

NOTES

EXCHANGED BETWEEN THE

BRITISH AND AUSTRIAN GOVERNMENTS

RESPECTING THE

CUSTOMS CLEARANCE OF COMMERCIAL
TRAVELLERS' SAMPLES.

Vienna, March 28, 1923.

Presented to Parliament by Command of His Majesty.



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Notes exchanged between the British and Austrian Governments respecting the Customs Clearance of Commercial Travellers' Samples.

Vienna, March 28, 1923.

No. 1.

British Chargé d'Affaires to the Austrian Minister for Foreign Affairs.

It being the desire of our respective Governments to make arrangements for facilitating the clearance through their respective Customs Departments of samples of dutiable goods brought into the territories of one of the Contracting Parties by commercial travellers of the other, to be used as models or patterns for the purpose of obtaining orders and not for sale, I have the honour to inform you that my Government agrees to adopt, on condition of reciprocity, the following arrangements:—

Articles liable to duty serving as patterns and samples which are introduced into Great Britain by commercial travellers of Austria shall henceforth be admitted, free of duty, subject to the following formalities requisite to ensure their being re-exported or placed in bond:—

1. The officers of Customs at any port or place at which the patterns or samples may be imported shall ascertain the amount of duty chargeable thereon.

That amount must either be deposited by the commercial traveller in money, or ample security must be given for it.

2. For the purpose of identification, the marks, stamps, or seals placed upon the samples by the Customs authorities of one of the Contracting Parties shall be recognised as sufficient by those of the other. Should the samples, however, arrive without bearing any of the above-mentioned marks, or should the marks not appear to be sufficient to the Administration interested, a supplementary mark may be affixed to such samples if considered desirable in such a way as not to injure them, and without charge.

3. A permit or certificate shall be given to the importer, which shall contain—

- (a.) A list of the patterns or samples imported, specifying the nature of the goods and such marks as may be proper for the purpose of identification.
- (b.) A statement showing the duty chargeable on the patterns or samples, and also whether the amount was deposited in money or whether security was given for it.
- (c.) A statement as to the manner in which the patterns or samples were marked.

(d.) A statement of the period (not in any case to exceed twelve months) at the expiration of which the amount of duty deposited will be carried to public account, or the amount payable will be recovered under the security given, as the case may be, unless it is proved that the patterns or samples have been previously re-exported, or placed in bond.

4. The patterns or samples may also be re-exported through any custom-house other than the one through which they were imported.

5. If before the expiration of the appointed time (3 (d)) the patterns or samples should be presented at the custom-house of any port or place for the purpose of re-exportation, or being placed in bond, the officers at such port or place must satisfy themselves by examination that the articles which are brought to them are the same as those for which a permit of entry was granted. If the officers are satisfied that this is the case, they will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited or will take the necessary steps for discharging the security.

(Signed) E. KEELING.

*His Britannic Majesty's Legation,
Vienna, March 28, 1923.*

No. 2.

*Austrian Minister for Foreign Affairs to the British
Chargé d'Affaires.*

IN Anbetracht des Wunsches der königlich grossbritannischen Regierung und der österreichischen Bundesregierung, Vereinbarungen zur Erleichterung der Zollabfertigung von Mustern eingangszollpflichtiger Waren zu treffen, die in die Gebiete eines der vertragsschliessenden Teile von Handlungsreisenden des anderen Teiles gebracht werden, um als Muster oder Probe zum Zwecke der Erzielung von Bestellungen und nicht zum Verkaufe zu dienen, beehrt sich der unterzeichnete Bundesminister für Äusseres dem Herrn königlich grossbritannischen Geschäftsträger mitzuteilen, dass die österreichische Bundesregierung bereit ist, unter der Bedingung der Gegenseitigkeit, die folgenden Vereinbarungen zu treffen :

Eingangszollpflichtige Gegenstände, welche als Muster oder Proben dienen und in Österreich von Handlungsreisenden aus Grossbritannien eingeführt werden, sollen fortan unter den nachfolgenden zur Sicherstellung ihrer Wiederausfuhr oder Niederlegung in einem Zollager erforderlichen Förmlichkeiten zollfrei zugelassen werden :

1. Das Zollamt des Hafens oder Platzes, über den die Muster oder Proben eingehen, ermittelt den Betrag des auf denselben haftenden Eingangszolles.

Dieser Betrag ist von dem Handlungsreisenden bei dem Zollamte entweder bar niederzulegen oder vollständig sicherzustellen.

2. Zum Zwecke der Festhaltung der Nämlichkeit werden die auf den Mustern von den Zollbehörden eines der vertragschliessenden Teile angebrachten Marken, Stempel oder Siegel von jenen des anderen als hinreichend anerkannt. Sollten die Muster jedoch ohne eine der oberwähnten Marken eintreffen oder sollten die Marken der interessierten Verwaltung nicht als hinreichend erscheinen, so kann, falls dies wünschenswert erscheint, eine Zusatzmarke auf den Mustern und zwar kostenlos derart angebracht werden, dass diese hiedurch nicht beschädigt werden.

