

N° 4093.

COMMONWEALTH
D'AUSTRALIE
ET TCHÉCOSLOVAQUIE

Traité de commerce, avec annexes et
protocole final, signés à Canberra,
le 3 août 1936, et à Praha, le
19 août 1936, et échange de notes
y relatif, Canberra, le 3 août 1936,
et Praha, le 19 août 1936.

COMMONWEALTH
OF AUSTRALIA
AND CZECHOSLOVAKIA

Treaty of Commerce, with Annexes
and Final Protocol, signed at
Canberra, August 3rd, 1936, and
at Praha, August 19th, 1936, and
Exchange of Notes relating thereto,
Canberra, August 3rd, 1936, and
Praha, August 19th, 1936.

No. 4093. — TREATY¹ OF COMMERCE BETWEEN THE COMMONWEALTH OF AUSTRALIA AND THE CZECHOSLOVAK REPUBLIC. SIGNED AT CANBERRA, AUGUST 3RD, 1936, AND AT PRAHA, AUGUST 19TH, 1936.

English official text communicated by the Minister for External Affairs of the Commonwealth of Australia. The registration of this Treaty took place April 16th, 1937.

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND, AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, in respect of THE COMMONWEALTH OF AUSTRALIA, and the PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, being desirous of improving and extending the commercial relations between Australia and Czechoslovakia, have resolved to conclude a Treaty of Commerce with that object, and have named as their respective Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND, AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, in respect of THE COMMONWEALTH OF AUSTRALIA :

The Honorable Sir Henry Somer GULLETT, K.C.M.G., M.P., Minister directing Negotiations for Trade Treaties ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

Judr. Alois Z. ŠTANGLER, Ministerial Counsellor to the Ministry of Foreign Affairs of the Republic of Czechoslovakia ;

Who, after communicating to each other their respective full powers, found in good and due form, have agreed upon the following Articles.

Article 1.

Articles, the produce or manufacture of Australia, on importation into Czechoslovakia, and articles, the produce or manufacture of Czechoslovakia, on importation into Australia, shall not be subjected to other or higher duties or charges than those paid on the like articles, the produce or manufacture of any other foreign country.

Article 2.

(1) The articles enumerated in Part I of Schedule A to this Treaty, being the produce or manufacture of Czechoslovakia, shall, on importation into Australia, be accorded the benefits of the Australian Intermediate Tariff.

(2) The articles enumerated in Part II of Schedule A to this Treaty, being the produce or manufacture of Czechoslovakia, shall not, on importation into Australia, be subjected to a higher duty than that specified in the said Part II.

¹ The exchange of ratifications took place at Canberra, November 11th, 1937. Came into force provisionally January 1st, 1937.

¹ TRADUCTION. — TRANSLATION.

N^o 4093. — TRAITÉ² DE COMMERCE ENTRE LE COMMONWEALTH D'AUSTRALIE ET LA RÉPUBLIQUE TCHÉCOSLOVAQUE. SIGNÉ A CANBERRA, LE 3 AOUT 1936, ET A PRAHA, LE 19 AOUT 1936.

*Texte officiel anglais communiqué par le ministre des Affaires étrangères du Commonwealth d'Australie.
L'enregistrement de ce traité a eu lieu le 16 avril 1937.*

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES, en ce qui concerne LE COMMONWEALTH D'AUSTRALIE, et LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE, animés du désir d'améliorer et de développer les relations commerciales entre l'Australie et la Tchécoslovaquie, ont décidé de conclure à cet effet un traité de commerce et ont désigné pour leurs plénipotentiaires respectifs :

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES, en ce qui concerne LE COMMONWEALTH D'AUSTRALIE :

L'honorable sir Henry Somer GULLETT, K. C. M. G., M. P., ministre chargé des négociations relatives aux traités de commerce ;

LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE :

M. Aloïs Z. ŠTANGLER, docteur en droit, conseiller ministériel au Ministère des Affaires étrangères de la République de Tchécoslovaquie ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes :

Article premier.

Les articles produits ou manufacturés en Australie, à leur importation en Tchécoslovaquie, et les articles produits ou manufacturés en Tchécoslovaquie, à leur importation en Australie, ne seront pas soumis à des droits ou charges autres ou plus élevés que ceux qu'acquittent les mêmes articles, produits ou manufacturés dans un autre pays étranger quelconque.

