

CANADA

TREATY SERIES, 1947

No. 18

EXCHANGE OF NOTES

(June 13, 1947)

BETWEEN

CANADA AND VENEZUELA

RENEWING AND AMENDING

THE COMMERCIAL *MODUS VIVENDI*
OF MARCH 26, 1941

Effective June 13, 1947



OTTAWA
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY

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CANADA

The Secretary of State for External Affairs to the High Commissioner
United Kingdom
TREATY SERIES, 1947

No. 18

OTTAWA, 17th July 1947

No. 40

Sir:

I have the honour to acknowledge receipt of your Note No. 16 of July 13, 1947, stating that the Government of the United Kingdom undertakes, in respect of Bermuda, Jamaica and the Cayman Islands, to grant reciprocal rights in paragraph 3 of the Annex to that Agreement for a period of four years from the 1st January, 1947, provided that the Government of the Colony concerned is not satisfied that the service provided by the designated airline or airlines of Canada is adequate to cater for their requirements. In making such arrangements, it may make such arrangements as it may see fit.

SUMMARY

	PAGE
I. Note, dated June 13, 1947, from the United Kingdom Ambassador to Venezuela, to the Acting Minister of Foreign Affairs of Venezuela.....	3
II. Note, dated June 13, 1947, from the Acting Minister of Foreign Affairs of Venezuela, to the United Kingdom Ambassador to Venezuela.....	4
Translation	5

The Canadian Government agrees to the arrangements proposed in your note and this reply thereto shall constitute an agreement between the two governments.

I have the honour to be,

Effective June 13, 1947

Your obedient servant,

LESTER B. PEARSON

for the Secretary of State for External Affairs



EXCHANGE OF NOTES (JUNE 13, 1947) BETWEEN CANADA AND VENEZUELA RENEWING AND AMENDING THE COMMERCIAL MODUS VIVENDI OF MARCH 26, 1941*

I

The United Kingdom Ambassador to Venezuela
to the Acting Minister of Foreign Affairs of Venezuela

UNITED KINGDOM EMBASSY

CARACAS, 13th June, 1947.

No. 128

YOUR EXCELLENCY,

I have the honour to place on record that I have been authorized by the Government of Canada to renew, until the 9th April, 1948, the commercial *modus vivendi* concluded in Caracas between Canada and the United States of Venezuela on the 26th March, 1941, but with the alterations suggested in Your Excellency's Note No. 1725-E dated April 14th, 1947.

In consequence, the text of the Agreement is modified to read as follows:—

ARTICLE I

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.

ARTICLE II

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.

ARTICLE III

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.

* For the text of the *modus vivendi* of March 26, 1941, see *Canada Treaty Series, 1941, No. 5.*

ARTICLE IV

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.

ARTICLE V

The clauses of this Agreement will not be applicable to advantages which might be accorded by Canada or Venezuela to contiguous countries or to advantages which might result from a customs union in which Canada or Venezuela might take part, it being understood that such advantages would not be enjoyed by a third country.

ARTICLE VI

The present Agreement will remain in operation until the 9th April, 1948, but either of the Parties may denounce it before expiry upon giving three months notice to the other Party.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

GEORGE OGILVIE-FORBES

II

*The Acting Minister of Foreign Affairs of Venezuela
to the United Kingdom Ambassador to Venezuela*

MINISTERIO DE RELACIONES EXTERIORES: DIRECCION DE POLITICA ECONOMICA

SECCION DE ECONOMICA

CARACAS, 13 de Junio de 1947.

No. 02920 E

SEÑOR EMBAJADOR,

Tengo a honra dejar constancia por la presente nota de que he sido autorizado por mi Gobierno para renovar, hasta el 9 de abril de 1948, y con las modificaciones contenidas en nota de esta Cancillería número 1.725-E, de fecha 14 de abril de 1947, el *modus-vivendi* comercial concluido entre los Estados Unidos de Venezuela y el Canadá, en Caracas, el 26 de Marzo de 1941.

En consecuencia, el texto del convenio queda modificado de la siguiente manera:—

(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 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 cambio.

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.

(5) Las cláusulas de este convenio no se aplicarán a las ventajas que fueren acordadas por Venezuela o por el Canadá a países limítrofes o a las ventajas que resultaren de una unión aduanera de la cual formaren parte Venezuela o el Canadá, siempre que dichas ventajas no se hagan extensibles a un tercer País.

(6) El presente convenio permanecerá en vigor hasta el 9 de abril de 1948 pero cualquiera de las Partes podrá denunciarlo antes de su vencimiento mediante aviso dado a la otra con tres meses de anticipación."

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

CARLOS MORALES

(Translation)

MINISTRY OF FOREIGN AFFAIRS—DIVISION OF POLITICAL ECONOMY

SECTION OF ECONOMICS

CARACAS, 13th June, 1947.

No. 02920 E

Mr. Ambassador:

I have the honour to place on record that I have been authorized by my Government to renew, until the 9th April, 1948, the commercial *modus vivendi* concluded in Caracas, between the United States of Venezuela and Canada on the 26th March, 1941, but with the alterations suggested in this Chancery's Note No. 1725-E dated April 14th, 1947.

In consequence, the text of the Agreement is modified to read as follows:

"(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.

(5) The clauses of this Agreement will not be applicable to advantages which might be accorded by Venezuela or Canada to contiguous countries or to advantages which might result from a customs union in which Venezuela or Canada might take part, it being understood that such advantages would not be enjoyed by a third country.

(6) The present Agreement will remain in operation until the 9th April, 1948, but either of the Parties may denounce it before expiry upon giving three months notice to the other Party."

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

CARLOS MORALES

MINISTERIO DE RELACIONES EXTERIORES
MINISTRY OF FOREIGN AFFAIRS—DIVISION OF POLITICAL ECONOMY
SECTION OF ECONOMICS

CARACAS, 13th June 1947.

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