

**GRANDE-BRETAGNE
ET IRLANDE DU NORD ET POLOGNE**

Accord concernant la limitation des armements navals et l'échange de renseignements relatifs aux constructions navales, et protocole de signature, signés à Londres, le 27 avril 1938, échange de notes y relatif de la même date, et protocole modifiant l'accord susmentionné, signé à Londres, le 22 juillet 1938.

Textes officiels anglais et polonais communiqués par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement a eu lieu le 15 mars 1939.

**GREAT BRITAIN
AND NORTHERN IRELAND AND POLAND**

Agreement providing for the Limitation of Naval Armament and the Exchange of Information concerning Naval Construction, and Protocol of Signature, signed at London, April 27th, 1938, Exchange of Notes relating thereto of the same Date, and Protocol modifying the above-mentioned Agreement, signed at London, July 22nd, 1938.

English and Polish official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration took place March 15th, 1939.

No. 4535. — AGREEMENT¹ BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE POLISH GOVERNMENT PROVIDING FOR THE LIMITATION OF NAVAL ARMAMENT AND THE EXCHANGE OF INFORMATION CONCERNING NAVAL CONSTRUCTION. SIGNED AT LONDON, APRIL 27TH, 1938.

THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and THE POLISH GOVERNMENT,

Desiring to make provision for the limitation of naval armaments and for the exchange of information concerning naval construction,

Have agreed as follows :

PART I. — DEFINITIONS.

Article 1.

For the purposes of the present Agreement, the following expressions are to be understood in the sense hereinafter defined :

A. — *Standard Displacement.*

(1) The standard displacement of a surface vessel is the displacement of the vessel complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

(2) The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure), fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

(3) The word " ton " except in the expression " metric tons " denotes the ton of 2,240 lb. (1,016 kilog.).

B. — *Categories.*

(1) *Capital Ships* are surface vessels of war belonging to one of the two following sub-categories :

(a) Surface vessels of war, other than aircraft-carriers, auxiliary vessels, or capital ships of sub-category (b), the standard displacement of which exceeds 10,000 tons (10,160 metric tons) or which carry a gun with a calibre exceeding 8 in. (203 mm.).

(b) Surface vessels of war, other than aircraft-carriers, the standard displacement of which does not exceed 8,000 tons (8,128 metric tons) and which carry a gun with a calibre exceeding 8 in. (203 mm.).

¹ The exchange of ratifications took place at London, November 22nd, 1938.

Came into force November 22nd, 1938.

By a communication received in the Secretariat on November 16th, 1939, His Majesty's Secretary of State for Foreign Affairs in the United Kingdom informed the Secretary-General that :

In consequence of the state of war which exists with Germany, and in accordance with Article 24 of this Agreement, all the obligations of His Majesty's Government in the United Kingdom under this Agreement have been suspended indefinitely.

(2) *Aircraft-Carriers* are surface vessels of war, whatever their displacement, designed or adapted primarily for the purpose of carrying and operating aircraft at sea. The fitting of a landing-on or flying-off deck on any vessel of war, provided such vessel has not been designed or adapted primarily for the purpose of carrying and operating aircraft at sea, shall not cause any vessel so fitted to be classified in the category of aircraft-carriers.

The category of aircraft-carriers is divided into two sub-categories as follows :

(a) Vessels fitted with a flight deck, from which aircraft can take off, or on which aircraft can land from the air.

(b) Vessels not fitted with a flight deck as described in (a) above.

(3) *Light Surface Vessels* are surface vessels of war other than aircraft-carriers, minor war vessels or auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 10,000 tons (10,160 metric tons), and which do not carry a gun with a calibre exceeding 8 in. (203 mm.).

The category of light surface vessels is divided into three sub-categories as follows :

(a) Vessels which carry a gun with a calibre exceeding 6.1 in. (155 mm.).

(b) Vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which exceeds 3,000 tons (3,048 metric tons).

(c) Vessels which do not carry a gun with a calibre exceeding 6.1 in. (155 mm.) and the standard displacement of which does not exceed 3,000 tons (3,048 metric tons).

(4) *Submarines* are all vessels designed to operate below the surface of the sea.

