

RANGE OF NOTES (MARCH 26, 1941) CONSTITUTING A MODUS VIVENDI TO REGULATE COMMERCIAL RELATIONS BETWEEN CANADA AND VENEZUELA.

The British Minister at Caracas to the
Venezuelan Minister for Foreign Affairs.

CANADA

BRITISH LEGATION,
CARACAS,

MARCH 26th, 1941

TREATY SERIES, 1941

No. 5

EXCHANGE OF NOTES

(March 26, 1941)

CONSTITUTING A

MODUS VIVENDI
TO REGULATE
COMMERCIAL RELATIONS

BETWEEN

CANADA

AND

VENEZUELA

IN FORCE APRIL 9, 1941



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EXCHANGE OF NOTES (MARCH 26, 1941) CONSTITUTING A MODUS
VIVENDI TO REGULATE COMMERCIAL RELATIONS BETWEEN
CANADA AND VENEZUELA.

*The British Minister at Caracas to the
Venezuelan Minister for Foreign Affairs.*

BRITISH LEGATION,
CARACAS,

No. 29

MARCH 26th, 1941.

Monsieur le Ministre,

In accordance with instructions received by me from the Government of Canada, I have the honour to place on record in this note that as a result of the conversations between Your Excellency and myself, it has been agreed between the Government of Canada and the Government of the United States of Venezuela, to regulate the commercial relations between the two countries, pending the conclusion of a commercial treaty, by means of the following *modus vivendi*:—

(1) Articles the growth, produce or manufacture originating and proceeding from one of the Contracting Parties shall not be subject on importation into the territory of the other Contracting Party, to the payment of duties or charges greater than those levied on the importation of products of the same category originating and proceeding from any other foreign country.

(2) The present agreement shall be applied only to merchandise transported from a port in Venezuela to a sea, lake or river port in Canada without transshipment, or in transit through a country which enjoys the benefits of the British preferential or Intermediate Tariff of Canada; and also to merchandise transported from a port in Canada to a port in Venezuela without transshipment or in transit through a country which enjoys the benefits of the British preferential or Intermediate Tariff of Canada.

(3) The Government of each of the Contracting Parties shall grant to the Government of the other Contracting Party no less favourable treatment than that which is accorded to any other foreign country, in all matters relating to the concession of foreign exchange for commercial transactions and to the assignment of quotas for the quantitative control of imports and exchange.

The Government of each of the Contracting Parties shall give careful consideration to any representations which the Government of the other Contracting Party may make in respect of the application of the provisions of this article.

(4) The present agreement shall not affect the regulations laid down by the laws of Venezuela in regard to imports the produce of the West Indies or other colonial possessions.

This note and Your Excellency's reply will constitute an agreement which shall enter into force two weeks from the date hereof and shall remain in force for the period of one year with the option of renewal, with or without modification, before its expiry.

This renewal shall be made by means of an interchange of notes and both parties shall signify their intention of renewing this agreement or of terminating it by notice of three months before the end of each year.

Moreover the present arrangement shall be terminated by the entry into force of the commercial treaty to be negotiated between the two Contracting Parties.

I avail myself, etc.,

D. ST. CLAIR GAINER

The Venezuelan Minister for Foreign Affairs to the
British Minister at Caracas.

DIRECCION DE POLITICA ECONOMICA

SECCION DE ECONOMIA

No. 773-E

CARACAS, 26 de marzo de 1941.

Señor Ministro:

Autorizado por mi Gobierno, tengo el honor de dejar constancia en esta nota de que, como resultado de las conversaciones entre Vuestra Excelencia y el suscrito, se ha convenido entre el Gobierno de los Estados Unidos de Venezuela y el Gobierno del Canadá, en reglamentar las relaciones comerciales entre los dos países, hasta que se celebre un tratado comercial, por medio del siguiente *modus-vivendi*:

1). Los artículos cultivados, producidos o manufacturados originarios y procedentes de una de las Partes Contratantes no estarán sujetos, al ser importados en el territorio de la otra Parte Contratante, al pago de derechos o impuestos mayores que los que gravan la importación de productos de la misma categoría, originarios y procedentes de cualquier otro país extranjero.

2). El presente convenio sólo se aplicará a las mercancías transportadas de un puerto en Venezuela a un puerto de mar, de lago o de río en Canadá, directamente o en tránsito a través de un país que goce de los beneficios de la tarifa Británica preferencial o de la tarifa intermedia del Canadá; y también a las mercancías transportadas desde un puerto en Canadá a un puerto en Venezuela directamente o en tránsito a través de un país que goce de los beneficios de la tarifa Británica preferencial o de la tarifa intermedia del Canadá.

3). El Gobierno de cada una de las Partes Contratantes acordará al Gobierno de la otra Parte Contratante un tratamiento no menos favorable que el que se otorgue a cualquier otro país extranjero, en todo cuanto se relacione a la concesión de divisas extranjeras para las transacciones comerciales y a la asignación de cuotas para el control cuantitativo de importaciones y de cambios.

El Gobierno de cada una de las Partes Contratantes estudiará cuidadosamente cualesquiera representaciones que pueda hacerle el Gobierno de la otra Parte Contratante respecto a la aplicación de las estipulaciones de este artículo.

4). Del presente convenio quedarán excluidas las importaciones provenientes de las Antillas y otras posesiones coloniales sometidas a un régimen especial por las leyes de Venezuela.

Esta nota y la respuesta de Vuestra Excelencia constituirán un convenio que entrará en vigor transcurridas dos semanas a contar de esta fecha, y permanecerá en vigor por un período de un año, pudiendo ser renovado, con o sin modificaciones, antes de su expiración.

Esta renovación se hará mediante un cambio de notas, y ambas Partes significarán su intención de renovar este acuerdo o de terminarlo, mediante notificación hecha tres meses antes de expirar cada año.

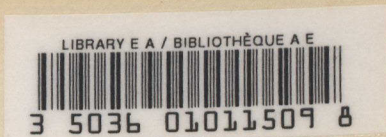
Además, el presente Convenio puede concluir al entrar en vigencia el tratado comercial que se está negociando entre las dos Partes Contratantes.

Válgome de la oportunidad para renovar a Vuestra Excelencia el testimonio de mi alta consideración.

E. GIL BORGES.

(Translation)

DIVISION OF POLITICAL ECONOMY
ECONOMICS BRANCH
No. 773-E



CARACAS, March 26, 1941.

Monsieur le Ministre,

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