

N° 1419.

**ESPAGNE
ET TCHÉCOSLOVAQUIE**

Traité de commerce, avec protocole
spécial. Signés à Madrid, le 29
juillet 1925.

**SPAIN
AND CZECHOSLOVAKIA**

Treaty of Commerce, with Special
Protocol. Signed at Madrid, July
29, 1925.

TEXTE ESPAGNOL. — SPANISH TEXT.

Nº 1419. — TRATADO¹ DE COMERCIO ENTRE ESPAÑA Y CHECOESLOVAQUIA, FIRMADO EN MADRID EL 29 DE JULIO DE 1925.

Texte officiel espagnol communiqué par le délégué permanent de la République tchécoslovaque à la Société des Nations. L'enregistrement de ce traité a eu lieu le 17 mars 1927.

Spanish official text communicated by the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Treaty took place March 17, 1927.

EL PRESIDENTE DE LA REPÚBLICA CHECOESLOVACA, y SU MAJESTAD EL REY DE ESPAÑA animados de igual deseo de favorecer el desarrollo de las relaciones económicas entre Checoeslovaquia y España, han decidido concertar un Convenio de Comercio, y a este efecto han nombrado por sus Plenipotenciarios respectivos, a saber :

EL PRESIDENTE DE LA REPÚBLICA CHECOESLOVACA :

Al Exmo. Señor Milos KOBR, Enviado Extraordinario y Ministro Plenipotenciario de Checoeslovaquia en Madrid, y

SU MAJESTAD EL REY DE ESPAÑA :

Al Exmo. Señor Don Fernando ESPINOSA DE LOS MONTEROS Y BERMEJILLO, Subsecretario encargado del despacho del Ministerio de Estado,

los cuales, después de haberse comunicado sus respectivas Plenipotencias, halladas en buena y debida forma, han convenido los artículos siguientes :

Artículo 1.

Habrá plena y recíproca libertad de comercio entre los territorios de la República Checoeslovaca y España.

En todo lo concerniente al comercio y a la industria, trátase de personas o de productos, las dos Partes contratantes se garantizan mutuamente el trato de la Nación más favorecida.

Artículo 2.

Los productos naturales o fabricados originarios y procedentes de los territorios españoles enumerados en la Lista A. aneja al presente Convenio, no estarán sujetos, a su importación en el territorio de la República Checoeslovaca, al pago de derechos superiores a los especificados en la citada Lista, y beneficiarán de cuantas reducciones de derechos y otras ventajas hubiere concedido o conceda, en lo sucesivo, la República Checoeslovaca a los productos similares de otros países.

¹ L'échange des ratifications a eu lieu le 3 février 1927.

¹ The exchange of ratifications took place on February 3, 1927.

TRADUCTIONS — TRANSLATIONS

¹ TRANSLATION.

No. 1419. — TREATY OF COMMERCE BETWEEN SPAIN AND CZECHOSLOVAKIA. SIGNED AT MADRID, JULY 29, 1925.

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC and HIS MAJESTY THE KING OF SPAIN, being equally desirous of promoting the development of economic relations between Czechoslovakia and Spain, have decided to conclude a Commercial Convention, and for this purpose have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

His Excellency M. Miloš KOBR, Envoy Extraordinary and Minister Plenipotentiary of Czechoslovakia at Madrid ; and

HIS MAJESTY THE KING OF SPAIN :

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

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

Article 1.

There shall be full and reciprocal freedom of commerce between the territories of the Czechoslovak Republic and Spain.

In all matters relating to commerce and industry, whether they concern persons or products, the two Contracting Parties undertake to grant each other most-favoured-nation treatment.

Article 2.

The natural or manufactured products, enumerated in list A annexed to the present Convention and originating in and coming from Spanish territory, shall not be subject, on importation into the territory of the Czechoslovak Republic, to higher duties than those specified in the said list, and shall be entitled to any reduction of duty and other preferential treatment which the Czechoslovak Republic has granted, or may hereafter grant, to similar products from other countries.

