

Ex 2792

DEF. DOC. #1836-A

Rejected
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W.J.

UNITED KINGDOM-CANADIAN AGREEMENT.

We, the representatives of His Majesty's Government in the United Kingdom and of His Majesty's Government in Canada hereby agree with one another, on behalf of our respective Governments, as follows:-

Article 1.

His Majesty's Government in the United Kingdom undertake that Orders shall be made in accordance with the provisions of Section 4 of the Import Duties Act, 1932, which will ensure the continuance after the 15th November, 1932, of entry free of duty into the United Kingdom of goods consigned from any part of the British Empire, and grown, produced or manufactured in Canada which by virtue of that Act are now free of duty subject, however, to the reservations set forth in Schedule A appended hereto.

Article 2.

His Majesty's Government in the United Kingdom will invite Parliament to pass the legislation necessary to impose on the foreign goods specified in Schedule B appended hereto, the duties of customs shown in that Schedule in place of the duties (if any) now leviable.

Article 3.

His Majesty's Government in the United Kingdom undertake that the general ad valorem duty of 10 per cent. imposed by Section I of the Import Duties Act, 1932, on the foreign goods specified in Schedule C shall not be reduced except with the consent of His Majesty's Government in Canada.

date - 1932
no special application
to go to
Parliament
1st of 3 similar Agreements.



Article 4.

It is agreed that the duty on either wheat in grain, copper, zinc or lead, as provided in this agreement, may be removed if at any time Empire producers of wheat in grain, copper, zinc and lead respectively are unable or unwilling to offer these commodities on first sale in the United Kingdom at prices not exceeding the world prices and in quantities sufficient to supply the requirements of the United Kingdom consumers.

Article 5.

His Majesty's Government in the United Kingdom will invite Parliament to pass the legislation necessary to modify the conditions at present governing the importation into the United Kingdom of live cattle from Canada on the lines already agreed upon in principle between themselves and His Majesty's Government in Canada.

Article 6.

His Majesty's Government in the United Kingdom declare that it is their intention to arrange, as soon as possible after receiving the report of the Commission now sitting on the reorganisation of the Pig Industry in the United Kingdom, for the quantitative regulation of the supplies of bacon and hams coming on to the United Kingdom market, and undertake that in any legislation which they may submit to Parliament for regulating the supplies of bacon and hams from all sources into the United Kingdom, provision will be made for free entry of Canadian bacon and hams of good quality up to a maximum of 2,500,000 cwt. per annum.

Article 7.

His Majesty's Government in the United Kingdom will invite Parliament to pass legislation which will secure for a period of ten years from the date hereof to tobacco, consigned from any part of the British Empire and grown, produced or manufactured in Canada, the existing margin of preference over foreign tobacco, so long, however, as the duty on foreign unmanufactured tobacco does not fall below 2s. $0\frac{1}{2}$ d. per lb., in which event the margin of preference shall be equal to the full duty.

Article 8.

His Majesty's Government in the United Kingdom will invite the Governments of the non-self-governing Colonies and Protectorates to accord to Canada any preference which may for the time being be accorded to any other part of the British Empire, provided that this Clause shall not extend to any preferences accorded by Northern Rhodesia to the Union of South Africa, Southern Rhodesia and the Territories of the South African High Commission by virtue of the Customs Agreement of 1930; and further will invite the Governments of the Colonies and Protectorates shown in Schedule D to accord to Canada new or additional preferences on the commodities and at the rates shown therein.

Article 9.

His Majesty's Government in Canada will invite Parliament to pass the legislation necessary to substitute for the duties of customs now leviable on the goods specified in Schedule E the duties shown in that Schedule

provided that nothing in this Article shall preclude His Majesty's Government in Canada from reducing the duties specified in the said Schedule so long as the margin of British preference shown in that Schedule is preserved or from increasing the rates under the intermediate or general tariff set out in the said Schedule.

Article 10.

His Majesty's Government in Canada undertake that protection by tariffs shall be afforded against United Kingdom products only to those industries which are reasonably assured of sound opportunities for success.

Article 11.

