



Treaty Series No. 53 (1938)

Exchange of Notes

between His Majesty's Government in New Zealand and
the Swiss Federal Council

regarding

Commercial Relations between New Zealand and Switzerland

Wellington, May 5, 1938

*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 HIS MAJESTY'S GOVERNMENT IN NEW ZEALAND AND THE SWISS FEDERAL COUNCIL REGARDING COMMERCIAL RELATIONS BETWEEN NEW ZEALAND AND SWITZERLAND.

Wellington, May 5, 1938.

No. 1.

The Acting Consul of Switzerland to the Minister of Customs.

Consulate of Switzerland,

My dear Minister,

Wellington, May 5, 1938.

WITH reference to our conversations regarding the promotion of trade between New Zealand and Switzerland, I have the honour to submit the following proposals for a Trade Arrangement between our respective countries:—

- 1.—(a) Goods the produce or manufacture of Switzerland enumerated in the schedule annexed hereto, on importation into New Zealand, shall enjoy in all matters concerning customs duties, or fees, taxes, or other charges payable in respect of imported goods and in all matters concerning customs formalities treatment not less favourable than that accorded to like goods the produce or manufacture of any other foreign country.
- 1.—(b) The Government of New Zealand undertake to receive with goodwill and to give consideration to any requests which may be made by the Government of Switzerland for the grant of most-favoured-nation treatment in respect of articles, other than those enumerated in the schedule referred to in paragraph 1 (a) hereof, the produce or manufacture of Switzerland, when imported into New Zealand. It shall be understood that such articles shall be articles in the exportation of which Swiss export industries are primarily interested.
- 2.—(a) The Government of Switzerland shall guarantee to the Government of New Zealand a quota for the importation of New Zealand apples and pears into Switzerland to the extent of 1,500 metric tons per annum.
- 2.—(b) Swiss import permits issued for New Zealand apples and pears in general shall not be transferable in favour of like produce of other countries. The Government of Switzerland shall permit transfers of import permits for New Zealand apples and pears in favour of like produce of other

countries only with the consent of the Government of New Zealand or their officially designated representatives. The Government of Switzerland, in placing the import quota for New Zealand apples and pears at the disposal of importers, shall take into consideration the seasonal character of importations of apples and pears into Switzerland.

- 2.—(c) The Government of Switzerland shall issue permits for the importation of New Zealand apples and pears on the condition that importers arrange their purchases directly with the New Zealand Fruit Export Control Board or their specifically designated agents.
- 2.—(d) In all matters concerning the procedure in connection with the granting of import permits, particularly regarding the fees imposed for issuing import permits, the Government of Switzerland undertake to accord to New Zealand products treatment not less favourable than that accorded to like products of the most favoured foreign country.
- 2.—(e) The Government of Switzerland undertake to receive with goodwill and to give consideration to any requests which may be made by the Government of New Zealand for the grant of import quotas for products other than apples and pears, the produce or manufacture of New Zealand, which are subjected to import restrictions in Switzerland.
- 2.—(f) Goods the produce or manufacture of New Zealand, on importation into Switzerland, shall enjoy in all matters concerning customs duties, or fees, taxes, or other charges payable in respect of imported goods and in all matters concerning customs formalities, treatment not less favourable than that accorded to like goods the produce or manufacture of any other foreign country.
3. If, after the conclusion of this Arrangement, questions arise affecting the operation of any of the provisions thereof such questions shall be determined by negotiation between the respective Governments or their officially designated representatives.
4. In the event of the economic benefits anticipated by both contracting parties on concluding the present Arrangement not being attained or in the event of either of the contracting parties considering itself at a disadvantage through developments unfavourable to its interests or through the adoption by the other party of measures of an economic nature, either of the contracting parties may request that negotiations be commenced without delay with a view to effecting a mutually satisfactory adjustment of the matter. If such negotiations should not lead to a satisfactory settlement within three months from the date of receipt of the request, the party which considers itself

at a disadvantage shall have the right to terminate the present Arrangement six weeks from the date of the receipt by the other party of notification of termination.

5. Subject to the provisions of paragraph 4 this Arrangement shall be binding for a period of one year from the date of its coming into force. If neither Government shall have notified the other, three months before the expiration of that period, of its intention to terminate the Arrangement it shall remain in force thereafter until the expiration of three months from the date on which either Government shall have given to the other notice of its intention to terminate the Arrangement.

In the event of the above proposals proving acceptable to your Government it is suggested that this letter and your reply thereto conveying an acceptance on the part of your Government be regarded as constituting a Trade Arrangement between New Zealand and Switzerland, and that such Arrangement take effect on the date of your reply.

Yours faithfully,

The Acting Consul of Switzerland,

WALTER SCHMID, *Vice-Consul.*

SCHEDULE.

Item No. of
the Customs
Tariff of
New Zealand.

Tariff Items.

