



Treaty Series No. 55 (1939)

[Reprint of Union of South Africa Treaty Series No. 6 (1939)]

Commercial Agreement

between

the Government of the Union of South Africa
and the Brazilian Government

Rio de Janeiro, April 18, 1939

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

LONDON

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COMMERCIAL AGREEMENT BETWEEN THE GOVERNMENT OF
THE UNION OF SOUTH AFRICA AND THE BRAZILIAN
GOVERNMENT.

Rio de Janeiro, April 18, 1939.

No. 1.

*The Consul-General for the Union of South Africa to the Brazilian
Minister of Foreign Relations.*

Consulate-General of the Union of South Africa,
Your Excellency, *Rio de Janeiro, April 18, 1939.*

I HAVE the honour to inform your Excellency that, in order to facilitate the mutual exchange of products between the respective countries, the Government of the Union of South Africa will extend to products of Brazil imported therefrom into the Union of South Africa and the Mandated Territory of South-West Africa the benefits of the most-favoured-nation treatment, excluding special privileges accorded to members of the British Commonwealth of Nations and to adjoining territories, on the condition that products of the Union of South Africa and the Mandated Territory of South-West Africa are accorded similar benefits on their importation into Brazil, excluding special privileges accorded to any countries adjoining Brazil.

I have the honour to state, further, that if the foregoing proposal is acceptable to the Brazilian Government, this note and your confirmatory reply in similar terms shall be regarded as constituting an agreement in this matter between our two Governments with effect from to-day, provided, however, that the agreement will lapse if not ratified by Resolution of both Houses of Parliament of the Union of South Africa during the present session of Parliament, and, if so ratified, it shall remain in force until superseded by a more comprehensive commercial agreement or until the expiration of three calendar months from the date on which notice of termination shall have been given by either Government to the other.

Please accept, Mr. Minister, the renewed assurances of my highest esteem and consideration.

Dated at Rio de Janeiro this 18th day of April, 1939.

A. ZOUTENDYK,
Consul-General for the Union of South Africa.

No. 2:

*The Brazilian Minister of Foreign Relations to the Consul-General
for the Union of South Africa.*

*Ministerio Das Relacoes Exteriores,
Rio de Janeiro,*

Senhor Cônsul Geral,

Em 18 de Abril de 1939.

TENHO a honra de acusar o recebimento da nota de Vossa Senhoria, da presente data, em que me comunica que, com o fim de facilitar as trocas mútuas de produtos entre os respectivos países, o Governo da Uniao Sul Africana estenderá aos produtos do Brasil, quando importados na Uniao Sul Africana e no Território do Sudoeste Africano sob seu mandato, os benefícios do tratamento da nacao mais favorecida, com exclusao dos privilégios especiais concedidos aos países membros do British Commonwealth of Nations e aos territórios limítrofes da Uniao Sul Africana, com a condicao de que aos produtos da Uniao Sul Africana e do Território do Sudóeste Sul Africano sob seu mandato seja reservado identico tratamento, quando importados no Brasil, excluidos os privilégios especiais concedidos por êste aos países limítrofes.

2. Declara, além disso, Vossa Senhoria que, se a proposta acima fôr aceita pelo Governo brasileiro, a nota de Vossa Senhoria e a presente resposta confirmativa, passarao a constituir, entre os dois Governos, um acôrdo na matéria, o qual vigorará a partir desta data, ficando estabelecido, entretanto, que o mesmo caducará se nao fôr ratificado por ambas as Casas do Parlamento da Uniao Sul Africana durante a presente sessao parlamentar. No caso em que se verifique essa ratificacao, o acôrdo continuará em vigor até que venha a ser substituido por um convênio comercial mais amplo, ou até três meses contados da data em que fôr denunciado por um dos dois Governos interessados.

3. Em resposta, cabe-me dizer a Vossa Senhoria que o Governo brasileiro está de pleno acôrdo com a proposta do Governo da Uniao Sul Africana.

Aproveito o ensêjo para reiterar a Vossa Senhoria os protestos da minha mui distinta consideracao.

Em nome do Ministro de Estado :

C. DE FREITAS VALLE,
Secretário Geral.

(Translation.)

Department of External Affairs,

Mr. Consul-General,

Rio de Janeiro, April 18, 1939.

I have the honour to acknowledge the receipt of your letter of to-day's date, in which you inform me that with a view to facilitating the mutual exchange of products between our respective countries,

the Government of the Union of South Africa will extend to products of Brazil, when imported into the Union of South Africa and into the Mandated Territory of South-West Africa, the benefits of the most-favoured-nation treatment, with the exception of the special privileges conceded to the countries which are members of the British Commonwealth of Nations and to the territories adjoining the Union of South Africa, on condition that to the products of the Union of South Africa and the Mandated Territory of South-West Africa, when imported into Brazil, shall be extended identical treatment, excluding the special privileges conceded by the latter to the adjoining countries.

2. Furthermore, your Excellency declares that if the above proposal be accepted by the Brazilian Government, your Excellency's letter and the present confirmative reply shall constitute between the two Governments an agreement in the matter, which shall come into force as from this date, it being determined, however, that the same shall lapse if it be not ratified by both the Houses of Parliament of the Union of South Africa during the present Parliamentary Session. Should this ratification take place the agreement would continue in force until substituted by a more comprehensive commercial agreement or until three months after the date on which it may be denounced by either of the two Governments concerned.

3. In reply I have to inform your Excellency that the Brazilian Government is in full agreement with the proposal of the Government of the Union of South Africa.

I take this opportunity to reiterate to your Excellency the assurance of my highest consideration.

For the Minister of State :

C. DE FREITAS VALIÉ.
Secretary-General.