



Treaty Series No. 17 (1940)

EXCHANGE OF NOTES

between the Government of the Commonwealth of Australia
and the Brazilian Government

regarding

COMMERCIAL RELATIONS

London, July 19, 1939

*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 THE GOVERNMENT OF THE
COMMONWEALTH OF AUSTRALIA AND THE BRAZILIAN
GOVERNMENT REGARDING COMMERCIAL RELATIONS.

London, July 19, 1939.

No. 1.

Mr. S. M. Bruce to Senhor R. Regis de Oliveira.

*Commonwealth of Australia,
Australia House,*

My Dear Ambassador,

London, July 19, 1939.

I HAVE the honour to inform you that the Government of the Commonwealth of Australia, desiring to provide for the maintenance, on a basis of reciprocity, of commercial relations between the Republic of Brazil and the Commonwealth of Australia, is prepared to enter into an agreement with the Government of the Republic of Brazil in the following terms:—

- (1) Articles the produce or manufacture of Brazil on importation into Australia shall receive treatment not less favourable than that accorded to like articles the produce or manufacture of any other foreign country.
- (2) Articles the produce or manufacture of Australia on importation into Brazil shall receive treatment not less favourable than that accorded to like articles the produce or manufacture of any other foreign country.
- (3) It shall be understood that the foregoing provisions shall not entitle:
 - (i) The Brazilian Government to claim the benefit of any treatment, preference or privilege which may at any time be granted in the Commonwealth of Australia exclusively to 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.
 - (ii) The Government of the Commonwealth of Australia to claim the benefits of any advantages that are or may be accorded by Brazil to adjacent countries in order to facilitate frontier traffic, or to advantages granted in virtue of a customs union which has already been, or may hereafter be, concluded.

I shall be obliged if you will be good enough to inform me whether the Government of the Republic of Brazil would agree to the above proposals. In that case I would suggest that the present note and your note in reply be regarded as constituting an agreement between

the two Governments having effect from a date⁽¹⁾ to be fixed by mutual agreement and terminable upon three calendar months' notice by either Government.

I have, &c.

S. M. BRUCE.

His Excellency Senhor Raul Regis
de Oliveira, G.C.V.O., G.B.E.

No. 2.

Senhor R. Regis de Oliveira to Mr. S. M. Bruce.

No. 16.

Embaixada dos Estados Unidos do Brasil,

Senhor Alto Comissário, *Londres, em 19 de Julho de 1939.*

Com referência à sua Nota desta data, em que Vossa Excelência me dá a conhecer o desejo do Govêrno da Austrália de concluir com o do Brasil um acôrdo que regule as relações comerciais entre os nossos dois paises, tenho a honra de lhe informar que o meu Govêrno está disposto a celebrar um acôrdo com o da Austrália nos seguintes termos :

- (1) Os artigos produzidos ou manufaturados no Brasil, importados na Austrália, receberão tratamento não menos favorável do que o que fôr concedido aos artigos produzidos ou manufaturados de qualquer outro pais estrangeiro ;
- (2) Os artigos produzidos ou manufaturados na Austrália, importados no Brasil, receberão tratamento não menos favorável do que o que fôr concedido aos artigos produzidos ou manufaturados de qualquer outro pais estrangeiro ;
- (3) Fica convencionado que as disposições acima não facultam :
 - (a) ao Govêrno brasileiro pretender o benefício de qualquer tratamento preferencial ou privilegio que em todo o tempo seja concedido pela Austrália exclusivamente aos territórios sob a soberania de Sua Majestade o Rei da Grã-Bretanha, Irlanda e os Domínios Britânicos de Além Mar, Imperador da India, ou sob a suserania, proteção ou mandato de Sua Majestade ;
 - (b) ao Govêrno da Austrália pretender as vantagens concedidas ou que venham a ser concedidas pelo Brasil aos paises vizinhos com o objecto de facilitar o tráfico de fronteiras, ou as vantagens consequentes de alguma união aduaneira que venha a ser concluida.

De acôrdo com a sugestão contida no último párrafo da Nota de Vossa Excelência, a presente troca de Notas será tida como constituindo um acôrdo entre os dois Govêrnos, a entrar em vigor a partir de data a ser fixada mutuamente, podendo ser terminado após notificação prévia de três meses por qualquer das partes contratantes.

⁽¹⁾ The arrangement entered into force on the 1st January, 1940.

Tenho a honra de reiterar a Vossa Excelência os protestos da minha mais alta consideração.

R. REGIS DE OLIVEIRA.

A Sua Excelência

The Right Honourable S. M. Bruce, C.H., M.C.,
Alto Comissário de Sua Majestade Britânica para a
Australia, Londres.

(Translation.)

Embassy of the United States of Brazil,

London, July 19, 1939.

Sir,

With reference to your Excellency's Note of to-day's date relating to the desire of the Government of Australia to conclude with the Brazilian Government an agreement regulating commercial relations between our two countries, I have the honour to inform you that my Government is prepared to conclude an agreement with the Australian Government in the following terms:—

- (1) Articles produced or manufactured in Brazil, imported into Australia, will receive treatment not less favourable than that accorded to articles produced or manufactured in any other foreign country;
- (2) Articles produced or manufactured in Australia, imported into Brazil, will receive treatment not less favourable than that accorded to articles produced or manufactured in any other foreign country;
- (3) It is agreed that the above provisions do not entitle :
 - (a) the Brazilian Government to claim the benefit of any preferential treatment or privilege which may at any time be granted by Australia exclusively to 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;
 - (b) the Australian Government to claim the advantages accorded or that may be accorded by Brazil to adjacent countries in order to facilitate frontier traffic, or the advantages resulting from any customs union that may be concluded.

In accordance with the suggestion contained in the last paragraph of your Excellency's Note, the present exchange of Notes shall be held to constitute an agreement between the two Governments having effect as from a date to be fixed by mutual agreement and terminable on three months' prior notice by either of the contracting parties.

I have, &c.

R. REGIS DE OLIVEIRA.

His Excellency

the Right Honourable S. M. Bruce, C.H., M.C.,
His Britannic Majesty's High Commissioner for the
Commonwealth of Australia, London.