Article 2.

1. Les articles énumérés dans la partie I de l'annexe A au présent traité, produits ou manufacturés en Tchécoslovaquie, bénéficieront, à leur importation en Australie, de l'application du tarif intermédiaire australien ;

2. Les articles énumérés dans la partie II de l'annexe A au présent traité, produits ou manufacturés en Tchécoslovaquie, ne seront pas frappés, à leur importation en Australie, d'un droit plus élevé que celui qui est spécifié dans ladite partie II ;

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 L'échange des ratifications a eu lieu à Canberra, le 11 novembre 1937.
Entré provisoirement en vigueur le 1^{er} janvier 1937.

(3) The stipulations of paragraphs (1) and (2) of this Article shall not be deemed to exempt the said articles from the payment of primage duty, or from liability to sales tax when cleared from the Australian Customs under conditions which render the said articles liable to sales tax at the time of their clearance.

(4) The articles enumerated in Part I of Schedule B to this Treaty, being the produce or manufacture of Australia, shall, on importation into Czechoslovakia, be accorded the deduction from the General Rate specified in the said Part I.

(5) The articles enumerated in Part II of Schedule B to this Treaty, being the produce or manufacture of Australia, shall not, on importation into Czechoslovakia, be subjected to higher duties than those specified in the said Part II.

Article 3.

The articles enumerated in Schedule C to this Treaty, being the produce or manufacture of Czechoslovakia, shall not, on importation into Australia, be subjected to higher primage duties than those specified in such Schedule.

Article 4.

No prohibition or restriction shall be maintained or imposed on the importation of any article, the produce or manufacture of Australia, into Czechoslovakia, or of any article, the produce or manufacture of Czechoslovakia, into Australia, which shall not equally extend to the importation of like articles, being the produce or manufacture of any other foreign country.

Article 5.

(1) In the event of any form of quantitative regulation of importation being established or maintained in either Czechoslovakia or Australia, on any article of interest to the other country, the country imposing such quantitative regulation shall accord equitable treatment to the commerce of the other country in respect of the allotment among supplying countries of the total permitted imports of such article.

(2) The system adopted to give effect to any form of quantitative regulation of importation shall not be so worked as to cause discrimination against articles produced or manufactured in Czechoslovakia or Australia, as the case may be, and the conditions under which licences or permits may be obtained for the importation of such articles shall not be less favourable than those applied in the case of similar articles the produce or manufacture of any other foreign country.

Article 6.

Nothing in this Treaty shall be deemed to affect the rights of either Contracting Party to impose or maintain prohibitions or restrictions :

- (a) Applying to articles which constitute a State monopoly ;
- (b) Relating to public security ;
- (c) Imposed on moral or humanitarian grounds ;
- (d) Occasioned by the necessity of securing the safety of persons ; and
- (e) Imposed for the protection of animals and plants against diseases and pests ;

provided that such measures are applied under the same conditions to like articles imported from any other foreign country.

Article 7.

(1) His Majesty will not invoke the provisions of Articles 1 and 4 of this Treaty to secure the advantages which are, or hereafter may be, granted by the Czechoslovak Republic to neighbouring foreign States to facilitate small frontier traffic within a zone not exceeding 15 kilometres in breadth on each side of the Czechoslovak Customs frontier.

(2) Nothing in this Treaty shall entitle the President of the Czechoslovak Republic to claim the benefit of any treatment, preference or privilege which may at any time be in force exclusively between the territories under the sovereignty of His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty, protection or mandate.

(3) Neither Contracting Party shall invoke the provisions of Article 1 of this Treaty to secure the advantages which result from any Customs Union to which the other may become a party.

Article 8.

The present Treaty after being approved by the Parliament of the Commonwealth of Australia and by the competent Authority on the part of the Czechoslovak Republic shall be ratified and the instruments of ratification shall be exchanged at Canberra as soon as possible. It shall come into force fourteen days after the exchange of instruments of ratification, and shall be binding for one year from the date of its coming into force. Nevertheless, the Contracting Parties may agree that the Treaty shall be put into force after approval by the Parliament of the Commonwealth of Australia but before the exchange of the instruments of ratification. In case neither of the Contracting Parties shall have given notice to the other three months before the expiration of the said period of one year of its intention to terminate the present Treaty, it shall remain in force until the expiration of three months from the date on which either of the Contracting Parties shall have given to the other notice of its intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed this Treaty in duplicate and have affixed thereto their seals.

