

## ALLEMAGNE ET FRANCE

Arrangement relatif à l'échange des produits de certaines industries allemandes et sarroises, avec annexes et protocole de signature, signés à Berlin, le 6 novembre 1926, et échange de notes y relatif de la même date, ainsi qu'un protocole portant prorogation de cet arrangement. Signé à Paris, le 16 février 1927.

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## GERMANY AND FRANCE

Agreement concerning the Exchange of Products of certain German and Saar Industries, with Annexes and Protocol of Signature, signed at Berlin, November 6, 1926, and Exchange of Notes relating thereto of the same Date, as well as a Protocol renewing this Agreement. Signed at Paris, February 16, 1927.

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

## No. 1463. — AGREEMENT BETWEEN GERMANY AND FRANCE, DATED NOVEMBER 6, 1926, CONCERNING THE EXCHANGE OF PRODUCTS OF CERTAIN GERMAN AND SAAR INDUSTRIES.

THE GERMAN and FRENCH GOVERNMENTS taking, as a basis the undertakings contained in the supplementary declaration to the provisional Commercial Arrangement of August 5, 1926, and in the Protocol of Signature attached to the Agreement concluded between them on the same day concerning the exchange of commodities between Germany and the Saar Basin Territory, and being desirous to grant further facilities to the industry of the said Territory and to encourage the exchange of products of special importance for their economic life, have agreed to the following provisions :

*Article 1.*

The French Government shall permit the importation into the Saar Territory of the products originating in and coming from Germany included in List A under the favoured tariff treatment described in that list, subject to the conditions and within the limits of the quotas laid down therein.

*Article 2.*

The German Government shall permit the importation duty-free of the products originating in and coming from the Saar Territory included in Lists B 1, B 2 and B 3, within the limits of the quotas laid down therein.

*Article 3.*

Machines, mechanical appliances, apparatus and their component parts originating in and coming from Germany, which fall under the items of the French Customs tariff included in List C 1, shall enjoy on importation into the Saar Territory the benefits specified in that list, under the following conditions and with the following reservations :

## I. CONDITIONS OF IMPORTATION.

(a) The importer, in making the declaration for clearance, must submit a special licence. This licence shall only be granted to industrial or agricultural establishments, industrial or other laboratories, public services or small artisans who on January 10, 1925, had been established in the Saar Territory for at least two years, and only for their own use.

(b) Machines, mechanical appliances and apparatus must be intended to form part of a unit or group of machines, mechanical appliances or apparatus of German origin serving the same purpose and of the same type (apart from minor details of construction).

(c) No licence shall be granted for machines, mechanical appliances or apparatus not intended to form part of a unit or group as above, unless their importation appears to be essential for the maintenance of the establishment of the employer in question.

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

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

(*d*) Spare parts must be intended for repairs to machines, mechanical appliances or apparatus of German origin ; they may be imported either for immediate use or to be kept in store, if the maintenance of such a reserve is necessary in the economic or technical interests of the establishment for which they are intended.

(*e*) To obtain an import licence, the importer of machines, mechanical appliances, apparatus and spare parts as described in (*b*), (*c*) and (*d*) above, must undertake to keep such machines, mechanical appliances, apparatus and spare parts in his establishment for at least two years from the date of importation unless specially authorised to the contrary, in default whereof, the normal Customs duties, besides legal interest for the period elapsed, shall immediately become payable.

## II. PROCEDURE WITH RESPECT TO APPLICATIONS.

Application for the licences referred to in I (*a*) is to be made to the Director of Customs in Saarbrück, who shall issue them if the conditions laid down in I (*b*), I (*c*), I (*d*) and I (*e*) above are fulfilled and the proofs specified in III are furnished. If sufficient evidence is not available to enable him to grant an application, he shall refer the case for examination to a Committee of four experts, appointed as follows :

- (1) One by the importer ;
- (2) One by the President of the Saarbrück District Court from the panel of sworn experts attached to the Court ;
- (3) One by the Director of Customs in Saarbrück ;
- (4) One by the French Minister of Commerce.

The last named member shall at the same time act as Chairman of the Committee.

The Committee shall forward its opinion in writing, giving its reasons. If the Committee does not succeed in reaching a decision accepted by the majority, the minority opinions shall also be reported.

The text of these opinions or reports is to be preserved, in order that it may be consulted by the Committee of Experts, should it so wish, for later decisions. The Committee may also, should it so wish, request the Director of Customs to give the reasons for his decisions in granting licences in similar cases.

An opinion accepted by the majority has binding force. When more than one opinion is given and the votes for them are equal, the decision shall be taken by the Director of Customs in Saarbrück.

## III. PROOFS.

A. In the case of importation of machines, mechanical appliances and apparatus intended to form part of a unit or group serving the same purpose and of similar type, as described in I (*b*), no application shall be accepted or licence granted unless proof is adduced :

- (1) That the machines, mechanical appliances or apparatus to be imported are intended to form part of a unit or group of machines, mechanical appliances or apparatus originating in and coming from Germany, already in existence ;
- (2) That they are intended to serve the same purpose and are of the same type, apart from minor details of construction, as the machines in the unit or group of which they are to form part.

B. In the case of the importation of spare parts as described in I (*d*) above, proof must be adduced :

- (1) If they are imported for immediate use, that they are intended for repairs to machines, mechanical appliances or apparatus of German origin ;
- (2) If they are to be kept in store, that the nature and quantity of the parts imported are in keeping with the economic or technical requirements of the importer's establishment.

C. In the case of machines, mechanical appliances and apparatus as described in I (*c*), the opinion of the Committee of Experts and the decision of the Director of Customs in Saarbrück,

whether based on the opinion of the experts or not, must be founded on the consideration that serious economic loss would arise through substitution of machines, mechanical appliances or apparatus manufactured in the Saar Territory or in France with respect to the remunerativeness and proper running of the undertaking, the safety of the workmen, the application of the laws and regulations for the protection of the workmen, particularly as regards insurance, or the execution of the wage agreements in force for the workmen.

