



TREATY SERIES No. 43 (1925).

TREATY

BETWEEN THE

United States of America, Belgium, the
British Empire, China, France, Italy, Japan,
the Netherlands and Portugal

RELATING TO

THE CHINESE CUSTOMS TARIFF.

Washington, February 6, 1922.

[Ratifications deposited at Washington, August 5, 1925.]

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of His Majesty.*

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Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal relating to the Chinese Customs Tariff.

Washington, February 6, 1922.

[Ratifications deposited at Washington, August 5, 1925.]

THE United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal :

With a view to increasing the revenues of the Chinese Government, have resolved to conclude a Treaty relating to the revision of the Chinese Customs Tariff and cognate matters, and to that end have appointed as their Plenipotentiaries :

The President of the United States of America :

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,

Citizens of the United States ;

His Majesty the King of the Belgians :

Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the Order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington ;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :

The Right Honourable Arthur James Balfour, O.M., M.P.,
Lord President of His Privy Council ;

The Right Honourable Baron Lee of Fareham, G.B.E.,
K.C.B., First Lord of His Admiralty ;

The Right Honourable Sir Auckland Campbell Geddes,
K.C.B., His Ambassador Extraordinary and Plenipotentiary to the United States of America ;
and

for the Dominion of Canada :

The Right Honourable Sir Robert Laird Borden, G.C.M.G.,
K.C. ;

for the Commonwealth of Australia :

Senator the Right Honourable George Foster Pearce,
Minister for Home and Territories ;

for the Dominion of New Zealand :

The Honourable Sir John William Salmond, K.C., Judge of
the Supreme Court of New Zealand ;

for the Union of South Africa :

The Right Honourable Arthur James Balfour, O.M., M.P. ;

for India :

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State ;

The President of the Republic of China :

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington ;

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London ;

Mr. Chung-Hui Wang, former Minister of Justice ;

The President of the French Republic :

Mr. Albert Sarraut, Deputy, Minister of the Colonies ;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour ;

His Majesty the King of Italy :

The Honourable Carlo Schanzer, Senator of the Kingdom ;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington ;

The Honourable Luigi Albertini, Senator of the Kingdom ;

His Majesty the Emperor of Japan :

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower ;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Jushii, a member of the First Class of the Imperial Order of the Rising Sun ;

Mr. Masanao Hanihara, Vice-Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun ;

Her Majesty the Queen of the Netherlands :

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary ;

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington ;

The President of the Portuguese Republic :

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington ;

Mr. Ernesto Julio de Carvalho e Vasconcellos, Captain of the Portuguese Navy, Technical Director of the Colonial Office ;

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:—

ARTICLE 1.

The representatives of the Contracting Powers having adopted, on the fourth day of February, 1922, in the City of Washington, a Resolution, which is appended as an Annex to this Article, with respect to the revision of Chinese Customs duties, for the purpose of making such duties equivalent to an effective 5 per cent. *ad valorem*, in accordance with existing treaties concluded by China with other nations, the Contracting Powers hereby confirm the said Resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible, but not earlier than two months after publication thereof.

ANNEX.

With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, agree:

That the Customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on the 19th December, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent. effective, as provided for in the several commercial treaties to which China is a party.

A Revision Commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

This Commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having Governments at present recognised by the Powers represented at this Conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent. *ad valorem* and who desire to participate therein.

The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this Resolution by the Conference on the Limitation of Armament and Pacific and Far Eastern Questions.

The revised tariff shall become effective as soon as possible, but not earlier than two months after its publication by the Revision Commission.

The Government of the United States, as convener of the present Conference, is requested forthwith to communicate the terms of this Resolution to the Governments of Powers not represented at this Conference, but who participated in the Revision of 1918, aforesaid.

ARTICLE 2.

Immediate steps shall be taken, through a Special Conference, to prepare the way for the speedy abolition of *likin* and for the

fulfilment of the other conditions laid down in Article 8 of the Treaty of the 5th September, 1902,* between Great Britain and China, in Articles 4 and 5 of the Treaty of the 8th October, 1903, between the United States and China, and in Article 1 of the Supplementary Treaty of the 8th October, 1903, between Japan and China, with a view to levying the surtaxes provided for in those Articles.

The Special Conference shall be composed of representatives of the Signatory Powers, and of such other Powers as may desire to participate and may adhere to the present Treaty, in accordance with the provisions of Article 8, in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present Treaty, on a day and at a place to be designated by the Chinese Government.

