



Treaty Series No. 24 (1950)

Exchange of Notes

between the Government of the United Kingdom of
Great Britain and Northern Ireland and the
Government of Peru regarding the

continuance in force of Articles 4 and 5 of
the Anglo-Peruvian Commercial Agreement
of 6th October, 1936

Lima, 28th January, 1950

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

LONDON
HIS MAJESTY'S STATIONERY OFFICE
THREEPENCE NET

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF PERU REGARDING THE CONTINUANCE IN FORCE OF ARTICLES 4 AND 5 OF THE ANGLO-PERUVIAN COMMERCIAL AGREEMENT OF 6th OCTOBER, 1936

Lima, 28th January, 1950

No. 1

His Majesty's Ambassador at Lima to the Peruvian Minister for Foreign Affairs

Your Excellency,

28th January, 1950.

I have the honour to refer to your Excellency's Note of 8th September⁽¹⁾ and subsequent conversations between officials of the Peruvian Government and of this Embassy regarding the continuance in force of Articles 4 and 5 of the 1936 Anglo-Peruvian Commercial Agreement.⁽²⁾

Having regard to the desire of the Government of Peru to increase the Customs duties on the import of certain articles enumerated in Schedule I to the Commercial Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Peru signed on 6th October, 1936 (hereinafter called the Commercial Agreement), I am instructed to inform your Excellency that the Government of the United Kingdom are willing to conclude an agreement with the Government of Peru in the following terms:—

- (1) Subject to the provisions of paragraph (2) below, Article 4 and Article 5 of the Commercial Agreement shall continue in force until the coming into force between the two Governments of a new agreement to be negotiated during the forthcoming multilateral tariff negotiations which the contracting parties to the general agreement of tariffs and trade are proposing to hold in September 1950 or until such time as the two Governments may agree.
- (2) Without prejudice to the right of the Government of the United Kingdom to request any reduction in the Customs duties during those tariff negotiations, the Government of Peru shall be entitled to levy on importation into Peru of articles enumerated in the enclosure to this Note the Customs duties specified therein, which shall be substituted for the duties on these articles provided for in Schedule I to the Commercial Agreement.
- (3) So long as Article 4 and Article 5 of the Commercial Agreement are in force, the Government of Peru shall accord to the goods produced by or manufactured in the United Kingdom most-favoured-nation treatment as regards Customs duties and charges of any kind imposed on or in connexion with the importation of goods, provided such treatment shall apply only to such categories of goods as, whatever their country of origin may be, are not subject to restrictions other than Customs duties and other similar charges on importation into Peru.

If the Government of Peru agree, I have the honour to propose that this Note and your Excellency's reply be regarded as constituting an agreement on above terms between our two Governments which shall be deemed to have come into force on 7th December, 1949.

I avail, &c.

(Sd.) J. L. DODDS.

⁽¹⁾ Not printed.

⁽²⁾ "Peru No. 1 (1936)," Cmd. 5288.

SCHEDULE

Number in Tariff	Tariff Specification of Goods		Tariff Rate Soles
1585	Cotton fabrics, printed, having up to 40 threads and weighing more than 200 grms. per sq. metre	Kilos gross	6-00
1586	The same, up to 40 threads and more than 70 to 200 grms. per sq. metre	" "	7-00
1587	The same, up to 40 threads and up to 70 grms. per sq. metre	" "	9-00
1580	Cotton fabrics, dyed, having up to 40 threads and more than 200 grms. per sq. metre	" "	5-00
1581	The same, up to 40 threads and of more than 70 to 200 grms. per sq. metre	" "	6-00
1582	The same, up to 40 threads and up to 70 grms. per sq. metre	" "	8-00
1553	Woollen baize of all kinds	Kilos legal	7-00
1546	Woollen materials of all kinds, not specified, up to 185 grms. per sq. metre and up to 16 threads weft and warp	" "	20-00
1547	Woollen materials up to 185 grms. per sq. metre and of more than 16 threads	" "	30-00
1548	Woollen materials of more than 185 grms. and up to 350 grms. per sq. metre and up to 16 threads	" "	30-00
1549	Woollen materials of more than 185 grms. up to 350 grms. per sq. metre and of more than 16 threads	" "	45-00
1550	Woollen materials of more than 350 grms. per sq. metre and up to 16 threads	" "	30-00
1551	Woollen materials of more than 350 grms. per sq. metre and more than 16 threads	" "	35-00
1491	Textile fibres in cones or large skeins for the manufacture of hosiery and textiles in general, of artificial silk (Rayon) of the viscose type	" "	20-00
1491A	The same, of other artificial textile fibres	" "	18-00
1533/1535	Fabrics of artificial textile fibres, bleached, printed or dyed of more than 40 grms. per sq. metre	" "	110-00
	with weft of inferior material	" "	30% below.
925	Blue for laundry use, in small cakes, balls or tablets	Kilos gross	0-40
943	Paints in paste form, with oil, white or of colour	" "	2-00
946	Paints prepared with oil, liquid; without varnish	" "	2-00
2174	Crockery articles of majolica or faience, white or of one colour	" "	1-00
2175	The same, multi-coloured or decorated in colours, including those gilt or silvered	" "	1-30
253	Powders for preparing ice-creams and sweets, including those with a basis of gelatine	" "	1-60
551	Sodium sulphide	" "	0-60
512	Sodium silicate (soluble glass)	" "	0-12

NOTE.—The tariff numbers refer to the tariff classification brought into force by the Decree-Law 11048.

