

N° 1837.

CHILI ET NORVÈGE

Convention de commerce et de navigation et protocole additionnel.
Signés à Oslo, le 9 février 1927.

CHILE AND NORWAY

Convention of Commerce and Navigation, and Additional Protocol
Signed at Oslo, February 9, 1927.

¹ TRADUCTION. — TRANSLATION.

N^o 1837. — CONVENTION ² OF COMMERCE AND NAVIGATION BETWEEN CHILE AND NORWAY. SIGNED AT OSLO, FEBRUARY 9, 1927.

French official text communicated by the Norwegian Minister for Foreign Affairs. The registration of this Convention took place August 30, 1928.

HIS MAJESTY THE KING OF NORWAY, and HIS EXCELLENCY THE PRESIDENT OF THE CHILIAN REPUBLIC, being desirous of promoting commercial and maritime relations between Norway and Chile, have resolved to conclude for that purpose a Convention of Commerce and Navigation and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF NORWAY :

M. Ivar LYKKE, Minister for Foreign Affairs ;

HIS EXCELLENCY THE PRESIDENT OF THE CHILIAN REPUBLIC :

M. Francisco MADRID, Acting Chargé d'Affaires for the Republic at Oslo ;

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

Article 1.

The nationals, products and merchandise, including merchandise in transit, and vessels of either country shall enjoy in the other country most-favoured-nation treatment in all respects.

The same treatment shall be granted to companies and associations established in conformity with the laws of either Contracting Party, having their domicile in the territory of that Party and being duly admitted to the exercise of their commerce or industry in the territory of the other Party, it being understood that the admission of all these companies remains subject to the laws and regulations in force in the respective countries.

Article 2.

The provisions of the present Convention shall not apply to the coasting trade.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Santiago-de-Chile, July 9, 1928.

Article 3.

The nationals of either contracting State shall have the right to register trade-marks in the other State provided they fulfil the conditions and formalities required by the legislation of that State concerning trade-marks.

Article 4.

The two Contracting Parties shall grant each other the right to appoint consular representatives at all ports or commercial centres of the other Party where the right to appoint consular representatives has been granted to any third Power.

The consular representatives of the two Contracting Parties shall, after obtaining the necessary exequatur from the Government of the country on whose territory they are to exercise their functions, enjoy the same prerogatives, exemptions and privileges as are or may hereafter be accorded to the consular representatives of any third Power. The aforesaid prerogatives, exemptions and privileges shall not, however, be accorded to a greater extent to the consular representatives of one of the countries exercising their functions in the other country than to the consular representatives of the latter country exercising their functions in the former country.

Article 5.

The most-favoured-nation treatment granted in pursuance of Article 1 of the present Convention shall apply to commercial facilities of any kind and to special concessions with regard to harbour and lighthouse dues and other navigation charges.

Article 6.

The provisions of the present Convention shall not apply to the special concessions which Norway has granted or may hereafter grant to adjacent countries, to Denmark and Iceland, nor to the special concessions which Chile has granted or may hereafter grant to Latin American countries.

Article 7.

Disputes concerning the interpretation or application of the present Convention which it has been found impossible to settle by negotiation, shall be submitted to the Permanent Court of International Justice¹, unless the Contracting States have, by special agreement, decided to settle them in any other manner.

Article 8.

The provisions of the present Convention shall not apply to Spitzbergen.

¹ Vol. VI, page 379 ; Vol. XI, page 404 ; Vol. XV, page 304 ; Vol. XXIV, page 152 ; Vol. XXVII, page 416 ; Vol. XXXIX, page 165 ; Vol. XLV, page 96 ; Vol. L, page 159 ; Vol. LIV, page 387 ; Vol. LXIX, page 70 ; Vol. LXXII, page 452 ; and Vol. LXXVIII, page 435, of this Series.

Article 9.

The present Convention shall come into force immediately after the exchange of the instruments of ratification, which shall take place as soon as possible. The Convention shall remain valid for a period of five years. If, at the end of this period, it has not been denounced by one of the Contracting Parties, it shall remain in force for a further period of five years, and thereafter for successive periods of five years, until it is denounced by one of the High Contracting Parties at one year's notice.

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

Done in duplicate at Oslo, February 9, 1927.

(Signed) Ivar LYKKE.

(Signed) FRANCISCO MADRID.

ADDITIONAL PROTOCOL.

At the moment of proceeding on this day's date to the signature of a Convention of Commerce and Navigation between Norway and Chile, the undersigned, duly authorised to that effect, have agreed as follows.

(1) Norwegian cement shall be accepted in Chile by the competent Chilean authorities for use in public works upon the same conditions as those which Chile has granted or may hereafter grant in respect of cement of any other origin.

(2) The Chilean Government shall recognise the Norwegian classification Institute *Det Norske Veritas* upon the same footing as similar foreign classification institutes in Chile.

(3) The Chilean Government shall apply to fish called "brisling" or "sild" of the genus "*clupea sprattus* and *clupea harengus*" preserved in oil or tomatoes, with the heads cut off and packed, in air-tight receptacles, the Customs treatment and other import facilities granted in Chile to sardines packed in air-tight receptacles coming from any third country.

(4) The Norwegian Government undertakes to grant to Chilean wines in respect of importation, transport, sale and consumption and in all other respects, a treatment as favourable as any which is or may hereafter be accorded to wines coming from countries other than Chile.

The Norwegian Government recognises that the term "Chilean wines" applies exclusively to wines produced in Chile and undertakes not to admit for importation and

sale upon its territory so-called Chilian wines which are not of Chilian origin and are exported with certificates of origin issued by the competent Chilian authorities.

Consequently the importation and sale upon Norwegian territory of so-called Chilian wines which are not of Chilian origin shall be prohibited.

The Norwegian Government undertakes to instruct the Norwegian Wine Monopoly that these provisions must be strictly observed.

(5) As regards the maintenance of a regular line of shipping between Norway and Chile, the Norwegian Government declares that it would regard with great favour the establishment of such a line.

Any agreement or declaration contained in the present Additional Protocol shall remain in force as long as the Convention of Commerce and Navigation signed this day shall continue to have effect.

In faith whereof the Plenipotentiaries have signed the present Protocol and have fixed their seals thereto.

Done in duplicate at Oslo, February 9, 1927.

(Signed) Ivar LYKKE.

(Signed) FRANCISCO MADRID.