

No. 716.

ALLEMAGNE ET PAYS-BAS.

Traité modifiant le Traité de Commerce et de Navigation, conclu le 31 Décembre 1851, entre les Pays-Bas et la Prusse, celle-ci agissant au nom des autres États de l'Union douanière allemande, signé à Berlin, le 3 Juin 1923.

GERMANY AND THE NETHERLANDS.

Treaty modifying the Treaty of Commerce and Navigation concluded December 31, 1851, between the Netherlands and Prussia, acting on behalf of the other States of the German Customs Union, signed at Berlin, June 3, 1923.

TEXTE ALLEMAND.—GERMAN TEXT.

No. 716.—Übereinkommen⁽¹⁾ zur Abänderung des Handels- und Schifffahrtsvertrages⁽²⁾ abgeschlossen den 31. Dezember 1851 zwischen den Niederlanden einerseits und den durch Preussen vertretenen Staaten des deutschen Zollvereins andererseits, gezeichnet zu Berlin, am 3. Juni 1923.

German and Dutch official texts communicated by the Netherlands Minister at Berne. The registration of this Treaty took place September 8, 1924.

IHRE MAJESTÄT die Königin der Niederlande und der Deutsche Reichspräsident haben in der Erwägung dass es den geänderten Verhältnissen entsprechend ist, in den Bestimmungen des Handels- und Schifffahrtsvertrags zwischen den Niederlanden einerseits und den Staaten des Deutschen Zoll- und Handelsvereins andererseits vom 31. Dezember 1851 Aenderungen vorzunehmen, zu ihren Bevollmächtigten ernannt:

IHRE MAJESTÄT DIE KÖNIGIN DER NIEDERLANDE:

Den Ausserordentlichen Gesandten und Bevollmächtigten Minister in Berlin Herrn Baron Gevers, und

DER DEUTSCHE REICHSPRÄSIDENT:

Den Wirklichen Geheimen Legationsrat und Ministerialdirektor im Auswärtigen Amt Herrn Karl von Stockhammern:

Die nach Prüfung ihrer in guter und gehöriger Form befundenen Vollmachten Nachstehendes vereinbart haben:

Artikel 1.

Die Bestimmungen des vorletzten Absatzes unter (b) und des letzten Absatzes des Artikels 32 des Handels- und Schifffahrtsvertrags zwischen den Staaten des Deutschen Zoll- und Handelsvereins einerseits und den Niederlanden andererseits vom 31. Dezember 1851 fallen weg.

· Absatz 2, Par. 14 des Protokolls zu dem im vorigen Absatz genannten Vertrag fällt gleichfalls weg.

Artikel 2.

Dieser Vertrag und der demgemäss abgeänderte Handels- und Schifffahrtsvertrag zwischen den Staaten des Deutschen Zoll- und

⁽¹⁾ The exchange of ratifications took place at Berlin, July 14, 1924.

⁽²⁾ British and Foreign State Papers, Vol. XL, page 1109.

Zu Urkund dessen haben die beiderseitigen Bevollmächtigten dieses Protokoll unterzeichnet.

Geschehen in doppelter Ausfertigung in niederländischer und deutscher Sprache zu Berlin am 3. Juni Eintausendneuhundert-dreiundzwanzig.

GEVERS.

V. STOCKHAMMERN.

Translation.⁽¹⁾

No. 716.—Treaty between Germany and the Netherlands modifying the Treaty of Commerce and Navigation concluded December 31, 1851, between the Netherlands and Prussia, acting on behalf of the other States of the German Customs Union, signed at Berlin, June 3, 1923.

HER MAJESTY the Queen of the Netherlands and the President of the German Reich, being of opinion

That the changes which have supervened in the situation have rendered it necessary to modify the provisions of the Treaty of Commerce and Navigation, concluded on December 31, 1851, between the Netherlands of the one part, and the States of the German Customs and Commercial Union, of the other part,

Have appointed as their Plenipotentiaries :—

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

Baron Gevers, Minister Extraordinary and Minister Plenipotentiary at Berlin; and

THE PRESIDENT OF THE GERMAN REICH :

M. Karl von Stockhammern, Privy Councillor of Legation and Director in the Ministry for Foreign Affairs;

Who, after having exchanged their full powers, which were found in good and due form, have agreed upon the following provisions :—

Article 1.

The provisions of the penultimate paragraph, sub-head (b), and of the last paragraph of Article 32 of the Treaty of Commerce and Navigation concluded on December 31, 1851, between the States of the German Customs and Commercial Union of the one part, and the Netherlands of the other part, shall be abrogated.

Article 2.

The present Treaty and the Treaty of Commerce and Navigation, concluded on December 31, 1851, between the States of the

⁽¹⁾ Translated by the Secretariat of the League of Nations.

German Customs and Commercial Union of the one part, and the Netherlands of the other part, modified in accordance with the present Treaty, shall remain in force without being liable to denunciation for three years. Upon the expiration of this time-limit, the clause relating to termination in Article 35 of the above-mentioned Treaty, dated December 31, 1851, shall again come into force.

Article 3.

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at Berlin as early as possible. It shall come into force fourteen days after the exchange of the instruments of ratification, and shall not itself be liable to denunciation.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Treaty and have thereto affixed their seals.

Done in duplicate, in the Dutch and German languages at Berlin, June 3, 1923.

(L.S.)	GEVERS.
(L.S.)	V. STOCKHAMMERN.

Protocol.

When signing on this day the Treaty concluded between the Netherlands and Germany with a view to modifying the Treaty of Commerce and Navigation signed on December 31, 1851, between the Netherlands of the one part, and the States of the German Customs and Commercial Union of the other part, the Plenipotentiaries of the two Contracting Parties have declared as follows :—

§ 1.

The two High Contracting Parties are agreed that the importation of German agricultural and industrial products into the Netherlands East Indies shall still continue to be governed by the provisions of the Treaty of Commerce and Navigation concluded on December 31, 1851, between the States of the German Customs and Commercial Union of the one part, and the Netherlands of the other part, in particular by Article 31, and, in consequence, also by Article 3.

§ 2.

In the event of restrictions on imports being actually in force, or if it is proposed to introduce them, in territories of one of the High Contracting Parties, each of the Parties shall give favourable consideration to requests of the other Party for derogations or for the granting of facilities of any other kind.

§ 3.

The present Protocol shall form an integral part of the above-mentioned Treaty, signed on this day, and shall remain in force as long as that Treaty. The ratification of the said Treaty shall be considered as a ratification of the present Protocol.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Protocol.

Done in duplicate, in the Dutch and German languages, at Berlin, on June 3, 1924.

GEVERS.

v. STOCKHAMMERN.