

N° 4242.

BELGIQUE ET FRANCE

Accord temporaire concernant le transit de certaines marchandises importées en France par la voie des ports belges, et protocole de signature. Signés à Bruxelles, le 2 octobre 1937.

BELGIUM AND FRANCE

Temporary Agreement regarding the Transit of Certain Goods imported into France through Belgian Ports, and Protocol of Signature. Signed at Brussels, October 2nd, 1937.

¹ TRADUCTION. — TRANSLATION.

No. 4242. — TEMPORARY AGREEMENT BETWEEN BELGIUM AND FRANCE REGARDING THE TRANSIT OF CERTAIN GOODS IMPORTED INTO FRANCE THROUGH BELGIAN PORTS. SIGNED AT BRUSSELS, OCTOBER 2ND, 1937.

French official text communicated by the Ministers for Foreign Affairs of the French Republic and of Belgium. The registration of this Agreement took place January 1st, 1938.

THE GOVERNMENT OF THE FRENCH REPUBLIC and THE GOVERNMENT OF HIS MAJESTY THE KING OF THE BELGIANS,

Whereas the Government of the French Republic has decided to prohibit the importation of certain goods carried by sea when such goods are not imported through French seaports, Strasbourg being included as such,

And whereas the Belgian Government has requested that, in the application of this decision, account be taken of traffic through Belgian ports,

Have agreed as follows :

Article I.

The goods specified hereunder may, although carried by sea, be imported into France, after being unloaded from a sea-going vessel in a Belgian port, within the limits of the annual tonnage stated below :

		Customs Tariff No.	
		French	Belgian
Iron ore *	} 100,000 tons	204	Ex 182 G
Manganese ore		231	182 H
Zinc ore		224/I	182 L
Crude pyrites	} 101,000 tons	Ex 189/I	Ex 182 M
Coal-tar pitch		0180 J	194
Phosphate of lime, natural or native, in pieces or pulverised	45,000 tons	Ex 179 <i>ter</i> B	167
Flax : raw in stalks	} 37,000 tons	142/I	112 A
hackled		/2	B
combed		/3	C
Sisal : raw, hackled, twisted or in pleats	45,000 tons	Ex 144/I	Ex 114
Cellulose pulp	49,300 tons	168	722
Wools : in the mass or on the skin	} 49,300 tons	23/I	25
		2	A
		3	Ex B
		4	and 23 Ex B
Cotton : ginned, in the mass, unbleached	20,000 tons	141/3 and 4	110 A
Coal, crude	218,000 tons	Ex 190/I and 3	185 A

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.

* With the exception of burnt pyrites.

Article 2.

Goods of the kinds specified in Article 1 produced or manufactured in Belgium must be accompanied on importation into France by a certificate of origin issued in accordance with the provisions of Article 22 of the Commercial Agreement¹ between the Economic Union of Belgium and Luxemburg and France of February 23rd, 1928, or by some other similar document approved by the French authorities.

Article 3.

Goods imported through Thionville or through the port of Strasbourg under the special conditions stipulated in the Preliminary Remarks on the French Customs Tariff shall not be subject to the limitations prescribed in Article 1.

Article 4.

Goods referred to in Article 1 shall be imported into French territory under a special transit permit which shall be presented to the French Customs authorities. Such special transit permits shall be issued by the authorities designated by the Belgian Government and the names and powers of these authorities shall be communicated to the Government of the French Republic. The permits shall be made out in two copies, of which one shall be returned, after it has been checked, by the French Customs authorities to the Belgian authorities which issued it.

Each fortnight, the Belgian authorities shall furnish the competent French authorities with a list of the permits issued.

Permits which have been duly checked shall serve as the basis for calculating the quantities to be entered against the tonnages specified in Article 1.

Article 5.

The present Agreement is concluded for a period of five years, as from January 1st, 1938.

During that period, the system of the warehousing surtax and surtaxes of origin shall not be applied to goods other than those which are at present subject thereto and the list given in Article 1 shall not be extended. Likewise, no new taxes or charges shall be instituted, nor any restrictions or prohibitions established, of which the effect would be to limit transit through Belgian ports into or out of France.

Any facilities that may be granted to a third country with regard to the transit from or to France of the goods enumerated in Article 1 shall be extended to Belgium, which shall in this respect enjoy most-favoured-nation treatment.

Article 6.

Each Government shall appoint two representatives to a committee which shall meet at least once a year to consider any questions that may arise out of the application of the present Agreement.

In faith whereof the undersigned, being duly authorised, have signed the present Agreement.

Done in duplicate at Brussels, the 2nd day of October, 1937.

(Signed) LAROCHE.

(Signed) Paul VAN ZEELAND.

¹ Vol. LXXII, page 61, of this Series.

PROTOCOL OF SIGNATURE.

On proceeding to sign the Agreement of to-day's date, relating to the transit of certain goods imported into France through Belgian ports, the undersigned, being duly authorised, have agreed as follows :

(1) It is understood that the above-mentioned Agreement shall in no way prejudice the application of the provisions of Articles 17 and 22 of the Commercial Agreement between the Economic Union of Belgium and Luxemburg and France of February 23rd, 1928, relating to transit, nor the references to those Articles contained in the Protocol of Signature of the said Agreement.

(2) (*Ad Article 1.*) (*a*) As an exceptional measure, during the first year of the application of the aforesaid Agreement the tonnages of iron, manganese and zinc ores, crude pyrites, coal-tar pitch and crude coal, mentioned in Article 1, shall be distributed as follows :

	First half-year	Second half-year
Iron ore	} 50,000 tons	} 50,000 tons
Manganese ore		
Zinc ore		
Crude pyrites		
Coal-tar pitch	50,500 tons	50,500 tons
Crude coal	109,000 tons	109,000 tons

(*b*) It is understood that any allocated tonnages which have not been completely exhausted in the course of one financial year may be carried over to the following financial year, on condition that the unutilised balance does not exceed 10 per cent of the tonnage provided for and that such balance is imported into France during the first quarter of the following financial year.

(3) (*Ad Article 2.*) It is understood that, in the case of imports of crude coal, the French Customs authorities will not require the production of a certificate of origin. They reserve, however, the right, in cases of suspected fraud, to require the production of any other documents by means of which the origin of the goods may be proved.

Done in duplicate at Brussels, the 2nd day of October, 1937.

(*Signed*) LAROCHE.

(*Signed*) Paul VAN ZEELAND.