

N° 3767.

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GRANDE-BRETAGNE  
ET IRLANDE DU NORD,  
CANADA, AUSTRALIE,  
NOUVELLE-ZÉLANDE, INDE  
ET POLOGNE

Convention relative au jaugeage des navires  
de commerce, signée à Varsovie, le 16 avril  
1934, et échange de notes relatif à l'appli-  
cation de ladite convention à la Ville libre  
de Dantzig, Londres, le 26 juin 1936.

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GREAT BRITAIN  
AND NORTHERN IRELAND,  
- CANADA, AUSTRALIA,  
NEW ZEALAND, INDIA  
AND POLAND

Convention relating to the Tonnage Measure-  
ment of Merchant Ships, signed at War-  
saw, April 16th, 1934, and Exchange of  
Notes regarding the Application to the Free  
City of Danzig of the said Convention.  
London, June 26th, 1936.

No. 3767. — CONVENTION<sup>1</sup> BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND AND INDIA, AND THE PRESIDENT OF THE REPUBLIC OF POLAND RELATING TO THE TONNAGE MEASUREMENT OF MERCHANT SHIPS. SIGNED AT WARSAW, APRIL 16TH, 1934.

*English and Polish official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Convention took place November 20th, 1935.*

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and THE PRESIDENT OF THE REPUBLIC OF POLAND,

Recognising the desirability of making arrangements for the reciprocal recognition of certificates of registry and other national documents relating to the measurement of tonnage of merchant ships,

Have resolved to conclude a Convention for that purpose and to that end have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

The Right Honourable Sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O.,  
Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw ;

FOR THE DOMINION OF CANADA :

The Right Honourable Sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O.,  
Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw ;

FOR THE COMMONWEALTH OF AUSTRALIA :

The Right Honourable Sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O.,  
Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw ;

FOR THE DOMINION OF NEW ZEALAND :

The Right Honourable Sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O.,  
Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw ;

FOR INDIA :

The Right Honourable Sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O.,  
Ambassador Extraordinary and Plenipotentiary of His Majesty at Warsaw ;

THE PRESIDENT OF THE REPUBLIC OF POLAND :

Monsieur Józef BECK, Minister for Foreign Affairs ;

<sup>1</sup> The exchange of ratifications took place at London, March 21st, 1935.

Who, having communicated their full powers, found in good and due form, have agreed as follows :

*Article 1.*

Subject to the provisions of Articles 6 and 7 of this Convention, the territories of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India (hereinafter referred to as His Majesty) to which this Convention applies are the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, including for this purpose Papua and Norfolk Island, New Zealand, Newfoundland and India, all British colonies and protectorates and all mandated territories in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom, His Majesty's Government in the Commonwealth of Australia or His Majesty's Government in New Zealand.

Any reference in subsequent Articles of the present Convention to the territories of His Majesty shall be deemed to relate to those territories of His Majesty to which the Convention applies.

*Article 2.*

In view of the fact that the existing laws and regulations in the territories of His Majesty in regard to measurement of tonnage of merchant ships are in substantial agreement with those of Poland, ships furnished with certificates of registry and other national papers duly issued by the competent authorities of some part of the territories of his Majesty shall be deemed by the Polish authorities to be of the tonnage denoted in the said documents, and shall be exempted from being remeasured in any port or place in Poland, on condition that similar terms shall be accorded to Polish ships equipped with certificates of registry or other national papers duly issued by the competent Polish authorities on or after the 30th November, 1927, and that such ships shall be exempted from being remeasured in any port or place within the territories of His Majesty.

*Article 3.*

The High Contracting Parties agree that the Government of the Republic of Poland to whom it pertains to ensure the conduct of the foreign relations of the Free City of Danzig in virtue of Article 104 of the Treaty of Peace, signed at Versailles on the 28th June, 1919, and of Articles 2 and 6 of the Convention<sup>1</sup> concluded between Poland and the Free City of Danzig on the 9th November 1920, may at any time while the present Convention is in force declare by a notification made through the diplomatic channel that the Free City of Danzig is a Contracting Party to this Convention and that the Free City assumes the obligations and acquires the rights deriving therefrom, subject to such conditions as may be agreed upon in the notes to be exchanged for giving effect to such declaration.

*Article 4.*

The President of the Republic of Poland may by a twelve months' notice given in writing through the diplomatic channel terminate this Convention either collectively in respect of all territories of His Majesty or separately in respect of the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand, Newfoundland or India respectively.

