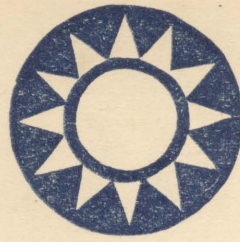


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二中華民國十七年十一月  
二十日在東京簽訂

白皮書第三十七號(民國二十二年)

中華民國國民政府外交部編印

# 中比友好通商條約目錄

中比友好通商條約

附件一

附件二

附件三

附件四

附件五

中比友好通商條約目錄

上海图书馆藏书



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中比友好通商條目錄

# 中比友好通商條約

大中華民國政府主席特派  
大比利時國君主並因現有條約關係代表盧森堡大公國女公主  
因咸欲鞏固兩國間固有之睦誼起見決定先締結一友好通

商條約爲此簡派全權代表如左

大中華民國國民政府主席特派

大中華民國國民政府外交部長王正廷

大比利時國君主特派

大比利時國駐華代辦使事紀佑穆

兩國全權代表將所奉全權證書互相校閱均屬妥善議定條款如下

第一條 兩締約國承認對於關稅及一切關係事項彼此根據完全平等之原則並根據此項原則約定關於此類事項彼此完全以各本國之國內法規定制之

兩締約國又約定對於一切關稅問題及其關係事項此締約國在彼締約國領土內享受之待遇不得低於任何他國享受之待遇

此締約國在本國領土內不論在何種情形之下對於彼締約國人民貨物之進口及出口不得向其徵收較高或異於本國

中比友好通商條約

## 中比友好通商條約

二

人民或任何他國人民所完納之關稅內地稅或其他任何稅款

第二條 此締約國人民在彼締約國領土內應受彼締約國法律及法院之管轄

第三條 兩締約國應於最短期內舉行會議俾以相互及平等待遇之原則爲基礎簽訂一通商及航行條約

第四條 本條約用中法英三國文字合繕遇有解釋兩歧之處應以英文爲準

第五條 本條約應於最短期內批准批准文件在南京交換自兩國政府互相通知批准之日起本條約發生效力  
爲此兩全權代表將本條約兩份簽字蓋印以昭信守

大中華民國十七年十一月二十二日 在南京簽訂  
西歷一九二八年十一月二十二日

王正廷  
紀佑穆

印

# 附件一

## 換文（甲）

大中華民國外交部長王

爲

照會事本部長茲以中華民國國民政府名義聲明中比兩國本日簽訂之條約其第二條於民國十九年（一九三〇年）一月一日起發生效力在是日前中國政府與比國政府訂定中國對於比國人民行使法權之詳細辦法如該項辦法屆時尙未訂定比國人民應於現有領事裁判權之國半數以上承認放棄是項特權時受中國法律及法院之管轄相應照會貴代辦查照可也須至照會者

右 照 會

大比利時國駐華代辦使事紀佑穆

大中華民國十七年十一月二十二日

王正廷 閱

中比友好通商條約

三

中比友好通商條約

# 附件一

## 換文(乙)

大比利時國駐華代辦使事紀佑穆

爲

照復事接准

貴部長本日來照內開中比兩國本日簽訂之條約其第二條於民國十九年(一九三〇年)一月一日起發生效力在是日前中國政府與比國政府訂定中國對於比國人民行使法權之詳細辦法如該項辦法屆時尙未訂定比國人民應於現有領事裁判權之國半數以上承認放棄特權時受中國法律及法院之管轄等因本國政府對於此節表示贊同相應照復

貴部長查照可也須至照會者

右 照 會

大中華民國外交部長王

西歷一九二八年十一月二十二日

紀佑穆 印

中比友好通商條約

五



中比友好通商條約

# 附件二

## 聲明書

本部長茲聲明除現已施行之法典及法律外中華民國國民政府於民國十九年一月一日或是日以前頒布民法商法  
大中華民國十七年十一月二十二日

王正廷 印

中比友好通商條約

七

中比友好通商條約

## 附件三

### 共同聲明書

中比兩國政府聲明本日簽字之中比條約內毋須加入保證華人在比國及盧森堡國適用關於個人身分之法律及比人及盧森堡人在中國適用關於個人身分之法律因兩締約國除適用此種個人身分之法律有礙國內公共秩序外於大體上皆承認是項根據於國際私法之原則

大中華民國十七年十一月二十二日

西歷一九二八年十一月二十二日

王正廷 印

紀佑穆 印

中比友好通商條約

# 附件四

## 聲明書

本部長茲以中華民國國民政府名義聲明比國人民在中國停止享受領事裁判權並兩國之關係達於完全平等地位之後中國政府鑒於中國人民得在比國及盧森堡國領土之任何區域內居住營商及享有土地權故允許比國及盧森堡國人民在中國享有同樣權利但仍得以法律或章程限制之

大中華民國十七年十一月二十二日

王正廷 印

中比友好通商條約

# 附件五

## 聲明書

本代辦茲以本國政府名義聲明比國及盧森堡國人民應依照中國政府頒布之法律章程完納稅款但此種稅款凡與中國有條約關係之他國人民亦應一律照納

西歷一九二八年十一月二十二日

紀佑穆 印



中比友好通商條約

**PRELIMINARY TREATY OF AMITY AND COMMERCE  
BETWEEN THE REPUBLIC OF CHINA AND THE  
UNION OF BELGIUM AND LUXEMBURG**

The national Government of the Republic of China and His Majesty the King of the Belgians, acting in his name and in the name of Her Royal Highness the Grand Duchess of Luxemburg in virtue of existing agreements, being mutually animated by a desire to further strengthen the ties of friendship already happily existing between China and the Union of Belgium and Luxemburg, have decided to conclude a Preliminary Treaty of Amity and Commerce and have, for this purpose, named as their Plenipotentiaries, that is to say:—

His Excellency the President of the National Government of the Republic of China:

Dr. Chengting T. Wang, Minister for Foreign Affairs of the National Government of the Republic of China;

His Majesty the King of the Belgians:

Baron J. Guillaume, Chargé d'Affaires ad interim of Belgium in China;

who, having exchanged their full powers found to be in due and proper form, have agreed upon and concluded the following Articles:

**Article I.**

The two High Contracting Parties recognize that, in the matter of customs and all related matters, they are on a footing of perfect equality, and on the basis of this principle they agree that such matters shall be regulated exclusively by their respective national laws.