3. Das Abfertigungspapier enthält:

- (a.) Ein Verzeichnis der eingebrachten Musterstücke, in dem die Gattung der Ware und solche Merkmale sich angegeben finden, die zur Festhaltung der Nämlichkeit geeignet sind;
- (b.) Die Angabe des auf den Mustern oder Proben haftenden Eingangszolles sowie die Angabe, ob derselbe bar niedergelegt oder sichergestellt worden ist;
- (c.) Die Angabe der Art der Bezeichnung;
- (d.) Die Angabe der Frist, die in keinem Falle zwölf Monate überschreiten darf und nach deren Ablauf je nach dem Falle der niedergelegte Eingangszoll verrechnet oder der zu zahlende Zollbetrag aus der bestellten Sicherheit eingezogen werden soll, soweit nicht vorher die Wiederausfuhr der Muster oder Proben nach dem Auslande oder die Niederlegung in einem Zollager nachgewiesen wird.

4. Die Wiederausfuhr der Muster oder Proben kann auch über ein anderes Zollamt erfolgen als dasjenige, über welches die Einfuhr bewirkt war.

5. Werden vor Ablauf der gestellten Frist (3 (d)) die Muster oder Proben einem zur Erteilung der Abfertigung befugten Zollamt zum Zwecke der Wiederausfuhr oder der Niederlegung in einem Zollager vorgeführt, so hat dieses Amt sich durch die vorzunehmende Prüfung davon zu überzeugen, ob ihm dieselben Gegenstände vorgeführt worden sind, welche bei der Eingangsabfertigung vorgelegen haben. Wenn das Amt sich überzeugt hat, dass dies der Fall ist, bescheinigt es die Ausfuhr oder Niederlegung und erstattet den bei der Einbringung niedergelegten Eingangszoll oder trifft wegen Freigabe der bestellten Sicherheit die erforderliche Einleitung.

Zu Urkund dessen hat der Unterzeichnete diese Erklärung gefertigt und sie gegen die entsprechende Erklärung des Herr königlich grossbritannischen Geschäftsträgers ausgetauscht.

N. GRÜNBERGER:

*Osterreichisches Bundesministerium
für Ausseres,*

Wien, am 28. März 1923.

(Translation.)

*Austrian Minister for Foreign Affairs to the British
Chargé d'Affaires.*

It being the desire of His Majesty's Government and the Austrian Federal Government to make arrangements for facilitating the clearance through their respective Customs Departments of

samples of dutiable goods brought into the territories of one of the Contracting Parties by commercial travellers of the other, to be used as models or patterns for the purpose of obtaining orders and not for sale, the undersigned Federal Minister for Foreign Affairs has the honour to inform His Britannic Majesty's Chargé d'Affaires that the Austrian Federal Government is prepared to adopt, on condition of reciprocity, the following arrangements:—

Articles liable to duty serving as patterns and samples which are introduced into Austria by commercial travellers of Great Britain shall henceforth be admitted, free of duty, subject to the following formalities requisite to ensure their being re-exported or placed in bond:—

1. The officers of Customs at any port or place at which the patterns or samples may be imported shall ascertain the amount of duty chargeable thereon.

That amount must either be deposited by the commercial traveller in money, or ample security must be given for it.

2. For the purpose of identification, the marks, stamps, or seals placed upon the samples by the Customs authorities of one of the Contracting Parties shall be recognised as sufficient by those of the other. Should the sample, however, arrive without bearing any of the above-mentioned marks, or should the marks not appear to be sufficient to the Administration interested, a supplementary mark may be affixed to such samples if considered desirable in such a way as not to injure them, and without charge.

3. A permit or certificate shall be given to the importer, which shall contain—

- (a.) A list of the patterns or samples imported, specifying the nature of the goods and such marks as may be proper for the purpose of identification.
- (b.) A statement showing the duty chargeable on the patterns or samples, and also whether the amount was deposited in money or whether security was given for it.
- (c.) A statement as to the manner in which the patterns or samples were marked.
- (d.) A statement of the period (not in any case to exceed twelve months) at the expiration of which the amount of duty deposited will be carried to public account, or the amount payable will be recovered under the security given, as the case may be, unless it is proved that the patterns or samples have been previously re-exported, or placed in bond.

4. The patterns or samples may also be re-exported through any custom-house other than the one through which they were imported.

5. If before the expiration of the appointed time (3 (1)) the patterns or samples should be presented to the custom-house of any port or place for the purpose of re-exportation, or being placed in bond, the officers at such port or place must satisfy themselves by examination that the articles which are brought to them are the same as those for which a permit of entry was granted. If the

officers are satisfied that, this is the case, they will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited or will take the necessary steps for discharging the security.

In-witness whereof the undersigned has drawn up this note and has exchanged it for the corresponding note of His Britannic Majesty's Chargé d'Affaires.

(Signed) GRÜNBERGER.

*Austrian Federal Ministry for
Foreign Affairs,*

Vienna, March 28, 1923.