- ex 121 (1) Medicinal preparations (except wines) containing 50 per cent. of proof spirit or less; medicinal preparations, drugs, druggists' sundries and apothecaries' wares, n.e.i.; also aerated-water makers', cordial makers' and brewers' drugs, chemicals and other sundries, n.e.i; chemicals and chemical preparations, n.e.i.
- 143 Braids, and bindings, all kinds, n.e.i.; cords, n.e.i., of wool, cotton, silk, imitation silk, artificial silk, or of combinations of these materials with one another or with any other material.
- 203 Leather manufactures, n.e.i.
- 237 Clocks, time-registers and time-detectors.
- ex 247 Musical instruments and parts, viz. :—
 - (4) Pianos, player pianos, organs, n.e.i., harmoniums and similar instruments.
 - (5) Musical instruments, n.e.i.
- 254 Photographic cameras.
- 255 Photographic goods, n.e.i.
- ex 338 Machinery or appliances, electrical, viz. :—
 - (1) (a) Machinery or appliances, n.e.i., peculiar to the generation of electricity, to the transformation of pressures of electric currents, or to the conversion of one type of electric current to another; electric motors; slide rails for electric generators or electric motors.
 - (b) Batteries or cells, not including storage batteries.
 - (c) Storage batteries (including parts thereof).
 - (2) Switchboards, fuse boards and distribution boards or boxes for electric circuits; shunt or voltage regulators; starters or controllers for electric motors; rheostats and resistances, n.e.i., including reactance or choking coils, for the reduction or control of electric currents, condensers, relays, electro-magnets, switches, wall-plugs and shoes or sockets therefor, circuit breakers, circuit makers, cut-outs, fuses, wire or cable connectors and similar articles, and terminals; lightning arresters for the protection of electrical apparatus.
 - (3) Carbons or electrodes for arc-lamps, for electric furnaces or for electric welding.
 - (4) Electric appliances, n.e.i., peculiar to electro-plating, electro-chemistry, electro-metallurgy, surgery, telegraphy, telephony (not including cabinets or parts of cabinets for wireless broadcast receiving-sets); X-ray tubes and electrical vacuum tubes not suitable for purposes of illumination.
 - (5) Electric locomotives; trolley-poles or collectors for electric tram-cars or electric locomotives; frogs, crossings and line-ears for overhead conductors for electric railways or tramways; rail bonds with terminals attached.
 - (6) Metal poles or towers, specially suited for use in electrical transmission-lines.
 - (7) Insulated cable and wire; carbon in block, sheet or rod; mica, vulcanite, insulating tape and other insulating materials, n.e.i., not including insulating piping or tubing or insulating fittings for pipes.
 - (8) Sparking-plugs for oil engines.
 - (10) (a) Electric irons.
 - (b) N.e.i.

*Item No. of
the Customs
Tariff of
New Zealand.*

Tariff Items.

- ex 351 Machinery, machines, machine tools and appliances, viz. :—
- (1) Anvils, forges and hearths, viz. : Blacksmiths', and similar.
 - (2) Blacksmiths', braziers', assay and treadle-power bellows.
 - (3) Boring and well-drilling machinery; rock drills and diamond drills; coal cutters.
 - (4) Blowers and fans, viz. : Exhaust, blast and ventilating; vacuum cleaners.
 - (5) Card clothing suitable for use in woollen mills and paper mills.
 - (6) Grinding machines, emery and similar; emery and similar wheels.
 - (7) Grinding mills, grinding pans, ball mills, tube mills, bone crushers, corn mills, coffee and spice mills, food chopping, mincing and similar machines.
 - (9) Knitting and kilting machines.
 - (10) Peculiar to metal-working, wood-working, stone-working or glass-working.
 - (11) Hydro-extractors.
 - (12) Weighing machines, scales and balances, n.e.i.
 - (13) Printing machines.
- 352 Machinery, machines, machine tools, engines and appliances, as may be approved by the Minister, peculiar to use in manufacturing, industrial and similar processes.
- 356 Ex (1) Field-glasses.
- ex 357 Metal, viz. :—
- (2) Aluminium, brass, copper, lead, tin and other metal, n.e.i., in bars or rods (except cast bars or rods of copper alloy).
 - (6) Metal, n.e.i., viz. : Foil, leaf; hoop, plate or sheet, plain, whether in the rough, polished, enamelled, galvanised, plated, tinned or otherwise coated with metal.
- 362 Pipes, piping, tubes and tubing (except coil pipes), viz. :—
- (1) Wrought iron, steel or wood, n.e.i. (including such pipes or tubes when protected with a cement or similar coating), not less than 4 inches but less than 9 inches in internal diameter.
 - (2) (a) Cast-iron, n.e.i., including rain-water, soil and similar pipes.
 - (b) (i) Centrifugally-cast iron pipes, piping, tubes and tubing, exceeding 6 inches but not exceeding 12 inches in nominal internal diameter.
 - (b) (ii) Centrifugally-cast iron pipes, piping, tubes and tubing, not less than 4 inches but not exceeding 6 inches in nominal internal diameter.
 - (3) Wrought iron or steel, screwed; boiler tubes, flanged or unflanged; and all pipes, piping, tubes and tubing, n.e.i.
 - (4) Lead or composition.
 - (5) Knees, bends, elbows, junction or inspection boxes, including covers therefor, and other fittings, n.e.i., for pipes, piping, tubes or tubing, viz. :—
 - (a) Of brass or other copper alloy.
 - (b) Of cast-iron for rain-water, soil and similar pipes.
 - (6) Knees, bends, elbows, junction or inspection boxes, including covers therefor, and other fittings, n.e.i., for any of the above-mentioned pipes, piping, tubes or tubing, shall be classed under the same item of the tariff as the pipes, piping, tubes and tubing for which they are fittings.

No. 2.

The Minister of Customs to the Acting Consul of Switzerland.

*Minister's Office : Customs Department,
Wellington, May 5, 1938.*

My dear Consul,

I HAVE the honour to acknowledge receipt of your letter of the 5th May, 1938, reading as follows :—

[As in No. 1.]

In reply I have to inform you that the proposals set out in your letter and in the schedule annexed thereto for the conclusion of a Trade Arrangement between Switzerland and New Zealand are acceptable to my Government.

Yours faithfully,
W. NASH,
Minister of Customs.

