

DOMINION OF CANADA

TREATY SERIES, 1932

No. 2

TRADE AGREEMENT

between

CANADA AND NEW ZEALAND

Signed at Ottawa and Wellington

April 23, 1932

IN FORCE MAY 24, 1932



OTTAWA
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TRADE AGREEMENT BETWEEN CANADA AND NEW ZEALAND.

His Majesty's Government in the Dominion of Canada and His Majesty's Government in the Dominion of New Zealand, being desirous of improving and extending the commercial relations existing between Canada and New Zealand, and affirming the principle of granting tariff preferences the one to the other on goods of their produce or manufacture, for their mutual advantage, have agreed upon the following Articles:—

ARTICLE I

1. Subject to the provisions of the Customs Tariff of Canada, except as hereinafter provided, Canada grants:—

(a) To the goods enumerated in Schedule A hereto, being the produce or manufacture of New Zealand, when imported into Canada, the tariff rates indicated in the said Schedule A; provided that such rates shall in no case be higher than the rates chargeable on similar goods under the British Preferential Tariff of Canada.

(b) To all other goods being the produce or manufacture of New Zealand, when imported into Canada, the benefits of the British Preferential Tariff.

2. The tariff advantages conceded by Section 1 of this Article shall apply only to goods imported direct into Canada, except in special cases where goods are shipped from New Zealand to Canada on a through bill of lading and the New Zealand Government certifies that direct shipment to Canada of such goods is not reasonably practicable.

3. Goods shall be deemed to be the produce or manufacture of New Zealand if they comply with the laws, regulations and conditions for the time being in force in Canada for the application of its British Preferential Tariff.

ARTICLE II

1. Subject to the provisions of the Customs Acts of New Zealand, except as hereinafter provided, New Zealand grants:—

(a) To the goods enumerated in Schedule B hereto, being the produce or manufacture of Canada, when imported into New Zealand, the tariff rates indicated in the said Schedule B; provided that, except where otherwise indicated in that Schedule, such rates shall in no case be higher than

the rates chargeable on similar goods under the British Preferential Tariff of New Zealand.

(b) To all other goods the produce or manufacture of Canada, when imported into New Zealand, the benefits of the British Preferential Tariff.

2. The tariff advantages conceded by Section 1 of this Article shall apply only to goods which after shipment from Canada have not entered into the commerce of or been subjected to any process of manufacture in any country the produce or manufactures of which are not entitled to be entered for duty under the British Preferential Tariff.

3. Goods shall be deemed to be the produce or manufacture of Canada if they comply with the laws, regulations and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff.

ARTICLE III

1. The terms "British Preferential Tariff" and "General Tariff" as used in this Agreement and the Schedules hereto shall be deemed to mean the British Preferential Tariff and the General Tariff of Canada or of New Zealand in force on the date on which any goods are entered for home consumption in New Zealand or Canada as the case may be.

2. The items in Schedule A or Schedule B hereto shall be interpreted in the same way as they would be interpreted in the tariff from which they are taken.

ARTICLE IV

Goods entitled to entry under Article I hereof shall not be subject to Section 6 of the Customs Tariff of Canada unless previous notice has been given by the Government of Canada to the Government of New Zealand that the importation of such goods would prejudicially or injuriously affect the producers or manufacturers of similar goods in Canada, and if, at the expiration of a period of thirty days from the date of such notice, remedial measures satisfactory to the Government of Canada are not put into effect by the Government of New Zealand, then the provisions of the said Section 6 may be applied to such goods.

At the option of the Government of Canada any importation thus complained of, other than perishable goods, may be held in bond during the said period of thirty days.

ARTICLE V

Goods entitled to entry under Article II hereof shall not be subject to Sections 11 and 12 of the Customs Amendment Act, 1921, of New Zealand, unless previous notice has been

given by the Government of New Zealand to the Government of Canada that importation of such goods would prejudicially or injuriously affect the producers or manufacturers of similar goods in New Zealand, and if, at the expiration of a period of thirty days from the date of such notice, remedial measures satisfactory to the Government of New Zealand are not put into effect by the Government of Canada, then the provisions of the said Sections 11 and 12 or either of them may be applied to such goods.

At the option of the Government of New Zealand any importation thus complained of, other than perishable goods, may be held in bond during the said period of thirty days.

