

N° 2521.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET TURQUIE**

Convention concernant les voyageurs
de commerce et leurs échantillons,
avec protocole de signature. Signés
à Angora, le 15 janvier 1929.

**GREAT BRITAIN
AND NORTHERN IRELAND
AND TURKEY**

Convention respecting Commercial
Travellers and Samples, with Pro-
tocol of Signature. Signed at
Angora, January 15, 1929.

TEXTE TURC. — TURKISH TEXT.

No. 2521. — CONVENTION¹ BE-TWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE TURKISH GOVERNMENT RESPECTING COMMERCIAL TRAVELLERS AND SAMPLES. SIGNED AT ANGORA, JANUARY 15, 1929.

Textes officiels anglais, turc et français communiqués par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de cette convention a eu lieu le 12 novembre 1930.

THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and THE GOVERNMENT OF THE TURKISH REPUBLIC, being desirous of facilitating the clearance through their respective Customs Departments of samples of dutiable goods brought by commercial travellers to be used as models or patterns for the purpose of obtaining orders and not for sale, mutually agree as follows :

Article 1.

With the exception of goods whose import is prohibited, articles liable to duty or to any other tax and serving as samples or patterns which are imported into Great Britain and Northern Ireland by commercial travellers representing persons, companies or firms carrying on business in Turkey, or into Turkey by commercial travellers representing persons, firms or companies carrying on business in Great Britain or Northern Ireland, shall be exempted from duty on entry or exit, subject to the following conditions :

(a) Commercial travellers when making their declaration to the Turkish Customs

Nº 2521. — SEYYAR TICARET MEMURLARININ NUMUNELERI HAKKINDAKI MUAMELATA DAIR İNGLİZ-TÜRK MUKAVELENAMESİ.¹

English, Turkish and French official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great-Britain. The registration of this Convention took place November 12, 1930.

BÜYÜK BRİTANYA VE ŞİMALİ İRLANDA MÜTEHİT KİRALLIĞI HÜKÜMETİYLE TÜRKİYE CUMHURİYETİ HÜKÜMETİ gömrük resmine tabi olup seyyar ticaret memurlarınca sipariş almak ve numune ve model olarak kullanılmak ve satılık olmamak üzere ithal edilen eşyanın mütekabilden gömrük idarelerinde muamelelerinin ifasını teskil arzusıyla, atideki ahkâmi kararlaştırmışlardır :

Madde 1.

İthalı memnu emtea müstesna olmak üzere gömrük resmine ve ya başka her hanki bir resme tabi olup bir tarafdan Türkiye dahilinde icrayi ticaret eden eşhas, ticarethane yahut şirketlerin mümessili seyyar tacirler tarafından Büyük Britanya ve Şimalı Irlandaya ve diğer tarafdan Büyük Britanya ve Şimalı Irlandada icrayi ticaret eden eşhas, ticarethane yahut şirketlerin mümessili seyyar tacirler tarafından Türkiye'ye numune yahut model olarak ithal edilen eşya gerek ithal ve gerçık ihraclarında bılıcım ile gömrük rusum ve harclarından atideki şerit dairesinde muaf olacaklardır.

(A.) Seyyar ticaret memurları Türk gömrüklerine beyannamelerini verirken,

¹ L'échange des ratifications a eu lieu à Angora, le 3 septembre 1930.

¹ The exchange of ratifications took place at Angora, September 3, 1930.

shall submit in triplicate a descriptive list, which shall show in detail the samples or patterns imported by them into Turkey. As regards samples or patterns imported into Great Britain and Northern Ireland, commercial travellers must present the documents required by the regulations in force in the countries in question.

The Customs Authorities of the country of importation may demand that the list shall be translated into the language of their country.