In adducing proofs as above and demonstrating the existence of the above conditions, the importer shall present any document and submit to any enquiry which the Director of Customs in Saarbrück or the Committee of Experts may require.

#### IV. DECISIONS.

The decisions of the Director of Customs and the opinion of the Committee of Experts to which he may have recourse shall be given in writing and the reasons thereof shall be stated. The decisions of the Director of Customs shall be given within a period of two weeks, or, if the experts have been consulted, of three weeks.

#### V. IMMEDIATE IMPORTATION.

Goods forming the subject of an opinion of the experts may be imported immediately, with the benefit of the favoured treatment shown in List C 1 attached, but shall be subject to any measures which may be necessary to ensure payment of all supplementary duties which may be required should the decision of the experts be in the negative.

#### VI. TEMPORARY EXPORTATION.

France shall permit duty free temporary exportation and re-importation of machines, mechanical appliances and apparatus of German origin, if it seems necessary that they should be repaired in Germany. The necessary permits for this purpose shall be granted by the Director of Customs in Saarbrück, who shall only refuse them if he has reason to suspect fraudulent practices.

#### VII. EXPENSES.

The expenses for the procedure laid down in this Article, including the opinion of the experts, shall be borne by the Governing Commission, which may recover them from the Saar importers to the extent of 1 per mille of the value of the commodities for which they have requested import licences.

#### Article 4.

The commodities, specified in List C 2 attached, shall enjoy, on importation into the Saar Territory, the favours described in that list under the following conditions :

(a) The importer, or his representative effecting clearance, shall, when making the declaration for clearance, produce a special import licence, issued by the Director of Customs in Saarbrück against such person's undertaking, which shall be given in writing and on oath, to keep the imported machines, mechanical appliances and spare parts in his establishment for a period of at least two years, unless otherwise authorised by the Director of Customs in Saarbrück.

Further, the importer or his duly authorised representative at the Customs office of entry shall, when making the declaration for clearance, give an undertaking, for which however no security shall be required, to pay the duties of the general tariff together with the legal interest for time elapsed if he re-sell the imported machines, mechanical appliances or spare parts either in France or in the French colonies, possessions or

protectorates, or in a foreign country, unless authorised to do so, before the expiration of the two years' period ;

(b) If the importation is effected by a trader for the purpose of re-sale to a third party, he must prove that he had, on January 10th, 1925, been established in the Saar Territory for at least two years. In the case of commodities which may only be imported in quotas, he shall prove that he is entitled to a share in the quota. Further, he or his representative effecting clearance shall, in making the declaration for clearance, give an undertaking in writing and on oath not to re-sell the imported machines, mechanical appliances or spare parts to any third person other than a person established in the Saar Territory and on the conditions of sale and settlement hereafter specified, unless authorised to do so by the Director of Customs in Saarbrück, in default whereof he undertakes to pay the general tariff rates together with the legal interest. In order to prevent any re-sale or re-exportation outside the Saar Territory, the purchaser of a commodity imported under the regulations laid down in this section shall give to the seller an undertaking in writing to keep the said machines, mechanical appliances or spare parts in his establishment for a period of at least two years from the date of purchase, in default whereof he shall pay the general tariff rates with all interest on Customs duties and all fines applicable to the offence under the French Customs law and regulations.

Import dealers shall keep accounts of all imports and sales, which shall be submitted for inspection to the Director of Customs in Saarbrück on demand. The Director of Customs may also require that the personal undertakings given by the purchasers be submitted or remitted to him.

#### *Article 5.*

The import licences referred to in Articles 3 and 4 above involve the additional obligation, besides the obligations specified in those Articles, of submitting to any measure of supervision which the Customs Administration may consider necessary.

#### *Article 6.*

With regard to the distribution of the quotas laid down in the preceding Articles, the two Governments undertake to proceed in accordance with the following provisions, to which the Governing Commission of the Saar Territory has declared its accession, so far as it is concerned, in an exchange of Notes dated November 4, 1926.

The distribution of the quotas laid down in Lists B 1 and B 2 shall be effected by the Governing Commission.

The distribution of the quotas laid down in Lists A, B 3, C 1 and C 2 shall be effected in accordance with the provisions of Article IV, Section 1, of the Arrangement concluded between Germany and France on August 5, 1926, regarding the exchange of goods between Germany and the Territory of the Saar Basin.

With respect to the supervision of the quotas laid down in Lists A, B 1, B 2, B 3, C 1 and C 2, the provisions of Section II of Article IV of that Arrangement shall be applied.

#### *Article 7.*

■ The quotas laid down in the preceding Articles shall be fixed for one year. They are divided as for three periods of four months each.

The High Contracting Parties undertake to confine the tariff favours laid down in the preceding Articles and annexed lists strictly to the quotas named in those Articles and lists ; the ordinary régime shall be applicable to quantities in excess of those quotas.

*Article 8.*

Each of the High Contracting Parties undertakes to place no obstacle in the way of the special régime for the exchange of goods between the Saar Territory and Germany, as constituted by the present Agreement, by means of any laws or regulations and, in particular, by import and export prohibitions.

*Article 9.*

The present Agreement shall be ratified and the instruments of ratification exchanged in Berlin. The approval of Parliament, if necessary, shall be requested as early as possible.

The present Agreement shall come into force on December 1, 1926, and shall expire on March 31, 1927.

Done at Berlin in duplicate, in German and French, November 6, 1926.

*(Signed)* STRESEMANN.

*(Signed)* POSSE.

*(Signed)* P. DE MARGERIE.

*(Signed)* D. SERRUYS.