*Article 5.*

His Majesty may terminate this Convention collectively or separately in respect of the United Kingdom, Canada, the Commonwealth of Australia, New Zealand, Newfoundland or India by a twelve months' notice in writing through the diplomatic channel.

<sup>1</sup> Vol. VI, page 189 ; and Vol. CVII, page 459, of this Series.

*Article 6.*

The separate termination of this Convention, under Articles 4 or 5, in respect of the United Kingdom of Great Britain and Northern Ireland shall also terminate it in respect of all British colonies, all British protectorates and all mandated territories in respect of which the mandate is exercised by His Majesty's Government in the United Kingdom, and its provisions shall upon such termination cease to apply to all ships registered therein.

*Article 7.*

The separate termination of this Convention under Articles 4 or 5 in respect of Canada, the Commonwealth of Australia, New Zealand, Newfoundland or India shall also terminate it in respect of the territories under the authority or jurisdiction of His Majesty's Government in Canada, or in the Commonwealth of Australia, or in New Zealand, or in Newfoundland or the Government of India respectively and its provisions shall upon such termination cease to apply to ships registered in such territories.

*Article 8.*

The present Convention shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force thirty days from the date of the exchange of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Warsaw in duplicate, each in the English and Polish languages, both of which shall have equal force, the 16th day of April, 1934.

For Great Britain and Northern Ireland :  
William ERSKINE.

For the Dominion of Canada :  
William ERSKINE.

For the Commonwealth of Australia :  
William ERSKINE.

For the Dominion of New Zealand :  
William ERSKINE.

For India :  
William ERSKINE.

For the Republic of Poland :  
J. BECK.

<sup>1</sup> TRADUCTION. — TRANSLATION.

N<sup>o</sup> 3767. — CONVENTION ENTRE SA MAJESTÉ POUR LE ROYAUME-UNI, LE CANADA, LE COMMONWEALTH D'AUSTRALIE, LA NOUVELLE-ZÉLANDE ET L'INDE, ET LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, RELATIVE AU JAUGEAGE DES NAVIRES DE COMMERCE. SIGNÉE A VARSOVIE, LE 16 AVRIL 1934.

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES, et LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, Reconnaisant qu'il convient de prendre des arrangements en vue de la reconnaissance réciproque des certificats d'immatriculation et autres documents nationaux concernant le jaugeage des navires de commerce,

Ont décidé de conclure une convention à cette fin et ont, à cet effet, désigné pour leurs plénipotentiaires :

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES :

POUR LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD :

Le très honorable sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., ambassadeur extraordinaire et plénipotentiaire de Sa Majesté à Varsovie ;

POUR LE DOMINION DU CANADA :

Le très honorable sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., ambassadeur extraordinaire et plénipotentiaire de Sa Majesté à Varsovie ;

POUR LE COMMONWEALTH D'AUSTRALIE :

Le très honorable sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., ambassadeur extraordinaire et plénipotentiaire de Sa Majesté à Varsovie ;

POUR LE DOMINION DE LA NOUVELLE-ZÉLANDE :

Le très honorable sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., ambassadeur extraordinaire et plénipotentiaire de Sa Majesté à Varsovie ;

POUR L'INDE :

Le très honorable sir William Augustus Forbes ERSKINE, G.C.M.G., M.V.O., ambassadeur extraordinaire et plénipotentiaire de Sa Majesté à Varsovie ;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE :

Monsieur Józef BECK, ministre des Affaires étrangères ;

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

## ÉCHANGE DE NOTES

ENTRE LES GOUVERNEMENTS DE SA MAJESTÉ DANS LE ROYAUME-UNI, AU CANADA, DANS LE COMMONWEALTH D'AUSTRALIE ET EN NOUVELLE-ZÉLANDE ET LE GOUVERNEMENT DE L'INDE, ET LE GOUVERNEMENT POLONAIS RELATIF A L'APPLICATION A LA VILLE LIBRE DE DANTZIG DE LA CONVENTION RELATIVE AU JAUGEAGE DES NAVIRES DE COMMERCE, SIGNÉE A VARSOVIE, LE 16 AVRIL 1934. LONDRES, LE 26 JUIN 1936.