(b) In order that the samples or patterns may be identified at the time of re-exportation they will in the country of exportation be sealed with a wax or lead seal or stamped according to their kind and shape. Specimens of the lead or wax seals or stamps placed upon samples will be furnished reciprocally and officially by the Customs Authorities of each of the contracting parties in order to verify the authenticity of such seals or stamps. When the affixing of a seal or stamp is impossible or inconvenient, identification will be admitted by means of complete and detailed photographs, drawings or descriptions. Nevertheless, the Customs Authorities of the country of importation may at the expense of the importer affix to the samples or patterns supplementary marks in those cases where the said Authorities judge them indispensable for guaranteeing the identity of the samples or patterns at the time of their re-exportation. Apart from this last case the procedure of verification at the Customs-houses will consist simply of establishing the identity of the samples or patterns and of determining the amount of the duties and taxes to which they may be ultimately liable.

If the samples or patterns have not been sealed or stamped in the country of exportation, the Customs Authorities of the country of importation may apply their own marks of identification.

(c) After the importer has submitted to the Customs the descriptive list of the samples or patterns, an examination will be made by the Customs Officers, and if the list corresponds to the samples or patterns, the marks placed thereon are in order and the indications of the other documents are correct, the Customs duties and the consumption or other taxes, if

Türkiyeye ithal ettikleri numune yahut modelleri alelmüfredat müş'ir tarifatlı bir listeyi üç nusha olarak tevdi edeceklerdir. Büyü Britanya ve Şimalı İrlandaya ithal edilen numune ve modellere gelince, alâkadar mezkûr memleketlerin mevzuati kanuniyelerine göre icap eden vesaiki ibraz etmekte mükellefdir.

İthalât memleketinin gömrük memurları listenin lisamı mahalliye tercumesini talep edebileceklerdir.

(B) Numune yahut modeller, tektar ihraclarında ayniyetleri tesbit edilebilmek üzere, ihracat memleketinde cins ve şekillerine göre bal mumu ve ya kurşunla mühürlenecek yahut damgalanacaktır.

Tarafeyni akideynden her birinin gömrük memurları, numuneler üzerindeki tabâaların sıhatini tetkika medar olmak üzere, bu damga ve mühürlerin modellerini diğer tarafa resmen göndereceklerdir.

Damga yahut mühür vazı gayri mümkün yahut mahazırı dai olunca, ayniyetin müfassal ve mükemmel fotografiler resimler ve ya tarifatlı tesbiti caizdir. Bununla beraber, ithâlat memleketinin gömrük memurları, numune ve ya modellerin tektar ihracı sırasında tesbit ve teşhisini temin maksadile ve alâkadarlarca masrafi tesviye edilmek üzere ; zaruret gördükleri alvalde eşyayı mezkûre üzerine munzam alâmat ve ya işaretî farika vazedebileceklerdir. Bu son halin mâdasında gömrük muayenesi numune yahut modellerin ayniyetini tesbite ve indeliktiza talep edilecek rusum ve harçlar miktarını tayne münhasır kala-aktır.

Numune ve modeller ihracatmemleketinde mühürlenmiş yahut damgalanmış olmadıkları takdirde ithalât memleketinin gömrük memurları bunlara yeni işaretler vaz edebilirler.

(C) Numune yahut modellerin tarifatlı listesi ithalâtçı tarafından gömrüğe ibraz edildikten sonra gömrük muayenesine mübaşeret olunacak ve tarifatlı liste numune yahut modellere tevafukettiği, mevzu işaretler usule muvafık bulunduğu ve diğer vesaikin muhteviyatı sahih zuhur eylediği takdirde numune lerin her biri üzerinden gömrük ve isthlâk rusumu ve indelicap

any, will be assessed on each of the samples and the total of these duties and taxes will be deposited at the Customs Office either in cash or in the form of a guarantee deemed adequate by the competent authorities in the country of importation. General regulations concerning the guarantee will be drawn up by the respective Governments. The expense of weighing the samples or patterns and other expenses will be paid, and one of the copies of the descriptive list, duly legalised by the Customs Authorities, will be returned to the importer.