## LIST A.

| French Tariff No. | Description of Goods  | Treatment                              | Contingent                    |
|-------------------|---|--|-------------------------------|
| ex 128            | Wood (for mining) . . . . .<br>Logs, rough, not squared, with or without the bark, of any length, and of a circumference at the thickest end of more than 60 centimetres.   | Minimum<br>Tariff                      | 20,000 tons.                  |
|                   | Wood (other than for mining) . . . . .  | Minimum<br>Tariff                      | 20,000 »                      |
| 133               | Perches, poles and staffs, rough, exceeding 1 metre, 10 centimetres in length and of a maximum circumference of 60 centimetres at the thickest end.<br>Wood (for mining) . . . . .  | Minimum<br>Tariff                      | 30,000 »                      |
|                   | Other . . . . .   | Minimum<br>Tariff                      | 10,000 »                      |
| ex 332            | Bricks with base of silica . . . . .  | Minimum<br>Tariff                      | 50,000 »                      |
| ex 537            | Tools with or without handles, of cast-iron, iron or steel;<br>Mechanics' Tools . . . . .<br>Other tools (last paragraph of the number)   | Minimum<br>Tariff<br>Minimum<br>Tariff |                               |
|                   | (The list of tools to be imported will be drawn up by the Committee of Experts.)  |  |                               |
| ex 541            | Wire gauze . . . . .  | Minimum<br>Tariff                      |                               |
| ex 546 b          | Hooks, eyes and rivets for footwear, of iron, steel, copper, brass, and all other common metals :<br>Buckles and clasps for dresses, trousers, waistcoats, braces, belts, gloves, footwear, and for all made-up articles, of iron, steel, copper, brass and all other common metals, and metallic parts of such articles (including the weight of the paper or cardboard on which the articles are fixed) . . . . . | Minimum<br>Tariff                      | 18 metric quintals            |
| ex 549            | Knives for manufacturing footwear and shears<br>Other knives for industrial purposes . . . . .<br>(The list of the other knives for industrial purposes will be drawn up by the Committee of Experts.)<br>Other knives . . . . .  | Minimum<br>Tariff<br>Minimum<br>Tariff |                               |
| 559 b             | Padlocks . . . . .  | Minimum<br>Tariff<br>Minimum<br>Tariff | 12 metric quintals<br>8 tons. |

## LIST B I.

| German Tariff No. | Description of Goods   | Treatment | Annual Contingent |
|-------------------|--|-----------|-------------------|
| 784               | Rough blooms ; puddled bars ; ingots ; milled bars ; billets ; crucible steel in ingots . . .  | free      | 1,310,000 tons.   |
| ex 785 A          | Malleable iron in bars, also shaped, irrespective of the method of manufacture and working . .   | »         |                   |
| ex 785 B          | Hoop iron, hot rolled (with the exception of large sheets), or forged, even worked or with patterns or ornaments embossed in the rolling . .   | »         |                   |
| 786               | Sheets and plates, rough, scaled, straightened, dressed or varnished, 5 mm. or more in thickness . . . . .   | »         |                   |
|                   | (791/2) Wire, including shaped wire :  | »         |                   |
| 791               | Hot rolled or forged, even of worked . .   | »         |                   |
| 792               | Cold rolled or drawn, of any diameter, even of further worked . . . . .  | »         |                   |
| 793               | Spiral pipes, rolled or drawn, also tube-form pieces ; in either case even of worked .   | »         |                   |
|                   | (794/5) Other pipes, rolled or drawn, irrespective of the thickness of the wall :  | »         |                   |
| 794               | Rough . . . . .  | »         |                   |
| 795               | Worked . . . . .   | »         |                   |
| 796               | Rails for railways, cogged or not, flat rails, switch rails, frogs of malleable iron, also drilled or riveted in the lower flanges ; railway sleepers ; fish plates and bed plates . . . . . | »         |                   |
| ex 825            | Barbed wire, plaited wire . . . . .  | »         |                   |
| ex 826            | Wire tacks . . . . .   | »         |                   |
| ex 825            | Screws and rivets shanks of not more than 13 mm. in diameter . . . . .   | »         |                   |



## LIST B 2.

| German Tariff<br>No. | Description of Goods   | Treatment | Annual<br>Contingent |
|----------------------|--|-----------|----------------------|
| 361                  | Thomas's phosphate meal . . . . .  | free      | 125,000 tons         |
| ex 777               | Pig iron with the exception of non-malleable iron alloys . . . . .   | »         | 30,000 tons          |
|                      | (778/9) Iron tubes, including tubeform pieces of non-malleable cast iron, even of worked :   |           |                      |
| 778                  | More than 7 mm. in thickness . . . . .   | »         | 45,000 tons          |
| 779                  | 7 mm. or less in thickness . . . . .   | »         |                      |
| ex 780 A             | Rollers of non-malleable cast iron, rough . . . . .  | »         | 100 tons             |
|                      | (782/3) Non-malleable cast iron, not otherwise mentioned in the general tariff, irrespective of the net weight per piece :   |           |                      |
| 782                  | Rough . . . . .  | »         | 10,600 tons          |
| 783                  | Worked . . . . .   | »         |                      |
| ex 785 B             | Sheets and plates, even of worked . . . . .  | »         |                      |
| ex 786               | Sheets and plates, rough, scaled, straightened, dressed or varnished, less than 5 mm. in thickness . . . . .   | »         |                      |
| ex 787               | Sheets or plates, ground, lacquered, polished, of any thickness . . . . .  | »         |                      |
| 788                  | Plate, tinned or otherwise coated with other common metals or alloys of common metals, of any thickness . . . . .  | »         |                      |
| 789                  | Sheet iron, corrugated, drawn, grooved, or with embossed surface, even of worked . . . . .   | »         |                      |
| 790                  | Sheet iron, except that specified in No. 789, pressed, studded, flanged, welded, rounded, drilled or cored, of any thickness . . . . .   | »         |                      |
|                      | (798/9) Malleable cast iron, forgings and other wares of malleable iron, not elsewhere mentioned in the general tariff, irrespective of the net weight per piece.  |           | 153,500 tons         |
| 798                  | Rough . . . . .  | free      |                      |
| 799                  | Worked . . . . .   | »         |                      |
| 800                  | Construction pieces of malleable iron, whether painted or not . . . . .  | »         |                      |
| 820                  | Bolts for fish plates and screws for sleepers, gauge bars, fastening plates, cramp hooks ; screws and rivets with shanks of more than 13 mm. thick ; nuts and washers for screws ; insulator supports ; horse-shoes and calkins, whether threaded or not ; all these even worked . . . . . | free      |                      |
| 824                  | Carriage springs, including railway carriage springs, however worked . . . . .   | »         |                      |