(5) *Minor War Vessels* are surface vessels of war, other than auxiliary vessels, the standard displacement of which exceeds 100 tons (102 metric tons) and does not exceed 2,000 tons (2,032 metric tons), provided they have none of the following characteristics :

(a) Mount a gun with a calibre exceeding 6.1 in. (155 mm.).

(b) Are designed or fitted to launch torpedoes.

(c) Are designed for a speed greater than 20 knots.

(6) *Auxiliary Vessels* are naval surface vessels the standard displacement of which exceeds 100 tons (102 metric tons), which are normally employed on fleet duties or as troop transports, or in some other way than as fighting ships, and which are not specifically built as fighting ships, provided they have none of the following characteristics :

(a) Mount a gun with a calibre exceeding 6.1 in. (155 mm.).

(b) Mount more than eight guns with a calibre exceeding 3 in. (76 mm.).

(c) Are designed or fitted to launch torpedoes.

(d) Are designed for protection by armour plate.

(e) Are designed for a speed greater than 28 knots.

(f) Are designed or adapted primarily for operating aircraft at sea.

(g) Mount more than two aircraft-launching apparatus.

(7) *Small Craft* are naval surface vessels the standard displacement of which does not exceed 100 tons (102 metric tons).

C. — Over Age.

Vessels of the following categories and sub-categories shall be deemed to be "over-age" when the undermentioned number of years have elapsed since completion :

	Years
(a) Capital ships	26
(b) Aircraft-carriers	20
(c) Light surface vessels, sub-categories (a) and (b) :	
(i) If laid down before the 1st January, 1920	16
(ii) If laid down after the 31st December, 1919	20
(d) Light surface vessels, sub-category (c)	16
(e) Submarines	13

D. — *Month.*

The word "month" in the present Agreement with reference to a period of time denotes the month of thirty days.

PART II. — LIMITATION.

Article 2.

After the date of the coming into force of the present Agreement, no vessel exceeding the limitations as to displacement or armament prescribed by this Part of the present Agreement shall be acquired by either Contracting Government or constructed by, for or within the jurisdiction of either Contracting Government.

Article 3.

No vessel which at the date of the coming into force of the present Agreement carries guns with a calibre exceeding the limits prescribed by this Part of the present Agreement shall, if reconstructed or modernised, be rearmed with guns of a greater calibre than those previously carried by her.

Article 4.

- (1) No capital ship shall exceed 35,000 tons (35,560 metric tons) standard displacement.
- (2) No capital ship shall carry a gun with a calibre exceeding 16 in. (406 mm.).
- (3) No capital ship of sub-category (a), the standard displacement of which is less than 17,500 tons (17,780 metric tons), shall be laid down or acquired prior to the 1st January, 1943.
- (4) No capital ship, the main armament of which consists of guns of less than 10 in. (254 mm.) calibre, shall be laid down or acquired prior to the 1st January, 1943.

Article 5.

- (1) No aircraft-carrier shall exceed 23,000 tons (23,368 metric tons) standard displacement or carry a gun with a calibre exceeding 6.1 in. (155 mm.).
- (2) If the armament of any aircraft-carrier includes guns exceeding 5.25 in. (134 mm.) in calibre, the total number of guns carried which exceed that calibre shall not be more than ten.

Article 6.

- (1) No light surface vessel of sub-category (b) exceeding 8,000 tons (8,128 metric tons) standard displacement, and no light surface vessel of sub-category (a) shall be laid down or acquired prior to the 1st January, 1943.
- (2) Notwithstanding the provisions of paragraph (1) above, if the requirements of the national security of either Contracting Government are, in the opinion of that Government, materially affected by the actual or authorised amount of construction by any Government of light surface vessels of sub-category (b), or of light surface vessels not conforming to the restrictions of paragraph (1) above, such Contracting Government shall, upon notifying the other Contracting Government of its intentions and the reasons therefor, have the right to lay down or acquire light surface vessels of sub-categories (a) and (b) of any standard displacement up to 10,000 tons (10,160 metric tons) subject to the observance of the provisions of Part III of the present Agreement. The other Contracting Government shall thereupon be entitled to exercise the same right.
- (3) It is understood that the provisions of paragraph (1) above constitute no undertaking expressed or implied to continue the restrictions therein prescribed after the year 1942.