Article 3.

Other Spanish products shall, in the territory of the Czechoslovak Republic, enjoy most-favoured-nation treatment in respect of import duties, internal duties, or any other similar advantages which Czechoslovakia may have granted, or may grant, to a third country.

¹ Translated by the Secretariat of the League of Nations.

Article 4.

The natural or manufactured products, enumerated in list B annexed to the present Convention and originating in and coming from the Czechoslovak Republic, shall not be subject, on importation into Spain, to higher duties than those laid down in the said list.

Article 5.

Other products originating in and coming from the Czechoslovak Republic shall, on importation into Spain, pay the duties laid down in the second column of the Customs tariff at the time in force.

Article 6.

Natural or manufactured products originating in and coming from Czechoslovakia shall not be subject, on importation into Spain, to any surtax or increase, or to any co-efficient at present in force or introduced hereafter, which would involve an increase of Customs duty.

Article 7.

The two Contracting Parties undertake to grant each other most-favoured-nation treatment as regards commercial travellers and their samples, export duties or taxes, the regulations governing free ports, warehousing, transit, Customs formalities, import or export prohibitions or restrictions, local and harbour dues, whether such duties or taxes are levied on behalf of the Government, the provincial, or municipal authorities, or any branch of the public services.

Article 8.

Each of the Contracting Parties may demand that natural or manufactured products of the other Party shall, at the time of importation, be accompanied by a certificate of origin.

This certificate of origin shall be issued, either by the Chamber of Commerce of the consignor or by some other economic authority or body approved by the country of destination. Each of the two Parties may further demand that the certificate be authenticated by a diplomatic or consular representative of the country of destination.

Postal packets shall be exempted from the requirements of certificates of origin.

Article 9.

The present Convention shall be ratified and the ratifications shall be exchanged at Madrid, as soon as the two Parties have completed the formalities required by their respective laws.

It shall come into force ten days after the exchange of ratifications and shall remain in force indefinitely. It shall cease to have effect three months after having been denounced by either of the Contracting Parties.

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

Done in duplicate at Madrid, the twenty-ninth day of July, One thousand nine hundred and twenty-five.

(L. S.) (Signed) Mil. KOBR.

(L. S.) (Signed) F. ESPINOSA DE LOS MONTEROS.

LIST A.

DUTY TO BE PAID ON IMPORTATION INTO CZECHOSLOVAK TERRITORY OF THE FOLLOWING GOODS ORIGINATING IN AND COMING FROM SPANISH TERRITORY.

No. in Czechoslovak Customs Tariff	Description of Goods	Duty in Czechoslovak paper crowns, per hundred kg.
ex 8	Saffron	700
9	Figs :	
	(b) Dried :	
	(1) In boxes	200
	(2) In baskets	120
10	Raisins, plucked and in clusters	240
ex 11	Lemons	30
ex 12 (a)	Oranges	60
12 (b)	Tangerines	90
ex 14	Dates	270
ex 14	Bananas	66
16	Almonds :	
	(a) Dried, with or without the husk	200
	(b) Unripe, in the shell	112.50
ex 17	Olives	28
35 (a)	Fresh grapes :	
	From March 1 to July 31	240
	From August 1 to the end of February	300
ex 35 (a)	Almeria grapes in casks, in powdered cork, during the period of November to the end of February, accompanied by certificates of origin	200
36 (a)	Hazel nuts	90
104 (a)	Olive Oil in barrels, leather bottles and bladders	36
ex 106 (b)	Olive Oil in bottles	54
	Olive Oil in metal containers	81
	<i>Note to 104 (a) and ex 106 (b).</i> Consignments must be accompanied by certificates of analysis issued by the competent Spanish authorities.	
108	Distilled spirituous liquors :	
ex (a)	Spirits of wine :	
	In bottles	3,000
	Idem in barrels	3,000
ex (b)	Liqueurs, punch essences mixed with sugar or other substances	2,200
ex (d)	Natural distilled spirituous liquors prepared from fruit	1,640
ex 109 (a)	Wines in casks or demijohns :	
	(1) Of an alcoholic strength of more than 13 degrees, including Malaga, Sherry, Sweet Priorato, Malmsey, Muscatel and Tarragona (excluding concentrated wines)	210
	(2) Wines from the districts of Castile, Rioja, Aragon, Ampurdan, Panades, Valencia, Murcia, the Balearic Isles, Andalusia, Galicia and the Canaries, irrespective of alcoholic strength	210
ex 109 (b)	Wines in bottles :	
	Malaga, Sherry, Sweet Priorato, Malmsey, Muscatel and Tarragona ; Wines from the districts of Castile, Rioja,	