## LIST B 3.

| No. in German<br>Tariff | Description of Goods  | Treatment | Annual<br>Contingent |
|-------------------------|---|-----------|----------------------|
| ex 737                  | Table glass, neither polished, smoothed, ground, engraved or cut . . . . .  | free      | 50 tons              |
| 793                     | Spiral pipes, rolled or drawn; also tube-form pieces; in either case even of worked . . . . .   | }         | 600 tons             |
|                         | (794/5) Other tubes, rolled or drawn, of any thickness:   |           |                      |
| 794                     | Rough . . . . .   | »         |                      |
| 795                     | Worked . . . . .  | »         |                      |
| 797                     | Axles for railway wheels, parts of railway wheels (including hubs, tyres, frames and rims), railway wheels and sets of wheels . . . . .   | »         | 30 »                 |
|                         | (798/9) Malleable cast iron, forgings and other wares of malleable iron not mentioned elsewhere in the general tariff irrespective of the net weight per piece:   |           |                      |
| 798                     | Rough . . . . .   | »         | } 10,000 »           |
| 799                     | Worked . . . . .  | »         |                      |
| 800                     | Construction pieces of malleable iron, whether painted or not . . . . .   | »         | 6,000 »              |
|                         | (801/2) Steam boilers and drums of malleable iron together with collected parts of the same even with fittings:   |           |                      |
| 801                     | With more than ten similar tubes of an internal diameter amounting to 300 mm., or less; also boilers of all kinds of non-malleable cast iron; all these irrespective of the net weight per piece . . . . .  | »         | } 1,920 »            |
| 802                     | Others . . . . .  | »         |                      |
| 803                     | Cask buoys for anchors, reservoirs for gas, water and other purposes, recipients and other apparatus for factories as well as for breweries and distilleries, rivetted, pressed or welded, whether with fittings or not, and collected parts of such recipients and apparatus . . . . . | »         | 3,000 »              |
| 804                     | Tube joints, cocks; valves, slide-valves and similar fittings of malleable iron for boilers and drums, reservoirs and similar apparatus and for conduits, all these not in combination with other common metals or alloys thereof and irrespective of the net weight per piece.         | »         | 650 »                |
| ex 805                  | Cocks, valves, slide-valves and similar fittings of malleable iron for steam boilers and drums, in combination with other common metals or alloys thereof irrespective of the net weight per piece . . . . .  | »         | 40 »                 |
| 807                     | Blocks and rollers for pulleys; windlasses and other portable lifting tackle . . . . .  | »         | 500 »                |
| 808                     | Spades, shovels, hoes, kitchen pans, coal scoops, ladles for use in foundries, fire-irons, plough-shares, and mould boards for ploughs . . . . .  | »         | 1 ton                |
| 812                     | Files and rasps of any length . . . . .   | »         | 2 tons               |

| No. in German<br>Tariff | Description of Goods   | Treatment | Annual<br>Contingent |
|-------------------------|--|-----------|----------------------|
| 813                     | Drills not elsewhere mentioned in the general tariff; tongs; cutters for vines and roses, hedge shears, pruning shears, sheet metal shears, sheep shears; chisels, and two-bevelled chisels; planes; tube cutters, ratchet drills, packing, tillers machine knives, taps, cutting compasses . . . . .  | free      | 1 ton                |
| 815                     | Hammers with net weight per piece of 10 kg. or under, axes, choppers, pick axes (with the exception of hoes) drawing knives, mincing knives, meat choppers, coarse kitchen and garden knives, hand files and hand screws, adjustable wrenches, vice-pins, tightening tools, braces and other tools not specially mentioned in the general tariff . . . . . | »         | 250 tons             |
| 818                     | Spindles of all kinds . . . . .  | »         | 20 »                 |
| 821                     | Iron fittings for railway carriages, buffers, points and signals. . . . .  | »         | 500 »                |
| 822                     | Patent and semi-patent axles . . . . .   | »         | 250 »                |
| 824                     | Carriage springs, including railway carriage springs, however worked . . . . .   | »         | 2,000 »              |
| ex 825                  | Barbed wire, plaited wire . . . . .  | »         | 2,000 »              |
| ex 825                  | Iron coffin handles, even if combined with nickel  | »         | }                    |
| ex 859                  | Fine zinc coffin handles, even if combined with iron or nickel . . . . .   | »         | }                    |
| ex 868                  | Nickel coffin handles, even if combined with iron wire or zinc, so far as they are not included with the finely worked ornamental articles, etc. under No. 887 in the German Tariff . . . . .  | »         | 2 »                  |
| 828                     | Stove pipes and rings, boxes, drums, chests, baths, curry-combs, house and kitchen utensils, revolving shutters and blinds, travelling bag and portmanteau frames, bells and alarms, all these of sheet iron; also parts of such articles; all even if worked . . . . .  | »         | 100 »                |
| 829                     | Chains (except bicycle chains) and parts thereof, even if worked . . . . .   | »         | 100 »                |
| 834                     | Safes and cash boxes . . . . .   | »         | 50 »                 |
| ex 835                  | Cupboards for card indexes . . . . .   | »         | 300 »                |
| 836 A                   | Ball bearings and roller bearings, also with balls or rolls, irrespective of the net weight per piece (ex 877/8) Socket and flange pipes or cocks, socket slide-valves and water gauges, other than electric, all these neither varnished, painted nor nickled:  | »         | 5 »                  |
| ex 877/8                | Of copper or brass, even of lacquered or polished, combined or not with other materials, so far as they do not come under higher tariff items.   | »         | }                    |
| ex 878                  | Of tombac, combined or not with other materials, so far as they do not come under higher tariff items . . . . .  | »         | 10 tons              |
| ex 877/8                | Coarse wares of copper or cast brass other than those given above under No. ex 877/8 and in the preceding numbers of the General Tariff, even if lacquered or polished, but not varnished, painted or nickelled, all of them,  | »         | }                    |