Signed at Canberra, this third day of August, 1936.

(L. S.) H. S. GULLETT.

Signed at Praha, this nineteenth day of August, 1936.

(L. S.) Dr. Alois Z. ŠTANGLER.

SCHEDULE A.

PART I.

CZECHOSLOVAK ARTICLES ACCORDED THE BENEFIT OF THE AUSTRALIAN INTERMEDIATE TARIFF.

Tariff Items in Australian Customs Tariff.

105. Piece Goods, viz. :

(D) (2) Silk, or containing silk or having silk worked thereon, except piece goods enumerated in sub-items (A) (1), (A) (3), (AA), (B), (C), (D) (1), (F), and item 130 (B) (1).

- (κ) Piece goods of a class or kind not produced in Australia which would otherwise be dutiable at a higher rate than that payable under this sub-item imported for use in the manufacture of neck-ties, as prescribed by Departmental By-laws :
- (1) Silk or in chief part by weight silk ; wool or in chief part by weight wool and admixtures of wool and silk.
 - (2) Other.
106. (B) Trimmings and Ornaments, n.e.i. for Hats, Shoes and other attire, not being partly or wholly of gold or silver ; Braids n.e.i. ; Fringes n.e.i. ; Frillings ; Ruffings ; Pleatings ; Ruchings ; Galoons n.e.i. ; Ribbons n.c.i. ; Tinselled Belting n.e.i. ; Webbing n.e.i. ; Belting for apparel not elsewhere specified and not being cut to lengths for belts.
- (E) Buckles, Clasps and Slides for Hats, Shoes and other attire :
- (2) Wholly of metal (not being partly or wholly of gold or silver) including metal enamelled.
 - (3) Non-metallic, other than those made of glass tinsel or pearl shell, with or without metal fittings or metal fastening devices.
 - (5) Pearl shell.
- (F) Buttons, n.e.i., including blanks and those partly finished :
- (2) Wholly of metal (not being partly or wholly of gold or silver) excepting trouser buttons.
 - (3) Non-metallic, other than those made of glass or tinsel and those specified in paragraph (4) of this sub-item, with or without metal fittings or metal fastening devices ; Cloth Covered.
109. Artificial Flowers, Fruits, Plants, Leaves, and Grains, of all kinds and materials.
110. (B) Apparel, knitted, and Apparel made from knitted or lock-stitched piece goods, viz. :
- (1) Blouses, Skirts, Underwear, and Bathing Costumes :
 - (a) Cotton or other material n.e.i.
 - (b) Wool or silk or containing wool or silk.
 - (2) Coats, Jumpers, Cardigans, Sweaters, and similar garments :
 - (a) Girls' or Boys', i.e., with chest measurement under 34 inches.
 - (b) Women's or Men's, i.e., with chest measurement 34 inches and over.
 - (3) Costumes, Dresses or Robes :
 - (a) Cotton or other material n.e.i.
 - (b) Wool or containing wool but not containing silk.
 - (c) Silk or containing silk.
113. Gloves (except of rubber), viz. :
- (B) N.E.I. including Mittens.
114. Hats, Caps, and Bonnets :
- (C) Fur Felt Hats in any stage of manufacture for men and boys, including fur felt hoods therefor.
- (E) Hoods for girls' and women's hats, viz. :
- (2) Fur Felt Hoods and Velour Hoods.
- (F) (1) Felt Capelines for girls' and women's hats :
 - (a) Wool Felt Capelines.
 - (b) Fur Felt Capelines and Velour Capelines.
- (2) Felt hats for girls and women ; Berets ; Girls' and Women's Caps (other than bathing) of any material ; Hats n.e.i. ; Bonnets.
136. Iron and Steel :
- (C) (1) Angle, Rod other than Wire Rod in Coils, Tee, Bar exceeding one eighth of an inch in thickness and not being of fancy pattern ; Bar exceeding one eighth of an inch in thickness of fancy pattern rolled direct from the billet bar or rod and in the state in which it leaves the rolls.
- (D) Plate and Sheet (plain).
- (E) (1) Wire of No. 15 or finer gauge (Imperial Standard Wire Gauge).
- (2) Wire, other.
176. (L) Machinery and Equipment n.e.i., of the type used exclusively for the extraction, manufacture or refining of sugar.
177. (A) (3) Road Rollers, n.e.i., including scarifier attachments.

