

HIGH COMMISSIONER'S NOTICE No. 198 OF 1937.

The subjoined Customs Agreement between His Excellency the High Commissioner on behalf of the Bechuanaland Protectorate, and His Excellency the Governor of Southern Rhodesia on behalf of the Government of Southern Rhodesia, which supersedes the Agreement published under High Commissioner's Notice No. 88 of 1930, is hereby published for general information.

By Command of His Excellency the
High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 12th November, 1937.

BECHUANALAND PROTECTORATE-SOUTHERN
RHODESIA CUSTOMS AGREEMENT.

His Excellency the High Commissioner for Basutoland, the Bechuanaland Protectorate, and Swaziland, on behalf of the Bechuanaland Protectorate (hereinafter referred to as "the Protectorate"), and His Excellency the Governor of Southern Rhodesia on behalf of the Colony of Southern Rhodesia (hereinafter referred to as "the Colony"), recognizing that it is desirable that trade between their respective countries should be as free and uninterrupted as possible and that each country is entitled to the customs duties collected on goods imported into it through the other country, have agreed upon the following articles:—

ARTICLE I.

The Customs Agreement which came into force on the 1st day of July, 1930, is hereby superseded, and the Customs Agreement between Southern Rhodesia, Northern Rhodesia, Basutoland, the Bechuanaland Protectorate and Swaziland which came into force on the 1st day of January, 1915, shall be superseded in so far as it relates to the Bechuanaland Protectorate and Southern Rhodesia by this present Agreement.

ARTICLE II.

(a) Goods other than those the growth or manufacture of the Union of South Africa imported into Southern Rhodesia and subsequently removed to the Bechuanaland Protectorate shall be admitted into the Protectorate free of duty, provided that an account shall be kept by the Southern Rhodesia Government of all such goods and the duty thereon at the rates applicable thereto in the tariff of Southern Rhodesia shall be paid over by the Government of Southern Rhodesia to the Government of the Bechuanaland Protectorate. In respect of goods other than those the growth or manufacture of the Union of South Africa imported into the Bechuanaland Protectorate and subsequently removed to Southern Rhodesia there shall be paid to the Government of Southern Rhodesia by the Government of the Bechuanaland Protectorate customs duties at the rates leviable in the Bechuanaland Protectorate.

(b) Goods the growth or manufacture of the Union of South Africa other than motor vehicles, spirits, and those specified in (d) hereof imported into Southern Rhodesia and subsequently removed to the Bechuanaland Protectorate shall be admitted into the Protectorate free of duty, but goods which have been exported from the Union of South Africa under subsidy or bounty shall be liable on importation into the Bechuanaland Protectorate to an amount equal to such subsidy or bounty.

(c) Motor vehicles manufactured in the Union imported into Southern Rhodesia and subsequently removed to the Bechuanaland Protectorate shall be admitted into the Protectorate free of duty provided that an account shall be kept by the Southern Rhodesia Government of such goods and the duty thereon at the rates applicable thereto in the tariff of Southern Rhodesia shall be paid over by the Government of Southern Rhodesia to the Government of the Bechuanaland Protectorate.

(d) On ale, beer, stout, cider and perry, sugar, cigarettes, cigarette tobacco, matches and playing cards manufactured in the Union, an amount equalling the Union excise and excise stamp duties shall be paid by the Government of Southern Rhodesia to the Government of the Bechuanaland Protectorate on removals thereto.

(e) Spirits distilled in the Union of South Africa consigned to the Bechuanaland Protectorate through Southern Rhodesia or ex Southern Rhodesia open stocks shall be liable to duty according to the tariff in force in the Bechuanaland Protectorate.

ARTICLE III.

There shall be free interchange of the products and manufactures of the countries of each of the contracting parties with the exception of sugar, spirits, ale and beer, stout, cider and perry, matches, cigarettes, cigarette tobacco and playing cards the duties of customs and excise on which shall be subject to the following provisions:—

- (a) In the case of spirits distilled in the Protectorate, the customs duty leviable upon importation into the Colony shall not exceed twenty-seven shillings per imperial gallon, not exceeding the strength of proof, and so on in proportion for any greater strength.
- (b) In the event of spirits being distilled in the Colony, the customs duty leviable upon importation of such spirits into the Protectorate shall be such as may be payable according to the tariff in force in the Protectorate.
- (c) In the case of sugar, ale and beer, stout, cider and perry, matches, cigarettes, cigarette tobacco and playing cards manufactured in the Protectorate and removed to the Colony, the amount of excise and excise stamp duties leviable in the Protectorate shall be paid to the Colony upon such removal, and similarly credit shall be passed to the Protectorate for the like rates upon removal of sugar, ale and beer, stout, cider and perry, matches, cigarettes, cigarette tobacco and playing cards manufactured in the Colony to the Protectorate.

ARTICLE IV.

(1) The Colony shall levy and recover, and be responsible for levying and recovering the amount of duty suspended on any goods imported into the Colony upon the removal therefrom of such goods for consumption in the Protectorate.

(2) In respect of goods which are removed from the Colony direct to the Protectorate the Colony shall be responsible that all such goods are accompanied by the prescribed fees.

ARTICLE V.

After the first day of April, 1935, the Colony shall collect its own duties, in terms of its Trade Agreement with the Union of South Africa which came into force on that date, on goods produced or manufactured in the Union of South Africa which are removed from the Protectorate to the Colony.

ARTICLE VI.

Each party to this Agreement shall, notwithstanding anything contained herein, be entitled to levy on any article produced or manufactured in its country (whether made from ingredients grown or produced in or imported into such country or from a mixture of any such ingredients) a duty of excise, and each party to this Agreement so imposing an excise duty shall be entitled to levy upon the like articles produced or manufactured in the country of the other party a customs duty or surtax not exceeding such excise duty, on importation and entry for consumption of such like articles within its country. The right of the Protectorate to impose any excise duty under this Agreement on any article on which an excise duty is imposed in the Union shall not be questioned on the ground that such article is not in fact produced or manufactured in the Protectorate.

ARTICLE VII.

Notwithstanding anything to the contrary contained in Article II, in the case of goods which have entered into use in the territory of one of the parties to this Agreement, the values shall be reduced proportionately to depreciation since importation, and duties in terms of the said Article paid over on the reduced valuation.

ARTICLE VIII.

The provisions of this Agreement shall take effect from the 1st October, 1937, and shall continue in force until the 30th September, 1938, and thereafter for periods of twelve months, provided that either party to this Agreement may give notice before the 31st March in any year subsequent to the year 1938 of its intention to retire therefrom as from the 30th September following such notice, and provided further that, should the Colony at any time take any steps in conflict with the spirit and intent of this Agreement, the Protectorate shall be at liberty to retire therefrom forthwith, and similarly, should the Protectorate take any steps in conflict with the spirit and intent of this Agreement, the Colony shall be at liberty to retire therefrom forthwith.

Given under my Hand and Seal at Pretoria this Fifth day of October, One thousand Nine hundred and Thirty-seven.

W. H. CLARK,
High Commissioner.

Given under my Hand and Seal at Salisbury this Fourth day of November, One thousand Nine hundred and Thirty-seven.

H. J. STANLEY,
Governor.