It is further agreed that, in respect of all questions of customs as well as all questions relating thereto, neither of the two High Contracting Parties shall be subject in the territory of the other to a treatment less favourable than that accorded to any other country.

In, no case shall the nationals of one of the High Contracting Parties be compelled to pay, in the territory of the other, with respect to the importation as well as exportation of merchandise, customs dues, transit taxes, or taxes of any other kind other or higher than those which are paid by the nationals or the nationals of any other country.

**Article II.**

The nationals of each of the two High Contracting Parties shall be subject, in the territory of the other Party, to the laws and the jurisdiction of the law courts of that Party.

**Article III.**

The two High Contracting Parties shall as soon as possible enter into negotiations with a view to the conclusion of a Treaty of Commerce and Navigation based upon the principle of reciprocity and equality of treatment.

**Article IV.**

The present Treaty is written in Chinese, French and English; in case of any difference of interpretation, the English text shall be held to be authoritative.

**Article V.**

The present Treaty shall be ratified as soon as possible and the ratifications shall be exchanged at Nanking. It shall come into force on the day on which the two Governments shall have notified each other that the ratification has been effected.

In testimony whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate and have affixed their seals thereto.

Done at Nanking this twenty-second day of the eleventh month of the seventeenth year of the Republic of China, corresponding to the twenty-second day of November, nineteen hundred and twenty-eight.

 (Signed) CHENGTING T. WANG.

 (Signed) BARON J. GUILLAUME.

ANNEX I

MINISTRY OF FOREIGN AFFAIRS

Nanking, November 22, 1928.

Monsieur le Chargé d'Affaires,

In the name of the National Government of the Republic of China, I have the honour to state that Article II of the Treaty signed this day between China and Belgium shall be understood to begin to be operative on January 1st, 1930. Before such date the Chinese Government will make detailed arrangements with the Belgian Government for the assumption by China of jurisdiction over Belgian subjects. Failing such arrangements on the said date, Belgian subjects shall thereafter be amenable to Chinese laws and jurisdiction as soon as the majority of the Powers now possessing extraterritorial privileges in China shall have agreed to relinquish them.

(Signed) CHENGTING T. WANG.

Baron J. GUILLAUME,

Belgian Chargé d'Affaires in China,

Nanking.

Nanking, November 22, 1928.

Monsieur le Ministre,

I have the honour to acknowledge the receipt of Your Excellency's Note of to-day's date which reads as follows:—

“In the name of the National Government of the Republic of China, I have the honour to state that Article II of the Treaty signed this day between China and Belgium shall be understood to begin to be operative on January 1st, 1930. Before such date the Chinese Government will make detailed arrangements with the Belgian Government for the assumption by China of jurisdiction over Belgian subjects. Failing such arrangements on the said date, Belgian subjects shall thereafter be amenable to Chinese laws and jurisdiction as soon as the majority of the Powers now possessing extraterritorial privileges in China shall have agreed to relinquish them.”

I have the honour to express to Your Excellency the agreement of His Majesty's Government on this subject.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

(Signed) BARON J. GUILLAUME.

His Excellency

Dr. CHENGTING T. WANG,

Minister for Foreign Affairs,

Nanking.

ANNEX II

DECLARATION

I have the honour to declare that on or before January 1st, 1930, the Civil Code and the Commercial Code, in addition to other Codes and laws now in force, will be duly promulgated by the National Government of the Republic of China.

(Signed) CHENGTING T. WANG.

### ANNEX III

#### JOINT DECLARATION

The Chinese and Belgian Governments declare that it did not appear necessary to insert in the Sino-Belgian Treaty signed this day a clause guaranteeing to the Chinese citizens in Belgium and Luxemburg and to the Belgian and Luxemburg subjects in China the application of their respective national laws relating to their personal status, inasmuch as the High Contracting Parties recognize in a general way this principle which is based on Private International Law, except in the case where such laws will be contrary to the public order of the country to apply them.

(Signed) CHENGTING T. WANG.

(Signed) BARON J. GUILLAUME.

ANNEX IV

DECLARATION

In the name of the National Government of the Republic of China I have the honour to declare that, when Belgian subjects in China cease to enjoy the privileges of consular jurisdiction and when the relations between the two countries are on a footing of perfect equality, the Chinese Government, in view of the fact that Chinese citizens are permitted to live and trade and to acquire property in any part of the territories of Belgium and Luxemburg, will permit Belgian and Luxemburg subjects to enjoy the same rights in China, subject to the limitations to be prescribed in its laws and regulations.

(Signed) CHENGTING T. WANG.



ANNEX V

DECLARATION

In the name of my Government I have the honour to declare that Belgian and Luxemburg subjects in China shall pay such taxes as may be prescribed in the laws and regulations duly promulgated by the Chinese Government, provided that the same taxes are paid by the nationals of all the Powers having treaty relations with China.

(Signed) BARON J. GUILLAUME.

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