

N° 4690.

**COMMONWEALTH D'AUSTRALIE
ET BRÉSIL**

Echange de notes comportant un accord commercial. Londres, le 19 juillet 1939.

Textes officiels anglais et portugais communiqués par le ministre des Affaires étrangères du Commonwealth d'Australie. L'enregistrement a eu lieu le 26 février 1940.

**COMMONWEALTH OF AUSTRALIA
AND BRAZIL**

Exchange of Notes constituting a Commercial Agreement. London, July 19th, 1939.

English and Portuguese official texts communicated by the Minister for External Affairs of the Commonwealth of Australia. The registration took place February 26th, 1940.

No. 4690. — EXCHANGE OF NOTES¹
BETWEEN THE GOVERNMENT
OF THE COMMONWEALTH OF
AUSTRALIA AND THE GOVERN-
MENT OF THE REPUBLIC OF
BRAZIL, CONSTITUTING A COM-
MERCIAL AGREEMENT. LON-
DON, JULY 19TH, 1939.

Nº 4690. — TROCA DE NOTAS¹
ENTRE O GOVERNO DA AUS-
TRÁLIA E O GOVERNO DO BRA-
SIL CONSTITUINDO UM ACÔR-
DO COMERCIAL. LONDRES, 19
DE JULHO DE 1939.

I.

COMMONWEALTH OF AUSTRALIA,
AUSTRALIA HOUSE.

LONDON, W.C. 2, *July 19th, 1939.*

MY DEAR AMBASSADOR,

I have the honour to inform you that the Government of the Commonwealth of Australia, desiring to provide for the maintenance, on a basis of reciprocity, of commercial relations between the Republic of Brazil and the Commonwealth of Australia, is prepared to enter into an agreement with the Government of the Republic of Brazil in the following terms :

(1) Articles the produce or manufacture of Brazil on importation into Australia shall receive treatment not less favourable than that accorded to like articles the produce or manufacture of any other foreign country.

(2) Articles the produce or manufacture of Australia, on importation into Brazil shall receive treatment not less favourable than that accorded to like articles the produce or manufacture of any other foreign country.

(3) It shall be understood that the foregoing provisions shall not entitle :

(i) The Brazilian Government to claim the benefit of any treatment, preference or privilege which may at any time be granted in the Commonwealth of Australia exclusively to 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.

(ii) The Government of the Commonwealth of Australia to claim the benefits of any advantages that are or may be accorded by Brazil to adjacent countries in order to facilitate frontier traffic, or to advantages granted in virtue of a customs union which has already been, or may hereafter be, concluded.

I shall be obliged if you will be good enough to inform me whether the Government of the Republic of Brazil would agree to the above proposals. In that case I would suggest that the present note and your note in reply be regarded as constituting an agreement between the two Governments having effect from a date to be fixed by mutual agreement and terminable upon three calendar months notice by either Government.

I have the honour to renew to your Excellency the assurance of my highest consideration.

S. M. BRUCE.

His Excellency Senhor Raul Regis de Oliveira,
G.C.V.O., G.B.E.

¹ Came into force January 1st, 1940.

¹ Entré en vigueur le 1^{er} janvier 1940.

TEXTE PORTUGAIS.—PORTUGUESE TEXT.

II.

EMBAIXADA
DOS ESTADOS UNIDOS DO BRASIL.
Nº 16.

LONDRES, em 19 de Julho de 1939.

SENHOR ALTO COMISSÁRIO,

Com referência á sua Nota desta data, em que Vossa Excelência me dá a conhecer o desejo do Governo da Austrália de concluir com o do Brasil um acôrdo que regule as relações comerciais entre os nossos dois países, tenho a honra de lhe informar que o meu Governo está disposto a celebrar um acôrdo com o da Austrália nos seguintes termos :

1) Os artigos produzidos ou manufacturados no Brasil, importados na Austrália, receberão tratamento não menos favorável do que o que fôr concedido aos artigos produzidos ou manufacturados de qualquer outro país estrangeiro ;

2) Os artigos produzidos ou manufacturados na Austrália, importados no Brasil, receberão tratamento não menos favorável do que o que fôr concedido aos artigos produzidos ou manufacturados de qualquer outro país estrangeiro ;