Nevertheless, the importer will have the right to deposit the amount of duty to which the samples would be liable if each sample were assessed at the rate of duty which is applicable to the sample liable to the highest rate of duty, in lieu of the amount of the duties calculated in respect of each of the samples according to their respective tariff classification. The Customs Authorities of the Contracting Parties are bound to adhere to this form of deposit.

(d) Samples or patterns imported in this manner shall within a period of one year be returned to the country of exportation or re-exported to any other country, either through the Custom-house at which they entered or through another Custom-house, or they may be placed in bond if this course is permitted by the regulations of the Customs Authorities concerned. The period of one year may be prolonged by the Customs Authorities of the country of importation.

(e) The descriptive list and the samples or patterns (together with a declaration if required signed in the presence of a Customs Officer, that the goods have not been used in the country of importation for any purpose other than as commercial travellers' samples or specimens and that they are in all respects identical with the goods imported) shall be presented by the person concerned to the Customs Officer, and the Officer shall after examination, without delay and against receipt, refund in full the amount of the duties and taxes deposited on entry, or shall discharge the guarantee for the payment of this amount. This refund or discharge shall only take place in respect of those samples or pat-

rusumu saire tesbit olunarak balığ oldukça miktar gömrük idaresine nakden depozito edilecek, yahut uthalât memleketi makamı rusumiyesinin kâfi adedeceği kefalet gösterilecektir. Teminata müteallik ahkâm alâkadar hukûmetler tarafından umumi bir surette tanzim edilecektir. Vezin ve sair masarifi tesviyedilecek ve tarifatlı listanın bir nushası gömrük memurları tarafından alelusul tastik edildikten sonra ithalâtçıya iade olunacaktır.

Mamâfi ithalâtçı numunelerden her birinin rusumunu tarifenin mevâdi müteallikası mucibince hisap ettirüp depozito edecek yerde numuncuların mecmuu için rusumu mezkureyi tarifede en yüksek resme tabi numune üzerinden tedîye eylemek hakkını haiz olacaktır. Tarafeyni akideynin gömrük memurları bu itilâfa tevfiki hareket etmekte mükellef olacaklardır.

(D) Bu suretle ithal edilen numune yahut modeller bir senelik bir mühlet zarfında gerek ithalolundukları gömrükten, gerek bir digerinden ihracat memleketine iade yahut her hanki bir başka memlekete tekrar ihrac edilecek ve ya, alâkadar gömrüklerin nizamati müsait olduğu takdirde antrepoya konulacaktır. Bir senelik mühlet ithalât memleketinin makamı rusumigesi tarafından temdit olunabilir.

(H) Tarifatlı lista ile numune yahut modeller (esyanın ithalât memleketinde seyyar ticaret memuruna mahsus numumeğlik ve modellikten başka hiç bir surette kullanılmadıklarını ve ithal edilenlerin aynı olduklarını mübeyin ve indellûzüm bir rusumat makamının hzurunda imzalanmış bir beyanname ile birlikte olarak) alâkadar zat tarafından rusumat makamına ibraz edilecek ve işbu makam icrası muktezi kontrolдан sonra esyanın hini ithalinde depozito edilen gömrük rusumile diger harçları makbuz mukabilinde temamen bilâ teehhür iade edecek, yahut işbu rusumun tedîyesini zamîn olan kefaleti fesh ve ibra eyleyecektir. Depozitonun iadesi yahut kefaletin fesh ve ibrası muamelâkti ancak tekrar ihrac yahut

terns which are re-exported or placed in bond. The Customs duties and other taxes which have been assessed in respect of samples or patterns which have not been re-exported or placed in bond at the expiration of the period referred to above, or have been sold within the country, shall be credited to the administration of the Customs or collected under the guarantee.

(1) The refund of the duties deposited at entry or the discharge of the guarantee can be effected at all Customs offices situated at the frontiers or at such offices in the interior of the country as may have been authorised in that respect. The Contracting Parties will communicate to each other lists of the Customs offices on which this authorisation has been conferred.

It is understood that cinematograph films, motor-cars, motor-car chassis and motor-cycles may be excluded from the benefits of this Convention.

