

白皮書第九十一號（三十七年一月）

中 加 通 商 暫 行 辦 法 換 文

（中華民國三十五年九月二十六日簽換
中華民國三十五年九月二十六日生效）

中華民國國民政府外交部編印

SINO-CANADIAN
COMMERCIAL MODUS VIVENDI
—
EXCHANGE OF NOTES

中加通商暫行辦法換文

(甲) 加拿大國駐華大使歐德爾將軍致中國外交部部長王世杰博士照會

依照中國政府與加拿大政府進一步擴展及增進兩國間貿易之願望茲代表加拿大政府謹向

閣下建議下開通商暫行辦法

一、中國之種植物出產物或製造品輸入加拿大時不得課以高於對任何其他外國之同樣種植物出產物或製造品現在或將來所徵收之關稅或費用

二、本協定對於加拿大現在或將來所僅給於大不列顛愛爾蘭及海外諸自治領君主兼印度皇帝陛下統治下或在英王陛下宗主權保護或委任統治下之其他領土之優惠應不適用

三、加拿大之種植物出產物或製造品輸入中國時不得課以高於對任何其他外國之同樣種植物出產物或製造品現在或將來所徵收之關稅或費用

四、本協定對於中國為便利邊境貿易現在或將來所給予毗鄰國家之優惠應不適用

五、此方之種植物出產物或製造品輸入彼方時關於關稅及附加費用或關於此種關稅之徵收方法及與輸入有關之規則與

手續以及關於規定輸入貨物之徵稅銷售分配或使用之法令規章等事項無論如何其所繳關稅租稅或費用不得異於或高於任何第三國之同樣種植物出產物或製造品現在或將來所繳之任何關稅租稅或費用其所適用之規則或手續不得異於或繁於任何第三國之同樣種植物出產物或製造品現在或將來所適用之任何規則或手續

六、雙方同意本照會及

閣下之覆照應即構成兩國政府間之協定此項協定自本照會互換之日起發生效力在貿易協定尙未訂立之前將繼續有效一年至一千九百四十七年九月二十六日爲止並在是日以後繼續有效直至任何一方政府在任何時間通知後三個月爲止

本大使願向

閣下表示崇高之敬意

此致

中華民國外交部部長王世杰博士閣下

歐德 瀾 (簽 字)

一千九百四十六年九月二十六日于南京

(乙) 中國外交部部長王世杰博士致加拿大國駐華大使歐德淵將軍照會

頃准

貴大使本日照會內冊

「依照中國政府與加拿大政府進一步擴展及增進兩國間貿易之願望茲代表加拿大政府謹向

閣下建議下開通商暫行辦法

一、中國之種植物出產物或製造品輸入加拿大時不得課以高於對任何其他外國之同樣種植物出產物或製造品現在或將來所徵收之關稅或費用

二、本協定對於加拿大現在或將來所僅給於大不列顛愛爾蘭及海外諸自治領君主兼印度皇帝陛下統治下或在英王陛下宗主權保護或委任統治下之其他領土之優惠應不適用

三、加拿大之種植物出產物或製造品輸入中國時不得課以高於對任何其他外國之同樣種植物出產物或製造品現在或將來所徵收之關稅或費用

四、本協定對於中國為便利邊境貿易現在或將來所給予毗鄰國家之優惠應不適用

五、此方之種植物出產物或製造品輸入彼方時關於關稅及附加費用或關於此種關稅之徵收方法及與輸入有關之規則與

手續以及關於規定輸入貨物之徵稅銷售分配或使用之法令規章等事項無論如何其所繳關稅租稅或費用不得異於或高於任何第三國之同樣種植物出產物或製造品現在或將來所繳之任何關稅租稅或費用其所適用之規則或手續不得異於或繁於任何第三國之同樣種植物出產物或製造品現在或將來所適用之任何規則或手續

六、雙方同意本照會及

閣下之覆照應即構成兩國政府間之協定此項協定自本照會互換之日起發生效力在貿易協定尚未訂立之前將繼續有效一年至一千九百四十七年九月二十六日為止並在是日以後繼續有效直至任何一方政府在任何時間通知後三個月為止

本大使順向

閣下表示崇高之敬意」

本部長茲特代表中國政府接受

貴大使來照中所提之各項建議

本部長順向

貴大使表示崇高之敬意

此致

加拿大國駐華特命全權大使歐德瀾將軍閣下

王世杰
(簽字)

中華民國三十五年九月二十六日於南京

SINO-CANADIAN COMMERCIAL MODUS VIVENDI

EXCHANGE OF NOTES

(1) NOTE FROM GENERAL VICTOR W. ODLUM,
CANADIAN AMBASSADOR TO CHINA, TO DR.
WANG SHIH-CHIEH, CHINESE MINISTER OF
FOREIGN AFFAIRS.

