

N° 2666.

PORTUGAL ET ROUMANIE

Convention d'établissement, de commerce et de navigation, signée à Bucarest, le 5 décembre 1930, avec échange de notes y relatif de la même date.

PORTUGAL AND ROUMANIA

Convention of Establishment, Commerce and Navigation, signed at Bucharest, December 5, 1930, with Exchange of Notes relating thereto of the same date.

¹ TRADUCTION. — TRANSLATION.No. 2666. — CONVENTION ² OF ESTABLISHMENT, COMMERCE AND NAVIGATION BETWEEN THE PORTUGUESE REPUBLIC AND ROUMANIA. SIGNED AT BUCHAREST, DECEMBER 5, 1930.

French official text communicated by the Head of the Portuguese Service accredited to the League of Nations and the Roumanian Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations. The registration of this Convention took place April 6, 1931.

HIS MAJESTY THE KING OF ROUMANIA, of the one part and THE PRESIDENT OF THE PORTUGUESE REPUBLIC, of the other part, being equally desirous of promoting and extending economic relations between their respective countries, have resolved to conclude a Treaty of establishment, commerce and navigation, and have appointed for this purpose as their Plenipotentiaries :

HIS MAJESTY THE KING OF ROUMANIA :

His Excellency M. G. G. MIRONESCO, His Prime Minister and Minister for Foreign Affairs ;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC :

His Excellency M. MARTINHO DE BREDERODE, His Envoy Extraordinary and Minister Plenipotentiary in Roumania :

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

Article 1.

Nationals and undertakings that are juristic persons belonging to either Contracting Party shall, in the territory of the other, enjoy in respect of their persons and their property most-favoured-nation treatment as regards establishment and the exercise of their trade and industry and also as regards taxes and other charges.

Article 2.

Natural or manufactured products originating in and coming from Portugal, the adjacent Portuguese islands and Portuguese colonies shall, in Roumanian Customs territory, enjoy most-

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 ratification by Roumania was notified to the Portuguese Government March 6, 1931. Came into force April 8, 1931.

favoured-nation treatment as regards import and reexport duties, internal taxes and all other similar advantages which are now or which may hereafter be granted to a third country.

Natural or manufactured products originating in and coming from Roumania shall in Portugal, the adjacent Portuguese islands and Portuguese colonies enjoy most-favoured-nation treatment both as regards import duties, surcharges, payment of Customs duties in paper or gold, and export and re-export duties, internal taxes and all similar benefits which are now or which may hereafter be granted to a third country.

Article 3.

The High Contracting Parties guarantee one another most-favoured-nation treatment in respect of the completion of Customs formalities regarding transit, warehousing, re-export or transhipment of goods and any other operation, and also in respect of the taxes relating to such operations and handling.

Article 4.

Most-favoured-nation treatment shall not apply to the following :

(a) Special privileges which are or may hereafter be granted by Portugal to Spain and Brazil or by Roumania to adjacent States with a view to facilitating frontier traffic ;

(b) Rights and privileges which are now or may hereafter be granted by Roumania to one or more other adjacent States with a view to concluding an economic agreement or Customs union ;

(c) Any special import régime intended to facilitate for either Contracting Party the financial settlements resulting from the war of 1914-18.

Article 5.

Vessels of either High Contracting Party, together with their crews and cargoes, shall, in the maritime waters and ports placed under the sovereignty, authority or protection of the other Party, benefit by the same treatment in all respects as vessels, crews and cargoes of the most-favoured-nation.

Article 6.

Each of the High Contracting Parties undertakes to adopt all necessary measures effectively to guarantee the natural or manufactured products originating in the territory of the other Contracting Party against unfair competition in commercial transactions, and in particular, to repress and prohibit by seizure and any other penalties, the importation, warehousing and placing upon the market, the sale within the country and the exportation of all products bearing either on themselves, their immediate make-up or their external wrappings, or on invoices, way-bills or commercial papers, any marks, names, inscriptions, illustrations or signs whatsoever constituting either directly or indirectly a false indication of the origin, kind, nature or specific qualities of such products or goods.

