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Treaty Series No. 2 (1928)

Agreement between
His Majesty's Government in
Great Britain
and the Government of the
Latvian Republic

regarding the

CUSTOMS TREATMENT OF
COMMERCIAL TRAVELLERS' SAMPLES

Riga, November 16, 1927

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

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Agreement between His Majesty's Government in Great Britain and the Government of the Latvian Republic regarding the Customs Treatment of Commercial Travellers' Samples.

Riga, November 16, 1927.

His Britannic Majesty's Government in Great Britain and the Government of the Latvian Republic, being desirous of facilitating the clearance through their respective Customs Departments of samples of dutiable goods brought by commercial travellers to be used as models or patterns for the purpose of obtaining orders and not for sale, mutually agree as follows :—

Articles liable to duty serving as patterns and samples, which are introduced into Great Britain or Northern Ireland by commercial travellers representing persons, companies or firms carrying on business in Latvia or into Latvia by commercial travellers representing persons, companies or firms carrying on business in Great Britain or Northern Ireland, shall henceforth be admitted free of duty, subject to the following formalities requisite to ensure their being re-exported or placed in bond :—

1. The officers of Customs at any port or place at which the patterns or samples may be imported shall ascertain the amount of duty chargeable thereon. That amount must either be deposited by the commercial traveller in money, or the guarantee of a bank approved for this purpose by the administration concerned given for it.

2. For the purpose of identification, the marks, stamps, or seals placed upon the samples by the Customs authorities of one of the Contracting Parties shall be recognised as sufficient by those of the other. Should the samples, however, arrive without bearing any of the above-mentioned marks, or should the marks not appear to be sufficient to the administration interested, a supplementary mark may be affixed to such samples if considered desirable in such a way as not to injure them. In such case the supplementary mark shall be affixed either gratuitously or on payment of a fee not exceeding the usual charge for affixing such marks to imported merchandise.

3. A permit or certificate shall be given to the importer which shall contain—

- (a.) A list of patterns or samples imported specifying the nature of the goods and such marks as may be proper for the purpose of identification.
- (b.) A statement showing the duty chargeable on the patterns or samples, and also whether the amount was deposited in money or whether security was given for it.

- (c.) A statement as to the manner in which the patterns or samples were marked.
- (d.) A statement of the period (not in any case to be less than six months) at the expiration of which the amount of duty deposited will be carried to public account, or the amount payable will be recovered under the security given, as the case may be, unless it is proved by a certificate issued by the Customs authorities, or in such other manner as may be approved by them, that the patterns or samples have been previously re-exported, or placed in bond. No charge other than the legal stamp duty shall be made for such a certificate or its equivalent.

4. The patterns or samples may also be re-exported through any Customs-House other than the one through which they were imported.

Nevertheless, it is agreed, in respect of Latvia, that in case the re-exportation of patterns or samples takes place through any Latvian Customs-House other than the Customs-House of importation the formalities of re-exportation and the refunding of the duty paid or the cancellation of the bond given must be effected at the Customs-House of importation, unless re-exportation is effected through the Customs-House of Riga, Liepaja (Libau), Ventspils (Windau) or Daugavpils (Dvinsk), each of which is able in this matter to act for any other Latvian Customs-House.

It is understood that commercial travellers representing persons, companies or firms carrying on business in Great Britain or Northern Ireland shall be permitted to import their patterns or samples through any Latvian Customs-House which may be opened for this purpose to the commercial travellers of any other foreign country and shall be placed in this matter as well as in all that relates to the re-exportation of their patterns or samples and the Customs-Houses through, and the conditions under, which the re-exportation may take place in all respects on the footing of the most favoured nation.

5. If before the expiration of the appointed time provided for in paragraph 3 (d) the patterns or samples should be presented at the Customs-House of any port or place for the purpose of re-exportation, or being placed in bond, the officers at such port or place must satisfy themselves by examination that the articles which are brought to them are the same as those for which a permit of entry was granted. If the officers are satisfied that this is the case, they will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited or will take the necessary steps for discharging the security.

It is understood that the foregoing privileges shall not extend to articles which, owing to their quantity or value, cannot be considered as samples or which, owing to their nature, could not be identified on re-exportation.

With a view to facilitating as much as possible the operations of commercial travellers, it is agreed that the respective authorities

shall use their best endeavours to complete the formalities of importation or re-exportation in every case in a single working day.

This agreement shall come into force on the day following the day of the notification to His Britannic Majesty's Government in Great Britain of its ratification by the Latvian Government,* and shall remain in force until the expiration of three months from the date on which either of the Contracting Parties shall have denounced it.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present agreement and affixed thereto their seals.

Done in duplicate at Riga, the 16th day of November, 1927.

(L.S.) J. C. T. VAUGHAN.

(L.S.) F. CIELENS.

* The agreement came into force on the 23rd December, 1927.