Article 7.

No submarine shall exceed 2,000 tons (2,032 metric tons) standard displacement or carry a gun exceeding 5.1 in. (130 mm.) in calibre.

Article 8.

Every vessel shall be rated at its standard displacement, as defined in Article 1 A of the present Agreement.

Article 9.

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6.1 in. (155 mm.) in calibre.

Article 10.

Vessels which were laid down before the date of the coming into force of the present Agreement, the standard displacement or armament of which exceeds the limitations or restrictions prescribed in this Part of the present Agreement for their category or sub-category, or vessels which before that date were converted to target use exclusively or retained exclusively for experimental or training purposes under the provisions of any previous international agreement, shall retain the category or designation which applied to them before the said date.

PART III. — ADVANCE NOTIFICATION AND EXCHANGE OF INFORMATION.

Article 11.

(1) Each Contracting Government shall communicate every year to the other Contracting Government information, as hereinafter provided, regarding its annual programme for the construction and acquisition of all vessels of the categories and sub-categories mentioned in Article 12 (a), whether or not the vessels concerned are constructed within its own jurisdiction, and periodical information giving details of such vessels and of any alterations to vessels of the said categories or sub-categories already completed.

(2) For the purposes of this and the succeeding Parts of the present Agreement, information shall be deemed to have reached the Government of the United Kingdom on the date on which it is communicated to the British Representative in Warsaw and the Polish Government on the date on which it is communicated to the Polish Representative in London.

(3) This information shall be treated as confidential until published by the Contracting Government supplying it.

Article 12.

The information to be furnished under the preceding Article in respect of vessels constructed by or for a Contracting Government shall be given as follows; and so as to reach the other Contracting Government within the periods or at the times mentioned:

(a) Within the first four months of each calendar year, the Annual Programme of construction of all vessels of the following categories and sub-categories, stating the number of vessels of each category or sub-category and, for each vessel, the calibre of the largest gun. The categories and sub-categories in question are:

Capital Ships:

Sub-category (a).

Sub-category (b).

Aircraft-Carriers:

Sub-category (a).

Sub-category (b).

Light Surface Vessels:

Sub-category (a).

Sub-category (b).

Sub-category (c).

Submarines.

(b) Not less than four months before the date of the laying of the keel, the following particulars in respect of each such vessel :

Name or designation ;
 Category and sub-category ;
 Standard displacement in tons and metric tons ;
 Length at waterline at standard displacement ;
 Extreme beam at or below waterline at standard displacement ;
 Mean draught at standard displacement ;
 Designed horse-power ;
 Designed speed ;
 Type of machinery ;
 Type of fuel ;
 Number and calibre of all guns of 3 in. (76 mm.) calibre and above ;
 Approximate number of guns of less than 3 in. (76 mm.) calibre ;
 Number of torpedo tubes ;
 Whether designed to lay mines ;
 Approximate number of aircraft for which provision is to be made.

(c) As soon as possible after the laying-down of the keel of each such vessel, the date on which it was laid.

(d) Within one month after the date of completion of each such vessel, the date of completion together with all the particulars specified in paragraph (b) above relating to the vessel on completion.

(e) Annually during the month of January, in respect of vessels belonging to the categories and sub-categories mentioned in paragraph (a) above :

(i) Information as to any important alterations which it may have proved necessary to make during the preceding year in vessels under construction, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(ii) Information as to any important alterations made during the preceding year in vessels previously completed, in so far as these alterations affect the particulars mentioned in paragraph (b) above.

(iii) Information concerning vessels which may have been scrapped or otherwise disposed of during the preceding year. If such vessels are not scrapped, sufficient information shall be given to enable their new status and condition to be determined.

(f) Not less than four months before undertaking such alterations as would cause a completed vessel to come within one of the categories or sub-categories mentioned in paragraph (a) above, or such alterations as would cause a vessel to change from one to another of the said categories or sub-categories ; information as to her intended characteristics as specified in paragraph (b) above.

