

No. 5381

**UNION OF SOUTH AFRICA
and
FEDERATION OF RHODESIA AND NYASALAND**

**Trade Agreement (with annexes). Signed at Salisbury,
on 16 May 1960**

Official texts: Afrikaans and English.

Registered by the Union of South Africa on 6 October 1960.

**UNION SUD-AFRICAINE
et
FÉDÉRATION DE LA RHODÉSIE ET DU NYASSALAND**

**Accord commercial (avec annexes). Signé à Salisbury, le
16 mai 1960**

Textes officiels afrikaans et anglais.

Enregistré par l'Union sud-africaine le 6 octobre 1960.

No. 5381. TRADE AGREEMENT¹ BETWEEN THE GOVERNMENTS OF THE UNION OF SOUTH AFRICA AND THE FEDERATION OF RHODESIA AND NYASALAND. SIGNED AT SALISBURY, ON 16 MAY 1960

The Governments of the Union of South Africa and the Federation of Rhodesia and Nyasaland, recognizing that it is desirable that trade between their respective territories should be as free and uninterrupted as possible, have agreed as follows :

Article 1

In this Agreement, unless inconsistent with the context :

“ Federation ” means the Federation of Rhodesia and Nyasaland.

“ Union ” means the Union of South Africa including the territory of South West Africa.

Article 2

The goods enumerated in Annexure A,² when grown, produced or manufactured in the territory of one of the parties to this Agreement, shall be admitted into the territory of the other party only under the authority of a permit issued by or on behalf of the Government of the importing territory and shall, on importation, be so admitted free of customs duty.

Article 3

There shall, on importation into the Union, be admitted free of customs duty—

- (a) during the period 1st July, 1960, to 31st December, 1960, a quantity which, together with any quantity so admitted during the period 1st January, 1960, to 30th June, 1960, under the then existing agreement between the Union and the Federation, shall be 2,000,000 pounds in weight of flue-cured Virginia-type leaf tobacco grown in the Federation;
- (b) after the 31st December, 1960, in every calendar year, a quantity of 2,000,000 pounds in weight of such tobacco.

¹ Came into force on 1 July 1960, in accordance with the provisions of article 13,

² See p. 227 of this volume,

Article 4

Subject to the conditions mentioned therein, the goods enumerated in Annexure B,¹ when manufactured in the Federation, shall, in accordance with the provisions of that Annexure, on entry for consumption in the Union, be admitted free of duty or at the rates of duty specified in that Annexure, as the case may be.

Article 5

Any goods, other than those referred to in Article 2, grown, produced or manufactured in the Union, shall, on entry for consumption in the Federation, be admitted at the Column C rate of customs duty in the Customs Tariff of the Federation applicable thereto from time to time.

Article 6

Rough and uncut diamonds, produced in the Union, shall, when exported to the Federation and certified on behalf of the Government of the Federation by an official thereof to be for industrial use therein, be free of export duty.

Article 7

For the purposes of this Agreement, goods shall not be regarded as having been manufactured in—

- (a) the Federation, unless at least twenty-five per cent. of the factory or works cost of those goods is represented by labour performed in that territory or by materials produced and labour performed in that territory;
- (b) the Union, unless they have been subjected to the last process of manufacture in the Union and—
 - (i) contain not less than the “ specified country content ”; or
 - (ii) have been subjected in the Union to a process of manufacture as determined from time to time in terms of section 76 of the Customs and Excise Act, 1955 of the Federation.

Article 8

(1) A party to this Agreement may impose dumping duties on goods, grown, produced or manufactured in the territory of the other party and imported into the territory of the first-mentioned party.

¹ See p. 229 of this volume.

(2) A party to this Agreement may impose countervailing duties to offset any subsidies granted, directly or indirectly, by the other party or by other bodies or individuals, in respect of any goods exported to the territory of the first-mentioned party from the territory of the other party.

(3) The parties undertake, on request by one of the parties, to afford the other party all possible assistance in the investigation of any allegation of dumping in respect of goods exported from the territory of one party to that of the other party.

Article 9

A party to this Agreement which levies an excise duty or surtax on any goods may impose a corresponding countervailing duty on like goods, grown, produced or manufactured in the territory of the other party and imported into the territory of the first-mentioned party.

Article 10

The parties agree to adopt, as far as possible, similar customs measures and procedures in order to facilitate tourism.

Article 11

Goods grown, produced or manufactured in the territory of either party to this Agreement shall be exempt from the imposition by either party of any quantitative import or export restrictions, except in so far as quantitative restrictions are permitted by Article 2, or are in force at the date of commencement of this Agreement : Provided that, after consultation between the parties, a party may impose—

- (1) export restrictions temporarily applied to prevent or relieve critical shortages of foodstuffs or other products essential to the exporting party;
- (2) import and export restrictions necessary to the application of standards or regulations for the classification, grading or marketing of commodities;
- (3) import restrictions on agricultural or fisheries products, or on products which can be directly substituted therefor, necessary to the enforcement of government measures which operate—
 - (a) to restrict the quantities of the like domestic product permitted to be marketed or produced; or
 - (b) to remove a temporary surplus of the like domestic product.