No. in Czechoslovak Customs Tariff	Description of Goods	Duty in Czechoslovak paper crowns, per hundred kg.
110	Aragon, Ampurdan, Panades, Valencia, Murcia, the Balearic Isles, Andalusia, Galicia and the Canaries Spanish sparkling wines of brands entitled to a special appellation exclusively granted to the producers in accordance with Spanish law	487.50 1,200
	<i>Notes to Nos 109 and 110 :</i>	
	(1) These duties shall be charged on the above-mentioned wines, when imported into the Czechoslovak Republic, on condition that the consignments are accompanied by certificates of origin issued by the Spanish authorities, a list of which shall be drawn up by common agreement.	
	(2) The Czechoslovak authorities shall recognise the certificates of analysis issued in the proper and prescribed form by the Spanish official institutes who are competent for the purpose, as agreed upon by both Governments. The Czechoslovak authorities shall be entitled to check the analysis of the imported wines.	
ex 131	(a) Preserved Tomatoes	320
ex (b)	Fish preserved in oil	450
ex (b)	Sardines preserved in pure olive oil.	360
	(c) Preserved fruit.	560
ex (d)	Preserved vegetables	600
143	Iron pyrites	Free
144	Ores, not specially mentioned, treated or not	Free
148	Colouring earths :	
	(a) Raw	Free
	(b) Burnt, ground or compressed, etc.	30
366	Stoppers, soles and other wares of cork, combined or not with common materials :	
	(a) Cork stoppers.	300
	(b) Soles and other wares of work, combined or not with common materials, with the exception of goods produced by a chemical combination of their ingredients	180
	<i>Note.</i> — The cork covered by Nos 363, 364 and 365 of the Czechoslovak Customs Tariff shall enjoy most-favoured-nation treatment and shall in no case be dutiable at rates exceeding 28, 56 and 119 crowns respectively.	
488	Base metals, crude, scrap, or waste :	
	(a) Lead, alloyed, or not etc.	14.40
	(b) Tin, etc., etc.	Free
	(c) Zinc, etc., etc.	24
	(d) Copper (including refined copper), etc.	Free
	(e) Nickel	Free
	(f) Aluminium, magnesium, etc.	Free
	(g) Base metals, etc. not specially mentioned.	Free
	(h) Alloys of base metals, not specially mentioned	Free
ex 592	Kitchen salt, unmixed (rock salt and sea salt)	14
647	Books, printed matter, etc.	Free

LIST B.

DUTY TO BE PAID ON THE IMPORTATION INTO THE SPANISH PENINSULAR AND THE BALEARIC ISLES OF THE FOLLOWING GOODS ORIGINATING IN AND COMING FROM CZECHOSLOVAK TERRITORY.