Article 13.

No vessel coming within the categories or sub-categories mentioned in Article 12 (a) shall be laid down by either Contracting Government until after the expiration of a period of four months both from the date on which the Annual Programme in which the vessel is included, and from the date on which the particulars in respect of that vessel prescribed by Article 12 (b), have reached the other Contracting Government.

Article 14.

If a Contracting Government intends to acquire a completed or partially completed vessel coming within the categories or sub-categories mentioned in Article 12 (a), that vessel shall be declared at the same time and in the same manner as the vessels included in the Annual Programme prescribed in the said Article. No such vessel shall be acquired until after the expiration of a period

of four months from the date on which such declaration has reached the other Contracting Government. The particulars mentioned in Article 12 (b), together with the date on which the keel was laid, shall be furnished in respect of such vessel so as to reach the other Contracting Government within one month after the date on which the contract for the acquisition of the vessel was signed. The particulars mentioned in Article 12 (d), (e) and (f) shall be given as therein prescribed.

Article 15.

At the time of communicating the Annual Programme prescribed by Article 12 (a), each Contracting Government shall inform the other Contracting Government of all vessels included in its previous Annual Programmes and declarations that have not yet been laid down or acquired, but which it is the intention to lay down or acquire during the period covered by the first-mentioned Annual Programme.

Article 16.

If, before the keel of any vessel coming within the categories or sub-categories mentioned in Article 12 (a) is laid, any important modification is made in the particulars regarding her which have been communicated under Article 12 (b), information concerning this modification shall be given, and the laying of the keel shall be deferred until at least four months after this information has reached the other Contracting Government.

Article 17.

Neither Contracting Government shall lay down or acquire any vessel of the categories or sub-categories mentioned in Article 12 (a), which has not previously been included in its Annual Programme of construction or declaration of acquisition for the current year or in any earlier Annual Programme or declaration.

Article 18.

If the construction, modernisation or reconstruction of any vessel coming within the categories or sub-categories mentioned in Article 12 (a), which is for the order of a Government not a party to the present Agreement, is undertaken within the jurisdiction of either Contracting Government, that Government shall promptly inform the other Contracting Government of the date of the signing of the contract and shall also give as soon as possible in respect of the vessel all the information mentioned in Article 12 (b), (c) and (d).

Article 19.

Each Contracting Government shall give lists of all its minor war vessels and auxiliary vessels with their characteristics, as enumerated in Article 12 (b), and information as to the particular service for which they are intended, so as to reach the other Contracting Government within one month after the date of the coming into force of the present Agreement; and, so as to reach the other Contracting Government within the month of January in each subsequent year, any amendments in the lists and changes in the information.

Article 20.

Each Contracting Government shall communicate to the other Contracting Government, so as to reach the latter within one month after the date of the coming into force of the present Agreement, particulars, as mentioned in Article 12 (b), of all vessels of the categories or sub-categories mentioned in Article 12 (a), which are then under construction for the first-named Contracting Government, whether or not such vessels are being constructed within its own jurisdiction, together with similar particulars relating to any such vessels then under construction within its own jurisdiction for a Government not a party to the present Agreement.

Article 21.

(1) At the time of communicating the initial Annual Programme of construction and declaration of acquisition, each Contracting Government shall inform the other Contracting

Government of any vessels of the categories or sub-categories mentioned in Article 12 (a), which have been previously authorised and which it is the intention to lay down or acquire during the period covered by the said Programme.

(2) Nothing in this Part of the present Agreement shall prevent either Contracting Government from laying down or acquiring, at any time during the four months following the date of the coming into force of the Agreement, any vessel included, or to be included, in its initial Annual Programme of construction or declaration of acquisition, or previously authorised, provided that the information prescribed by Article 12 (b) concerning each vessel shall be communicated so as to reach the other Contracting Government within one month after the date of the coming into force of the present Agreement.

(3) The initial Annual Programme of construction and declaration of acquisition, to be communicated under Articles 12 (a) and 14, shall reach the other Contracting Government within one month after the date of the coming into force of the present Agreement.

PART IV. — GENERAL AND SAFEGUARDING CLAUSES.