*Communiqué par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne, le 7 octobre 1936.*

## EXCHANGE OF NOTES

BETWEEN HIS MAJESTY'S GOVERNMENTS IN THE UNITED KINGDOM, CANADA, THE COMMONWEALTH OF AUSTRALIA, NEW ZEALAND AND THE GOVERNMENT OF INDIA AND THE POLISH GOVERNMENT REGARDING THE APPLICATION TO THE FREE CITY OF DANTZIG OF THE CONVENTION RELATING TO THE TONNAGE MEASUREMENT OF MERCHANT SHIPS, SIGNED AT WARSAW, APRIL 16TH, 1934. LONDON, JUNE 26TH, 1936.

*Communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain, October 7th, 1936.*

<sup>1</sup> TRADUCTION. — TRANSLATION.

## I.

AMBASSADE DE POLOGNE.

N° 99/WB/II.

LONDRES, le 26 juin 1936.

MONSIEUR LE MINISTRE,

D'ordre de mon gouvernement j'ai l'honneur de porter à la connaissance de Votre Excellence ce qui suit :

1° Le Gouvernement polonais, auquel il appartient d'assurer la conduite des affaires extérieures de la Ville libre de Dantzig, en vertu de l'article 104 du Traité de paix signé à Versailles le 28 juin 1919 et des articles 2 et 6 de la Convention entre la Pologne et la Ville libre de Dantzig signée à Paris le 9 novembre 1920, déclare, en agissant pour la Ville libre de Dantzig et en exécution de l'article 3 de la Convention entre la Pologne et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, le Canada, le Commonwealth d'Australie, la Nouvelle-Zélande et l'Inde, relative à la reconnaissance réciproque des certificats

## I.

POLISH EMBASSY.

No. 99/WB/II.

LONDON, June 26th, 1936.

SIR,

Acting on instructions from my Government, I have the honour to inform Your Excellency :

(1) That the Polish Government, to whom it pertains to ensure the conduct of the foreign relations of the Free City of Danzig in virtue of Article 104 of the Treaty of Peace signed at Versailles on the 28th June, 1919, and of Articles 2 and 6 of the Convention between Poland and the Free City of Danzig signed in Paris on November 9th, 1920, declares on behalf of the Free City of Danzig, and in execution of Article 3 of the Convention between Poland, the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand and India con-

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

de jaugeage des navires, signée à Varsovie le 16 avril 1934, que la Ville libre de Dantzig devient Partie contractante à ladite Convention du 16 avril 1934, en assumant les obligations et acquérant les droits qui en dérivent.

2° D'autre part, le Gouvernement polonais a l'honneur de proposer, conformément à l'article 3 précité, les conditions suivantes dont il est question *in fine* de cet article :

a) L'application de cette Convention du 16 avril 1934 à la Ville libre de Dantzig, ainsi qu'aux navires munis de certificats d'enregistrement ou bien d'autres documents nationaux dûment délivrés par les autorités compétentes dantziennes le 14 juin 1922 ou après cette date, sera effectuée de la même manière comme au territoire polonais et aux navires munis de documents polonais.

b) Conformément aux conditions prévues à ses articles 4, 5 et 6, la Convention du 16 avril 1934 pourra être abrogée par chacune des Hautes Parties contractantes séparément en ce qui concerne son application à la Ville libre de Dantzig.

c) La dénonciation éventuelle par la Pologne de la Convention du 16 avril 1934, conformément à son article 4, ne prendra effet en ce qui concerne la Ville libre de Dantzig que si la notification du Gouvernement polonais contient une clause spéciale à cette fin.

d) L'application de la Convention du 16 avril 1934 sur le territoire de la Ville libre de Dantzig produira ses effets à partir du quinzième jour suivant la date de la réception de la réponse de la part de Votre Excellence constatant que les conditions ci-dessus proposées sont acceptées par les Gouvernements de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, dans le Canada, dans le Commonwealth d'Australie et dans la Nouvelle-Zélande, ainsi que par le Gouvernement de l'Inde.

Je serais obligé à Votre Excellence de vouloir bien m'accuser réception de la présente note et de m'informer si les Gouvernements de Sa Majesté dans le Royaume-Uni, dans le Canada, dans le

cernant le reciprocal recognition of tonnage certificates signed at Warsaw on April 16th, 1934, that the Free City of Danzig is a Contracting Party to this Convention of April 16th, 1934, and assumes the obligations and acquires the rights deriving therefrom.

(2) Moreover, the Polish Government has the honour to propose, in accordance with Article 3 above, the following conditions mentioned at the end of this Article:

(a) This Convention of April 16th, 1934, shall apply to the Free City of Danzig and to ships furnished with certificates of registry or other national patents duly issued by the competent Danzig authorities on or after June 14th, 1922, in the same way as to Polish territory and ships furnished with Polish documents.