| German Tariff No.       | Description of Goods   | Treatment | Annual Contingent |
|-------------------------|--|-----------|-------------------|
| ex 877/8<br>(Continued) | combined or not with other materials, so far as they do not thereby come under higher tariff items . . . . .   | free      | 80 tons           |
| 894                     | Steam engines, steam turbines, water power machinery (turbines, water wheels, water pressure engines), combustion or explosion motors, hot air and compressed air motors and other motive machinery not specified in the preceding numbers of Section 18 of the General Tariff, with the exception of electric motors, combined or not with dynamos, pumps, hammers, blowing machines, freezing machinery, mining engines; also fixed, portable or floating dredgers, pile-driving machines and cranes, all these irrespective of the net weight per machine | »         | 2,000 »           |
| 903                     | Fire engines of all kinds; pumps to be worked by men or animals . . . . .  | »         | 75 »              |
| 906 D                   | Other machinery not especially mentioned in the General Tariff, irrespective of the net weight per machine :   |           |                   |
|                         | Freezing machinery and freezing apparatus of German pattern, even if permanently combined with electric motors . . . . .   | »         | 600 »             |
| 907                     | Others . . . . .   | »         | 3,000 »           |
| 907                     | Lighting machinery and ignition machinery for automobiles; starters for combustion motors etc. . . . .   | »         | 1,650 »           |
| 912 A                   | Telegraph appliances, electrical; telephones; electrical measuring, counting and registering apparatus; component parts of such articles.  | »         |                   |
| 912 F                   | Electric appliances for illumination, transmission of power or electrolysis, and for surgical and dental purposes; resistances and shunts; galvanic and dry batteries and thermo-electric couples; other electrical appliances; component parts of such articles . . . . .   | »         | 300 »             |
| 914                     | Vehicles intended to run on rails, not in combination with motive machinery . . . . .  | »         | 3,800 »           |
| 915                     | Vehicles not intended to run on rails (except ships and traction engines), in combination with motive machinery (motor cycles and motor cars, in the case of the latter irrespective of the net weight per car) . . . . .  | »         | 200 each          |
| 916                     | Cycles, not intended to run on rails (except water cycles), not in combination with motive machinery, also intended for the transport of goods or persons, or adapted to take side-cars etc. . . . .   | »         | 2 tons            |
| 919/20.                 | Parts of cycles (except motive machinery and parts thereof, and ball-bearings, also with balls) :  |           |                   |
| 919                     | Of iron, even if worked . . . . .  | »         |                   |
| 920                     | Of other common metals or alloys of common metals, of wood, cork, vulcanite, horn, leather, celluloid or similar moulding materials; finished wheels for cycles . . . . .  | »         | 15 tons           |

## LIST C I.

| French Tariff No. | Description of Goods   | Treatment                           | Contingent |
|-------------------|--|-------------------------------------|------------|
| 510               | Stationary steam and marine engines, without boilers, stationary steam pumps; various gas and air compressors; gas, petrol, alcohol, hot air and compressed air motors, and those operated by any other gaseous or explosive mixtures, as well as all other motors not mentioned . . . . . | Minimum<br>Tariff                   |            |
| 511               | Steam engines, portable, including the boilers .   | Minimum<br>Tariff                   |            |
| 512 <i>b</i> .    | Hydraulic engines, wheel, piston or turbine; pumps, ventilators . . . . .  | Minimum<br>Tariff                   |            |
| ex 519            | Knitting and hosiery machines, with the exception of cotton looms and the like . . . . .   | Minimum<br>Tariff                   |            |
| ex 521            | Presses and machines for letter-press printing, lithography, phototype, copperplate, and all other kinds of impressions on paper, cardboard, wood, metal, celluloid, plastic stuffs, in black or in colour, flat, sunk or embossed, weighing 8 000 kg. or more . . . . .                   | minimum<br>tariff reduced<br>by 30% |            |
| 522               | Agricultural machines (not including motors) .   | minimum<br>tariff reduced<br>by 30% |            |
| ex 523            | Sewing machines for industrial purposes . . .  | minimum<br>tariff reduced<br>by 30% |            |
| 524               | Dynamo-electric machines . . . . .   | minimum<br>tariff                   |            |
| 525               | Machine tools . . . . .  | minimum<br>tariff reduced<br>by 30% |            |
| ex 525 <i>b</i> . | Milling machinery, cylinder mills, and machines for the manufacturing of alimentary pastes. .  | minimum<br>tariff                   |            |
| 525 <i>e</i>      | Charging apparatus for blast furnaces; throats of blast furnaces; casting ladles; metal mixers; steel converters; truck ladles; rolls for various rolling mills; live roller gear beds; scrapers for rollers; charging apparatus for Martin furnaces, etc. . . . .                         | minimum<br>tariff                   |            |
| ex 525 <i>f</i>   | Apparatus complete, not elsewhere mentioned, and weighing 2,500 kg. and upwards . . . .  | minimum<br>tariff                   |            |
| 526 <i>c</i>      | Boilers of steel or iron plate, tubular or semi-tubular, that is to say, having tubes, whether of iron, steel, copper or brass . . . . .   | minimum<br>tariff                   |            |

