

1946 No. 37

II

EXCHANGE OF NOTES (SEPTEMBER 26, 1946) BETWEEN CANADA  
AND CHINA CONSTITUTING A COMMERCIAL *MODUS VIVENDI*  
BETWEEN THE TWO COUNTRIES.

*The Canadian Ambassador to China to the Minister of Foreign Affairs of China*

CANADIAN EMBASSY

NANKING, September 26, 1946.

EXCELLENCY,

Conforming to the desire of the Government of China and the Government of Canada to further extend and increase the flow of trade between their two countries, I have the pleasure to propose to Your Excellency on behalf of the Canadian Government, the following *Commercial Modus Vivendi*:

1. Articles, the growth, produce or manufacture of China shall not, on importation into Canada, be subject to higher duties or charges than those levied or which may hereafter be levied on like articles, the growth, produce or manufacture of any other foreign country.

2. The advantages now accorded, or which may hereafter be accorded by Canada exclusively to other 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, shall be excepted from the operation of this agreement.

3. Articles, the growth, produce or manufacture of Canada shall not, on importation into China, be subject to higher duties or charges than those levied or which may hereafter be levied on like articles, the growth, produce or manufacture of any other foreign country.

4. The advantages now accorded or which may hereafter be accorded by China to adjacent countries in order to facilitate frontier traffic shall be excepted from the operation of this agreement.

5. Articles, the growth, produce or manufacture of either country imported into the other shall in no case be subject in matters concerning customs duties and subsidiary charges, or as regards the methods of levying such duties and the rules and formalities connected with importation, and with respect to the laws and regulations affecting the taxation, sale, distribution or use of imported goods, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome than those to which the like articles the growth, produce or manufacture of any third country are or may hereafter be subject.

6. It is understood that the present Note and Your Excellency's reply will constitute an agreement between the two Governments which will enter into force, on the date of the exchange of the present notes, and, if a Trade Agreement is not concluded before, will remain in force for one year to the Twenty-sixth day of September, 1947, and thereafter will remain in force subject to termination by either Government at any time on giving three months' notice.

I am, Sir, with the assurance of my highest consideration,

VICTOR W. ODLUM