Article 7.

Each of the High Contracting Parties undertakes to adopt all necessary measures to repress within its territory the improper use of geographical appellations of origin of the wine-growing products of the other Party, provided that such appellations are duly protected and have been notified by the said Party.

The notification mentioned above should, in particular, give details of the documents issued by the competent authority of the country of origin stating the right to the appellations of origin.

Appellations of origin shall be deemed to be improperly used if they are applied to products not entitled thereto under the laws and regulations of the producing country.

Article 8.

Portuguese wines (such as Port, Madeira, Setubal Muscatel, Carcavelos, etc.) of a strength of from 14 to 21 degrees, accompanied by a certificate giving them the right to an appellation of origin notified in accordance with the preceding Article shall, upon entry into Roumania, pay a tax of 4,500 lei per 100 kg. in casks, barrels or hogsheads and of 6,000 lei in bottles or stone jars.

Article 9.

The present Convention shall be ratified in accordance with the laws of the two countries. It shall come into force one month after Roumania's ratification has been notified to Lisbon and shall remain in force for one year from the date of its coming into force. Unless it is denounced three months before the expiry of that period it shall be prolonged by tacit agreement until the expiry of a period of three months from the date on which either Government denounces it.

Done in duplicate at Bucharest on the fifth day of December one thousand nine hundred and thirty.

(L. S.) Martinho DE BREDERODE.

(L. S.) G. G. MIRONESCO.

EXCHANGE OF NOTES.

PORTUGUESE LEGATION.

BUCHAREST, *December 5, 1930.*

YOUR EXCELLENCY,

I have the honour to inform Your Excellency :

That as soon as the Convention of Establishment, Commerce and Navigation concluded between the Portuguese Republic and the Kingdom of Roumania and signed on this day's date shall enter into force under the terms of Article 9, the Portuguese Government undertakes to place at the disposal of Roumanian exporters a warehouse attached to the Military Bakery, in which Roumanian wheat can be deposited under the free warehouse system, that is to say, exempt from Customs duties until its removal for consumption, and where it shall for a period of two years be subject to a small warehousing charge only.

Such wheat may be converted into flour by the Military Bakery (without, however, involving a purchase undertaking on the part of the Portuguese Government), or may be negotiated by means of warrants.

I have the honour to be, etc.,

M. DE BREDERODE.

To His Excellency
Monsieur G. G. Mironesco,
Prime Minister and
Minister for Foreign Affairs of
His Majesty the King of Roumania,
Bucharest.

MINISTRY OF FOREIGN AFFAIRS.

No. 75 : 719.

BUCHAREST, *December 5, 1930.*

MONSIEUR LE MINISTRE,

In a note of this day's date Your Excellency was good enough to inform me :

That as soon as the Convention of Establishment, Commerce and Navigation concluded between the Portuguese Republic and the Kingdom of Roumania and signed on this day's date shall enter into force under the terms of Article 9, the Portuguese Government undertakes to place at the disposal of Roumanian exporters a warehouse attached to the Military Bakery, in which Roumanian wheat can be deposited under the free warehouse system, that is to say, exempt from Customs duties until its removal for consumption, and where it shall for a period of two years be subject to a small warehousing charge only.

Such wheat may be converted into flour by the Military Bakery (without, however, involving a purchase undertaking on the part of the Portuguese Government), or may be negotiated by means of warrants.

I have the honour to inform Your Excellency that the Roumanian Government is in complete agreement with the contents of the aforesaid note.

I have the honour to be, etc.,

G. G. MIRONESCO.

To His Excellency

Monsieur Martinho de Broderode,
Envoy Extraordinary and Minister Plenipotentiary
of the Portuguese Republic
in Bucharest.
