

AUGLÝSING

um samning við Portúgal um afnám aukatolla.

Hinn 14. júlí 1965 var með orðsendingaskiptum milli sendiherra Íslands hjá Portúgal og utanríkisráðherra Portúgals gengið frá samkomulagi um afnám aukatolls, sem lagður hefur verið á fisk fluttan frá Íslandi til Portúgals með íslenskum skipum.

Orðsendingaskiptin eru birt sem fylgiskjal með auglýsingu þessari.

Þetta er hér með gert almenningi kunnugt.

Utanríkisráðuneytið, Reykjavík, 30. júní 1966.

Emil Jónsson.

Niels P. Sigurðsson.

Fylgiskjal.

MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS

His Excellency Henrik Sv. Björnsson

Minister of Iceland etc. etc. etc.

Lisboa.

Lisbon, July 14th, 1965.

Excellency,

The Government of Iceland has, through Your Excellency, informed the Portuguese Government that they would appreciate if the latter would consider the possibility of abolishing the surtax that is still levied by the Portuguese Authorities on Icelandic goods shipped to Portugal in Icelandic vessels.

It has always been the policy of the Portuguese Government in similar cases to make the abolition of this surtax dependent upon special compensatory arrangements with regard to the recognition and protection of certain brands of Portuguese wines by the Governments concerned.

Considering that the Government of Iceland has also expressed through Your Excellency the intention of granting, in the way of compensation, legal protection within the territory of Iceland, to certain brands of Portuguese wines; considering, no less, the close and friendly relation between our two countries, as well as the facilities already granted by the Government of Iceland in regard to the importation of Portuguese goods; the Portuguese Government agrees, in view of the request of the Government of Iceland, to abolish the said surtax.

Accordingly, Icelandic shipping companies and ships, as well as the goods and passengers carried therein, shall not be subject in Portugal — including the Azores and Madeira Islands and the Overseas Provinces — to any conditions, restrictions,

duties, taxes or charges other, or more onerous, in law or in fact, than those applicable to Portuguese shipping companies and ships or to the goods or passengers carried therein.

In particular, Icelandic companies and ships shall be granted the same treatment as that accorded to Portuguese companies and vessels as regards namely:

a) The access to and the use of Portuguese ports and all other facilities concerning sailing or trading operations such as grappling or the loading and unloading of goods;

b) The application of all taxes, duties and charges relating either to the ships or to the goods and passengers carried therein, whether levied by the central or the local authorities or any other entity entitled to do so;

c) Provided however that the same treatment shall be granted in Iceland to all Portuguese shipping companies and ships as well as to the goods and passengers carried therein.

The same treatment as that accorded to national ships, or the most favoured nation treatment, shall not be granted, however, in regard to:

- (a) The application of special legislation with a view to the protection of the national merchant fleet and national navigation or the building of new vessels, by way of preferences or other special facilities or privileges;
- (b) The special privileges granted to yachting and other naval sports clubs and societies;
- (c) The rendering of off-shore services, including towing, piloting, assistance and help in ports, dock-yards and shores;
- (d) Emigration and the transportation of emigrants;
- (e) Traffic between ports within the territory of each of the Contracting Parties, including their Overseas and Dependent Territories, which (traffic) shall continue to be subject solely to the laws and regulations of each of the Contracting Parties;
- (f) Fishing within the territorial waters of each of the Contracting Parties.

The Government of Iceland shall, in return, agree to take all the necessary steps to ensure the adequate protection of certain brands and designations of origin of Portuguese wines.

The Government of Iceland shall, in particular, recognize the names „Madeira“ and „Porto“ and any combinations of these names whether in their original or any translated form (such as: Madère, Madeira Wine, Madeira Wein, Vin de Madère, etc.; or Port, Oport, Portwine, Portwein, Portvin, etc.) as well as the names „Moscatel de Setubal“ and „Carcavelos“, as being strictly „designations of origin“ or „local brands“ duly protected in Portugal and belonging exclusively to the licorous wines produced in Portugal in, respectively, the Island of Madeira and the Douro, Setubal and Carcavelos districts.

The Government of Iceland shall, in accordance, take all the necessary steps to prevent the importation into Iceland and the advertising or the sale under such names in the territory of Iceland of any wines which have not been produced in the Island

of Madeira or in the said Portuguese wine districts and exported in the following manner: The Port wine through the Douro or Leixoes harbours; the Madeira wine through the harbour of Funchal; the Moscatel of Setubal wine through the Lisbon and Setubal harbours and the „Carcavelos“ wine through the Lisbon harbour.

The genuine quality and origin of such wines shall be established by way of „certificates of origin“ delivered by the appropriate Portuguese authorities and the importation into Iceland of any wines under such names shall be made dependent upon the presentation of such certificates of origin.

The Icelandic Government shall furthermore undertake to meet any violation of these provisions by way of promoting the application of the appropriate penalties even if the illicit use of the said names has been qualified by such words as „type“, „quality“, „rival“, etc., by mentioning the true origin of the product, or by any other such device, on the understanding that the use of any brands, labels or inscriptions likely to deceive and mislead the public as to the true origin and quality of the product are equally forbidden.

The Icelandic Government shall also undertake to promote the application of adequate penalties in the case of the sale under the said names of any wines entitled to it at the time of their importation into Iceland but to which water or other wines or ingredients have been added.

The application of the above mentioned penalties may be claimed by any interested party (whether an individual or corporate person) who is a national of any of the Contracting Parties or else promoted by way of administrative action or through diplomatic channels.

The same provisions shall apply in the case of any licorous wines bearing the designation „Extremadura“ (and exported through the Port of Lisbon) provided the wine district of origin of such wines has been delimited and the exportation of such wines subject to the same rules and safeguards as those mentioned above.

The Government of Iceland shall also undertake to ensure the protection of the designations of origin of the Portuguese wines produced in the wine districts of „Dão“, „Colares“ and „Barcelos“ and exported under such names, in accordance with the rules and standards of the I.W.O.

Should the Icelandic Government agree to the foregoing provisions, I have the honour to propose that the present Note and Your Excellency's reply shall be regarded as constituting a formal agreement between the two Governments and that this agreement shall come into force on the date of the present Note and may at any time be terminated by any of the Contracting Governments by giving the other Contracting Government six months notice of the intention to do so.

Accept Excellency the assurance of my highest consideration.

A. Franco Nogueira.

SENDIRÁÐ ÍSLANDS,
London.

His Excellency
Dr. Alberto Marciano Gorjao Franco Nogueira,
Minister for Foreign Affairs of Portugal,
Lisbon.

Excellency,

14th July, 1965.

I have the honour to acknowledge receipt of Your Excellency's Note of to-day's date reading as follows:

[Samhljóða erindinu hér næst á undan.]

In reply I have the honour to signify on behalf of the Government of Iceland its concurrence in the foregoing proposals and to confirm that Your Excellency's Note and this Note shall constitute an Agreement between our two Governments in this matter, effective from to-day's date.

Please accept, Excellency, the renewed assurance of my highest consideration.

Henrik Sv. Björnsson.