

CANADA

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TREATY SERIES, 1942

No. 20

EXCHANGE OF NOTES

(July 21, October 29 and November 9, 1942)

BETWEEN

CANADA

AND THE

UNITED STATES OF AMERICA

RESPECTING

CUSTOMS PRIVILEGES FOR GOVERNMENT  
EMPLOYEES

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IN FORCE NOVEMBER 9, 1942



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EXCHANGE OF NOTES

SUMMARY

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**EXCHANGE OF NOTES (JULY 21, OCTOBER 29 AND NOVEMBER 9,  
1942) BETWEEN CANADA AND THE UNITED STATES  
OF AMERICA RESPECTING CUSTOMS PRIVILEGES  
FOR GOVERNMENT EMPLOYEES**

I

*The Secretary of State for External Affairs of Canada  
to the United States Minister to Canada*

DEPARTMENT OF EXTERNAL AFFAIRS

No. 113

OTTAWA, July 21, 1942.

SIR,

I have the honour to refer to the suggestions made by the Legation some years ago, and renewed in the Legation's Memorandum of December 4, 1941, regarding the granting of the privilege of free import after first arrival to several categories of United States officials in Canada who do not at present receive it.

After careful consideration, the Canadian Government has decided that it would be willing to grant this privilege to Consuls and Vice Consuls of career but not to any other United States officials in Canada who do not at present receive it. The Canadian Government's proposal is, of course, conditional on reciprocity. In view of the fact that Canada does not have any Consuls or Vice Consuls in the United States, and is not likely to have a large number of them for many years, it is desired that the privilege of free import after first arrival be given to Canadian Trade Commissioners and Assistant Trade Commissioners in the United States, as well as to Canadian Consuls and Vice Consuls of career, if and when any should be appointed.

The Canadian Government has also had under consideration another aspect of the Customs Regulations, namely, the right of free entry on first arrival for United States Government employees who are not expressly given that privilege by the Regulations under Tariff Item 706 e.g. clerks of the United States Legation and of Consulates, officers, and employees of the United States Customs offices, etc. In practice such persons are given free entry on first arrival by entering them as "Settlers". I understand that in the United States a similar procedure is used to grant free entry on first arrival to non-diplomatic employees of the Canadian Government.

We propose that the privilege of free entry on first arrival should be expressly extended to all employees (of United States nationality) of the United States Government sent to posts in Canada and to all employees (of Canadian nationality) of the Canadian Government sent to posts in the United States. This free entry on first arrival should cover private automobiles, but not spirituous liquors.

I should be glad to learn whether the proposals set forth above are acceptable to the United States Government. If they are, I should like to know whether your Government desires to have a formal exchange of notes suitable for publication, or whether this Note and your reply will be sufficient.

Accept, Sir, the renewed assurances of my highest consideration.

N. A. ROBERTSON,  
*For the Secretary of State  
for External Affairs.*



## II

*The United States Minister to Canada  
to the Secretary of State for External Affairs of Canada*

LEGATION OF THE UNITED STATES OF AMERICA

OTTAWA, October 29, 1942.

No. 783

Sir,

I have the honor to refer to your note No. 113 of July 21, 1942, regarding the extension of the free importation privilege to American consuls and vice consuls of career on a basis of reciprocity, which would include on the part of Canadians in the United States, trade commissioners and assistant trade commissioners, since the Canadian Government does not now have consuls or vice consuls in the United States.

It has been noted that the Canadian Government is also willing, on a basis of reciprocity, to affirm its previous practice of granting free entry on first arrival to United States Government employees, other than diplomatic and consular officers, which would include clerks of the United States Legation and Consulates and officers and employees of the United States Customs offices. It has also been noted that the Canadian Government is unwilling to have free entry on first arrival for these employees include spirituous liquors.

I have now been instructed to inform you that my Government is prepared to accord, reciprocally, to Canadian consuls and vice consuls, should such officers be assigned to the United States, and to Canadian trade commissioners and assistant trade commissioners who are Canadian nationals and not engaged in any private occupation for gain, the privilege of importing articles, the importation of which is not prohibited, for their personal use free of duty upon their first arrival, upon their return from leave of absence spent abroad and during the time they are stationed in the United States. Furthermore, my Government is prepared to admit free of duty, on a reciprocal basis, all articles, except spirituous liquors and articles the importation of which is prohibited, imported on first arrival for their personal use by Government employees of Canada other than diplomatic and consular officers, trade commissioners and assistant trade commissioners who are Canadian nationals and not engaged in any private occupation for gain.

I shall appreciate receiving confirmation that the Canadian Government is prepared, reciprocally, to grant the same privileges to like American officers and employees, and, if this be the case, I suggest that this note and your reply thereto be considered as concluding the agreement on this subject between our two Governments, which shall remain in effect until terminated by either Government.

Accept, Sir, the renewed assurances of my highest consideration.

PIERREPONT MOFFAT.



1942, No. 20

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III

*The Secretary of State for External Affairs of Canada  
to the United States Minister to Canada*

DEPARTMENT OF EXTERNAL AFFAIRS

OTTAWA, November 9, 1942.

No. 155

Sir,

I have the honour to refer to your note No. 783 of October 29, 1942, regarding importation privileges for government officials and employees.

The Canadian Government agrees with the understandings set forth in your note which, with this note, shall be considered as concluding an agreement between our two Governments, which shall remain in effect until terminated by either Government.

Accept, Sir, the renewed assurances of my highest consideration.

LAURENT BEAUDRY,  
*For the Secretary of State  
for External Affairs.*