(b) In conformity with the provisions of its Articles 4, 5 and 6, the Convention of April 16th, 1934, may be terminated by each of the High Contracting Parties separately in so far as its application to the Free City of Danzig is concerned.

(c) Notice of the termination of the Convention of April 16th, 1934, given by Poland in accordance with its Article 4 shall only take effect in respect of the Free City of Danzig if it contains a special clause to that effect.

(d) The application of the Convention of April 16th, 1934, in the territory of the Free City of Danzig shall take effect as from the fifteenth day following on the date of the reception of your reply stating that these conditions are accepted by His Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia, New Zealand and by the Government of India.

I should be obliged if you would be good enough to acknowledge receipt of the present note and would inform me whether the Governments of His Majesty in the United Kingdom, in Canada, in

Commonwealth d'Australie et dans la Nouvelle-Zélande ainsi que le Gouvernement de l'Inde acceptent les conditions prévues dans cette note.

Je saisis cette occasion pour présenter à Votre Excellence les assurances de ma plus haute considération, avec laquelle j'ai l'honneur d'être, Monsieur le Ministre, de Votre Excellence le très dévoué et obéissant serviteur.

E. RACZYŃSKI,  
*Ambassadeur extraordinaire  
et plénipotentiaire.*

Son Excellence  
le très honorable  
Anthony Eden, M.C., M.P.,  
Principal Secrétaire d'Etat  
pour les Affaires étrangères,  
Foreign Office, S.W.I.

II.

FOREIGN OFFICE, S. W. I.  
No. C. 4608/155/55.

*June 26th, 1936.*

YOUR EXCELLENCY,

On behalf of His Majesty's Governments in the United Kingdom of Great Britain and Northern Ireland, Canada, the Commonwealth of Australia and New Zealand and the Government of India, I have the honour to acknowledge the receipt of Your Excellency's note of the 26th June in which you notified me of the application to the Free City of Danzig of the Convention for the reciprocal recognition of certificates of registry and other national papers, signed at Warsaw on the 16th April, 1934, in accordance with Article 3 thereof.

2. In reply I have the honour to inform Your Excellency that His Majesty's Governments in the United Kingdom, Canada, the Commonwealth of Australia and New Zealand and the

the Commonwealth of Australia, in New Zealand and the Government of India concur in the conditions set forth in this note.

I have the honour to be, etc.

E. RACZYŃSKI,  
*Ambassador Extraordinary  
and Plenipotentiary.*

His Excellency  
The Rt. Hon. Anthony Eden, M.C., M.P.,  
Principal Secretary of State  
for Foreign Affairs,  
Foreign Office, S.W.I.

II.

FOREIGN OFFICE, S.W.I.  
No C. 4608/155/55.

*Le 26 juin 1936.*

MONSIEUR L'AMBASSADEUR,

D'ordre des Gouvernements de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, au Canada, dans le Commonwealth d'Australie et en Nouvelle-Zélande, ainsi que du Gouvernement de l'Inde, j'ai l'honneur d'accuser réception de la note de Votre Excellence du 26 juin, par laquelle vous avez bien voulu me notifier l'application à la Ville libre de Dantzig de la Convention pour la reconnaissance réciproque des certificats d'immatriculation et autres documents nationaux, signée à Varsovie le 16 avril 1934, conformément à l'article 3 de cette convention.

2. En réponse, j'ai l'honneur de porter à la connaissance de Votre Excellence que les Gouvernements de Sa Majesté dans le Royaume-Uni, au Canada, dans le Commonwealth d'Aus-



Government of India concur in the conditions set forth in your note for the application of the Convention to Danzig, which will accordingly take effect on the 11th July.

I have the honour to be, with the highest consideration, Your Excellency's obedient Servant.

(For the Secretary of State) :  
Orme SARGENT.

His Excellency  
Count Edward Raczyński,  
etc., etc., etc.

tralie et en Nouvelle-Zélande et le Gouvernement de l'Inde acceptent les conditions prévues dans la note de Votre Excellence pour l'application de la Convention à Dantzig, qui, en conséquence, sera effective à partir du 11 juillet.

Veillez agréer, etc.

Pour le Secrétaire d'Etat :  
Orme SARGENT.

Son Excellence  
le comte Edouard Raczyński,  
etc., etc., etc.