250. (A) Bottles, flasks, jars, vials and tubes, n.e.i., of glass earthenware, stoneware or china, empty or containing goods not subject to an *ad valorem* duty and not classifiable under Item 408.
- (B) Articles of cut glass, including bottles, decanters, flasks and jars of cut glass, empty or containing goods not subject to an *ad valorem* duty and lamps and lampware of cut glass, but not including articles of etched or engraved glass.
250. (C) Glassware n.e.i.
- (D) Laboratory Glassware n.e.i. ; Apparatus of glass for scientific purposes, n.e.i.
- (F) Articles of glass including articles of etched or engraved glass (but not including articles covered by sub-items (B) and (E)), viz. :
Dishes, tumblers, salads, bowls other than lightingware, nappies, jugs, candlesticks, butters, battery jars or cells, vases, trays, comports, flowerblocks, mugs, sun-dae, goblets, measures including medicine measures.
- (H) Thermometers n.e.i. :
(1) Metal-cased or metal-scaled.
(2) Other.
305. (D) Chairs of wood, with cane or other seats.
309. Fancy Goods, viz. :
(B) Card Cases, Hatpins, Matchboxes, Serviette Rings and Clips, Sovereign Purses, n.e.i. ; Button Hooks, Glove Stretchers, Shoe Horns and Lifts, Thimbles, Ivory and other ornamental figures, Feather Dusters ; Beads strung or unstrung and Necklets n.e.i., except those made of pearls, cultured pearls, precious stones, precious metals or imitation precious metals.
- (C) Articles for personal wear, not including articles partly or wholly of gold, silver or other precious metal or imitations thereof or partly or wholly of pearls or precious stones or imitations thereof, viz. : Brooches, Bangles, Studs, Sleeve Links and Tie Clips.
- (D) N.E.I.
314. Jewellery, commonly known as rolled gold ; Jewellery under 9-carat ; Imitation Jewellery.
- Ex 316. Imitation Reconstructed and Synthetic Precious Stones and Pearls, unset (not being beads).
328. Goloshes, rubber sand boots and shoes and plimsolls.
- Ex 413. Cigar and Cigarette Tubes, Holders and Cases, Tobacco and Snuff Boxes, n.e.i., and accessories ; Smoking Requisites, including Cases, Tobacco Pouches, Smokers' Sets, Match Stands, Ash Trays, Smokers' Lamps, Cigar Stands, and Lighters.

SCHEDULE A.

PART II.

The following articles shall not, except as provided in paragraph (3) of Article 2, be subjected to a higher duty under the Customs Tariff than 15 per centum *ad valorem* provided such goods are used for the purpose or purposes specified and that the requirements or conditions of any Security to the Australian Customs, which may be entered into, are fulfilled or complied with.

Tariff Item	Description of Articles
Ex 404.	EX DEPARTMENTAL BY-LAW NO. 97. Bars, hollow drill steel for use in the manufacture of drills for use in rock drilling machines. Billets, nickel steel, for use in the manufacture of pinions, under security. Billets, nickel steel, for use in the manufacture of gear wheels, under security.

Tariff Item	Description of Articles
Ex 404	(continued) :
	Compound iron and steel, in the black, whether hardened and tempered or not, but not ground, for use in the manufacture of knives, under security.
	Compound iron and steel, in the black, whether hardened and tempered or not, but not ground, for use in the manufacture of shears, under security.
	Plates and sheets, cast steel, 3/8 inch and under in thickness, with or without centre hole, for use in the manufacture of saws, under security.
	Sheets, steel, stainless, plain or polished, for all purposes.
	Steel, tool, annealed, for use in the manufacture of chasers, under security.
	Steel, tool, annealed, for use in the manufacture of screw cutting dies, under security.
	Steel, tool, annealed, for use in the manufacture of screwplates, under security.
	Steel, tool, annealed, for use in the manufacture of stocks, under security.
	Steel, tool, annealed, for use in the manufacture of taps, under security.
	Tips having a basic composition of tungsten, tantalum, cobalt, boron, and alloys thereof, but not including tips of high speed steel, for use in the manufacture of metal working roughing tools.

