

N° 4638.

BELGIQUE ET PAYS-BAS

Convention relative aux prêts hypothécaires sur navires et bateaux. Signée à Bruxelles, le 17 décembre 1938.

Textes officiels français et néerlandais communiqués par les ministres des Affaires étrangères des Pays-Bas et de Belgique. L'enregistrement a eu lieu le 21 septembre 1939.

BELGIUM AND THE NETHERLANDS

Convention regarding Mortgage Loans on Ships and Boats. Signed at Brussels, December 17th, 1938.

French and Dutch official texts communicated by the Netherlands and Belgian Ministers for Foreign Affairs. The registration took place September 21st, 1939.

TRADUCTION. — TRANSLATION.

No. 4638. — CONVENTION BETWEEN BELGIUM AND THE NETHERLANDS REGARDING MORTGAGE LOANS ON SHIPS AND BOATS. SIGNED AT BRUSSELS, DECEMBER 17TH, 1938.

HER MAJESTY THE QUEEN OF THE NETHERLANDS
and

HIS MAJESTY THE KING OF THE BELGIANS,

Recognising the desirability of according exceptional treatment to Netherlands banks engaging in inland and maritime shipping bond (bottomry bond) business in connection with the application of certain provisions of the Belgian Royal Order No. 225 of January 7th, 1936, for the Regulation of Mortgage Loans and the Organisation of Control of Mortgage Loan Undertakings, as also of the Belgian Royal Order of June 30th, 1936, for the General Regulation of the Control of Mortgage Loan Undertakings, have decided to conclude a Convention for the purpose and have appointed as their Plenipotentiaries :

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

Baron VAN HARINXMA THOE SLOOTEN, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at Brussels ;

HIS MAJESTY THE KING OF THE BELGIANS :

M. Paul-Henri SPAAK, His Majesty's Prime Minister and Minister for Foreign Affairs and External Trade ;

Who, having communicated to each other their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

Undertakings duly constituted under Netherlands law and engaging solely in bottomry bond business, which do a part of their business in Belgium and are specially approved by the Belgian Government, shall be exempted from the obligations provided for in paragraphs 3, 4, 5 and 6 of Article 38 of Royal Order No. 225 of January 7th, 1936, and the corresponding executory provisions of Royal Order of June 30th, 1936.

Mortgage loans within the meaning of the present Article shall be deemed to mean transactions by the undertakings referred to in Section II, Chapter I, of the said Royal Order No. 225.

Article 2.

Notwithstanding the provisions of Article 39 of Royal Order No. 225 of January 7th, 1936, and Article 13 of the Royal Order of June 30th, 1936, undertakings of the kind referred to in the first paragraph of the preceding Article shall not be required to communicate their books or accounting or other documents for control purposes in Belgium. They undertake, however, on the request of the Belgian Minister in charge of social welfare questions, to communicate contracts under which they have claims against Belgians, together with the annexes thereto.

Article 3.

Applications for approval, which shall be made through the diplomatic channel to the Belgian Minister for Public Works, shall embody the statement referred to in which Article 35, paragraph 2, of Royal Order No. 225 of January 7th, 1936.

Article 4.

Specially approved undertakings shall designate a representative *vis-à-vis* the Belgian Government to deal with all matters relating to the application of the Royal Orders aforesaid and the provisions of the present Convention.

Article 5.

For all purposes other than those covered by the present Convention, specially approved undertakings shall be governed by the Royal Orders aforesaid of January 7th, 1936, and June 30th, 1936.

Article 6.

The present Convention is drawn up in Dutch and French, both texts being equally authentic. It shall be ratified and shall come into force ten days after the exchange of ratifications. The exchange of ratifications shall take place as soon as possible at The Hague. The Convention is concluded for a period of 10 years from the date of its entry into force. It shall be renewed by tacit assent and shall remain in force until the expiry of a period of 13 months from the date on which either of the Parties declares its wish that the Convention should cease to be operative.

In faith whereof the Plenipotentiaries aforesaid have signed the present Convention and have thereto affixed their seals.

Done at Brussels, in duplicate, this 17th day of December, 1938.

(L. S.) (*Signed*) VAN HARINXMA THOE SLOOTEN. (L. S.) (*Signed*) P. H. SPAAK.