His Majesty's Government in Canada undertake that during the currency of this Agreement the tariff shall be based on the principle that protective duties shall not exceed such a level as will give United Kingdom producers full opportunity of reasonable competition on the basis of the relative cost of economical and efficient production, provided that in the application of such principle special consideration shall be given to the case of industries not fully established.

Article 12.

His Majesty's Government in Canada undertake forthwith to constitute the Tariff Board, for which provision is made in the Tariff Board Act, 1931.

Article 13.

His Majesty's Government in Canada undertake that on the request of His Majesty's Government in the United Kingdom they will cause a review to be made by the Tariff Board as soon as practicable of the duties charged on any commodities specified in such request in accordance with the principles laid down in Article 11 hereof, and that after the receipt of the Report of the Tariff Board thereon such report shall be laid before Parliament, and Parliament shall be invited to vary wherever necessary the Tariff on such commodities of United Kingdom origin in such manner as to give effect to such principles.

Article 14.

His Majesty's Government in Canada undertake that no existing duty shall be increased on United Kingdom goods except after an inquiry and the receipt of a report from the Tariff Board, and in accordance with the facts as found by that body.

Article 15.

His Majesty's Government in Canada undertake that United Kingdom producers shall be entitled to full rights of audience before the Tariff Board when it has under consideration matters arising under Articles 13 and 14 hereof.

Article 16.

His Majesty's Government in Canada undertake that Customs administration in Canada shall be governed by such general principles as will ensure (a) the

avoidance, so far as reasonably possible, of uncertainty as to the amount of Customs duties and other fiscal imposts payable on the arrival of goods in Canada; (b) the reduction of delay and friction to a minimum; and (c) the provision of machinery for the prompt and impartial settlement of disputes in matters appertaining to the application of tariffs.

Article 17.

His Majesty's Government in Canada undertake that all existing surcharges on imports from the United Kingdom shall be completely abolished as soon as the finances of Canada will allow. They further undertake to give sympathetic consideration to the possibility of reducing and ultimately abolishing the exchange dumping duty in so far as it applies to imports from the United Kingdom.

Article 18.

His Majesty's Government in Canada undertake to modify the existing regulations governing the importation of pedigree stock from the United Kingdom into Canada in a manner already agreed upon in principle between themselves and His Majesty's Government in the United Kingdom.

Article 19.

His Majesty's Government in Canada undertake to accord to those non-self-governing Colonies, Protectorates and the Mandated Territories to which the benefits of the British preferential rates are at present accorded, and

also to Zanzibar the preferences on the commodities and at the rates shown in Schedule F, and also any preferences for the time being accorded to the United Kingdom. Provided that His Majesty's Government in Canada shall not be bound to continue to accord any preferences to any Colony or Protectorate which, not being precluded by international obligations from according preferences, either (i) accords to Canada not preferences, or (ii) accords to some other part of the Empire (in the case of Northern Rhodesia, excepting the Union of South Africa, Southern Rhodesia and the Territories of the South African High Commission) preferences not accorded to Canada.

Article 20.

Nothing in this Agreement shall prejudice or diminish any of the benefit enjoyed by any of the parties thereto under the Canada-West Indies Trade Agreement dated the 6th July, 1925.

Article 21.

This Agreement is made on the express condition that, if either Government is satisfied that any preferences hereby granted in respect of any particular class of commodities are likely to be frustrated in whole or in part by reason of the creation or maintenance directly or indirectly of prices for such class of commodities through State action on the part of any foreign country, that Government hereby declares that it will exercise the powers which it now has or will hereafter take to prohibit the entry from such foreign country directly or indirectly of such commodities into its country for such time as may be necessary to make effective and to maintain the preferences hereby granted by it.

Article 22.

This Agreement between His Majesty's Government in the United Kingdom and His Majesty's Government in Canada is to be regarded as coming into effect as from the date hereof (subject to the necessary legislative or other action being taken as soon as may be practicable hereafter). It shall remain in force for a period of five years, and if not denounced six months before the end of that period shall continue in force thereafter until a date six months after notice of denunciation has been given by either party.

Article 23.

