a view to ensuring that the above-mentioned measures shall be made as little burdensome as possible for the other Party.

It is understood that any removal or modification of a prohibition or restriction which is agreed to by one of the Contracting Parties, even as a temporary measure, in respect of any article, shall immediately and unconditionally apply to identical or similar products of the other Contracting Party.

Article 10.

In order to reserve the benefits of the above provisions for products originating in their respective countries, the Contracting Parties may require that products and goods imported into their territories shall be accompanied by a certificate of origin issued by the competent authorities in the country of origin.

The two Contracting Parties shall reciprocally accord each other most-favoured-nation treatment in regard to details concerning the form, contents and application of certificates of origin.

Article 11.

In regard to transit traffic the two Contracting Parties, shall, in their relations with each other, reciprocally apply the provisions of the Convention¹ and Statute of Barcelona of April 20, 1921, on Freedom of Transit.

Article 12.

As regards traffic by rail and other forms of public transport, goods of either Contracting Party shall be treated, in all respects, when carried over the same lines and in the same direction, as

¹ Vol. VII, page 11 ; Vol. XI, page 406 ; Vol. XV, page 304 ; Vol. XIX, page 278 ; Vol. XXIV, page 154 ; Vol. XXXI, page 244 ; Vol. XXXV, page 298 ; Vol. XXXIX, page 166 ; and Vol. LIX, page 344, of this Series.

favourably as similar national goods, particularly in respect of despatch and transport and of transport rates.

Article 13.

Czechoslovak vessels and their cargoes in Finland, and Finnish vessels and their cargoes in Czechoslovakia, shall in every respect enjoy the same treatment as is granted to the vessels of the most favoured nation and their cargoes.

The vessels of one of the Contracting Parties and their cargoes shall not be subject in the territory of the other Party to duties, charges or taxes other or higher than those imposed on national vessels and their cargoes.

This provision, however, shall not extend to the right to engage in the coasting trade and to favours which have been or may be granted in respect of national fisheries and their products.

Article 14.

The two Contracting Parties shall grant to each other the right to appoint consular representatives in all ports, towns and places of the other Party to which consular representatives of any other country are admitted.

After receiving an exequatur from the Government of the country in which they are residing, the consular representatives of each of the Contracting Parties shall enjoy, subject to reciprocity, in the territory of the other, the same exemptions, prerogatives, immunities, honours and privileges and shall exercise the same powers as are or may be granted to consular representatives of the same rank belonging to a third Power Party, provided however that neither Contracting Party may lay claim under this provision to exemptions, prerogatives, immunities, honours and privileges greater than those which it grants to the consular representatives of the other Contracting Party.

Article 15.

The Contracting Parties shall give favourable consideration to the question of the treatment of workers of one Contracting Party in the territory of the other Party with a view to reciprocally securing for them, by special agreements, the most favourable treatment possible in respect of social insurance and protection of workers.

Article 16.

The Contracting Parties shall not be entitled in virtue of the provisions of the present Convention, to claim :

Special favours which have been or may hereafter be granted to contiguous States with a view to facilitating frontier traffic ;

Special favours arising out of a Customs union.

Further Czechoslovakia shall not be entitled to claim :

Favours which have been or may be granted by Finland to Estonia so long as these favours are not granted to any other State ;

The advantages which Finland has granted or may hereafter grant to Sweden in respect of navigation north of latitude 58° N. ;

The privileges which Finland has granted or may hereafter grant to Russia in respect of fisheries and sealing.

Article 17.

The present Convention shall be ratified and the ratifications shall be exchanged at Warsaw as soon as possible.

It shall come into force on the fifteenth day after the exchange of ratifications.

Nevertheless, the two Contracting Parties may agree together to bring it into force at an earlier date if the laws of their respective countries allow them to do so.

The present Convention shall be binding for one year reckoned from the day on which it comes into force. After the expiration of that period it shall be prolonged by tacit agreement and it shall continue to be in force for three months after the date on which it is denounced by one of the Contracting Parties.

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

Done in duplicate at Helsingfors, on March the second, One thousand nine hundred and twenty-seven.

(L. S.) Väinö VOIONMAA.

(L. S.) Jan BROŽ.

LIST A.

CZECHOSLOVAK PRODUCTS IN RESPECT OF WHICH FINNISH IMPORT DUTIES ARE REDUCED UNDER THE PRESENT CONVENTION.

