

**5. INTERNATIONAL CONVENTION TO FACILITATE THE IMPORTATION OF  
COMMERCIAL SAMPLES AND ADVERTISING MATERIAL**

*Geneva, 7 November 1952*

**ENTRY INTO FORCE:** 20 November 1955, in accordance with article XI.  
**REGISTRATION:** 20 November 1955, No. 3010.  
**STATUS:** Signatories: 6. Parties: 65.<sup>1</sup>  
**TEXT:** United Nations, *Treaty Series*, vol. 221, p. 255.

*Note:* The Convention was drawn up by the Contracting Parties to the General Agreement on Tariffs and Trade at its seventh session, held at Geneva in November 1952. The proposal for the conclusion of such a convention had been referred to the Contracting Parties to the General Agreement on Tariffs and Trade by the Economic and Social Council of the United Nations in resolution [347 \(XII\)](#)<sup>2</sup> of 7 March 1951.

<i>Participant</i> <sup>3,4</sup>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant</i> <sup>3,4</sup>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
Australia.....		6 Jan 1956 a	Italy.....		20 Feb 1958 a
Austria.....		8 Jun 1956 a	Jamaica.....		11 Nov 1963 d
Belgium.....	30 Jun 1953	28 Aug 1957	Japan.....		2 Aug 1955 a
Bosnia and Herzegovina <sup>5</sup> .....		12 Jan 1994 d	Kenya.....		3 Sep 1965 a
Canada.....		12 Jun 1974 a	Liberia.....		16 Sep 2005 a
Croatia <sup>5</sup> .....		31 Aug 1994 d	Luxembourg.....		9 Sep 1957 a
Cuba.....		26 Apr 1976 a	Malaysia.....		21 Aug 1958 d
Cyprus.....		16 May 1963 d	Malta.....		27 Jun 1968 d
Czech Republic <sup>6</sup> .....		2 Jun 1993 d	Mauritius.....		18 Jul 1969 d
Democratic Republic of the Congo.....		31 May 1962 d	Mexico.....		7 Nov 2000 a
Denmark.....		5 Oct 1955 a	Montenegro <sup>9</sup> .....		23 Oct 2006 d
Egypt.....		29 Sep 1955 a	Netherlands (Kingdom of the) <sup>10</sup> .....		3 May 1955 a
Fiji.....		31 Oct 1972 d	New Zealand <sup>11</sup> .....		19 Apr 1957 a
Finland.....		27 May 1954 a	Nigeria.....		26 Jun 1961 d
France.....		7 Feb 1964 a	Norway.....		2 Nov 1954 a
Germany <sup>7,8</sup> .....	12 Jun 1953	2 Sep 1955	Pakistan.....		12 Oct 1953 a
Ghana.....		7 Apr 1958 d	Poland.....		18 Feb 1960 a
Greece.....	12 Jun 1953	10 Feb 1955	Portugal.....		24 Sep 1956 a
Guinea.....		8 May 1962 a	Republic of Korea.....		12 Jun 1978 a
Haiti.....		12 Feb 1958 a	Romania.....		15 Nov 1968 a
Hungary.....		3 Jun 1957 a	Rwanda.....		1 Dec 1964 d
Iceland.....		28 Apr 1977 a	Serbia <sup>5</sup> .....		12 Mar 2001 d
India.....		3 Aug 1954 a	Sierra Leone.....		13 Mar 1962 d
Indonesia.....		21 Apr 1954 a	Singapore.....		7 Jun 1966 d
Iran (Islamic Republic of).....		11 Jun 1970 a	Slovakia <sup>6</sup> .....		28 May 1993 d
Ireland.....		23 Apr 1959 a	Slovenia <sup>5</sup> .....		3 Nov 1992 d
Israel.....		8 Oct 1957 a	Spain.....		9 Sep 1954 a
			Sri Lanka.....		28 Oct 1959 a

