

N° 4757.

RÉPUBLIQUE DOMINICAINE
ET TERRE-NEUVE

Echange de notes comportant un arrangement
relatif aux relations commerciales entre les
deux pays. Ciudad Trujillo, le 16 mars 1940.

*Textes officiels anglais et espagnol communiqués par le secrétaire d'Etat aux
Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement
a eu lieu le 16 janvier 1941.*

DOMINICAN REPUBLIC
AND NEWFOUNDLAND

Exchange of Notes constituting an Arrangement
relating to Commercial Relations between
the Two Countries. Ciudad Trujillo, March
16th, 1940.

*English and Spanish official texts communicated by His Majesty's Secretary of
State for Foreign Affairs in Great Britain. The registration took place
January 16th, 1941.*

No. 4757. — EXCHANGE OF NOTES ¹ BETWEEN THE GOVERNMENT OF THE DOMINICAN REPUBLIC AND THE GOVERNMENT OF NEWFOUNDLAND CONSTITUTING AN ARRANGEMENT RELATING TO COMMERCIAL RELATIONS BETWEEN THE TWO COUNTRIES. CIUDAD TRUJILLO, MARCH 16TH, 1940.

Nº 4757. — CANJE DE NOTAS ¹ ENTRE EL GOBIERNO DE LA REPÚBLICA DOMINICANA Y EL GOBIERNO DE TERRANOVA ESTABLECIENDO UN ARREGLO RELATIVO A LAS RELACIONES COMERCIALES ENTRE LOS DOS PAISES. CIUDAD TRUJILLO, 16 DE MARZO DE 1940.

I. MR. A. S. PATERSON TO DR. ARTURO DESPRADEL.

(No. 18.)

MONSIEUR LE MINISTRE,

CIUDAD TRUJILLO, *March 16th, 1940.*

In accordance with instructions received from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform your Excellency that the Government of Newfoundland are prepared to enter into the following arrangement in regard to commercial relations between Newfoundland and the Dominican Republic :

Article 1.

The Government of Newfoundland and the Government of the Dominican Republic will grant each other unconditional and unrestricted most-favoured-nation treatment in all matters concerning Customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the classification and interpretation of the tariffs, and the rules, formalities and charges imposed in connection with the clearing of goods through the Customs.

Accordingly, natural or manufactured products having their origin in either country shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products, having their origin in any third country, are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of Newfoundland or the Dominican Republic and consigned to the territory of the other country shall in no case be subject, with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products, when consigned to the territory of any third country, are or may hereafter be subject.

Any advantage, favour, privilege or immunity which has been or may hereafter be granted by the Government of Newfoundland or the Dominican Government in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country, shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the Dominican Republic or Newfoundland, respectively.

¹ Came into force March 16th, 1940.

¹ Entré en vigueur le 16 mars 1940.

Article 2.

Codfish, in any state and package whatsoever and whether processed or not, the growth, produce or manufacture of Newfoundland, shall, on its importation into the Dominican Republic, be exempted from the Internal Revenue Taxes established in accordance with the provisions of Law No. 854 of the 13th March, 1935, and its amendments.

It is clearly understood that the product on this article hereinbefore specified shall not be affected by any other Internal Revenue Tax or by any other impost of any character whatsoever which the competent authorities of the Dominican Republic may establish and which, by its nature, can be made applicable to the aforesaid product, since it is intended that such product shall, during the life of the present arrangement, enjoy the same exemptions and privileges, without any alteration whatsoever, which this arrangement establishes in its favour.

Article 3.

The Government of Newfoundland and the Government of the Dominican Republic will grant each other in all matters pertaining to the allocation of exchange made available for commercial transactions or in the allocation of quotas either in respect of exchange or in respect of quantitative control of imports, treatment not less favourable than is granted to any other country.

Each Government shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this article.

Article 4.

Articles the growth, produce or manufacture of Newfoundland or the Dominican Republic shall, after importation into the other country be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of any other foreign origin.

Article 5.

The advantages now granted, or which may hereafter be granted, by the Dominican Government exclusively to Haiti, shall be excepted from the operation of this arrangement.

The advantages now accorded, or which may hereafter be accorded, by the Government of Newfoundland exclusively to other 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, shall be excepted from the operation of this arrangement.

Article 6.

This arrangement shall enter into force immediately and shall have effect for a period of three years, after which it shall remain in force until six months from the date on which either Government shall have given notice of its desire to terminate it.

If the Government of the Dominican Republic agree to the foregoing terms, I would suggest that the present note and your Excellency's reply to that effect be regarded as constituting an agreement in this matter.

I have, etc.

A. S. PATERSON.

TEXTE ESPAGNOL. — SPANISH TEXT.

II. DR. ARTURO DESPRADEL TO MR. A. S. PATERSON.

SEÑOR MINISTRO :

CIUDAD TRUJILLO, 16 de marzo de 1940.

Tengo la honra de avisar recibo a vuestra Excelencia de la nota No. 18 del 16 de marzo de 1940 en la que me comunica que de acuerdo con las instrucciones del Secretario de Estado Principal

Artículo 5.

Se exceptúan de la aplicación de la presente Convención, los favores concedidos actualmente o que pudieran concederse en el futuro por el Gobierno Dominicano exclusivamente a la República de Haití.

Se exceptúan de la aplicación de esta Convención las ventajas concedidas actualmente o que pudieran concederse en el futuro por el Gobierno de Terranova, exclusivamente, a otros territorios sujetos a la soberanía de Su Majestad el Rey de la Gran Bretaña e Irlanda y los Dominios Británicos Allende los Mares, Emperador de la India, o sujetos a la autoridad suprema, protección o mandato de Su Majestad.

Artículo 6.

Este arreglo entrará en vigor inmediatamente y surtirá efecto durante un período de tres años, después de lo cual continuará en vigor hasta seis meses a partir de la fecha en la cual cualquiera de los dos Gobiernos diera aviso de su deseo de terminarlo.

Tengo la honra de informar asimismo a vuestra Excelencia que el Gobierno de la República Dominicana está de acuerdo con los términos y condiciones que preceden así como con que la nota de vuestra Excelencia y la presente contestación se considere como un acuerdo sobre este asunto.

Aprovecho, etc.

A. DESPRADEL.

¹ TRADUCTION. — TRANSLATION.

MONSIEUR LE MINISTRE,

CIUDAD TRUJILLO, *March 16th*, 1940.

I have the honour to acknowledge the receipt of your Excellency's note No. 18 of the 16th March, 1940, in which you inform me, in accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs, that the Government of Newfoundland are prepared to enter into the following arrangement with regard to commercial relations between Newfoundland and the Dominican Republic :

(As in No. I.)

I have also the honour to inform your Excellency that the Government of the Dominican Republic is in agreement with the preceding terms and conditions, and also that your Excellency's note and the present reply be considered as an agreement on this matter.

I avail, etc.

A. DESPRADEL.

¹ Traduction du Foreign Office de Sa Majesté britannique.

¹ Translation of His Britannic Majesty's Foreign Office.