ARTICLE 3.

The Special Conference provided for in Article 2 shall consider the interim provisions to be applied prior to the abolition of *likin* and the fulfilment of the other conditions laid down in the articles of the treaties mentioned in Article 2; and it shall authorise the levying of a surtax on dutiable imports as from such date, for such purposes, and subject to such conditions as it may determine.

The surtax shall be at a uniform rate of 2½ per cent. *ad valorem*, provided that in case of certain articles of luxury which, in the opinion of the Special Conference, can bear a greater increase without unduly impeding trade, the total surtax may be increased, but may not exceed 5 per cent. *ad valorem*.

ARTICLE 4.

Following the immediate revision of the Customs schedule of duties on imports into China, mentioned in Article 1, there shall be a further revision thereof to take effect at the expiration of four years following the completion of the aforesaid immediate revision, in order to ensure that the Customs duties shall correspond to the *ad valorem* rates fixed by the Special Conference provided for in Article 2.

Following this further revision, there shall be, for the same purpose, periodical revisions of the Customs schedule of duties on imports into China every seven years, in view of the decennial revision authorised by existing treaties with China.

In order to prevent delay, any revision made in pursuance of this Article shall be effected in accordance with rules to be prescribed by the Special Conference provided for in Article 2.

ARTICLE 5.

In all matters relating to Customs duties there shall be effective equality of treatment and opportunity for all the Contracting Powers.

* Treaty Series No. 17 (1903).

ARTICLE 6.

The principle of uniformity in the rates of Customs duties levied at all the land and maritime frontiers of China is hereby recognised. The Special Conference provided for in Article 2 shall make arrangements to give practical effect to this principle; and it is authorised to make equitable adjustments in those cases in which a Customs privilege to be abolished was granted in return for some local economic advantage.

In the meantime, any increase in the rates of Customs duties resulting from tariff revision, or any surtax hereafter imposed in pursuance of the present Treaty, shall be levied at a uniform rate *ad valorem* at all land and maritime frontiers of China.

ARTICLE 7.

The charge for transit passes shall be at the rate of $2\frac{1}{2}$ per cent. *ad valorem* until the arrangements provided for by Article 2 come into force.

ARTICLE 8.

Powers not signatory to the present Treaty whose Governments are at present recognised by the Signatory Powers, and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per cent. *ad valorem*, shall be invited to adhere to the present Treaty.

The Government of the United States undertakes to make the necessary communications for this purpose and to inform the Governments of the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE 9.

The provisions of the present Treaty shall override all stipulations of treaties between China and the respective Contracting Powers which are inconsistent therewith, other than stipulations according most-favoured-nation treatment.

ARTICLE 10.

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present Treaty, of which the English and French texts are both authentic, shall remain deposited in the archives of the

Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the 6th day of February, 1922.

- CHARLES EVANS HUGHES. (L.S.)
 - HENRY CABOT LODGE. (L.S.)
 - OSCAR W. UNDERWOOD. (L.S.)
 - ELIHU ROOT. (L.S.)
 - BARON DE CARTIER DE MARCHIENNE. (L.S.)
 - (L.S.) ARTHUR JAMES BALFOUR.
 - (L.S.) LEE OF FAREHAM.
 - (L.S.) A. C. GEDDES.
 - (L.S.) R. L. BORDEN.
 - (L.S.) G. F. PEARCE.
 - (L.S.) JOHN W. SALMOND.
 - (L.S.) ARTHUR JAMES BALFOUR.
 - (L.S.) V. S. SRINIVASA SASTRI.
 - SAO-KE ALFRED SZE. (L.S.)
 - V. K. WELLINGTON KOO. (L.S.)
 - CHUNG-HUI WANG. (L.S.)
 - A. SARRAUT. (L.S.)
 - JUSSERAND. (L.S.)
 - CARLO SCHANZER. (L.S.)
 - V. ROLANDI RICCI. (L.S.)
 - LUIGI ALBERTINI. (L.S.)
 - (L.S.) T. KATO.
 - (L.S.) K. SHIDEHARA.
 - (L.S.) M. HANIHARA.
 - (L.S.) BEELAERTS VAN BLOKLAND.
 - (L.S.) W. DE BEAUFORT.
 - (L.S.) ALTE.
 - (L.S.) ERNESTO DE VASCONCELLOS.
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