SCHEDULE B.

PART I.

Tariff Item in Czechoslovak Customs Tariff	Deduction from General Rate
Ex 37 a/ Apples from 1st April to 30th June picked from the tree within three months prior to importation	65 per centum

PART II.

Tariff Item in Czechoslovak Customs Tariff	Customs Rate
Ex 83 Sheepskins with or without wool, rabbit and hare skins, furred ; raw (wet or dry, salted or preserved in lime but not otherwise prepared)	duty free
Ex 139 Pearl shell and other shell	duty free
Ex 220 Wool in the grease	duty free
488 a/ Lead, also alloys of lead with antimony, arsenic, tin or zinc	Kc. 14.40 per 100 kg.
Ex 571 Opals (genuine), unset	Kc. 1,800 per 100 kg.

SCHEDULE C.

The following articles shall not be subjected to a higher Primage Duty than 5 per centum *ad valorem*.

Tariff Items in Australian Customs Tariff.

106. (E) Buckles, Clasps and Slides for Hats, Shoes and other attire :
 (3) Non-metallic, other than those made of glass tinsel or pearl shell, with or without metal fittings or metal fastening devices.
 (4) N.E.I.
 (5) Pearl shell.
- (F) Buttons, n.e.i., including blanks and those partly finished :
 (3) Non-metallic, other than those made of glass or tinsel and those specified in paragraph (4) of this sub-item, with or without metal fittings or metal fastening devices ;
 Cloth Covered.
114. Hats, Caps, and Bonnets :
 (E) Hoods for girls' and women's hats, viz. :
 (2) Fur Felt Hoods and Velour Hoods.
 (F) (1) Felt Capelines for girls' and women's hats :
 (b) Fur Felt Capelines and Velour Capelines.
- Ex 114. (F) (2) Fur Felt Hats for girls and women.
136. Iron and Steel :
 (B) Ingots, Blooms, Slabs, Billets, Puddled Bars and Loops, or like crude manufactures, less finished than Iron or Steel Bars, but more advanced than Pig Iron (except castings).
 (C) (1) Angle, Rod other than Wire Rod in Coils, Tee, Bar exceeding one eighth of an inch in thickness and not being of fancy pattern ; Bar exceeding one eighth of an inch in thickness of fancy pattern rolled direct from the billet bar or rod and in the state in which it leaves the rolls.
 (G) High Grade Carbon Steels and Alloy Steels containing manganese, silicon, nickel, chromium, tungsten, titanium, vanadium, molybdenum, cobalt or other alloying elements, introduced to impart special qualities to the steel, viz. : ingots, billets, bars, die and tool blocks and blanks, also tapered or bevelled bars and other special shapes, as prescribed by Departmental By-laws.
250. (A) Bottles, flasks, jars, vials and tubes, n.e.i., of glass, earthenware, stoneware or china, empty or containing goods not subject to an *ad valorem* duty and not classifiable under Item 408.
 (B) Articles of cut glass, including bottles, decanters, flasks and jars of cut glass empty or containing goods not subject to an *ad valorem* duty and lamps and lampware of cut glass, but not including articles of etched or engraved glass.
 (C) Glassware n.e.i.
 (D) Laboratory Glassware n.e.i. ; Apparatus of glass for scientific purposes, n.e.i.
 (F) Articles of glass including articles of etched or engraved glass (but not including articles covered by sub-items (B) and (E)), viz. :
 Dishes, tumblers, salads, bowls other than lightingware, nappies, jugs, candlesticks, butters, battery jars or cells, vases, trays, comports, flowerblocks, mugs, sundaes, goblets, measures including medicine measures.
 (H) Thermometers n.e.i. :
 (1) Metal-cased or metal-scaled.
 (2) Other.
309. Fancy Goods, viz. :
 (A) Card Cases, Cigar and Cigarette Cases, Tubes and Holders, Hatpins, Matchboxes, Serviette Rings and Clips, Sovereign Purses, Snuff and Tobacco Boxes, partly or wholly of gold or silver except gold or silver plated and rolled gold.
 (B) Card Cases, Hatpins, Matchboxes, Serviette Rings and Clips, Sovereign Purses, n.e.i. ; Button Hooks, Glove Stretchers, Shoe Horns and Lifts, Thimbles, Ivory and other

ornamental figures, Feather Dusters ; Beads strung or unstrung and Necklets n.e.i., except those made of pearls, cultured pearls, precious stones, precious metals or imitation precious metals.