The Peruvian Minister for Foreign Affairs to His Majesty's Ambassador at Lima

Señor Embajador,

Lima, 28 de enero de 1950.

Tengo el honor de avisar recibo de la atenta nota de Vuestra Excelencia de fecha de hoy, y de su anexo, en la que con referencia a la de mi Despacho de 8 de setiembre último y a las conversaciones subsiguientes entre funcionarios del Gobierno del Perú y de esa Embajada, se sirve Vuestra Excelencia proponer, siguiendo instrucciones de su Gobierno, con relación al aumento de los derechos de importación de ciertos artículos especificados en el Anexo I del Convenio Comercial celebrado entre el Gobierno del Perú y el Gobierno de la Gran Bretaña y Norte de Irlanda, firmado el 6 de octubre de 1936, la celebración de un Convenio en los términos siguientes :

- (1) Sujeto a las condiciones mencionadas en el párrafo 2, que sigue, los artículos 4 y 5 del Convenio Comercial continuarán en vigencia hasta que entre en vigor un nuevo Convenio entre los dos Gobiernos, el cual será negociado durante las próximas negociaciones multilaterales sobre tarifas por las partes contratantes en el acuerdo general de tarifas y comercio, que se proponen llevar a cabo en setiembre de 1950 o hasta el momento en que ambos Gobiernos se pongan de acuerdo.
- (2) Sin perjuicio del derecho del Gobierno del Reino Unido para solicitar cualquier reducción en los Derechos Aduaneros durante esas negociaciones sobre tarifas, el Gobierno del Perú podrá imponer, sobre las importaciones al Perú de los artículos enumerados en el anexo de la nota de Vuestra Excelencia, los derechos aduaneros especificados allí, los cuales substituirán a los derechos sobre esos artículos, establecidos en el documento I del Acuerdo Comercial.
- (3) Mientras que los artículos 4 y 5 del Convenio Comercial estén en vigencia, el Gobierno del Perú acordará a las mercancías producidas o manufacturadas en el Reino Unido el tratamiento de nación más favorecida con respecto a las tarifas de Aduana o cualquier otro cargo impuesto sobre o en relación con la importación de mercancías con tal que dicho tratamiento sólo se aplique a las categorías de mercancías cualquiera que sea el país de origen y que no estén sujetos a restricciones fuera de los derechos de aduana y otros recargos similares sobre importaciones al Perú.

Agrega Vuestra Excelencia que si el Gobierno del Perú está de acuerdo, se sirve proponer que su nota en referencia y la de mi Despacho, sean consideradas como un Convenio entre nuestros dos Gobiernos, en los términos mencionados, los cuales se consideran entrarán en vigencia el 7 de diciembre de 1949.

En respuesta tengo el honor de informar a Vuestra Excelencia que el Gobierno del Perú aprueba estos términos y está de acuerdo que la nota de Vuestra Excelencia y mi respuesta, sean consideradas como un Convenio entre nuestros dos Gobiernos.

Aprovecho, &c.
(Fmdo.) RODRIGUEZ.

[Translation of No. 2]

Mr. Ambassador,

Lima, 28th January, 1950.

I have the honour to acknowledge receipt of your Excellency's Note and enclosure of to-day's date referring to my Note of 8th September last and subsequent conversations between officials of the Government of Peru

and your Embassy, in which, following instructions from your Government, your Excellency proposed an agreement in the following terms regarding the increase of the Customs duties on the import of certain articles specified in Schedule I of the Commercial Agreement between the Government of Peru and the Government of Great Britain and Northern Ireland signed on 6th October, 1936:—

- (1) Subject to the conditions mentioned in paragraph (2) below, articles 4 and 5 of the Commercial Agreement shall continue in force until the coming into force of a new Agreement to be negotiated during the forthcoming multilateral tariff negotiations which the contracting parties to the general agreement of tariffs and trade are proposing to hold in September 1950 or until such time as the two Governments agree.
- (2) Without prejudice to the right of the Government of the United Kingdom to request any reduction in the Customs duties during those tariff negotiations, the Government of Peru may levy on imports into Peru of articles enumerated in the enclosure to your Excellency's Note the Customs duties specified therein, which shall be substituted for the duties on those articles provided for in document I of the Commercial Agreement.
- (3) So long as articles 4 and 5 of the Commercial Agreement are in force, the Government of Peru shall accord to the goods produced by or manufactured in the United Kingdom most-favoured-nation treatment as regards Customs duties or charges of any kind imposed on or in connexion with the importation of goods, provided such treatment shall apply only to such categories of goods as, whatever their country of origin may be, are not subject to restrictions other than Customs duties and other similar charges on importation into Peru.

Your Excellency adds that, if the Government of Peru agree, you propose that your Note under reference and my reply be regarded as constituting an Agreement between our two Governments on the above terms which shall be deemed to have come into force on 7th December, 1949.

In reply I have the honour to inform your Excellency that the Government of Peru approve these terms and agree that your Excellency's Note and my reply be considered as an Agreement between our two Governments.

I avail, &c.

(Sd.) RODRIGUEZ.

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