In the event of circumstances arising which, in the judgment of His Majesty's Government in the United Kingdom or of His Majesty's Government in Canada, as the case may be, necessitate a variation in the terms of the Agreement, the proposal to vary those terms shall form the subject of consultation between the two Governments.

Signed on behalf of His Majesty's Government
in the United Kingdom:

NEVILLE CHAMBERLAIN.

Signed on behalf of His Majesty's Government
in Canada:

R. B. BENNETT.

(Initialed) R. B. H.

August 20, 1932.

辯護側文書一八三六

「帝國經濟會議一九三二年於オツタワ」ヨリ拔萃

聯合王國カナダ間協定

我等聯合國政府及びカナダ政府代表は各々その政府を代表して茲に次の如く協定す。

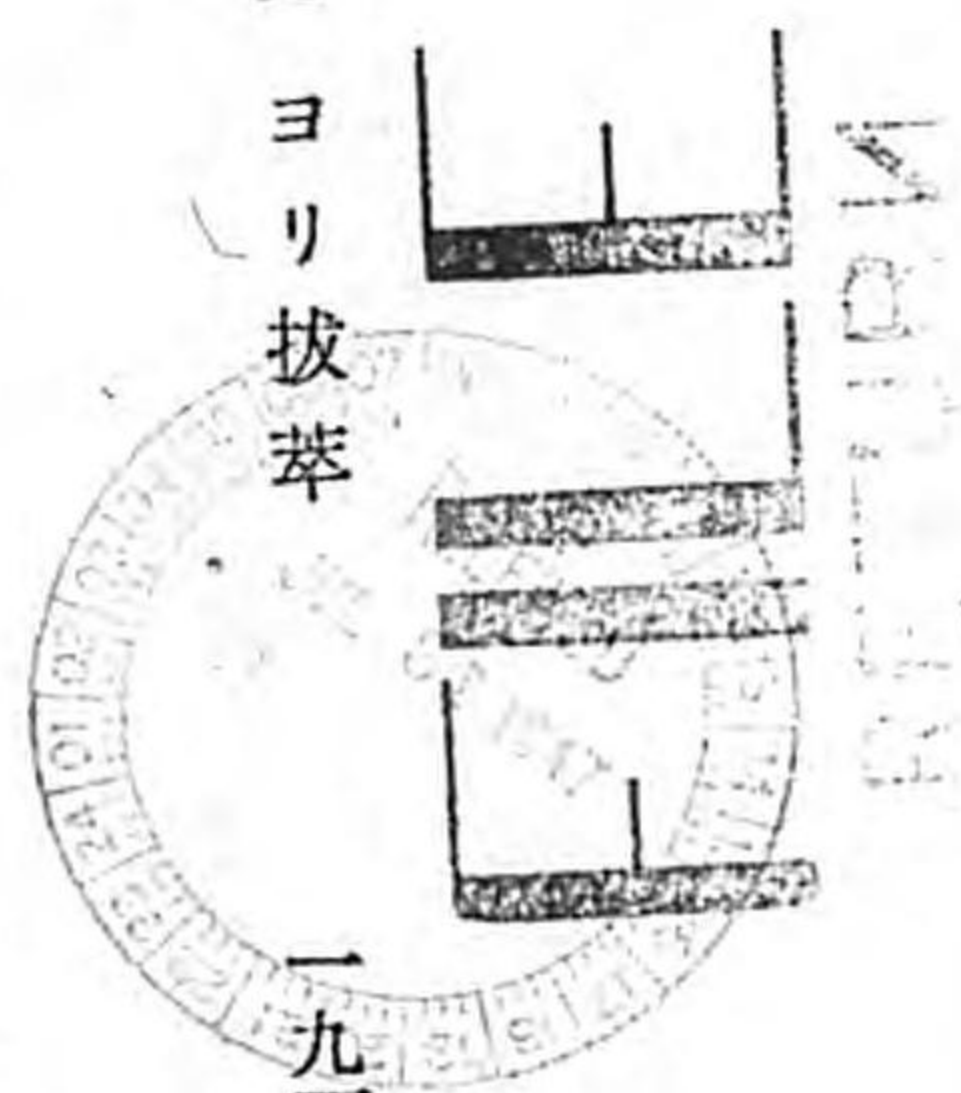
第一條

一九三二年輸入税法第四部の條項に従ひ、聯合國政府は一九三二年十一月十五日以降も英帝國各地よりする貨物及びカナダに於て、育成、生産或は、製造されし貨物の入荷に對する課税を引免を免除する事を確約する。但し、此等貨物に本協定に附加せる明細書Aに擧げられたる制限を附して同法により免除されるものである。

