

N° 3813.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET PAYS-BAS**

Echange de notes comportant un accord relatif à l'exonération réciproque des droits de douane et autres sur les carburants et lubrifiants d'aéronefs. Londres, le 30 décembre 1935.

**GREAT BRITAIN
AND NORTHERN IRELAND
AND THE NETHERLANDS**

Exchange of Notes constituting an Agreement regarding the Reciprocal Exemption from the Payment of Customs and Other Duties on Aircraft Fuel and Lubricants. London, December 30th, 1935.

No. 3813. — EXCHANGE OF NOTES¹ BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE NETHERLANDS GOVERNMENT CONSTITUTING AN AGREEMENT REGARDING THE RECIPROCAL EXEMPTION FROM THE PAYMENT OF CUSTOMS AND OTHER DUTIES ON AIRCRAFT FUEL AND LUBRICANTS. LONDON, DECEMBER 30TH, 1935.

English official text communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain and by the Netherlands Minister for Foreign Affairs. The registration of this Exchange of Notes took place January 24th, 1936.

I.

FOREIGN OFFICE, S.W.1.

No. W 10257/585/13.

December 30th, 1935.

SIR,

I have the honour to inform you that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are desirous of concluding with the Netherlands Government a provisional Agreement for the reciprocal exemption of aircraft from the payment of Customs and other duties on fuel and lubricants and propose that it should consist of the following provisions :

I. The Government of the United Kingdom will accord in the United Kingdom to all aircraft registered in the Netherlands the following facilities :

(i) On the arrival of the aircraft in the United Kingdom the fuel and the lubricants contained in the tanks installed in the aircraft shall be admitted free of Customs or other duties, it being understood, however, that no quantity of such fuel or lubricants may be removed from the aircraft without paying duty.

(ii) On the departure of the aircraft from a Customs aerodrome in the United Kingdom for a destination abroad, the fuel and lubricants intended for use on the journey shall be delivered free of Customs or other duties, it being understood, however, that in the event of the aircraft landing again before leaving the United Kingdom the grant of exemption may be subject to certain prescribed conditions.

(iii) The exemption contemplated under sub-paragraph (ii) may be accorded in the form of a restitution of duties paid.

¹ Came into force December 30th, 1935.

¹ TRADUCTION. — TRANSLATION.

N^o 3813. — ÉCHANGE DE NOTES ² ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT NÉERLANDAIS COMPORTANT UN ACCORD RELATIF A L'EXONÉRATION RÉCIPROQUE DES DROITS DE DOUANE ET AUTRES SUR LES CARBURANTS ET LUBRIFIANTS D'AÉRONEFS. LONDRES, LE 30 DÉCEMBRE 1935.

Texte officiel anglais communiqué par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne et le ministre des Affaires étrangères des Pays-Bas. L'enregistrement de cet échange de notes a eu lieu le 24 janvier 1936.

I.

FOREIGN OFFICE, S.W. 1.

N^o W. 10257/585/13.

Le 30 décembre 1935.

MONSIEUR LE MINISTRE,

J'ai l'honneur de porter à votre connaissance que le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord est désireux de conclure avec le Gouvernement des Pays-Bas un accord provisoire pour l'exonération réciproque des droits de douane et autres sur les carburants et lubrifiants des aéronefs et propose que cet accord comporte les dispositions suivantes :

1. Le Gouvernement du Royaume-Uni accordera dans le Royaume-Uni à tout aéronef immatriculé dans les Pays-Bas les facilités spécifiées ci-après :

(i) A l'arrivée de l'aéronef dans le Royaume-Uni, les carburants et les lubrifiants que contiennent les réservoirs installés à bord seront admis en franchise de droits de douane ou autres droits, étant entendu toutefois qu'il ne pourra être sorti de l'aéronef aucune quantité de ces carburants ou lubrifiants sans payer de droits.

(ii) Au départ de l'aéronef d'un aérodrome douanier du Royaume-Uni pour l'étranger, les carburants et lubrifiants destinés à être utilisés en cours de voyage seront délivrés franco de droits de douane ou autres, étant entendu toutefois que dans le cas où l'aéronef atterrirait à nouveau avant de quitter le Royaume-Uni, l'octroi de l'exonération pourra être subordonné à certaines prescriptions.

(iii) L'exonération envisagée à l'alinéa (ii) ci-dessus pourra être accordée sous forme de restitution des droits versés.

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

¹ Translated by the Secretariat of the League of Nations, for information.

² Entré en vigueur le 30 décembre 1935.

(iv) A Customs aerodrome is an aerodrome open to the public at which a Customs service is in regular operation.

2. The Government of the Netherlands will reciprocally accord in the Netherlands to all aircraft registered in the United Kingdom facilities equivalent to those indicated above.

3. The Government of the United Kingdom may, at any time, by means of a notification to the Netherlands Government through the diplomatic channel extend the present Agreement to any British colony, overseas territory, protectorate, or any mandated territory in respect of which the mandate is exercised by the Government of the United Kingdom, and on such notification being received :

(a) Aircraft registered in the territory or territories named in the notification shall, in the Netherlands and in any other territory to which the Agreement shall have been or shall thereafter be extended under paragraph 4 below, be entitled to the same benefits as are provided for in paragraph 2 of this Agreement in respect of United Kingdom aircraft in the Netherlands ; and

(b) Aircraft registered in the Netherlands, or in any territory to which the present Agreement shall have been or shall thereafter be extended in accordance with the provisions of paragraph 4 below, shall, in the territory or territories named in the notification, be entitled to the same benefits as are provided for in paragraph 1 of this Agreement in respect of Netherlands aircraft in the United Kingdom.