ARTICLE VI

Subject to the provisions of Articles IV and V hereof nothing in this Agreement shall affect the right of either party to this Agreement to impose any special duty or tax on goods imported into Canada or New Zealand, provided that, except where specially arranged between the Governments of Canada and of New Zealand, such special duty or tax does not exceed that imposed on similar goods imported from Great Britain.

ARTICLE VII

1. With respect to the goods enumerated in Schedule A hereto, the Government of Canada shall not impose any Customs duty on any such goods admissible free of duty or increase the rate of any Customs duty on any other such goods entering Canada from New Zealand, except by mutual agreement, until after three months' notice to the Government of New Zealand.

2. With respect to the goods enumerated in Schedule B hereto, the Government of New Zealand shall not impose any Customs duty on any such goods admissible free of duty or increase the rate of any Customs duty on any other such goods entering New Zealand from Canada, except by mutual agreement, until after three months' notice to the Government of Canada.

ARTICLE VIII

The Government of Canada grants the benefits of this Agreement to goods imported into Canada and being the produce or manufacture of the Territory of Western Samoa which is subject to a mandate conferred on His Majesty by

the League of Nations, and the Government of New Zealand grants to goods imported into the said Territory of Western Samoa and being the produce or manufacture of Canada the benefits of the rates of duty for the time being applicable to goods imported from the United Kingdom.

ARTICLE IX

The Government of Canada grants the benefits of this Agreement to goods imported into Canada and being the produce or manufacture of the Cook Islands and, subject to Part XXI of the Customs Act 1913 of New Zealand, the Government of New Zealand grants to goods imported into the Cook Islands and being the produce or manufacture of Canada the benefits of the British Preferential Tariff for the time being in force in the Cook Islands.

ARTICLE X

This Agreement shall be subject to the approval of the Parliaments of Canada and of New Zealand. Upon approval being given it shall be brought into force* upon a date to be agreed upon between the Governments of Canada and of New Zealand and shall remain in force for a period of one year.

Signed at Ottawa, Canada, this twenty-third day of April, one thousand nine hundred and thirty-two, on behalf of His Majesty's Government in the Dominion of Canada.

R. B. BENNETT

H. H. STEVENS

Signed at Wellington, New Zealand, this twenty-third day of April, one thousand nine hundred and thirty-two, on behalf of His Majesty's Government in the Dominion of New Zealand.

GEO. W. FORBES

WM. DOWNIE STEWART

*This Agreement came into force on the 24th May, 1932.

SCHEDULE A.

| Tariff Item | | Tariff Rates on Goods the Produce or Manufacture of New Zealand |
|-------------|---|--|
| 7 | Meats, fresh, n.o.p.:— (a) Beef and veal..... (b) Lamb and mutton..... (c) N.o.p..... | 3 cents per pound. 3 cents per pound. 2 cents per pound. |
| Ex. 8 | Canned meats (other than kidneys and tongues), poultry or game; extracts of meat and fluid beef, not medicated..... | 15 p.c. ad valorem. |
| Ex. 8 | Canned meats, viz.:— Kidneys and tongues..... | 15 p.c., but not more than 3 cents per pound. |
| Ex. 9 | Rabbits, frozen..... | Free. |
| 10 | Meats, prepared or preserved, other than canned: (a) Bacon, hams, shoulders and other pork... (b) N.o.p..... | Free. Free. |
| 12 | Sausage skins or casings, not cleaned..... | Free. |
| 12a | Sausage skins or casings, cleaned..... | Free. |
| 13 | Lard, lard compound and similar substances; cottolene and animal stearine of all kinds, n.o.p..... | Free. |
| 14 | Tallow..... | Free. |
| 16 | Eggs in the shell..... | Free during the months of December, January and February; British Preferential Tariff during the other months of the year. |
| 16a | Eggs, whole, egg yolk or egg albumen, frozen or otherwise prepared, n.o.p., whether or not sugar or other material be added..... | 5 cents per pound. |
| 17 | Cheese..... When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty. | 1 cent per pound. |
| 18 | Butter..... | 5 cents per pound. |
| 35 | Hops..... | 6 cents per pound. |
| 43 | Condensed milk, the weight of the package to be included in the weight for duty..... | 2½ cents per pound. |
| 43a | Powdered milk, the weight of the package to be included in the weight for duty..... | 1 cent per pound. |
| 48 | Peas, n.o.p..... | Free. |
| 71a | Timothy seed..... | Free. |
| 71b | Clover seed, including alfalfa seed..... | Free. |
| 72b | (1) Seed peas and seed beans, from New Zealand | Free. |
| 73 | Field seeds, n.o.p., when in packages weighing more than one pound each..... | Free. |
| 84 | Onions, in their natural state, including onions grown with tops, shallots, and onion sets, the weight of the packages to be included in the weight for duty..... | Free. |
| Ex. 91 | Toheroa soup..... | Free. |
| 92 | Fruits, fresh, in their natural state, the weight of the packages to be included in the weight for duty:— (e) Pears..... | Free during the months of February, March, April and May; British Preferential Tariff during the other months of the year. |
| 93 | Apples, fresh, in their natural state, the weight of the packages to be included in the weight for duty..... | Free. |
| 95b | Passion fruit (<i>Passiflora edulis</i>)..... | Free. |
| 104a | Fruit pulp, other than grape pulp, not sweetened, in airtight cans or other airtight packages.... | Free. |
| Ex. 105 | Passion fruit pulp with sugar or not..... | Free. |

