

1922

KENYA

43949
REF:
REC: 4 SEP 22

FROM

DATE

FOREIGN

2ND SEPTEMBER 1922 - JVD

FOR CIRCULATION

SUBJECT

Mr. *Battenbee*

ITALIAN CONSULATE AT NAIROBI

645

Mr. *Grindle*

CUSTOMS DUES ON IMPORTS FOR

Mr. *H. Lambert*

Encloses copy of F.O. Note of 1.3.21 to Italian Ambassador to which no reply has been received together with a memo. from Rome Embassy on subject of reciprocity.

Sir *H. Ross*

Sir *J. Macpherson Smith*

Mr. *Wood*

Mr. *Chamberlain*

Previous Paper

MINUTES

See 3/6/22

To for Kenya, act. 34648, and ask for transaction in refunding Customs duties on *Carichioni's* typewriter, *Carichioni's* memorandum now received from P.L. explaining that it has been furnished by the British Embassy at Rome. Say that arrangements in regard to question referred to in para. 10 of her despatch no decision ~~has~~ yet been reached & that S.P.S. is still in communication with the S.P.S. for foreign Affairs in the matter.

Amad cono 12/10/22
copy for [unclear] 29/10/22
copy for [unclear] 29/10/22

T.C.D. might like to see this memorandum

To P.O. act. this letter ~~encloses~~ copy of despatch ~~is~~ noted above. Say that S.P.S. ~~presumably~~ would be glad if when available opportunity present itself, the matter could be brought to the notice of the Italian Embassy.

Subsequent Paper

In any further communication on this subject, please quote

No. T 10160/8919/322.

and address.

may be sent by post.

but to

The Under-Secretary of State,
Foreign Office,
London, W. 1.

C O
43949
REC- 4 SEP 2

Colonial Office

S.W. 1

625

2nd September, 1922.

Sir,

With reference to the Colonial Office letter of the 28th July (24648/1922) regarding the exemption from Customs duties of ^{Kenya} articles imported into Kenya for the use of the Italian consulate at Nairobi, I am directed by the Mar. Genl. Curzon of Kedleston to transmit for Mr. Secretary Churchill's information a copy of the Foreign Office note of March 1st, 1921 to the Italian Ambassador on the subject. A reply has been received from His Excellency to the enquiry made therein.

2. As regards the question of reciprocity in such matters enquiry was made of His Majesty's Embassy at Rome who furnish a memorandum of which a copy is enclosed.

The printed enclosures in your letter are returned herewith.

Your obedient servant,

W. H. Murray

The Under-Secretary of State,
Colonial Office.

Copy

(T 1507/490/322)

FOREIGN OFFICE, S.W.1.

March 1st, 1921.

617

Your Excellency,

With reference to your note of November 11th last (2321/3) respecting the question of the grant of customs facilities to the Italian Consul at Nairobi, I have the honour to enquire whether this official is a consul de carriers.

I have, etc.,

(For the Secretary of State)

(Signed) G. H. WILLIAMS

Excellency,

Nobile Cav. Giacomo de Martino,

etc., etc., etc.

Article 8 of the Preliminary Provisions of the Italian Customs Tariff of July 1st, 1921, lays down that:-

"Effects and furniture of first installations belonging to foreign Consuls subject to the proviso contained in the preceding article (e.g. provided that reciprocity be granted by their government) shall be exempt from import and export duties.

This exemption shall not apply to articles of consumption, such as colonial produce, goods forming a monopoly wines, liqueurs, and the like.

Provided reciprocity exists, there shall also be exemption on entry of uniforms of foreign Consuls, as well as on flags, escutcheons, stationery goods, including furniture for keeping same, safes, writing machines which foreign governments transmit to their respective Consuls in Italy for the use of the office of the Consulate".

It would thus appear that the same rule applies to typewriters, to Stationery, and His Majesty's Consul General at Milan and Naples say that stationery is regularly admitted free of duty. As shown it is a question of reciprocity.

It is advisable, in such cases, for the Consul receiving goods of this description to notify the Customs before the arrival of the goods so that expedited clearance.

12 190

43949/22 Kenya

~~for~~

12 Sept 1902
47062

DRAFT.

The 6 Sept
70

MINUTE.

- Mr. Seal 2/10/02
- Mr. Allen 11
- Mr.
- Mr. Davis
- Sir G. Grindle
- Sir H. Hoad
- Sir J. Masterton Smith
- Mr. Wood
- Mr. Churchill

Handwritten notes in margin

I am etc to ack. the receipt of your letter No 710160/89107325 of the 2nd of September regarding the charges for Customs duties of articles imported into the Kenya for the use of the Italian consulate at Nairobi and to inform you

Mr. Churchill is the glad of the then query of Mr. Keddleston Secretary of the attention of the Italian

ambassador could be drawn to the inquiry addressed to them here on the 11th March, 1902, in

of the Testaments

No. F. O. letter (No. 1507/440/322)

with regard to the status of the
Italian Consulate at New Orleans

Leahy

SPRING BRINDLE

1922

KENYA

47062

From FOREIGN

Date 19TH SEPT 1922

RE 21 SEP 22

For Circulation

SUBJECT

Mr. Patache 16/9/22
Mr.
Mr. Dutoy
Mr. Grindle
Sir H. Lambert
Sir H. Road
Sir J. Masterion Smith
Mr. Wood
Mr. Churchill

CUSTOMS DUTIES ON ARTICLES IMPORTED FOR ITALIAN CONSULATE.

