

No. 8137

**IRELAND
and
FEDERAL REPUBLIC OF GERMANY**

Exchange of notes (with annexes) constituting a trade agreement. Bonn, 23 July 1951

Official texts: English and German.

Registered by Ireland on 1 March 1966.

**IRLANDE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

Échange de notes (avec annexes) constituant un accord commercial. Bonn, 23 juillet 1951

Textes officiels anglais et allemand.

Enregistré par l'Irlande le 1^{er} mars 1966.

No. 8137. EXCHANGE OF NOTES CONSTITUTING A TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY. BONN, 23 JULY 1951

I

From the Irish Minister at Bonn to the Leader of the German Trade Delegation

23rd July, 1951

Sir,

I have the honour to refer to the discussions which took place at Dublin from 4th July to 12th July, 1951, between representatives of the Government of Ireland and of the Government of the Federal Republic of Germany concerning trade between the two countries and to confirm that in the course of these discussions agreement was reached as follows :

1. (a) The Government of Ireland shall, during the periods 1st July to 31st December, 1951, and 1st January to 30th September, 1952, grant export licences where applicable, and the Government of the Federal Republic of Germany shall grant import licences or otherwise arrange for the deliveries of non-liberalised commodities enumerated in the list attached hereto as Annex A, it being understood that this list is not exhaustive and may be enlarged at any time by mutual agreement.

(b) The Government of the Federal Republic of Germany shall, during the periods 1st July to 31st December, 1951, and 1st January to 30th September, 1952, grant export licences, and the Government of Ireland shall grant import licences where applicable for the deliveries of non-liberalised commodities enumerated in the List attached hereto as Annex B, it being understood that this list is not exhaustive and may be enlarged at any time by mutual agreement.

(c) The licences and arrangements referred to in the above paragraphs shall be subject to the negotiation of contracts which are mutually satisfactory regarding specifications, prices, delivery and other terms.

2. (a) If import restrictions are removed from any item in the attached lists, the ceiling imposed by the quota shown will be removed. The quota will in that case lapse, but the amount of the quota will not be added to other quotas shown or to the sum allotted to miscellaneous commodities. On the other hand, if restrictions on the import of any commodity in the attached lists are removed, imports of that commodity exceeding the figures shown in the lists will not be charged against the total sums.

(b) There are no restrictions on imports into Ireland from Germany of commodities enumerated in the Irish list of liberalised commodities; if import restrictions are imposed on any item which is at present contained in the list the two Governments will consult

¹ Came into force on 1 July 1951, in accordance with paragraph 9 of the said notes.

together with a view to establishing an equitable quota for imports from Germany, subject to the provisions of Article 8 of this Agreement.

(c) It is the intention of the Government of the Federal Republic of Germany to restore as soon as possible full liberalisation of the commodities enumerated in the German list of liberalised commodities. When full liberalisation has been restored, there will be no restrictions on imports into Germany from Ireland of commodities contained in the list, but if import restrictions are reimposed on any commodities on the list, the two Governments will consult together with a view to establishing an equitable quota for imports from Ireland, subject to the provisions of Article 8 of this Agreement. Pending the restoration of full liberalisation, the Government of the Federal Republic of Germany will, subject to the import commitments laid down by the decisions and recommendations of the Organisation for European Economic Co-operation, sympathetically consider the granting of facilities for the import into Germany of commodities to the export of which the Government of Ireland attach special importance.

3. (a) The Government of Ireland shall use their best efforts to promote the exchange of goods and services between the Federal Republic of Germany and the Republic of Ireland in accordance with the arrangements envisaged in Article 1 of this Agreement.

(b) The Government of the Federal Republic of Germany shall use their best efforts to promote the exchange of goods and services between the Federal Republic of Germany and the Republic of Ireland in accordance with the arrangements envisaged in Article 1 of this Agreement.

4. The parties to this Agreement shall endeavour to encourage contacts between business representatives in order to re-establish the normal exchange of goods and services and to expedite the handling of goods. They shall also continue to grant most-favoured-nation treatment with regard to import duties and other levies on goods imported from each other.

5. Payments in respect of trade and invisible transactions between the Federal Republic of Germany and the Republic of Ireland shall be effected in the same manner as payments between the Federal Republic of Germany and the other members of the Sterling Area.

6. Vessels of either party shall have liberty on equal terms with vessels of the other party and on equal terms with vessels of any third country to come with their cargoes to all ports, places and waters of such other party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national and most-favoured-nation treatment within the ports, places and waters of such other party, but each party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade, inland navigation and national fisheries, the trade between Ireland and Great Britain being regarded for this purpose as coasting trade. Vessels of either party shall be accorded national and most-favoured-nation treatment by the other party with respect to the right to carry all articles that may be carried by vessel to or from the territories of such other party and such articles shall be accorded treatment no less favourable than that accorded to like articles carried in vessels of such other party with respect to

(a) duties and charges of all kinds;

- (b) the administration of the customs, and
- (c) bounties, drawbacks, and other privileges of this nature.

7. During the period of validity of this Agreement the Governments of Ireland and of the Federal Republic of Germany shall consult together at the request of either of them for the purpose of reviewing its operation.

8. The two Governments are agreed that none of the provisions of this Agreement shall be applied in such a way as to be inconsistent with the commitments of either Government as a member of the Organisation for European Economic Co-operation. If any provision of this Agreement should become inapplicable as a result of decisions taken by the Organisation for European Economic Co-operation, the two Governments shall immediately consult together in accordance with Article 7 of this Agreement with a view to effecting any necessary modifications.

9. This Agreement shall take effect as from 1st July, 1951, and shall remain in force until 30th September, 1952.

I should be grateful if you would be so good as to inform me whether the Government of the Federal Republic of Germany accept the foregoing statement of the results of the discussions; in which case I would suggest that this Note and your reply thereto be regarded as constituting an Agreement between our two Governments on the points covered.

Accept, Sir, the assurance of my high consideration.

John A. BELTON
Minister Plenipotentiary