<i>Participant</i> <sup>3,4</sup>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant</i> <sup>3,4</sup>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
Sweden.....	30 Jun 1953	23 Feb 1955	United Kingdom of Great Britain and Northern Ireland <sup>4</sup> .....	30 Jun 1953	21 Oct 1955
Switzerland <sup>1</sup> .....		4 Dec 1954 a	United Republic of Tanzania.....		28 Nov 1962 a
Thailand.....		30 Nov 1994 a	United States of America.....	28 May 1953	17 Sep 1957
Tonga.....		11 Nov 1977 d			
Trinidad and Tobago .....		11 Apr 1966 d			
Türkiye.....		8 Dec 1956 a			
Uganda.....		15 Apr 1965 a			

### ***Declarations and Reservations***

***(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For reservations made upon notification of territorial application, see hereinafter.)***

#### **CUBA**

The Revolutionary Government of the Republic of Cuba does not consider itself bound by the provisions of the final clause of article VIII, paragraph 2, which authorizes the Parties to request the President of the International Court of Justice to nominate arbitrators for the settlement of disputes.

#### **GERMANY<sup>7</sup>**

"The Federal Republic of Germany cannot consider roasted coffee, coffee-and tea extracts as well as tobacco goods including cigarette paper as samples of negligible value. No privileges provided for in Article II of the International Convention to Facilitate the Importation of Commercial Samples and Advertising Material can be granted with respect to the importation of the above-described products into the territory of the Federal Republic of Germany."

#### **INDIA**

"The concession of duty-free import would be available to only those catalogues, price lists and trade notices which are supplied free."

#### **MALTA**

"In the application of paragraph 5 of Article III of the Convention the period allowed by the Government of Malta for re-exportation of samples which qualify for exemption from import duties under that Article, should be three months which may be extended on sufficient cause being shown."

#### **MEXICO**

Conformément à l'article XIV, the Government of the United Mexican States hereby declares that it does not agree to the temporary importation of representative samples of vehicles and industrial and agricultural machinery or equipment referred to in article III of the Convention.

#### **ROMANIA**

(a) In acceding to the International Convention to Facilitate the Importation of Commercial Samples and Advertising Material, done at Geneva on 7 November 1952, in the interests of the development of international economic co-operation, the Socialist Republic of Romania considers that negotiation between the parties to a dispute, as provided for in article VIII (1) of the Convention, constitutes the means of settling such disputes in a spirit of co-operation between the States and of full respect for their interests.

(b) The Council of State of the Socialist Republic of Romania considers that the maintenance of the state of dependence of certain territories to which the provisions of article XIII of the above-mentioned Convention apply is not in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the United Nations General Assembly on 14 December 1960 in resolution 1514 (XV), which proclaims the need to put an end to colonialism in all its forms and manifestations immediately and unconditionally.

#### **SPAIN<sup>12</sup>**

#### **SRI LANKA<sup>13</sup>**

#### **TRINIDAD AND TOBAGO**

"Paragraph 6 of Article III cannot be implemented in Trinidad as the Customs and Excise Department is not self-accounting and refunds are made on Treasury vouchers."

#### **UGANDA**

"Uganda shall not be bound by article V of the Convention."

#### **UNITED REPUBLIC OF TANZANIA**

"In accordance with article XIV, Tanganyika [United Republic of Tanzania] reserves the right not to grant to advertising films temporary duty-free admission treatment."

### ***Territorial Application***

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Australia	12 Jan 1956	Papua and the Trust Territory of New Guinea
Belgium	28 Aug 1957	Belgian Congo and Trust Territory of Ruanda-Urundi
Netherlands (Kingdom of the) <sup>10</sup>	3 May 1955	Netherlands Antilles, Netherlands New Guinea and Suriname
New Zealand <sup>11</sup>	19 Apr 1957	The Cook Islands (including Niue), the Tokelau Islands and the Trust Territory of Western Samoa
United Kingdom of Great Britain and Northern Ireland <sup>4</sup>	21 Oct 1955	Isle of Man
	5 Feb 1957	Aden, Barbados, British Guiana, British Honduras, Cyprus, Falkland Islands, Fiji, Gambia, Gibraltar, Gold Coast, Hong Kong, Jamaica, Kenya (with reservation), Leeward Islands (Antigua, Montserrat, St. Christopher, Nevis and Anguilla, British Virgin Islands), Federation of Malaya, Malta (with reservations), Mauritius, North Borneo, Federation of Nigeria, St. Helena, Sarawak, Seychelles, Sierra Leone, Singapore, Somaliland Protectorate, Tanganyika (with reservation), Trinidad and Tobago (with reservation), Uganda (with reservation), Windward Islands (Dominica, Grenada, St. Lucia, St. Vincent), Zanzibar, Tonga
United States of America	17 Sep 1957	All possessions of the United States except American Samoa, Guam, Kingman Reef, Johnston Island, Midway Islands, the Virgin Islands and Wake Island