| French Tariff No. | Description of Goods  | Treatment      | Contingent |
|-------------------|---|----------------|------------|
| 526 <i>d</i>      | Multi-tubular boilers, and parts . . . . .  | minimum tariff |            |
| ex 526 <i>e</i>   | Open boilers, vessels of ungalvanised iron or steel plate (with the exception of gasometers, radiators for heaters, and gas, petroleum and spirit heaters) . . . . .  | minimum tariff | } 200 tons |
| ex 526 <i>f</i>   | Heaters and their boilers heated by steam or hot water . . . . .  | " )            |            |
| ex 527            | Heating apparatus for brewing . . . . .   | minimum tariff |            |
| 527 <i>b</i>      | Refrigerating apparatus . . . . .   | minimum tariff |            |
| 532               | Detached parts of machines and of shafting of non-malleable cast iron, turned, filed or adjusted . . . . .  | free           |            |
| 532 <i>b</i>      | Cylinders for rolling mills, rough . . . . .  | minimum tariff |            |
| 532 <i>c</i>      | Flywheels for machines . . . . .  | minimum tariff |            |
| ex 533            | Component parts of machines, of brake and steering apparatus, and of shafting, of wrought or stamped iron or steel, of cast iron or steel, of malleable cast iron, worked . . . . .   | free           |            |
| 533 <i>b</i>      | Straight axle-trees (mounted) for railways and tramways . . . . .   | minimum tariff |            |
| ex 533 <i>c</i>   | Straight shafts, solid, worked . . . . .  | minimum tariff |            |
| ex 533 <i>d</i>   | Straight shafts (bored), bent shafts, crank shafts, worked . . . . .  | minimum tariff |            |
| ex 533 <i>e</i>   | Parts of turbines, driven by steam, gas, petrol, or any other gaseous or explosive mixture. . . . .   | minimum tariff |            |
| ex 533 <i>f</i>   | Component parts of boilers and similar apparatus of pressed or welded sheet-iron, worked . . . . .  | free           |            |
| 534               | Springs of steel for carriages, automobiles, railway carriages and wagons, or locomotives . . . . .   | minimum tariff |            |
| ex 535            | Component parts of copper, pure or alloyed with any metal, cast, wrought, or moulded (brasses, cocks, and accessory fittings for water, gas, steam), worked . . . . .   | free           |            |
| 535 <i>b</i>      | Component parts of machines and of shaftings not specified, of two or more metals, such as iron, steel, cast iron, copper pure or alloyed with any metal named in the preceding articles, such as brasses, cocks and accessory fittings for water, gas and steam . . . . .            | free           |            |
| 536               | Dynamo-armatures and component parts, such as : coils, solid or hollow, of metal surrounded by insulated copper ; worked parts of metal fitted or not, for electric machines, electric apparatus, electro-technical apparatus, transformers and other electrical appliances . . . . . | free           |            |
| ex 556            | Cylinders for rolling mills of case hardened cast iron  | minimum tariff |            |

## LIST C 2.

| French Tariff No. | Description of Goods  | Treatment        | Annual Contingent      |
|-------------------|---|------------------|------------------------|
| 331               | Fire-proof pottery of common clay . . . . .   | minimum tariff   |                        |
| ex 332            | Bricks and wares based on alumina, bauxite, magnesia etc. . . . .   | minimum tariff   |                        |
|                   | Crucibles and wares of graphite, plumbago and other varieties of carbons . . . . .  | minimum tariff   |                        |
| ex 505            | Electrometers and parts thereof, weighing up to 5 kg. each . . . . .  | minimum tariff   | 2,400 pièces           |
|                   | Weighing over 5 kg. each . . . . .  | minimum tariff   | 600 »                  |
|                   | Water and gas meters . . . . .  | minimum tariff   | 800 »                  |
| ex 521            | Presses and machines for printing, weighing less than 8,000 kg. . . . .   | } minimum tariff | 180 tons               |
| 521 b             | Machines and supplies accessory to the printing and stationery trades . . . . .   |                  |                        |
|                   | Machines for folding : for casting type characters : for goffering : machines for coating, varnishing, gumming and bronzing : automatic margin gauges : machines and supplies for bookbinding |                  |                        |
| ex 521 c          | Machines for ruling . . . . .   | } minimum tariff | 2,400 pièces           |
| ex 523            | Sewing machines for domestic use . . . . .  |                  |                        |
| ex 524            | Engines for vacuum cleaners weighing less than 5 kg. (together with No. 579 b) . . . . .  | minimum tariff   | 700 complete apparatus |
| ex 579 b          | Component parts of electric vacuum cleaners (together with No. 524) . . . . .   | } minimum tariff | 20 tons                |
| ex 524 b          | Automatic electrical switch apparatus weighing between 10 and 200 kg. . . . .   |                  |                        |
|                   | Telephone apparatus weighing less than 50 kg. . . . .   |                  |                        |
|                   | Electro-medical apparatus weighing from 50 to 1,000 kg. . . . .   | minimum tariff   | 20 »                   |
|                   | Electrical cooking and heating apparatus weighing 10 kg. or under . . . . .   | minimum tariff   | 6 »                    |
|                   | Electroinstallation material . . . . .  | minimum tariff   | 3 »                    |
| ex 525 b          | Presses, balances, scales, pulleys for transmitting   | minimum tariff   |                        |
| ex 525 c          | Typewriting and calculating machines, cash registers weighing 5 kg. or more . . . . .   | minimum tariff   | 800                    |
|                   | Component parts of the same . . . . .   | minimum tariff   |                        |