SCHEDULE A—Continued.

| Tariff Item | | Tariff Rates on Goods the Produce or Manufacture of New Zealand |
|-------------|--|---|
| 106 | Fruits, prepared, in airtight cans or other airtight containers, the weight of the containers to be included in the weight for duty: (a) Apricots, peaches and pears..... (c) N.o.p..... | 1 cent per pound. 1 cent per pound. |
| 108 | Honey, in the comb or otherwise, and imitations thereof..... | 2 cents per pound. |
| Ex. 123 | Canned whitebait and canned crayfish..... | 15 p.c. but not more than 7½ cents per pound. |
| Ex. 123 | Shellfish known as Toheroas, in sealed tin containers, including liquid contents..... | Free. |
| 124 | Oysters, shelled, in bulk..... | 5 cents per gallon. |
| 125 | Oysters, shelled, in cans not over one pint, including the duty on the cans..... | 1½ cents per can. |
| 126 | Oysters, shelled, in cans over one pint and not over one quart, including the duty on the cans..... | 2½ cents per can. |
| 127 | Oysters, shelled, in cans exceeding one quart in capacity, including the duty on the cans..... Provided that a fraction over a quart shall be computed as a quart for duty purposes under this item. | 2½ cents per quart. |
| 128 | Oysters in the shell..... | 15 p.c. |
| 142 | Tobacco, unmanufactured, for excise purposes under conditions of the Excise Act..... | Free. |
| Ex. 152 | Lemon and passion fruit juices..... | Free. |
| Ex. 163 | Wines of the fresh grape of all kinds, not sparkling, imported in barrels or in bottles, containing more than 23 p.c. proof spirit and less than 35 p.c. proof spirit..... | 25 cents per gallon. |
| Ex. 169 | Books, viz.:—Novels or works of fiction, or literature of a similar character, unbound or paper bound or in sheets, when of New Zealand origin, but not to include Christmas annuals, or publications commonly known as juvenile and toy books..... | Free. |
| Ex. 171 | Books, printed, periodicals and pamphlets, or parts thereof, n.o.p., when of New Zealand origin, not to include blank account books, copy books, or books to be written or drawn upon..... | Free. |
| Ex. 178 | Advertising and printed matter, viz.:—Advertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets, when printed in New Zealand for the purpose of advertising New Zealand products..... | Free. |
| 207 | Blood albumen and dried blood..... | Free. |
| 208 i | Animal glands, wet or dry, when imported by manufacturers of pharmaceutical and medicinal preparations for use exclusively in the manufacture of such preparations, in their own factories..... | Free. |
| Ex. 232 | Casein..... | 12½ p.c. |
| 232 c | Gelatine, edible..... | 12½ p.c. |
| Ex. 254 | Kauri gum..... | Free. |
| Ex. 280 | Grease, rough, the refuse of animal fat, for the manufacture of soap and oils only..... | Free. |
| 305-306 b | Building stone, other than marble or granite.... | Free. |
| Ex. 535 | New Zealand hemp (phormium tenax)..... | Free. |
| 538 | Binder twine or twine for harvest binders..... | Free. |
| Ex. 549 | Wool, not further prepared than combed..... | Free. |
| Ex. 549 | Wool or hair of the Angora rabbit..... | Free. |
| 553 | Blankets of any material, not to include automobile rugs, steamer rugs nor similar articles | 22½ p.c. |
| Ex. 555 | Rugs, travelling, of wool..... | 30 p.c. |
| Ex. 572 | Rugs, floor or carpet, of wool..... | 25 p.c. |