### *Reservations made upon notification of Territorial Application*

#### **UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

##### **Kenya**

"Kenya shall not be bound by Article V of the Convention."

##### **Malta**

"(i) The period allowed by law for re-exportation of goods released on temporary importation is three months but this period may be extended on sufficient cause being shown. (ii) If the whole quantity of goods is not taken out of Malta the deposit made to cover duty shall be forfeited. (iii) Samples of high value will be controlled under temporary importation and under regulations to be made

in accordance with paragraph 3 of Article III of the Convention."

##### **Tanganyika**

"Tanganyika shall not be bound by article V of the Convention."

##### **Trinidad and Tobago**

"Paragraph 6 of Article III cannot be implemented in Trinidad as the Customs and Excise Department is not self-accounting and refunds are made on Treasury vouchers."

##### **Uganda**

"Uganda shall not be bound by Article V of the Convention."

#### **Notes:**

<sup>1</sup> On 16 June 1975, the Government of Switzerland declared that the provisions of the Convention apply to the Principality of Liechtenstein so long as it is linked to Switzerland by a customs union treaty.

<sup>2</sup> *Official Records of the Economic and Social Council, Twelfth Session, Supplement No. 1 (E/1987), p. 7.*

<sup>3</sup> The Federation of Rhodesia and Nyasaland had acceded to the Convention on 30 April 1956 in its capacity as a Contracting Party to the Agreement on Tariffs and Trade of 30 October 1947. See also note 1 under United Kingdom of Great Britain and Northern Ireland" in the "Historical Information" section in the front matter of this volume.

<sup>4</sup> The Secretary-General, received on 6 and 10 June 1997 communications regarding the status of Hong Kong from China and the United Kingdom of Great Britain and Northern Ireland (see also note 2 under "China" and note 2 under "United Kingdom of Great Britain and Northern Ireland" in the "Historical Information" section in the front matter of this volume). Upon resuming the exercise of sovereignty over Hong Kong, China notified the Secretary-General that the Convention will continue to apply to the Hong Kong Special Administrative Region.

<sup>5</sup> The former Yugoslavia had acceded to the Convention on 29 May 1956. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and

“Yugoslavia” in the “Historical Information” section in the front matter of this volume.

<sup>6</sup> Czechoslovakia had acceded to the Convention on 12 January 1956. See also note 1 under “Czech Republic” and note 1 under “Slovakia” in the “Historical Information” section in the front matter of this volume.

<sup>7</sup> See note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

<sup>8</sup> See note 1 under “Germany” regarding Berlin (West) in the “Historical Information” section in the front matter of this volume.

<sup>9</sup> See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

<sup>10</sup> See note 1 under “Netherlands” regarding Aruba/Netherlands Antilles in the “Historical Information” section in the front matter of this volume.

<sup>11</sup> See note 1 under “New Zealand” regarding Tokelau in the “Historical Information” section in the front matter of this volume.

<sup>12</sup> In a communication received on 17 June 1959, the Government of Spain notified the Secretary-General of the withdrawal of its reservation made upon accession. For the text of that reservation, see United Nations, *Treaty Series*, vol. 221, p. 282.

<sup>13</sup> In a communication received on 29 January 1963, the Government of Sri Lanka notified the Secretary-General of the withdrawal of its reservation made upon accession to the Convention. For the text of that reservation, see United Nations, *Treaty Series*, vol. 349, p. 334.