4. Similarly, the Government of the Netherlands may at any time, by means of a notification to the Government of the United Kingdom, extend the present Agreement to any overseas territory of the Kingdom of the Netherlands and on the receipt of such notification :

(a) Aircraft registered in the territory or territories mentioned in the notification shall, in the United Kingdom, and in any territory to which the Agreement shall have been or shall thereafter be extended under paragraph 3 above, be entitled to the same benefits as are provided for in paragraph 1 of this Agreement in respect of Netherlands aircraft in the United Kingdom ; and

(b) Aircraft registered in the United Kingdom or in any territory to which the present Agreement shall have been or shall thereafter be extended in accordance with paragraph 3 shall, in the territory or territories mentioned in the notification, be entitled to the same privileges as are provided for in paragraph 2 of this Agreement in respect of United Kingdom aircraft in the Netherlands.

5. Any extension of the present Agreement, by notification under paragraph 3 or 4 above, may be separately terminated by either Government by means of a notice given to the other Government of their desire to terminate such extension. Any such notice shall take effect three months after the date on which it is given.

6. The present Agreement shall come into force immediately and shall remain in force until three months after the date on which either Government shall have given to the other notice of the termination of the Agreement.

7. I have the honour to propose that the present note and your reply in similar terms be regarded as constituting a formal Agreement on this matter between the two Governments.

I have the honour to be, with the highest consideration, Sir, Your obedient Servant.

Anthony EDEN.

Jonkheer R. de Marees van Swinderen, G.C.V.O.,
etc., etc., etc.

II.

NETHERLANDS LEGATION.

No. 1907.

LONDON, December 30th, 1935.

SIR,

I have the honour to acknowledge your note of to-day's date stating that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are desirous of concluding with the Netherland Government a provisional Agreement for the reciprocal exemption of aircraft from the payment of Customs and other duties on fuel and lubricants and in the following terms :

1. The Government of the United Kingdom will accord in the United Kingdom to all aircraft registered in the Netherlands the following facilities :

(i) On the arrival of the aircraft in the United Kingdom the fuel and the lubricants contained in the tanks installed in the aircraft shall be admitted free of Customs or other duties, it being understood, however, that no quantity of such fuel or lubricants may be removed from the aircraft without paying duty.

(ii) On the departure of the aircraft from a Customs aerodrome in the United Kingdom for a destination abroad, the fuel and lubricants intended for use on the journey shall be delivered free of Customs or other duties, it being understood, however, that in the event of the aircraft landing again before leaving the United Kingdom, the grant of exemption may be subject to certain prescribed conditions.

(iii) The exemption contemplated under sub-paragraph (ii) may be accorded in the form of a restitution of duties paid.

(iv) A Customs aerodrome is an aerodrome open to the public at which a Customs service is in regular operation.

2. The Government of the Netherlands will reciprocally accord in the Netherlands to all aircraft registered in the United Kingdom facilities equivalent to those indicated above.

3. The Government of the United Kingdom may, at any time, by means of a notification to the Netherland Government through the diplomatic channel extend the present Agreement to any British colony, overseas territory, protectorate, or any mandated territory in respect of which the mandate is exercised by the Government of the United Kingdom, and on such notification being received :

(a) Aircraft registered in the territory or territories named in the notification shall, in the Netherlands and in any other territory to which the Agreement shall have been or shall thereafter be extended under paragraph 4 below, be entitled to the same benefits as are provided for in paragraph 2 of this Agreement in respect of United Kingdom aircraft in the Netherlands ; and

(b) Aircraft registered in the Netherlands, or in any territory to which the present Agreement shall have been or shall thereafter be extended in accordance with the provisions of paragraph 4 below, shall, in the territory or territories named in the notification, be entitled to the same benefits as are provided for in paragraph 1 of this Agreement in respect of Netherland aircraft in the United Kingdom.

4. Similarly, the Government of the Netherlands may at any time, by means of a notification to the Government of the United Kingdom, extend the present Agreement to any overseas territory of the Kingdom of the Netherlands and on the receipt of such notification :

(a) Aircraft registered in the territory or territories mentioned in the notification shall, in the United Kingdom, and in any territory to which the Agreement shall

have been or shall thereafter be extended under paragraph 3 above, be entitled to the same benefits as are provided for in paragraph 1 of this Agreement in respect of Netherland aircraft in the United Kingdom; and

(b) Aircraft registered in the United Kingdom or in any territory to which the present Agreement shall have been or shall thereafter be extended in accordance with paragraph 3 shall, in the territory or territories mentioned in the notification, be entitled to the same privileges as are provided for in paragraph 2 of this Agreement in respect of United Kingdom aircraft in the Netherlands.

5. Any extension of the present Agreement, by notification under paragraph 3 or 4 above, may be separately terminated by either Government by means of a notice given to the other Government of their desire to terminate such extension. Any such notice shall take effect three months after the date on which it is given.

6. The present Agreement shall come into force immediately and shall remain in force until three months after the date on which either Government shall have given to the other notice of the termination of the Agreement.

7. I am authorised to state that the Netherland Government accept the above proposals and agree that the present note and your note of to-day's date shall be regarded as constituting a formal Agreement between the two Governments.

I have the honour to remain, with the highest consideration, Sir, Your obedient Servant.

R. DE MAREES VAN SWINDEREN.

The Right Honourable
Anthony Eden, M.C., M.P.,
etc., etc., etc.