Article 22.

Neither Contracting Government shall, by gift, sale or any mode of transfer, dispose of any of its surface vessels of war or submarines in such a manner that such vessel may become a surface vessel of war or a submarine in any foreign navy. This provision shall not apply to auxiliary vessels.

Article 23.

(1) Nothing in the present Agreement shall prejudice the right of either Contracting Government, in the event of loss or accidental destruction of a vessel, before the vessel in question has become over-age, to replace such vessel by a vessel of the same category or sub-category as soon as the particulars of the new vessel mentioned in Article 12 (b) shall have reached the other Contracting Government.

(2) The provisions of the preceding paragraph shall also govern the immediate replacement, in such circumstances, of a light surface vessel of sub-category (b) exceeding 8,000 tons (8,128 metric tons) standard displacement, or of a light surface vessel of sub-category (a), before the vessel in question has become over-age, by a light surface vessel of the same sub-category of any standard displacement up to 10,000 tons (10,160 metric tons).

Article 24.

(1) If either Contracting Government should become engaged in war, such Contracting Government may, if it considers the naval requirements of its defence are materially affected, suspend, in so far as it is concerned, any or all of the obligations of the present Treaty, provided that such Contracting Government shall promptly notify the other Contracting Government that the circumstances require such suspension, and shall specify the obligations it is considered necessary to suspend.

(2) The other Contracting Government shall in such case promptly examine the situation thus presented with a view to deciding on the obligations of the present Agreement, if any, which that Contracting Government may deem it necessary to suspend; and may in consequence suspend, in so far as it is concerned, any or all of the obligations of the present Agreement, provided that notice is promptly given to the Contracting Government effecting the suspension under the preceding paragraph of the obligations which it is considered necessary to suspend.

(3) On the cessation of hostilities, the Contracting Governments shall consult together with a view to fixing a date upon which the obligations of the Agreement which have been suspended shall again become operative, and to agreeing upon any amendments in the present Agreement which may be considered necessary.

Article 25.

(1) In the event of any vessel not in conformity with the limitations and restrictions as to standard displacement and armament prescribed by Articles 4, 5 and 7 of the present Agreement

being authorised, constructed or acquired by a Government not a party to the present Agreement, each Contracting Government reserves the right to depart if, and to the extent to which, it considers such departures necessary in order to meet the requirements of its national security :

(a) During the remaining period of the Agreement, from the limitation and restrictions of Articles 3, 4, 5, 6 (1) and 7 ; and

(b) During the current year, from its Annual Programmes of construction and declarations of acquisition.

This right shall be exercised in accordance with the following provisions :

(2) Either Contracting Government who considers it necessary that such right should be exercised, shall notify the other Contracting Government to that effect, stating precisely the nature and extent of the proposed departures and the reasons therefor.

(3) The Contracting Governments shall thereupon consult together and endeavour to reach an agreement with a view to reducing to a minimum the extent of the departures which may be made.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the Contracting Governments shall, subject to any agreement which may have been reached to the contrary, be entitled to depart during the remaining period of the present Agreement from the limitations and restrictions prescribed in Articles 3, 4, 5, 6 (1) and 7 thereof.

(5) On the expiration of the period mentioned in the preceding paragraph, either Contracting Government shall be at liberty, subject to any agreement which may have been reached during the consultations provided for in paragraph (3) above, and on informing the other Contracting Government, to depart from its Annual Programmes of construction and declaration of acquisition and to alter the characteristics of any vessels building or which have already appeared in its Programmes or declarations.

(6) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Agreement. The particulars mentioned in Article 12 (b) shall, however, be communicated to the other Contracting Government before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

Article 26.

(1) If the requirements of the national security of either Contracting Government should, in the opinion of that Government, be materially affected by any change of circumstances, other than those provided for in Articles 6 (2), 24 and 25 of the present Agreement, such Contracting Government shall have the right to depart for the current year from its Annual Programmes of construction and declarations of acquisition. The amount of construction by either Government to the Agreement, within the limitations and restrictions thereof, shall not, however, constitute a change of circumstances for the purposes of the present Article. The above-mentioned right shall be exercised in accordance with the following provisions :

(2) Such Contracting Government shall, if it desires to exercise the above-mentioned right, notify the other Contracting Government to that effect, stating in what respects it proposes to depart from its Annual Programmes of construction and declarations of acquisition, giving reasons for the proposed departure.

