

12. One of Her Majesty's Principal Secretaries of State may, with the Consent of the Lords Commissioners of the Treasury, from Time to Time determine under what Conditions and to what Extent any Officer shall be deemed for the Purposes of this Act to have been administering the Government of any Colony while administering the same provisionally, or while absent from his Government with Permission of Her Majesty; and for the Purposes of this Act the Commission issued under the Great Seal of the Territory of *New South Wales* for the Government of the District of *Port Phillip* shall be taken to have constituted that District a Colony.

13. All Pensions granted under this Act shall be paid out of such Monies as Parliament may provide for the Purpose, and a Statement of all such Pensions shall be laid annually before Parliament.

**TREATY OF COMMERCE
BETWEEN HER MAJESTY AND THE
ZOLLVEREIN.**

Signed at Berlin, May 30, 1865.

[Ratifications exchanged at Berlin, June 30, 1865.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part; and,

His Majesty the King of Prussia in his own name, and representing the sovereign States and territories united to the Prussian system of Customs and contributions, that is to say, the Grand Duchy of Luxemburg, the enclaves of the Grand Duchy of Mecklenburg-Schwerin, Rossow, Netzeband, and Schoenberg, the Principality of Birkenfeld belonging to the Grand Duchy of Oldenburg, the Duchy of Anhalt, the Principalities of Waldeck and Pyrmont, the Principality of Lippe, and the Grand Bailiwick of Meisenheim belonging to the Landgraviate of Hesse, as well as in the name of the other members of the German Association of customs and commerce, that is to say, the Crown of Bavaria, the Crown of Saxony, the Crown of Hanover, as well for itself as for the Principality of Schaumburg-Lippe, and the Crown of Wurtemberg, the Grand Duchy of Baden, the Electorate of Hesse, the Grand Duchy of Hesse, as well for itself as for the Bailiwick of Homburg belonging to the Landgraviate of Hesse, the States forming the Customs and Commercial Union of Thuringia, viz., the Grand Duchy of Saxony, the Duchies of Saxe-Meiningen, of Saxe-Altenburg, of Saxe-Coburg-Gotha, the Principalities of Schwarzburg-Rudolstadt and of Schwarzburg Sondershausen, of the elder branch of Reuss and of the younger branch of Reuss, the Duchy of Brunswick, the Duchy of Oldenburg, the Duchy of Nassau, and the Free Town of Frankfort, on the other part;

Being equally animated by the desire of regulating and extending the commercial relations between the United Kingdom of Great Britain and Ireland, and its dependencies, and the Zollverein, have resolved to conclude a Treaty for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Francis Baron Napier of Merchiston, a Peer of Scotland, a Baronet of Nova Scotia, a member of Her Britannic Majesty's Privy Council, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Prussia, &c ; and John Ward, Esquire, Her Majesty's Charge d'Affaires and Consul-General to the Hanse Towns, and Consul-General in Hanover, Oldenburg, &c ;

And His Majesty the King of Prussia, M. Otto Eduard Leopold von Bismarck Schoenhausen, President of his Ministry of State, and Minister of Foreign Affairs; M. Johann Friedrich von Pommer Esche, his Actual Privy Councillor; M. Alexander Maximilian Philipsborn, Director in his Ministry of Foreign Affairs; and M. Martin Friedrich Rudolph Delbruck, Director in his Ministry for Commerce, Trade, and Public Works;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The subjects of Her Britannic Majesty who dwell either temporarily or permanently in the States of the Zollverein, and the subjects of the States of the Zollverein who dwell either temporarily or permanently in the dominions or possessions of Her Britannic Majesty, shall enjoy therein, in respect to the exercise of commerce and trades, the same rights as, and be subjected to no higher or other taxes than, the subjects of any third country the most favoured in those respects.

ARTICLE II.

The produce and manufactures of the dominions and possessions of Her Britannic Majesty which may be imported into the Zollverein, and the produce and manufactures of the States of the Zollverein which may be imported into the United Kingdom of Great Britain and Ireland, whether intended for consumption, warehousing, re-exportation, or transit; shall therein be treated in the same manner as, and in particular shall be subject to no higher or other duties than, the produce and manufactures of any third country the most favoured in those respects.

ARTICLE III.

No other or higher duties shall be levied in the Zollverein on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, nor in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to the Zollverein, than are or may be levied on the exportation of the like goods to any third country the most favoured in that respect.

ARTICLE IV.

The transit of goods to and from the United Kingdom of Great Britain and Ireland shall be free from all transit duties in the Zollverein, and the transit of goods to and from the Zollverein shall be free from all transit duties in the United Kingdom of Great Britain and Ireland.

ARTICLE V.

Any favour, privilege, or reduction in the Tariff of duties of importation or exportation, which either of the Contracting Parties may concede to any third Power, shall be extended immediately and unconditionally to the other.

No prohibition of importation or exportation shall be established by either of them against the other, which shall not at the same time be applicable to all other nations.

The Contracting Parties engage not to prohibit the exportation of coal, and to levy no duty upon such exportation.

The preceding provisions respecting the prohibition of exportation shall not invalidate the obligations which the Constitution of the Germanic Confederation imposes on the German States which compose the Zollverein.

ARTICLE VI.

With regard to the marks or labels of goods, or of their packages, and also with regard to patterns and marks of manufacture and trade, the subjects of the States of the Zollverein shall enjoy in the United Kingdom of Great Britain and Ireland, and the subjects of Her Britannic Majesty shall enjoy in the States of the Zollverein, the same protection as native subjects.

ARTICLE VII.

The stipulations of the preceding Articles I to VI shall also be applied to the Colonies and foreign possessions of Her Britannic Majesty. In those Colonies and possessions the produce of the States of the Zollverein shall not be subject to any higher or other import duties than the produce of the United Kingdom of Great Britain and Ireland, or of any other country, of the like kind; nor shall the exportation from those Colonies or possessions to the Zollverein be subject to any higher or other duties than the exportation to the United Kingdom of Great Britain and Ireland.

ARTICLE VIII.

The present Treaty shall come into force on the 1st of July, 1865, and shall remain in force until the 30th of June, 1877. In case neither of the Contracting Parties shall, twelve months before the last-mentioned day, have given notice to the other of the intention to terminate the operation of the Treaty, then the same shall continue in force until the expiration of one year from the day upon which either of the Contracting Parties shall have given notice to the other to terminate the same.

ARTICLE IX.

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Berlin in three weeks,* or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Berlin, the thirtieth day of May, in the year of our Lord one thousand eight hundred and sixty-five.

(L.S.) NAPIER,
(L.S.) JOHN WARD,
(L.S.) BISMARCK,
(L.S.) V. POMMER-ESCHE,
(L.S.) PHILIPS BORN,
(L.S.) DELBRUCK.

* This term was subsequently extended by Protocol to the 30th of June.