3) Fica convencionado que as disposições acima não facultam :

a) ao Governo brasileiro pretender o benefício de qualquer tratamento preferencial ou privilegio que em todo o tempo seja concedido pela Austrália exclusivamente aos territórios sob a soberania de Sua Majestade o Rei da Grã-Bretanha Irlanda e os Domínios Britânicos de Além Mar, Imperador da India, ou sob a suserania, protecção ou mandato de Sua Majestade ;

b) ao Governo da Austrália pretender as vantagens concedidas ou que venham a ser concedidas pelo Brasil aos países vizinhos com o objecto de facilitar o tráfico de fronteiras, ou as vantagens

¹ TRADUCTION. — TRANSLATION.

II.

EMBASSY
OF THE UNITED STATES OF BRAZIL.
No. 16.

LONDON, July 19th, 1939.

SIR,

With reference to your Excellency's Note of to-day's date relating to the desire of the Government of Australia to conclude with the Brazilian Government an agreement regulating commercial relations between our two countries, I have the honour to inform you that my Government is prepared to conclude an agreement with the Australian Government in the following terms :

(1) Articles produced or manufactured in Brazil, imported into Australia, will receive treatment not less favourable than that accorded to articles produced or manufactured in any other foreign country ;

(2) Articles produced or manufactured in Australia, imported into Brazil, will receive treatment not less favourable than that accorded to articles produced or manufactured in any other foreign country ;

(3) It is agreed that the above provisions do not entitle :

(a) The Brazilian Government to claim the benefit of any preferential treatment or privilege which may at any time be granted by Australia exclusively to 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 ;

(b) The Australian Government to claim the advantages accorded or that may be accorded by Brazil to adjacent countries in order to facilitate frontier traffic, or the advantages resulting from

¹ Traduction du Gouvernement du Commonwealth d'Australie.

¹ Translation of the Government of the Commonwealth of Australia.

consequentes de alguma união aduaneira que venha a ser concluída.

De acôrdo com a sugestão contida no último párrafo da Nota de Vossa Excelência, a presente troca de Notas será tida como constituindo um acôrdo entre os dois Governos, a entrar em vigor a partir de data a ser fixada mutuamente, podendo ser terminado após notificação prévia de três meses por qualquer das partes contratantes.

Tenho a honra de reiterar a Vossa Excelência os protestos da minha mais alta consideração.

R. REGIS DE OLIVEIRA.

A Sua Excelência
The Right Honourable
S. M. Bruce, C.H., M.C.,
Alto Comissário de Sua Majestade
Britânica para a Austrália,
Londres.

any customs union that may be concluded.

In accordance with the suggestion contained in the last paragraph of your Excellency's Note, the present exchange of Notes shall be held to constitute an agreement between the two Governments having effect as from a date to be fixed by mutual agreement and terminable on three months' prior notice by either of the Contracting Parties.

I have the honour to renew to Your Excellency the assurance of my highest consideration.

R. REGIS DE OLIVEIRA.

His Excellency
the Right Honourable
S. M. Bruce, C.H., M.C.,
His Britannic Majesty's
High Commissioner for the
Commonwealth of Australia,
London.

TRADUCTION. — TRANSLATION.

Nº 4690. — ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT DU COMMONWEALTH D'AUSTRALIE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU BRÉSIL COMPORTANT UN ACCORD COMMERCIAL. LONDRES, LE 19 JUILLET 1939.

I.

COMMONWEALTH D'AUSTRALIE,
AUSTRALIA HOUSE.

LONDRES, W.C. 2, le 19 juillet 1939.

MON CHER AMBASSADEUR,

J'ai l'honneur de porter à votre connaissance que le Gouvernement du Commonwealth d'Australie, désireux de maintenir, sur la base de la réciprocité, les relations commerciales entre la République du Brésil et le Commonwealth d'Australie, est disposé à conclure avec le Gouvernement de la République du Brésil un accord conçu dans les termes suivants :

1) Les articles récoltés, produits ou manufacturés au Brésil recevront, lors de leur importation en Australie, un traitement non moins favorable que celui qui est accordé aux articles similaires récoltés, produits ou manufacturés dans tout autre pays étranger.