(3) The Contracting Governments will thereupon consult together with a view to agreement as to whether any departures are necessary in order to meet the situation.

(4) On the expiration of a period of three months from the date of the first of any notifications which may have been given under paragraph (2) above, each of the Contracting Governments shall, subject to any agreement which may have been reached to the contrary, be entitled to depart from its Annual Programmes of construction and declarations of acquisition, provided notice is promptly given to the other Contracting Government stating precisely in what respects it is proposed so to depart.

(5) In such event, no delay in the acquisition, the laying of the keel, or the altering of any vessel shall be necessary by reason of any of the provisions of Part III of the present Agreement. The particulars mentioned in Article 12 (b) shall, however, be communicated to the other Contracting Government before the keels of any vessels are laid. In the case of acquisition, information relating to the vessel shall be given under the provisions of Article 14.

PART V. — FINAL CLAUSES.

Article 27.

The present Agreement shall remain in force until the 31st December, 1942.

Article 28.

(1) The Contracting Governments will, during the last quarter of 1940, consult together with a view to entering into a new agreement for the reduction and limitation of naval armament.

(2) In the course of the consultation referred to in the preceding paragraph, views shall be exchanged in order to determine whether, in the light of the circumstances then prevailing and the experience gained in the interval in the design and construction of capital ships, it may be possible to agree upon a reduction in the standard displacement or calibre of guns of capital ships to be constructed under future annual programmes, and thus, if possible, to bring about a reduction in the cost of capital ships.

Article 29.

None of the provisions of the present Agreement shall constitute a precedent for any future treaty.

Article 30.

The present Agreement shall be ratified and the instruments of ratification shall be exchanged in London as soon as possible. It shall come into force immediately on the exchange of ratifications.

In witness whereof the undersigned, duly authorised to that effect, have signed the present Agreement and have affixed thereto their seals.

Done in duplicate in London, the 27th day of April, 1938, in English and Polish, both texts being equally authentic.

(L. S.) HALIFAX.

(L. S.) Edward RACZYŃSKI.

(L. S.) Duff COOPER.

(L. S.) Tadeusz J. M. STOKLASA.

PROTOCOL OF SIGNATURE.

At the moment of signing the Agreement bearing this day's date, the undersigned, duly authorised to that effect by their respective Governments, have agreed as follows :

1. If, before the coming into force of the above-mentioned Agreement, the naval construction of any Power, or any change of circumstances, should appear likely to render undesirable the coming into force of the Agreement in its present form, the Contracting Governments will consult as to whether it is desirable to modify any of its terms to meet the situation thus presented.

2. The present Protocol, of which the English and Polish texts shall both be equally authentic, shall come into force on this day's date.

In faith whereof the undersigned have signed the present Protocol and have affixed thereto their seals.

Done in London, the 27th day of April, nineteen hundred and thirty-eight.

(L. S.) HALIFAX.

(L. S.) Edward RACZYŃSKI.

(L. S.) Duff COOPER.

(L. S.) Tadeusz J. M. STOKLASA.

EXCHANGE OF NOTES. — POROZUMIENIE.

I. COUNT E. RACZYŃSKI TO LORD HALIFAX.

TEXTE POLONAIS. — POLISH TEXT.

¹ TRADUCTION. — TRANSLATION.

AMBASADA RZECZYPOSPOLITEJ
POLSKIEJ W LONDYNIE.

POLISH EMBASSY.