SCHEDULE A—*Concluded.*

| Tariff Item | | Tariff Rates on Goods the Produce or Manufacture of New Zealand |
|-------------|--|---|
| 599 | Hides and skins, raw, whether dry, salted or pickled; and raw pelts..... | Free. |
| 601 | Fur skins of all kinds, not dressed in any manner | Free. |
| Ex. 662 | Tankage..... | Free. |
| 663 | Fertilizers, compounded or manufactured, n.o.p. | Free. |

SCHEDULE B.

| Tariff Item | | Tariff Rates on Goods the Produce or Manufacture of Canada |
|-------------|--|--|
| 7 | Onions..... | £1 per ton. |
| 11 | Vegetables, viz.— (1) Preserved peas in tins or similar containers including the weight of any liquid..... | |
| | The rates of Customs duty set forth in the General Tariff with respect to Tariff item numbered 11-(1) shall be deemed to be repealed and the following shall be substituted therefor, viz.:—“45 per cent ad val. or 2½d. per lb., whichever rate returns the higher duty”. | 20 per cent ad val. or 1½d. per lb., whichever rate returns the higher duty. |
| 85 | Fish, viz.:— (3) Fish, potted, and preserved viz., salmon, including any liquor, oil, or sauce..... (4) Fish, potted, and preserved, n.e.i., including any liquor, oil, or sauce..... (Note.—The term “fish” is used in the Tariff in its widest sense, and includes shell-fish, crustaceans, and other foods obtained from the fisheries). | 1½d. per lb. 2d. per lb. |
| 37 | Fruits, fresh, viz.:— (1) Apples and pears..... | 1d. per lb. |
| Ex. 105 | Calcium carbide..... | Free. |
| Ex. 124 | Gypsum, crude..... | Free. |
| Ex. 137 | Hosiery, viz.:—socks or stockings of silk or artificial silk..... | 32½ per cent ad val. |
| 160 | Furs and other similar skins, and articles made therefrom, viz.:— (1) Fur skins, green or sun-dried..... (2) Furs, and other similar skins, dressed or prepared, but not made up in any way..... | 5 per cent ad val. 25 per cent ad val. |
| 196 | Boots, shoes, clogs, pattens, slippers, shcettes, sandals, goloshes, overshoes, and other footwear, n.e.i..... | 25 per cent ad val. |
| 212 | Building materials, viz.:— (3) Plaster-pulp sheets, plaster board, and similar materials..... | 35 per cent ad val. |
| 228 | Plaster of Paris..... | Free. |
| 292 | Paper-pulp, for the manufacture of paper..... | Free. |
| 299 | Paper of qualities and sizes approved by the Minister, on declaration that it will be used by orchardists only in wrapping fruit..... | Free. |
| 300 | Paper, viz.:— (2) N.e.i., including tin-foil paper, and gummed paper n.e.i.:—(b) In sheets of size not less than 20 inches by 15 inches or the equivalent..... | Free. |

SCHEDULE B—Continued.