| French Tariff<br>No. | Description of Goods   | Treatment         | Annual<br>Contingent |
|----------------------|--|-------------------|----------------------|
| 525 d                | Machines for rinsing, corking and placing capsules on bottles and bottling . . . . .   | minimum<br>tariff | 30 tons              |
| ex 525 f             | Apparatus complete, not elsewhere mentioned, weighing 2,500 kg. or under . . . . .   | minimum<br>tariff | 80 "                 |
| 533 g                | Balls for ball bearings, and ball bearings . . . . .   | minimum<br>tariff | 15 "                 |
| ex 538               | Gothic printers' type . . . . .  | free              |                      |
| 553                  | Straight cylindrical pipes, for drains, 7 mm. or more in thickness. Beams and columns, solid or hollow, not ornamented; frames and columns merely pierced with holes, gas retorts; solid fire bars for grates and their component parts, bars and plates for furnaces; straight bars of solid construction, vats of large size for industrial purposes; inspection doors, plates for sewers and similar rough castings.                    | minimum<br>tariff |                      |
| ex 556               | Cylinders, case-hardened of cast-iron, turned, filed, or fitted . . . . .  | minimum<br>tariff |                      |
| 558 b                | Small pieces of iron or steel work, not specified, to be used as gratings, as barriers at level crossings, for marquees, hot houses, bells, or verandas, fixed or movable frames; window frames, fitted or not, shutters of sheet iron for shops, and in general all objects composed of one or more pieces, bored or adjusted, or fitted together with rivets or bolts, each piece weighing less than 5 kg. to the lineal metre . . . . . | minimum<br>tariff |                      |
| 563                  | Nails for shoeing animals, ice cramps with screw in edges which require to be counter-sunk . . . . .   | minimum<br>tariff |                      |
| ex 614 b             | Parts of cycles . . . . .  | minimum<br>tariff | 15 "                 |
| ex 634 c             | Calibres and manometers . . . . .  | minimum<br>tariff |                      |



## PROTOCOL OF SIGNATURE.

## I.

*Ad Article 1.*

As regards Nos. ex 537 (tools) and ex 549 (cutlery for industrial purposes) specified in List A, the nomenclature to be drawn up by the experts shall include all products serving specifically industrial purposes, the importation of which from Germany is necessary for the regular operation of Saar establishments, and the conditions laid down in Articles 3 and 4, with the exception of the undertaking not to reexport, shall not be applicable to them.

The two Governments will take care to see that the list is drawn up in the manner best adopted to meet the needs of the Saar Territory.

## II.

*Ad Article 2.*

As regards the application of Article 2 and the distribution of the quotas of Lists B 1 and B 2, it is agreed that if any small producer of the Saar Territory makes an arrangement with the factory benefiting by the said quotas and receives a share of these quotas, the High Contracting Parties shall raise no obstacle to the grant of a quota certificate to such small producer by the Governing Commission. The quantity entered on this certificate is to be deducted from the share in the quota of the factory granting the concession. The German Customs authorities have the right to make this deduction.

## III.

*Ad Article 3.*

As regards No. 522 of List C 1, it is agreed that cream separators shall be admitted if intended for undertakings which specialise in dairy produce.

## IV.

*Ad Articles 3 and 4.*

As regards the application of the provisions of Articles 3 and 4, which require the importer to have been established in the Saar Territory for two years before January 10, 1925, the High Contracting Parties agree that this condition of duration of establishment applies in the case of industrial establishments to the nature of the production and not to the legal or personal position of the person conducting the establishment, and that, in the case of artisans and traders, change of profession or transfer of the same branch of activity to another place in the Saar Territory does not constitute an obstacle. Branch and auxiliary establishments, or establishments which constitute branches or extensions of establishments in existence in the Saar Territory for two years on January 10, 1925, are not subject to the above condition of duration of establishment.

## V.

*Ad Article 6.*

As regards the application of Article 6, last paragraph, the High Contracting Parties are agreed that the distribution of the quotas laid down in List C 2 shall be effected, in conformity

with the wish which they have expressed to the Governing Commission of the Saar Territory, in such fashion that a sufficient percentage shall be set aside for the import requirements of private consumers and of retailers.

## VI.

*Ad Article 7.*

As regards Article 7, paragraph 2, the two Governments renew the declarations and reservations formulated by them in the Protocol of Signature in regard to Article 3 of the Arrangement on the exchange of goods between Germany and the Saar Territory of August 5, 1926.

## VII.

*Ad Article 9.*

The High Contracting Parties agree to open conversations on March 1, 1927, with a view to the prolongation of this Agreement, if on that date they are of the opinion that a commercial treaty between France and Germany on a wider basis is likely to be concluded by April 1, 1927.

## VIII.

The minimum tariff shall be applicable to materials of any kind serving as packing for the commodities specified in Lists A, C 1 and C 2 of this Agreement, if the Customs regulations require them to be cleared separately. The same provisions shall apply to packings of goods which are admitted duty free in virtue of List A of the Arrangement between Germany and France on the exchange of goods between Germany and the Saar Territory of August 5, 1926, this favour ceasing on expiration of the said Arrangement.

## IX.

In order to give full effect to the Agreement concluded on this day, the German Government undertakes for the duration of the said Agreement :

- (1) Not to raise the autonomous and conventional duties and surtaxes at present in force for Nos. 777, 778, 779, 784, 785 A and B, 786, 787, 788, 791, 792, 794, 795, 796, 797, 800 and 869 B of the German Customs Tariff ;
- (2) Not to subject the above-mentioned products to any import prohibitions ;
- (3) To grant the said products most-favoured-nation treatment on importation into German Customs territory. This treatment does not, however, prejudice the treatment which the same products may receive after April 1, 1927, should the question not have been settled by a commercial treaty concluded before that date between the two countries.