LONDYN, *dnia 27. kwietnia 1938 r.*LONDON, *April 27th, 1938.*

PANIE MINISTRZE,

SIR,

Przystępując do podpisania Układu z dnia dzisiejszego pomiędzy Rządem Polskim i Rządem Zjednoczonego Królestwa Wielkiej Brytanii i Północnej Irlandii o ograniczeniu zbrojeń morskich, pragnę złożyć następujące oświadczenie w imieniu Rządu Polskiego :

On proceeding to the signature of the Agreement signed this day between the Polish Government and the Government of the United Kingdom of Great Britain and Northern Ireland for the limitation of naval armaments, I desire to make the following statement on behalf of the Polish Government :

(1) Rząd Polski podziela nadzieje Rządu J.Kr.M. w Zjednoczonym Królestwie, że Układ dwustronny pomiędzy Zjednoczonym Królestwem a Polską może przygotować drogę do zawarcia ogólnego Układu w terminie późniejszym, w którym wszystkie zainteresowane kraje mogłyby ewentualnie stać się stronami. Rząd Polski przyjął przeto zobowiązania zawarte w Artykule 4 i 6 Układu z daty dzisiejszej.

(1) The Polish Government share the hope of His Majesty's Government in the United Kingdom that a bilateral agreement between the United Kingdom and Poland may prepare the way for the conclusion of a general agreement at a later date to which all interested countries may eventually become parties. The Polish Government have therefore assumed the obligations contained in Article 4 and Article 6 of the Agreement of to-day's date.

(2) Przyjmując na siebie to zobowiązanie rozumie, że zgodnie z Artykułem 29 żadne z ograniczeń niniejszego Układu nie będzie stanowiło precedensu dla jakiegokolwiek przyszłej budowy, która może nastąpić po 1 stycznia 1943 r., w kategoriach okrętów liniowych i lekkich okrętów nawodnych.

(2) In assuming this obligation they understand that in accordance with Article 29 none of the limitations of the present Treaty shall constitute a precedent for any future construction that may take place after the 1st January, 1943, in the categories of capital ships and light surface vessels.

(3) W tych okolicznościach Rząd Polski zastrzega sobie, po 31. grudnia 1942 r., pełną swobodę co do tego, czy jakiegokolwiek zobowiązanie dotyczące budowy lub nabywania okrętów o wyporności między 8,000 a 17,500 ton może być przyjęte w jakimkolwiek przyszłym traktacie.

(3) In these circumstances, the Polish Government reserve to themselves, after the 31st December, 1942, full liberty as to whether any obligation in regard to the construction or acquisition of war vessels with a displacement between 8,000 tons and 17,500 tons can be undertaken in any future treaty.

Mam zaszczyt, &c.

I have the honour, etc.

Edward RACZYŃSKI,
Ambasador Rzeczypospolitej.

Edward RACZYŃSKI,
Ambassador of the Republic.

¹ Traduction du Foreign Office de Sa Majesté britannique.

¹ Translation of His Britannic Majesty's Foreign Office.

II. LORD HALIFAX TO COUNT E. RACZYŃSKI.

FOREIGN OFFICE.

SIR,

LONDON, *April 27th*, 1938.

I have the honour to acknowledge the receipt of your Excellency's note of to-day's date in which you state that the Polish Government reserve to themselves, after the 31st December, 1942, full liberty as to whether any obligation in regard to the construction or acquisition of war vessels with a displacement between 8,000 tons and 17,500 tons can be undertaken in any future treaty.

2. In reply, I have the honour to assure your Excellency that the statement in question is in accordance with the views of His Majesty's Government in the United Kingdom and is regarded by them as correctly representing the position concerning this matter.

I have, etc.

HALIFAX.

TEXTE POLONAIS. — POLISH TEXT.

PROTOCOL

MODIFYING THE ANGLO-POLISH AGREEMENT OF APRIL 27TH, 1938, FOR THE LIMITATION OF NAVAL ARMAMENT. SIGNED AT LONDON, JULY 22ND, 1938.

Whereas by Article 4 (1) of the Anglo-Polish Naval Agreement signed in London on the 27th April, 1938, it is provided that no capital ships shall exceed 35,000 tons (35,560 metric tons) standard displacement ;

And whereas by paragraph 1 of the Protocol of Signature attached to the said Agreement it is provided that if, before its coming into force, any change of circumstances should appear likely to render undesirable the coming into force of the Agreement in its present form, the signatory Governments are to consult as to whether it is desirable to modify any of its terms ;

And whereas such a change of circumstances has been brought about by the modification which, as a result of recent discussions, has been made in the other Naval Treaties and Agreements by which His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland is bound (viz. : London Naval Treaty¹ of the 25th March, 1936, Anglo-German Naval Agreement² of the 17th July, 1937, and the Anglo-Soviet Naval Agreement³ of the 17th July, 1937) ;

PROTOKOL

ZMENIAJĄCY UKŁAD MORSKIEGO POLSKO-ANGIELSKIEGO Z. 27. KWIETNIA 1938 R. PODPISANY W LONDYNIE DNIA 22-GO, LIPCA 1938 R.