第二條

聯合王國政府は本協定に附加せる明細書Bに示されたる外國貨物に對し、現行税（若し存在するとするも）に代へ同明細書に示されたる關税を課す

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るに必要な法律の通過を議會に懇請する。

第三條

聯合國政府は一九三二年輸入税法第一部に基く明細書に記載の外國貨物に對する十の普通從價税は、カナダ政府の同意を以てする以外、之を低減しない。

第四條

本協定の定むる如き原料麥、銅、亞鉛又は鉛に對する課税の何れも帝國領土内に於ける原麥、銅、亞鉛、鉛の何れかの生産業者が此等商品の世界流通價格を超過せざる價格に於て聯合王國內消費者の需要を充分満たすに足る多量を聯合王國內最初の販賣に於て提供する事か可能なるか又は之を欲せざる時は、その時の如何を問はず、之を免除する旨協定される。

第五條

聯合王國政府はカナダ政府との間に原則的に既に一致せる線に副ひ、カナダから聯合王國へ家畜を輸入するに際し之を左右する現在の狀態を改

の爲必要な法律に通過せしむべく議會に懇請する。

第六條

聯合國政府は同國銑鐵工業整理に關し審議中の委員會報告受領次第可成速かに聯合王國市場に對するベーコン及びハムの入荷の適正量決定の意圖ある事を言明、更に同政府が聯合王國內各地よりするベーコン及びハムの供給規制を目的とする法律を議會に提出するにあつては必ず毎年最大量二五〇萬ハンドレットウエイトに上る良質のカナダ産ベーコン及ハムの自由入荷を許可條項を設ける事を確約する。

第七條

聯合王國政府は英帝國內の地より移出せる煙草及びカナダに於て、成育、生産或は、製造されし煙草に對し本日以後十箇年間外國煙草に對する現行差額による特惠を許與（但し未製の外國産煙草に對する課税が一ポンド²シリリング⁰₁²ペンス以下に下らざるを條件とする。）もし右の額を下る場合においては常に此の差額は税額に相等しきものとすべし事を保證する法律通過を議會に懇請する。

第八條

聯合王國政府は非自治領殖民地及び保護領諸政府に對し之等諸政府が英帝國內の他領に當分の間許與する特惠をカナダにも許與する様懇請する。但し一九三〇年關稅協定により北ローデシヤが南阿聯邦、南ローデシア及び南アフリカ委任統治領に對し許與せる特惠に對しては本項を適用せざるものとする。更に又同政府は、明細書D記載の殖民地及び保護領政府に對し同書記載の商品に關し且つ同書記載の割合を以て新規並びに追加の特惠をカナダに許與する様懇請する

第九條

カナダ政府は明細書E記載の貨物に對する關稅賦課につき、同明細書記載の關稅を以て、之に代用する爲、必要なる法律の通過を議會に懇請する。但し本項は同明細書規定の英國の特惠差額が維持さるるに於ては何等カナダ政府が稅率引下げを行ふを妨げず、又同明細書規定の一般若くは、中間關稅の稅率引上を妨げないものとする。

第十條

カナダ政府は聯合王國製品に關し、將來正當に確實性ありと認められたる産業に對してのみその生産物の關稅による保護を許與する事を保證する。

第十一條

カナダ政府は、本協定有効期間中、聯合王國生産業者に對し經濟的能率的生産の相對的原價に基く正當なる競争の機會を充分與へ得る範圍内に保護關稅を置くとする原則に基いて關稅賦課を確立することとを保證する。但し此の原則の適用に際しては、基礎確固ならざる産業に對しては、特別の顧慮を拂ふものとする。