## X.

The two Governments have concluded the Agreement signed by them to-day with the common conviction that the special favours, limited in degree and time, which they have agreed to grant to the Saar Territory in order to meet its peculiar economic needs, cannot be claimed or objected to by any State to which either of the High Contracting Parties has granted most-favoured-nation treatment.

Should, however, the Government of any third State claim the benefit of any of these special favours or object thereto, such favour shall only remain in force for a period of forty-five days as from the notification of the claim or objection by the Government to which it has been made to the Government of the other Contracting Party.

During this period, the two Governments shall open negotiations for the purpose of dealing with the claim or the objection. Neither of the two Governments, however, undertakes to grant any counter-advantage or compensation for maintaining the régime which has been claimed or objected to.

If the negotiations have not proved successful on the expiry of this period, the favour claimed or objected to shall be cancelled, and the two Contracting Parties will discuss the consequences of such a partial modification of the present Agreement.

Done at Berlin, in duplicate in German and French, November 6, 1926.

(Signed) STRESEMANN.

(Signed) POSSE.

(Signed) P. DE MARGERIE.

(Signed) D. SERRUYS.

FRENCH EMBASSY,  
BERLIN.

BERLIN, November 6, 1926.

YOUR EXCELLENCY,

In the course of the negotiations which have led to the successful conclusion of the Agreement of to-day's date concerning the exchange of metallurgical and mechanical products between the Saar Basin Territory and Germany, the two delegations thought it equitable to make provision for certain guarantees in case the private understandings between the factories of Burbach and Bous, and German organisations should expire.

In this respect, the two delegations, in agreement with the parties interested in the understandings at present in force, have made the following proposal :

(1) That should the understandings at present in force between the Gussröhrenverband and the Halbergerhütte expire, the quota laid down in List B 2 under Nos. 778—779 of the Agreement of to-day's date, shall be reduced from 40,000 to 30,000 tons ;

(2) That should the understandings at present in force between the Röhrenverband and the Société des Aciéries et Usines à Tubes de la Sarre be broken, a quota of 6,000 tons, to be added to List B 2 under Nos. 793, 794 and 795, shall be granted for the latter Company.

I gladly accede to these proposals and I hope that you will also agree to them.

I have the honour, etc.

(Signed) P. DE MARGERIE.

His Excellency M. de Margerie,  
French Ambassador,  
to

His Excellency M. Stresemann,  
Minister for Foreign Affairs.

MINISTRY FOR FOREIGN AFFAIRS.

BERLIN, *November 6, 1926.*

YOUR EXCELLENCY,

You informed me in your letter of to-day's date that in the course of the negotiations which have led to the successful conclusion of the Agreement of to-day's date with respect to the exchange of products of the metallurgical and mechanical industries between the Saar Basin Territory and Germany, the two delegations have thought it equitable to make provision for certain guarantees in case the private understandings between the factories of Burbach and Bous, and German organisations should expire.

In this respect, the two delegations, in agreement with the parties interested in the understandings at present in force, have made the following proposal :

(1) That should the understandings at present in force between the Gussröhrenverband and the Halbergerhütte expire, the quota laid down in List B 2 under Nos. 778-779 of the Agreement of to-day's date, shall be reduced from 40,000 to 30,000 tons ;

(2) That should the understandings at present in force between the Röhrenverband and the Société des Aciéries et Usines à Tubes de la Sarre be broken, a quota of 6,000 tons, to be added to List B 2 under Nos. 793, 794 and 795, shall be granted for the latter Company.

I have the honour to inform your Excellency that I share your view.

I have the honour, etc.

(Signed) Dr. STRESEMANN.

To His Excellency  
M. Pierre de Margerie,  
Ambassador of the French Republic,  
Berlin.

## PROTOCOL.

### *Article 1.*

Whereas the following economic agreements concluded between Germany and France on August 5 and November 6, 1926 :

The Provisional Commercial Arrangement between Germany and France of August 5, 1926 ;

The Agreement between Germany and France for the exchange of goods between Germany and the Saar Territory of August 5, 1926 ; and

The Agreement between Germany and France of November 6, 1926, concerning the exchange of the products of certain German and Saar industries,

will expire before the negotiations for the conclusion of a commercial treaty can be resumed, the High Contracting Parties have determined to prolong them, in order that the present régime may remain in force undisturbed while the negotiations for the treaty are pursued to a successful conclusion.

The agreements in question shall therefore remain in force until May 31, 1927.

### *Article 2.*

For the application of the agreement prolonged in virtue of the preceding Article, it is understood that the quotas enumerated in Lists A and B annexed to the provisional Commercial Arrangement

of August 5, 1926, and Lists A and B, annexed to the Agreement of the same date on the exchange of goods between Germany and the Saar Territory, shall be raised by 50 per cent.

Similarly, the quotas laid down in the Agreement of November 6, 1926, concerning the exchange of products of certain Saar and German industries for a first period of four months on the basis of the annual quotas enumerated in the lists annexed to the said Agreement shall, in conformity with the procedure and conditions of application laid down therein, be raised by 50 per cent.

*Article 3.*

Notwithstanding the provisions of the preceding Articles, if, after a rapid examination of the bases of the future commercial treaty, certain modifications which the French Government wishes to see made in the present situation cannot be accepted by common consent before March 21, the French Government may denounce the prolonged agreements on that day, in which case they shall lapse on March 31.

Done at Paris in duplicate, in German and French, on February 16, 1927.

*(Signed)* VON HOESCH.

*(Signed)* A. BRIAND.

*(Signed)* M. BOKANOWSKI.