| Tariff Item | — | Tariff Rates on Goods the Produce or Manufacture of Canada |
|-------------|---|---|
| 333 | <p>Agricultural implements and machinery, viz.:</p> <p>(1) Cultivators; harrows; ploughs; drills; seed and fertilizer sowers or distributors combined or separate; lime sowers; seed or grain cleaners, and cellular seed or grain separators</p> <p>The surtax to be levied, collected and paid under Section five of the Customs Acts Amendment Act, 1930, on the goods included in tariff item numbered 333 (1) shall be an amount equal to one-twentieth of the total duty of Customs otherwise chargeable.</p> <p>(2) N.e.i., including ploughs, cultivators, and seed drills, hand-worked, combined or separate; ploughs, single-furrow mould-board, not exceeding 266 lbs. net weight; also the following parts of ploughs or harrows, viz.:—mouldboard plates unbent, steel share-plates cut to pattern, skeith-plates, plough beam forgings, and discs for harrows or ploughs.</p> | <p>35 per cent ad val.</p> <p>Free.</p> |
| 353 | (4) Electric cooking and electric heating appliances. | 30 per cent ad val. |
| 389 | <p>Motor-vehicles, n.e.i.:</p> <p>When the expenditure in material produced in Canada and/or labour performed within Canada calculated subject to the qualifications set out in clause 6 of "The Customs (Tariff Preference and General) Regulations, 1925", in each and every article is not less than three-fourths of the factory or works cost of such article in its finished state, and if the article otherwise complies with the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff.</p> <p>When the expenditure in material produced in Canada and/or labour performed within Canada calculated subject to the qualifications set out in clause 6 of "The Customs (Tariff Preference and General) Regulations, 1925", in each and every article is not less than one-half of the factory or works cost of such article in its finished state, and if the article otherwise complies with the laws, regulations, and conditions for the time being in force in New Zealand for the application of its British Preferential Tariff.</p> | <p>10 per cent ad val.; and in cases where such motor vehicles are imported having bodies suited or designed for carrying passengers, an additional duty (herein referred to as "body duty") of 11½ per cent ad val. on any such vehicle (inclusive of the body): Provided that where the value for duty of any vehicle (inclusive of the body) exceeds £200 the body duty shall be: On £200 of such value, 11½ per cent ad val.; on the remainder of such value, 6½ per cent ad val.</p> <p>20 per cent ad val.; and in cases where such motor vehicles are imported having bodies suited or designed for carrying passengers, an additional duty (herein referred to as "body duty") of 11½ per cent ad val. on any such vehicle (inclusive of the body): Provided that where the value for duty of any vehicle (inclusive of the body) exceeds £200 the body duty shall be: On £200 of such value, 11½ per cent ad val.; on the remainder of such value, 6½ per cent ad val.</p> |

SCHEDULE B—*Concluded.*

| Tariff Item | Tariff Rates on Goods the Produce or Manufacture of Canada |
|--|--|
| <p>When any body of a motor-vehicle suited or designed for carrying passengers is imported by itself or otherwise than as set out above, body duty shall be payable and the Minister shall determine the amount of such body duty. The body duty so payable shall, as nearly as may be, be equal to the amount of body duty that would have been payable if such body had been imported as part of and attached to a motor-vehicle manufactured in the same country as the body.</p> | |
| <p>Where the Minister is of the opinion that any duty is being or is likely to be evaded or avoided by the importation of any motor-vehicles without engines, tires, or other component parts which, in the ordinary course of business, are usually imported therewith, the Minister may, at his discretion, require that duty shall be paid as if such engines, tires, or other component parts had been imported with such vehicles.</p> | |
| <p>403 Laths, and shingles.....</p> <p>The rate of customs duty set forth in the General Tariff with respect to Tariff item numbered 403 shall be deemed to be repealed and the following shall be substituted therefor:—"30 per cent ad val."</p> | 20 per cent ad val. |
| <p>404 Timber, rough sawn or rough hewn, viz.:-</p> <p>(2) Other kinds, in pieces having a length of not less than 25 feet, and having a minimum cross sectional area of not less than 150 square inches.....</p> | 7s. 6d. per 100 sup. ft. |
| <p>The rate of customs duty set forth in the General Tariff with respect to Tariff item numbered 404(2) shall be deemed to be repealed and the following shall be substituted therefor:—"9s. 6d. per 100 sup. ft."</p> | |
| <p>(3) N.e.i.....</p> <p>The rate of customs duty set forth in the General Tariff with respect to Tariff item numbered 404(3) shall be deemed to be repealed and the following shall be substituted therefor:—"11s. 6d. per 100 sup. ft."</p> | 9s. 6d. per 100 sup. ft. |
| <p>405 Timber sawn dressed</p> <p>The rate of customs duty set forth in the General Tariff with respect to Tariff item numbered 405 shall be deemed to be repealed and the following shall be substituted therefor:—"£1 1s. per 100 sup. ft."</p> | 19s. per 100 sup. ft. |