第十二條

カナダ政府は直に關稅審議會を設置し之に關する規定は一九三一年關稅審議會法に據る事を確約する。

第十三條

カナダ政府は聯合王國の要求に基き前及的速かに第十一條記載關稅規定に準據せる斯かる要求に於て明確にされたる貨物への課稅に就て

は關稅審議會をして監察せしむる事を確約し、且此の問題に關し關稅審議會より報告受領後當該報告は議會に提出され議會に對し上記原則の適切なる實施を計る如く聯合王國より來れる貨物に對する課税を必要とする限り變改すべき事を懇請する旨確約する。

第十四條

カナダ政府は聯合王國貨物に對する現行税は關稅審議會に對する諮問及び同會の報告受領を俟ち且、同會發見の事實に基いて初めて之を増加すべき事を確約する。

第十五條

カナダ政府は聯合王國生産業者に對し、第十三及び第十四條に關し發生せる事件を審議中の關稅審議會を傍聽する全權限を賦與する事を確約する。

第十六條

カナダ政府は、カナダ領内の稅關業務は(A)正當なる手段に於て能ふ限り關稅其他カナダに入荷された貨物に就き支拂ふべき稅收入の額に關し

不明確を避ける事、

B 最少限度に遅延紛議を止める事

C 關稅適用に關する諸事件の紛議を迅速且公平に解決する機構を設置する事等を保證する原則に基づき管理する事を確約する。

第十七條

カナダ政府は聯合王國より移入の貨物に對する過重課税はカナダの財政の許可範圍に於て速かに之が完全なる撤廢を行ふを確約する。

更に聯合王國より移入の貨物に關する限り、爲替投下税に對しては之が輕減更にはその究極に於ける撤廢に就き理解ある考慮を拂ふべき旨確約する。

第十八條

カナダ政府は聯合王國との間に既に原則的に一致を見た方法に従ひ、聯合王國からカナダに對する純種家畜移入管理の現行規定を變更する旨確約する。

第十九條

カナダ政府は英國の特恵稅率による特恵を現在賦與されて居る非自治殖民地保護領及び委任統治領並びにザンジバルに對し明細書に記載の比率に於て、同書記載貨物に對し特恵を與へ且當分間聯合王國に與へられ居る各種特恵をも許與する事を確約する。

但しカナダ政府は特恵を與へるを得ないといふに非ざるに拘らずカナダに對し何等特恵を與へず又は帝國の他の部分に北ローデシアに限り、南阿聯邦、南ローデシア、南阿委任領を除くに許與するもカナダに對しては特恵を與へざる如何なる殖民地又は保護領に對しても何ら特恵を許與するを負ふものではない。

第二十條

本協定は何等一九二五年七月六日のカナダ西印度間貿易協定に基き該當事申の享有せるいかなる利益をも害し或は減ずる事にはならない。

第二十一條

本協定は次の如き明確な條件を伴つて成立する。
即ち若し當該何れかの府が如何なる特殊等級に屬する貨物に就ても、本

一九三二年八月二十日

聯合王國政府の代表署名

ネヴィル、チエンバレン

カナダ政府の代表署名

R O B O ペンネット

(頭字 R O B O H)

協定により許與された特惠が外國政府の國家活動による此の等級貨物の價格の直接間接の設定又は維持により一部分乃至全部が無効ならしめられると確信するならば該政府は本協定に於て許與されたる特惠を實施し且維持すべく必要なる期間その國よりの直接間接の入貨を禁ずべき或は今後に禁ずる爲に權力を行使するであらう事を茲に宣言する。

第二十二條

本聯合王國政府及びカナダ政府間協定は本日以降實施せらるものと看做される。(但し必要なる立法的或は其他の行爲は今後可成速かに行ふを條件とする)

有効期間五箇年とし、期間經過の六ヶ月以前に廢止通告が無ければ何れかの側が廢止通告を爲したるより六ヶ月後に至る迄存續するものとす

第二十三條

聯合王國政府は又はカナダ政府の判断に於て臨機に本協定條文改變の必要生じたる際には、之等條文變更の提案は、兩國間協議の上定むべき事とする。