No. in Finnish Tariff	Description of goods	Percentage of reduction
ex 147	Preserves in hermetically closed tins : Fruits, berries, vegetables and edible mushrooms of various kinds	75 %
270	Carpets : Plush imitation, not knotted, with cut or uncut pile .	75 %
280	Tissues not specially mentioned : Half silk	80 %
281	Bands, cords and other passementerie : Of cotton, etc., plush and velvet	75 %
286	Of half silk	75 %
301	Hosiery of half-silk : Other kinds	75 %
474	Leather goods : Vända, other kinds	25 %
475	Patent leather	50 %
479	Leather gloves, combined or not with textile materials, not specially mentioned	50 %
945	Articles not elsewhere specified : Jewellery of all kinds	80 %

LIST B.

FINNISH PRODUCTS IN RESPECT OF WHICH CZECHOSLOVAK IMPORT DUTIES ARE REDUCED UNDER THE PRESENT CONVENTION.

No. in Czechoslovak Tariff	Description of goods	Percentage of reduction
ex 121	Fish not specially mentioned, salted, smoked or dried :	
	ex b) Others :	
	Smoked sprats	33 %
ex 128	Preserves of fish, meat and shell-fish :	
	Preserved fish	50 %
ex 131	All comestibles in tins, bottles and similar hermetically sealed receptacles (except those mentioned under Nos. 114, 126 and 127) :	
	Fish preserved in oil	62 ½ %
	Preserved fish	50 %
ex 351	Veneers, also planks made by glueing veneers together :	
	a) Not inlaid :	
	(i) Rough	40 %
ex 356	Wares not specially mentioned, of common wood, whether planed or not (flat or in profile), roughly turned or roughly carved, glued, rabbited or otherwise joined together :	
	ex a) In the rough, not combined with other materials :	
	ex (i) Of soft wood :	
	Bobbins not exceeding 70 metres in length . . .	20 %
ex 612	Albumen and albumenoids, casein, caseum glue :	
	Note : Casein for the manufacture of artificial horn, by permission and under control, as laid down by decree	free
ex 622	Chemical auxiliary materials and products not specially mentioned :	
	Lactic acid	46 ⅔ %

PROTOCOL OF SIGNATURE.

When proceeding to sign the present Convention the Contracting Parties agreed to the following provisions :

As regards Article 1.

The Contracting Parties agree in principle that “ *taxes de séjour* ”, shall not be imposed on nationals of either Contracting Party in the territory of the other Party. During any period in which “ *taxes de séjour* ” are levied in either State in virtue of the legal regulations in force the other Party shall be entitled to act in the same manner.

As regards Article 6.

The provisions of Article 6 concerning identity cards issued to commercial travellers and other persons mentioned in the said Article shall in no way affect the regulations concerning passports and visas in force in the territories of the respective Contracting Parties.

As regards Article 7.

It is understood that the most-favoured-nation clause shall not apply to the import of wines and alcoholic liquors.

As regards List B.

The two Contracting Parties agree that Czechoslovakia shall grant in respect of the cheese known as "Emmenthal", with or without rind, when imported from Finland (Nos 119 (a) or 119 (b) of the Czechoslovak Tariff) the same reduction as is granted in respect of that cheese by the Treaty¹ of Commerce between the Czechoslovak Republic and the Swiss Confederation, dated February 16, 1927. This reduction shall not come into force until the aforesaid Treaty between the Czechoslovak Republic and the Swiss Confederation shall come into force, and it shall then remain in force for the duration of the present Convention.

Czechoslovakia undertakes that the duties which are laid down by the above Treaty under No. 119 of the Czechoslovak Customs Tariff for other cheeses of Swiss origin shall be applied in the same manner to cheeses of similar kinds of Finnish origin.

As regards List B, under ex 121.

It is understood that the reduction of 33% is in respect of the autonomous duty of Kc 270.— so that the duty provided under the Convention is Kc 180.—.

As regards List B, under ex 622.

It is understood that the reduction of $46\frac{2}{3}$ % is in respect of autonomous duty of 15 % *ad valorem*, so that there is an 8 % *ad valorem* duty provided under the Convention.

Done in duplicate at Helsingfors, on March the second, One thousand nine hundred and twenty-seven.

Väinö VOIONMAA.

Jan BROŽ.

¹ Vol. L.XIV, page 7, of this Series.