No. in Spanish Customs Tariff	Description of Goods	Gold pesetas
64	Glass, crystal and half-crystal, coloured, cut, etc.	
ex 73	Glass beads and articles manufactured of such beads and crystal pendants for chandeliers kg. net weight	100
86	Stoves, fireplaces, wash-stands, water-closets, etc. 100 kg.	0.80
ref. 86	<i>Note.</i> — Baths, sinks, water-closets and other sanitary house fittings shall be assessed for duty on the net weight.	30
92	White porcelain in the form of table services, etc.	
93	Porcelain, coloured or with fillets, decorations, etc.	57
98	Railway sleepers. 100 kg. gross weight	67
191	Driving belts and cords of leather, etc. kg. net weight	1.04
259	Tungsten steel, vanadium steel, etc. 100 kg. net weight	3.20
288	Castings of steel and malleable iron, etc., exceeding 1 kg. and not exceeding 25 kg. in weight 100 kg. net weight	120
ex 354	Stoves or kitcheners and automatic gas cookers of enamelled sheet metal or ornamented with other materials.	30
377	Kitchen and household utensils consisting of polished articles, etc. 100 kg. net weight	78
466	Tinfoil for capsules, etc. 100 kg. net weight	150
467	Tin, stamped, etc., and capsules for bottles and other containers 100 kg. net weight	85
510	Steam turbines weighing more than 10,000 kg.	115
537	Machine tools for working metals weighing from 4,001 to 10,000 kg. 100 kg. gross weight	32
ex 567	Manure spreaders 100 kg. gross weight	45
577	Machinery used in industrial mills, etc. 100 kg. gross weight	40
586	Machines for setting fluids in motion, weighing more than 500 and up to 5,000 kg. 100 kg. gross weight	64
591	Machinery, not included in any other number of the tariff, weighing more than 50 and up to 500 kg.	
592	Idem, idem, weighing more than 500 kg. and up to 1,500 kg.	80
593	Idem, idem, weighing more than 1,500 kg.	70
ex 593	Refrigerating machines and freezers, weighing more than 1,500 kg. 100 kg. gross weight	50
593 <i>ter</i>	Machinery for crushing ores 100 kg. gross weight	48
	<i>Note.</i> — These include machines for crushing ore, coal, lime, cement, stones and earth.	12

in and coming from Spain, which does not apply equally to similar natural or manufactured products originating in and coming from any other country.

With reference to Articles 2, 3 and 4.

The provisions of Articles 2, 3 and 4 shall not apply to the favours which either of the High Contracting Parties may have conceded, or may concede as an exceptional measure, to neighbouring States, with a view to facilitating frontier traffic in a zone not exceeding an average depth of fifteen kilometres on either side of the frontier, such traffic to be strictly confined to the requirements of the inhabitants of the said zone.

With reference to Articles 2 and 3.

The duties of the Czechoslovak tariff shall be assessed in Czechoslovak (paper) crowns. If the exchange value of the Czechoslovak crown — compared with the average United States dollar exchange value, or the sterling exchange value, for the year 1923, or the average of these two rates — should show an increase or a decrease, calculated on the mean rate of exchange for a whole month, of not less than 10 %, the Czechoslovak Government may, provided such a measure applies generally to imports from all countries, fix a monetary co-efficient, for the purpose of ensuring that the general and conventional duties are adjusted to the proper amount, in accordance with the mean rate of exchange for 1923.

In order to keep the value of the Customs duties at a constant level, the Czechoslovak Government shall, if necessary, alter the said co-efficient within a period in no case exceeding one month.

In testing exchange values the Czechoslovak Government shall base its calculations on the quotations of the Prague, New York and London Exchanges.

With reference to Article 7.

As regards import prohibitions or restrictions, it is understood that most-favoured-nation treatment may not be claimed in the case of prohibitions or restrictions established for the reasons enumerated below, provided they apply to all countries or to all countries in which conditions are similar :

- (1) For reasons of public safety ;
- (2) On account of State monopolies which exist at the present time or which may hereafter be instituted ;
- (3) As health police measures, and for the protection of useful animals and plants against disease, insects and harmful parasites and, especially, in the interests of public health, in conformity with the international principles adopted in that connection.

In faith whereof the Plenipotentiaries have signed the present special Protocol, in duplicate at Madrid, the twenty-ninth day of July, One thousand nine hundred and twenty-five.

(Signed) Mil. KOBR.

(Signed) F. ESPINOSA DE LOS MONTEROS.