650

For reasons stated and unless reason is seen to contrary disposed to think it would be preferable to avoid action which might give the request made by the Italian Ambassador in note of 11.11.20.

Previous Paper

560
43949

MINUTES

This refusal of the F.O. to cede the matter to Dr. Cavicchioli's status and further seems to place us in a vicious circle.

1. The F.O. do not want to get a decision from Italy on their point for fear of re-awakening their claim to "most favoured nation" treatment by their consuls (see the Note on 60000)
2. The F.O. Dr. C. is so far as we know not a "consul de commerce" and we ought therefore strictly speaking not entitle to special customs treatment except as provided in the pro-ports out on 34646/22 by Ordinance. (Action of the Order no 43949)
3. If we persist on this, Dr. C. will complain to the Italian Govt who will once again present their claim on the under question to the F.O.

Subsequent Paper

43949

If we refrain from collecting customs duty on Dr. C.'s type writer, he will be armed with precedent for all future.

MINUTES

MINUTES NOT TO BE WRITTEN ON THIS SIDE.

in Minutes or Non Minutes will not be slow to follow suit in case of exemption)

In view of the F.O. attitude I do not see what we can do except (4)

I send copies of all comms. with F.O. (i.e. 60030/20 - 4608/22 (London))

4608/22 (Collier's or similar) & this letter to the F.O. in a confidential dispatch. Say that F.O. will have to pay the S & S. for F.A.

When talking at the present moment to pursue with the Italian authorities the question of Mr. Cassinelli's status, say that although in these circumstances it cannot be assumed that

Italian is more unwise than as reported in 1919 (i.e. 1920/20 (i.e. not for out of carriage) S & S considers it advisable not to disturb upon any action with regard to the Bureau

in case of the Italian F.O. made in their note of 11 Nov 1920 and that for the purpose of the F.O.'s action reported on 34648/20.

25/9

26. 12. 22

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26. 12. 22

on the point of... Consider it desirable to see whether it is possible to produce the matter further

ML

To all further communication on this subject, please quote No. T 16705/8919/385. not to any person to whom sent to "The Under-Secretary of State, Foreign Office, London, S.W. 1."

47062

RE: FOREIGN OFFICE. RE: 21 SEP 22 S.W.1. September 19th, 1922.

Sir:-

With reference to your letter of the 12th instant (43949/1922) and previous correspondence regarding the exemption from Customs duties of articles imported into Kenya for the use of the Italian consulate at Nairobi, I am directed by the Marquess Curzon of Kedleston to observe that unless Mr. Secretary Churchill sees special reason for pursuing the matter further, His Lordship is disposed to think it would be preferable to avoid action which might revive the request made by the Italian Ambassador in his note of November 11th, 1920, inasmuch as the question of the extension of the wider consular exemptions formerly accorded to a few foreign countries appears likely to give rise to difficulties.

I am, Sir, Your obedient Servant.

The Under Secretary of State, Colonial Office.

J.O. Kenya
47062/22

652

Sept 1922

Sir,

DRAFT.

With ref. to your predecessor's
desp. No 750, of the 17th of
June, I have the honour to
transmit to you a copy of
desp. with the J.O. regarding
the exemption from customs
duty of articles imported
into the Col. for the use

of the Italian Consulate
at Nairobi

Mr. Chynder
MINUTE.

- Mr. Drew Sept 27
- Mr. Pattenbee
- Mr.
- Mr. Davis.
- Mr. G. Grindle.
- Sir A. Ross.
- Sir J. Mackenzie Smith.
- Mr. Wood.
- Mrs. Churchill.

7 Dec 1920
6 Oct 30/20
28 July 22
30
On 346 40/22
2nd Sept

Yours faithfully
[Signature]

Affairs considered in detail
for the reasons explained
in the F.O. letter of the 19th
of Sept., not to pursue
the matter further.

I &c

(Signed) WINSTON S. CHURCHILL.

1922

MIDDLE EAST

653

51945

RE: 15 OCT 22

Foreign Office
C 14136/1953/19

DATE
14th October

FOR CIRCULATION :-

Mr. Sully
Major Young
Mr. 19/10
Mr. Grindle
Sir H. Lambert
Sir H. Read 20/10/22
Sir J. Masterton Smith
Mr. Wood
Mr. Churchill

SUBJECT
JUBALAND

CESSION TO ITALY

Enclosed copy of letter to Italian Ambassador re denunciation by the Italian Govt of the agreement with Greece re the Dodecanese Islands and pointing out such action will logically entail cancellation of agreements made by H.M.G. as to cessions to Italy in Africa.

Previous Paper

S
44437

MINUTES

circulate and put / - by

6/10

Major Young may like to see letter

at once

19/10

Sir H. Read

This paper only touched lightly upon the Middle East, and the gist of it, so far as the C.O. is concerned, is contained in paragraph 8. Jubaland. I think the paper should be transferred

File

8/10/22

Subsequent Paper

1922

14/10

1922