Nanking, September 26, 1946.

Excellency,

Conforming to the desire of the Government of China and the Government of Canada to further extend and increase the flow of trade between their two countries, I have the pleasure to propose to Your Excellency on behalf of the Canadian Government, the following Commercial Modus Vivendi:

1. Articles, the growth, produce or manufacture of China shall not, on importation into Canada, be subject to higher duties or charges than those levied or which may hereafter be levied on like articles, the growth, produce or manufacture of any other foreign country.
2. The advantages now accorded, or which may hereafter be accorded by Canada 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 agreement.
3. Articles, the growth, produce or manufacture of Canada shall not, on importation into

His Excellency

Dr. Wang Shih-chieh,
Minister of Foreign Affairs,
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China, be subject to higher duties or charges than those levied or which may hereafter be levied on like articles, the growth, produce or manufacture of any other foreign country.

4. The advantages now accorded or which may hereafter be accorded by China to adjacent countries in order to facilitate frontier traffic shall be excepted from the operation of this agreement.
5. Articles, the growth, produce or manufacture of either country imported into the other shall in no case be subject in matters concerning customs duties and subsidiary charges, or as regards the methods of levying such duties and the rules and formalities connected with importation, and with respect to the laws and regulations affecting the taxation, sale, distribution or use of imported goods, 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 articles the growth, produce or manufacture of any third country are or may hereafter be subject.
6. It is understood that the present Note and Your Excellency's reply will constitute an agreement between the two Governments which will enter into force on the date of the exchange of the present Notes, and, if a Trade Agreement is not concluded before, will remain in force for one year to the Twenty-sixth day of September, 1947, and thereafter will remain in force subject to termination by either Government at any time on giving three months' notice.

I am, Sir, with the assurance of my highest consideration.

(Signed) Victor W. ODLUM

(II) NOTE FROM DR. WANG SHIH-CHIEH, CHINESE MINISTER OF FOREIGN AFFAIRS, TO GENERAL VICTOR W. ODLUM, CANADIAN AMBASSADOR TO CHINA.

Nanking, September 26, 1946.

Excellency,

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

"Conforming to the desire of the Government of China and the Government of Canada to further extend and increase the flow of trade between their two countries, I have the pleasure to propose to Your Excellency on behalf of the Canadian Government, the following Commercial Modus Vivendi:

1. Articles, the growth, produce or manufacture of China shall not, on importation into Canada, be subject to higher duties or charges than those levied or which may hereafter be levied on like articles, the growth, produce or manufacture of any other foreign country.
2. The advantages now accorded, or which may hereafter be accorded by Canada 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 agreement.
3. Articles, the growth, produce or manufacture of Canada shall not, on importation into China, be subject to higher duties or charges than those levied or which may hereafter be levied

His Excellency

General Victor W. Odlum,
Canadian Ambassador,

N A N K I N G .

on like articles, the growth, produce or manufacture of any other foreign country.

4. The advantages now accorded or which may hereafter be accorded by China to adjacent countries in order to facilitate frontier traffic shall be excepted from the operation of this agreement.
5. Articles, the growth, produce or manufacture of either country imported into the other shall in no case be subject in matters concerning customs duties and subsidiary charges, or as regards the methods of levying such duties and the rules and formalities connected with importation, and with respect to the laws and regulations affecting the taxation, sale, distribution or use of imported goods, 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 articles the growth, produce or manufacture of any third country are or may hereafter be subject.
6. It is understood that the present Note and Your Excellency's reply will constitute an agreement between the two Governments which will enter into force on the date of the exchange of the present Notes and, if a Trade Agreement is not concluded before, will remain in force for one year to the Twenty-sixth day of September, 1947 and thereafter will remain in force subject to termination by either Government at any time on giving three months' notice.

I am, Sir, with the assurance of my highest consideration."

I have the honour on behalf of the Chinese Government to accept the proposals as stated in the above Note from Your Excellency.

I am, Sir, with the assurance of my highest consideration.

(Signed) WANG Shih-chieh