- (c) Articles for personal wear, not including articles partly or wholly of gold, silver or other precious metal or imitations thereof or partly or wholly of pearls or precious stones or imitations thereof, viz. : Brooches, Bangles, Studs, Sleeve Links and Tie Clips.

314. Jewellery, commonly known as rolled gold ; Jewellery under 9-carat ; Imitation Jewellery.

Ex 316. Imitation Reconstructed and Synthetic Precious Stones and Pearls, unset (not being beads).

328. Goloshes, rubber sand boots and shoes and plimsolls.

The following articles shall not be subjected to a higher Primage Duty than 4 per centum *ad valorem*, provided such goods are used for the purpose or purposes specified and that the requirements or conditions of any Security to the Australian Customs, which may be entered into, are fulfilled or complied with.

Tariff Item	Description of Articles
Ex 404	<p>EX DEPARTMENTAL BY-LAW No. 97.</p> <p>Bars, hollow drill steel for use in the manufacture of drills for use in rock drilling machines.</p> <p>Billets, nickel steel, for use in the manufacture of pinions, under security.</p> <p>Billets, nickel steel, for use in the manufacture of gear wheels, under security.</p> <p>Compound iron and steel, in the black, whether hardened and tempered or not, but not ground, for use in the manufacture of knives, under security.</p> <p>Compound iron and steel, in the black, whether hardened and tempered or not, but not ground, for use in the manufacture of shears, under security.</p> <p>Plates and sheets, cast steel, $\frac{3}{8}$ inch and under in thickness, with or without centre hole, for use in the manufacture of saws, under security.</p> <p>Sheets, steel, stainless, plain or polished, for all purposes.</p> <p>Steel, tool, annealed, for use in the manufacture of chasers, under security.</p> <p>Steel, tool, annealed, for use in the manufacture of screw cutting dies, under security.</p> <p>Steel, tool, annealed, for use in the manufacture of screwplates, under security.</p> <p>Steel, tool, annealed, for use in the manufacture of stocks, under security.</p> <p>Steel, tool, annealed, for use in the manufacture of taps, under security.</p> <p>Tips having a basic composition of tungsten, tantalum, cobalt, boron, and alloys thereof, but not including tips of high speed steel, for use in the manufacture of metal working roughing tools.</p>

FINAL PROTOCOL

TO THE TREATY OF COMMERCE BETWEEN THE COMMONWEALTH OF AUSTRALIA AND THE CZECHOSLOVAK REPUBLIC.

At the time of signing the Treaty of Commerce between the Commonwealth of Australia and the Czechoslovak Republic, the undersigned Plenipotentiaries make the following declarations which will form an integral part of the said Treaty :

To Schedule B, Part I.

It is agreed with respect to the period of three months prior to importation within which apples have to be imported in order to be eligible for a deduction of 65% from the General Rate of duty in the Czechoslovak Customs Tariff that the said period dates back

from the day of Customs clearance in Czechoslovakia. The consignments of apples are to be accompanied by a certificate indicating the time of picking. Both Governments will agree upon a list of names of Australian authorities which will be charged with issuing the certificates.

In witness whereof the respective Plenipotentiaries have signed this Protocol in duplicate and have affixed thereto their seals.

Signed at Canberra, this third day of August, 1936.

(L. S.) H. S. GULLETT.

Signed at Praha, this nineteenth day of August, 1936.

(L. S.) Dr. Alois Z. ŠTANGLER.

EXCHANGE OF NOTES.

I.

PRIME MINISTER'S DEPARTMENT.
TRADE TREATIES.

CANBERRA, *August 3rd*, 1936.

