



Treaty Series No. 3 (1935)

EXCHANGE OF NOTES

between His Majesty's Government in the
Commonwealth of Australia and the Belgian Government
regarding

COMMERCIAL RELATIONS

Canberra, November 19, 1934

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT
IN THE COMMONWEALTH OF AUSTRALIA AND THE BELGIAN
GOVERNMENT REGARDING COMMERCIAL RELATIONS.

Canberra, November 19, 1934.

No. 1.

*The Minister for Trade and Customs to the Consul-General of
Belgium in Australia.*

Canberra, Federal Capital Territory,

Dear Sir,

November 19, 1934.

I HAVE the honour to inform you that pending the conclusion of a Trade Agreement regulating in a more complete manner the customs and tariff relations between the Commonwealth of Australia and Belgium His Majesty's Government in the Commonwealth of Australia have agreed as follows:—

- (i) To permit the importation into Australia of 2,152,500 square feet of Belgian plain clear sheet glass during any year in which the consumption of plain clear sheet glass in Australia does not exceed 7,500,000 square feet;
- (ii) To permit the importation into Australia of an additional quantity of Belgian plain clear sheet glass if the consumption in Australia of plain clear sheet glass in that year exceeds 7,500,000 square feet. The additional quantity of Belgian plain clear sheet glass so permitted to be imported shall be equal to 35·8725 per centum of the difference between 7,500,000 square feet and the actual consumption during that year;
- (iii) To permit the importation into Australia of a further additional quantity of Belgian plain clear sheet glass if in any year it should be necessary to authorise the importation of additional quantities of plain clear sheet glass owing to the temporary inability of Australian glass makers to supply the full quota allotted to them. The additional quantity of Belgian plain clear sheet glass so permitted to be imported shall be equal to 71·745 per centum of the total additional quantity so authorised to be imported;

- (iv) The Belgian plain clear sheet glass permitted to be imported into Australia under the foregoing arrangements shall be subject to a tariff duty of four shillings (4s.) per 100 square feet plus primage duty not exceeding 10 per centum *ad valorem*, except that if the said duties are reduced or removed in favour of any other foreign country the same reduction shall apply to Belgian plain clear sheet glass.

2. The foregoing arrangement in respect to the importation into Australia of Belgian plain clear sheet glass is subject to the following mutual understandings:—

- (i) In the event of cessation of production of plain clear sheet glass in Australia, His Majesty's Government in the Commonwealth of Australia shall have the right to abolish such restrictions on the importation of plain clear sheet glass as may be imposed for the purpose of administering the foregoing arrangement—provided Belgian plain clear sheet glass is admitted into Australia at the rates of duty set forth in paragraph 1 (iv) or other more favourable rates which may be granted to any other foreign country.
- (ii) His Majesty's Government in the Commonwealth of Australia and the Government of His Majesty the King of the Belgians have agreed to pursue negotiations for the conclusion of a more comprehensive agreement with the shortest possible delay.
- (iii) The Government of His Majesty the King of the Belgians have agreed to waive all restrictions upon the importation into Belgium of Australian meat preserved by cold process and not to enforce the embargo or prohibition on the importation into Belgium of Australian barley or other cereals which was to have been proclaimed on the 20th October, 1934.
- (iv) His Majesty's Government in the Commonwealth of Australia and the Government of His Majesty the King of the Belgians have agreed that in the operation of any system of controlling imports no product or commodity of the other country, party to this arrangement, shall be accorded treatment less favourable than that accorded the most favoured foreign country on like products or commodities.
- (v) In this arrangement the term "foreign country" in relation to the Commonwealth of Australia means a country not being a territory 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.

- (vi) The present arrangement shall be regarded as taking effect on the first day of November, 1934, and shall remain in force until the thirty-first day of October, 1935. In case neither of the Governments, parties to this arrangement, shall have given notice to the other two calendar months before the latter date of their intention to terminate this arrangement it shall remain in force until the expiration of two calendar months from the date on which notice of such intention is given.

Yours faithfully,
 T. W. WHITE,
 Minister for Trade and Customs.

No. 2.

The Consul-General of Belgium in Australia to the Minister for Trade and Customs.

Sir,

Canberra, November 19, 1934.

I HAVE the honour to confirm to the Commonwealth Government of Australia on behalf of the Government of His Majesty the King of the Belgians the following arrangement which has been arrived at in the course of our discussions in Sydney, Melbourne and Canberra between August and November of the present year:—

1. Pending the conclusion of a Trade Agreement regulating in a more complete manner the customs and tariff relations between the Commonwealth of Australia and Belgium His Majesty's Government in the Commonwealth of Australia have agreed as follows:—

- (i) To permit the importation into Australia of 2,152,500 square feet of Belgian plain clear sheet glass during any year in which the consumption of plain clear sheet glass in Australia does not exceed 7,500,000 square feet;
- (ii) To permit the importation into Australia of an additional quantity of Belgian plain clear sheet glass if the consumption in Australia of plain clear sheet glass in that year exceeds 7,500,000 square feet. The additional quantity of Belgian plain clear sheet glass so permitted to be imported shall be equal to 35·8725 per centum of the difference between 7,500,000 square feet and the actual consumption during that year;
- (iii) To permit the importation into Australia of a further additional quantity of Belgian plain clear sheet glass if in any year it should be necessary to authorise the importation of additional quantities of plain clear sheet glass owing to the temporary inability of Australian glass makers to supply the full quota allotted to them. The additional

quantity of Belgian plain clear sheet glass so permitted to be imported shall be equal to 71·745 per centum of the total additional quantity so authorised to be imported;

- (iv) The Belgian plain clear sheet glass permitted to be imported into Australia under the foregoing arrangements shall be subject to a tariff duty of four shillings (4s.) per 100 square feet plus primage duty not exceeding 10 per centum *ad valorem*, except that if the said duties are reduced or removed in favour of any other foreign country the same reduction shall apply to Belgian plain clear sheet glass.

2. The foregoing arrangement in respect to the importation into Australia of Belgian plain clear sheet glass is subject to the following mutual understandings:—

- (i) In the event of cessation of production of plain clear sheet glass in Australia, His Majesty's Government in the Commonwealth of Australia shall have the right to abolish such restrictions on the importation of plain clear sheet glass as may be imposed for the purpose of administering the foregoing arrangement—provided Belgian plain clear sheet glass is admitted into Australia at the rates of duty set forth in paragraph 1 (iv) or other more favourable rates which may be granted to any other foreign country.
- (ii) His Majesty's Government in the Commonwealth of Australia and the Government of His Majesty the King of the Belgians have agreed to pursue negotiations for the conclusion of a more comprehensive agreement with the shortest possible delay.
- (iii) The Government of His Majesty the King of the Belgians have agreed to waive all restrictions upon the importation into Belgium of Australian meat preserved by cold process and not to enforce the embargo or prohibition on the importation into Belgium of Australian barley or other cereals which was to have been proclaimed on the 20th October, 1934.
- (iv) His Majesty's Government in the Commonwealth of Australia and the Government of His Majesty the King of the Belgians have agreed that in the operation of any system of controlling imports no product or commodity of the other country, party to this arrangement, shall be accorded treatment less favourable than that accorded the most favoured foreign country on like products or commodities.
- (v) In this arrangement the term "foreign country" in relation to the Commonwealth of Australia means a country not being a territory 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.

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I remain, &c.

HENRI SEGAERT,

Consul-General of Belgium.