Zważywszy, że zgodnie z art. 4 (1) Układu Morskiego polsko-angielskiego, podpisanego w Londynie 27. kwietnia 1938 r., zostało przewidziane, iż standartowa wyporność okrętów liniowych nie przekroczy 35,000 ton (35,560 ton metrycznych) ;

I zważywszy, że w paragrafie 1. protokołu podpisania załączonego do wspomnianego Układu, zostało przewidziane, iż, jeżeli przed wejściem w życie, jakkolwiek zmiana okoliczności zdawałaby się czynić niepożądanym wejście w życie Układu w jego formie obecnej, Układające Rządy naradzą się, czy jest pożądaną zmiana któregokolwiek z jego postanowień ;

I zważywszy, że na skutek rozmów odbytych w ostatnich czasach, zaszła zmiana okoliczności przez modyfikację wprowadzone w innych Traktatach, i Układach Morskich, zawartych przez Rząd Zjednoczonego Królestwa Wielkiej Brytanii i Północnej Irlandii (a mianowicie : Londyński Traktat¹ Morski z dn. 25. marca 1936 r., Układ² Morski angielsko-niemiecki z 17. lipca 1937 r., Układ³ Morski angielsko-sowiecki z 17. lipca 1937 r.) ;

¹ Vol. CLXXXIV, page 115, of this Series.

² Vol. CLXXXVII, page 43, of this Series.

³ Vol. CLXXXVII, page 93, of this Series.

¹ Vol. CLXXXIV, page 115, de ce recueil.

² Vol. CLXXXVII, page 43, de ce recueil.

³ Vol. CLXXXVII, page 93, de ce recueil.

And whereas consultations on the subject have taken place between His Majesty's Government in the United Kingdom and the Polish Government, as provided in paragraph 1 of the said Protocol of Signature ;

The undersigned, duly authorised by their respective Governments, have agreed as follows :

1. As from this date the figure of 35,000 tons (35,560 metric tons) in Article 4 (1) of the said Anglo-Polish Naval Agreement shall be replaced by the figure of 45,000 tons (45,720 metric tons).

2. The present Protocol, of which the English and Polish texts shall both be equally authentic, shall come into force on the date when the said Naval Agreement comes into force.

In faith whereof the undersigned have signed the present Protocol.

Done in London, the 22nd day of July, 1938.

For the Government of the United Kingdom of Great Britain and Northern Ireland :

Alexander CADOGAN.

For the Polish Government :

Edward RACZYŃSKI.

I zważywszy, że wymieniono poglądy na ten temat pomiędzy Rządem Zjednoczonego Królestwa i Rządem Polskim, jak to przewidziane jest w paragrafie 1. protokołu podpisania ;

Niżej podpisani, należycie do tego upoważnieni przez swe odnośne Rządy, zgodzili się na następujące postanowienia :

1. Z dniem dzisiejszym 35,000 ton (35,560 ton metrycznych) zastrzeżonych w art. 4 (1) wspomnianego Układu Morskiego polsko-angielskiego będzie zastąpione przez 45,000 ton (45,720 ton metrycznych) ;

2. Protokół niniejszy, którego oba teksty polski i angielski będą jednakowo miarodajne, wejdzie w życie w dniu wejścia w życie wspomnianego Układu Morskiego.

Na dowód czego niżej podpisani podpisali Protokół niniejszy.

Sporządzono w Londynie, dnia 22. lipca 1938 r.

Za Rząd Zjednoczonego Królestwa Wielkiej Brytanii i Północnej Irlandii :

Alexander CADOGAN.

Za Rząd Polski :

Edward RACZYŃSKI.