Article 2.

The present Convention shall be ratified and the ratifications shall be exchanged at Angora at as early a date as possible. It will come into force as from the date of the exchange of ratifications and will expire three months after the date on which one or other of the Contracting Parties shall have denounced it.

In faith whereof the Undersigned, duly authorised to that effect, have signed the present Convention, and have affixed thereto their seals.

Done at Angora in duplicate, this fifteenth day of January, 1929.

(L. S.) George R. CLERK.

(L. S.) Dr. T. RÜŞTÜ.

antrepoya vazedilen numune yahut modeller için vaki olabilecektir. Yukarıda gösterilen bir senelik mühletin inkızasından sonra tektar ihrac yahut antrepoya vaze-dilmemiş yahut mahalinde satılmış olan numune yahut modeller için depozito olarak alınan gömrük rusumile sair harçlar rusumat idaresine irat kaydedilecek ve kefalet alınmışsa kefillerden tahsil olunacaktır.

(V) Methal gömrüğün mevdu resumun iadesi ve ya kefaletin feshi muamelâti hudutlarda ve ya dahili memlekette kâin olup bu bapta selahiyeti mukteziyeyi haiz bulunan gömrük idarelerinin, cümlesi tarafından ifa edilebilecektir. Tarafeyni akideyn mezkûr selahiyeti haiz idarelerin listelerini yekdigerine tebliğ edeceklerdir.

Sinema filmleri, Otomobiller, Otomobil şası-leri ve Motosikletler işbu mukavelenamenin bahsettiği menâfiden hariç tutulabileceği der-kârdır.

Mudde 2.

İşbu mukavelenamenin nastikile suveri musad-dakanın teatisi Ankarada mümkün olduğu kadar surâtle icra edilecek ve surveri musadda-kanın teatisi tarihinden itibaren meri olacak ve tarafeyni akideynden biri tarafından, fesh olunduğu tarihden itibaren üç ay sonra hükûm-den sakit olacaktır.

Tasdikanlımekal murahhaslar işbu mukave-lenameyi imza ve mührleriyle tahtım etmişlerdir.

Ankarada onbaş kânunusani bin dokuz yüz yirmi dokuz tarihinde iki nüsha olarak tanzim edilmiştir.

PROTOCOLE DE SIGNATURE

Au moment de procéder à la signature de la convention relative aux échantillons et commis voyageurs, les deux Parties sont d'accord pour déclarer que les deux textes anglais et turc ont la même valeur et feront également foi.

ANGORA, le 15 janvier 1929.

Dr T. RÜŞTÜ.
George R. CLERK.

¹ TRADUCTION. — TRANSLATION.

At the moment of proceeding to the signature of the Convention respecting samples and commercial travellers, the two Parties agree and declare that both texts, English and Turkish, have the same force and are equally authentic.

Dr. T. RÜŞTÜ.
George R. CLERK.

ANGORA, January 15, 1929.

² TRADUCTION. — TRANSLATION.

N^o 2521. — CONVENTION ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT DE LA RÉPUBLIQUE TURQUE, CONCERNANT LES VOYAGEURS DE COMMERCE ET LEURS ÉCHANTILLONS. SIGNÉE A ANGORA, LE 15 JANVIER 1929.

LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD et LE GOUVERNEMENT DE LA RÉPUBLIQUE TURQUE, désireux de faciliter le dédouanement, par leurs administrations respectives des douanes, des échantillons de marchandises passibles de droits, introduits par des voyageurs de commerce et destinés non à être vendus, mais à servir de modèles ou de spécimens en vue d'obtenir des commandes, sont convenus de ce qui suit.

Article premier.

A l'exception des marchandises dont l'importation est interdite, les articles passibles de droits ou de toutes autres taxes, servant d'échantillons ou de modèles et qui sont introduits en Grande-

¹ Traduction du Foreign Office de Sa Majesté britannique.

² Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translation of His Britannic Majesty's Foreign Office.

² Translated by the Secretariat of the League of Nations, for information.