DEAR DR. ŠTANGLER,

During the Commercial Treaty negotiations in Prague, London and Canberra, requests were submitted on behalf of your Government for reductions of duty on the following goods :

Tariff Item

- 106 (E) Buckles, Clasps and Slides for Hats, Shoes and other attire :
(3) Non-metallic, other than those made of glass tinsel or pearl shell, with or without metal fittings or metal fastening devices.
- 106 (F) Buttons, n.e.i., including blanks and those partly finished :
(3) Non-metallic, other than those made of glass or tinsel and those specified in paragraph (4) of this sub-item, with or without metal fittings or metal fastening devices ;
(4) Cloth Covered.
- 136 (C) (1) Iron and Steel :
Angle, Rod other than Wire Rod in Coils, Tee, Bar exceeding one eighth of an inch in thickness and not being of fancy pattern : Bar exceeding one eighth of an inch in thickness of fancy pattern rolled direct from the billet bar or rod and in the state in which it leaves the rolls.
- Ex 208 (A) Cold Rolls, Valve Springs, Grates, Baskets, and similar implements of fire-resisting steel used in the manufacture of porcelain and enamel ware, &c., Wood-work Knives and Shear Blades of all kinds.
- Ex 250 Full lead cut crystal glass with a minimum content of 25% lead oxide free from barium oxide and calcium oxide, viz., bowls, jugs, salads, tumblers, candlesticks, trays, powder boxes, stemmed glasses, vases.
Glassware for illuminating purposes consisting of two or more layers of glass, each layer of different colouring.
Other glassware, viz., salts, shakers, peppers, mustards, cruets and parts with or without trays.
- Ex 305 (D) Bentwood Chairs.
- Ex 310 (B) Special Types of Toys composed wholly or mainly of wood.

With respect to certain of these items, the Commonwealth Government have already made responses to your Government's requests. In addition to any commitment made under the proposed draft Treaty, I now inform you of the decisions of the Commonwealth Government :

- Item 106 (E) (3) If not already so referred, the Commonwealth Government are prepared to refer these items to the Tariff Board for public enquiry and report. The Tariff Board will take into account any representations which may be submitted to them on behalf of Czechoslovak interests.
- Item 106 (F) (3)
- Item 136 (C) (I)
- Ex Item 208 (A) The Commonwealth Government are prepared to take into their further consideration your request relating to these goods, provided further details and information are forwarded to them by the Czechoslovak Government.

With respect to Bentwood Chairs (ex Item 305 (D)) and certain toys (Ex Item 310 (B)), I shall recommend to the Commonwealth Government that they should consider making a further reference covering Bentwood Chairs to the Tariff Board, if it should appear to them, in the light of any information which the Government of the Czechoslovak Republic may put before them, that the Czechoslovak case was inadequately represented during the recent Tariff Board enquiry; and in respect of certain wooden toys, if samples of the special types and descriptive literature are forwarded, the Commonwealth Government should further consider the request.

I shall also bring to the notice of the Commonwealth Government the request of the Czechoslovak Government for reduction of duty on :

- (a) Full lead cut crystal glass with a minimum content of 25% lead oxide free from barium oxide and calcium oxide, viz., bowls, jugs, salads, tumblers, candlesticks, trays, powder boxes, stemmed glasses, vases ;
- (b) Glassware for illuminating purposes consisting of two or more layers of glass each layer of different colouring ;
- (c) Other glassware, viz., salts, shakers, peppers, mustards, cruets and parts with or without trays.

I would be glad to learn that the Government of the Czechoslovak Republic accept the position that the laws, regulations, determinations, and decisions for the time being in force in the Commonwealth of Australia are to have application to Czechoslovak goods affected by the proposed Treaty on importation into Australia in deciding questions which may arise relating to origin of goods, eligibility for tariff preferences, invoice requirements, and tariff classification.

I have the honour to be, Sir, Your obedient servant.

H. S. GULLETT,
*Minister directing Negotiations
for Trade Treaties.*

Dr. A. Štangler,
Ministerial Counsellor and
Deputy Chief of the Economic Section,
Czechoslovak Ministry of Foreign Affairs,
Prague.

II.

PRAHA, August 19th, 1936.

DEAR SIR HENRY,

I have the honour to acknowledge the receipt of your letter of 3rd August, 1936, confirming that during the negotiations in Praha, London and Canberra, requests on behalf of the Czecho-

slovak Government were submitted to the Australian representatives for reductions of duty on the following goods :

Tariff Item

- 106 (E) (3) Buckles, Clasps and Slides for Hats, Shoes and other attire :
Non-metallic, other than those made of glass tinsel or pearl shell, with or without metal fittings or metal fastening devices.
- 106 (F) (3) Buttons, n.e.i., including blanks and those partly finished :
Non-metallic, other than those made of glass or tinsel and those specified in paragraph (4) of this sub-item, with or without metal fittings or metal fastening devices ;
Cloth Covered.
- 136 (C) (I) Iron and Steel :
Angle, Rod other than Wire Rod in Coils, Tee, Bar exceeding one eighth of an inch in thickness and not being of fancy pattern ; Bar exceeding one eighth of an inch in thickness of fancy pattern rolled direct from the billet bar or rod and in the state in which it leaves the rolls.
- Ex 208 (A) Cold Rolls, Valve Springs, Grates, Baskets, and similar implements of fire-resisting steel used in the manufacture of porcelain and enamel ware, &c., Wood-work Knives and Shear Blades of all kinds.
- Ex 250 Full lead cut crystal glass with a minimum content of 25% lead oxide free from barium oxide and calcium oxide, namely, bowls, jugs, salads, tumblers, candlesticks, trays, powder boxes, stemmed glasses, vases ;
Glassware for illuminating purposes, consisting of two or more layers of glass, each layer of different colouring ;
Salts, shakers, peppers, mustards, cruets and parts of cruets with or without trays.
- Ex 305 (D) Bentwood Chairs.
- Ex 310 (B) Special Types of Toys composed wholly or mainly of wood.

With respect to certain of these requests I note that the Commonwealth Government's decisions are as follows :

- | | | |
|---|---|---|
| <p>Item 106 (E) (3)
Item 106 (F) (3)
Item 136 (C) (I)</p> | } | <p>If not already so referred, the Commonwealth Government are prepared to refer these items to the Tariff Board for public enquiry and report. The Tariff Board will take into account any representations which may be submitted to them on behalf of Czechoslovak interests.</p> |
| <p>Ex Item 208 (A)</p> | } | <p>The Commonwealth Government are prepared to take into their further consideration the request of the Czechoslovak Government relating to these goods, provided further details and information are forwarded to them by the Czechoslovak Government.</p> |

With respect to Bentwood Chairs Ex Item 305 (D) and Wooden Toys of special types Ex Item 310 (B), I note that you will recommend to the Commonwealth Government that they should :

(a) Consider making a further reference covering Bentwood Chairs to the Tariff Board, if it appears to them, in the light of any information which the Government of Czechoslovakia may put before them, that the Czechoslovak case was inadequately represented during the recent Tariff Board Enquiry, and

(b) Further consider the request on the special types of Wooden Toys if samples and descriptive literature are forwarded.

I also note that you will bring to the notice of the Commonwealth Government the request of the Czechoslovak Government for reduction of duty on :

(a) Full lead cut crystal glass with a minimum content of 25% lead oxide free from barium oxide and calcium oxide, viz., bowls, jugs, salads, tumblers, candlesticks, trays, powder boxes, stemmed glasses, vases ;

(b) Glassware for illuminating purposes consisting of two or more layers of glass each layer of different colouring ;

- “ (c) Other glassware, viz., salts, shakers, peppers, mustards, cruets and parts with or without trays.

In view of the requests expressed by the Australian Representatives on behalf of the Commonwealth Government, the Government of Czechoslovakia accept the position that the laws, regulations, determinations, and decisions for the time being in force in the Commonwealth of Australia are to have application to Czechoslovak goods affected by the proposed Treaty, on importation into Australia in deciding questions which may arise relating to origin of goods, eligibility for Tariff preference, invoice requirements, and Tariff classification.

I have the honour to be, Sir, Your obedient servant.

Dr. Alois Z. ŠTANGLER.

The Hon. Sir Henry Gullett, K.C.M.G., M.P.,
Minister directing Negotiations for Trade Treaties,
Canberra, Australia.