

**No. 141**

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**DENMARK  
and  
NEW ZEALAND**

**Exchange of Notes concerning the release of Danish owings  
barred in New Zealand. Wellington, 22 July and 18 Sep-  
tember 1946**

*English official text communicated by the Permanent Representative of Den-  
mark to the United Nations. The registration took place on 17 November  
1947.*

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**DANEMARK  
et  
NOUVELLE-ZELANDE**

**Echange de notes concernant le déblocage des avoirs danois  
sous séquestre en Nouvelle-Zélande. Wellington, 22 juil-  
let et 18 septembre 1946**

*Texte officiel anglais communiqué par le représentant permanent du Danemark  
auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le  
17 novembre 1947.*

No. 141. EXCHANGE OF NOTES<sup>1</sup> BETWEEN THE GOVERNMENTS OF DENMARK AND NEW ZEALAND IN REGARD TO THE RELEASE OF DANISH OWINGS BARRED IN NEW ZEALAND. WELLINGTON, 22 JULY AND 18 SEPTEMBER 1946

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I

*The Minister of External Affairs to the Consul General of Denmark*

22 July 1946

Sir,

I have the honour to refer to the question of moneys held in New Zealand by the Custodian of Enemy Property under the provisions of the Enemy Property Emergency Regulations which are owing to Danish nationals, and also to the question of amounts claimed by New Zealand persons and concerns from Danish persons and concerns.

A list of amounts so held by the New Zealand Custodian of Enemy Property at the present time is attached. These moneys, after they were received, were invested in New Zealand Government 3 per cent. Inscribed Stock until 15 June, 1945, when all the investments were terminated.

Income tax payable in respect of the interest earned has now been deducted and the sums shown in the column of the List headed "Amounts at Credit", 1 June, 1946 are net. It will be seen from the List, however, that there are a number of cases in which the amounts have been received as a result of distributions in estates under administration by the Public Trustee and by private trustees. The amounts in question are indicated on the List by an asterisk. Before any arrangements can be made for the transfer of these amounts, the New Zealand Government will require to know whether each of the persons concerned is now alive, and if not, the date of death and particulars of next-of-kin. In certain circumstances these moneys would not be payable at all and would revert to the estate concerned.

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<sup>1</sup> Came into force on 13 September 1946, by the exchange of the said notes.

Subject to the production of satisfactory information of the kind indicated with regard to amounts to be distributed from estates and to any consequent adjustments that may be necessary on receipt of such information, the New Zealand Government would be prepared to accept the following arrangements for the release of the moneys shown on the List.

1. The New Zealand Government agree to transfer to the Danish Government all money held by the New Zealand Custodian of Enemy Property for Danish authorities, firms or nationals, whereupon the Danish Government will undertake the responsibility for transfer of such sums to the persons entitled thereto, and will relieve the New Zealand Government, the Custodian of Enemy Property, the Public Trustee, and any other New Zealand persons or concerns involved, of responsibility for the payment of the said moneys to the parties concerned. The Danish Government hereby indemnifies the New Zealand Government, the Custodian of Enemy Property, the Public Trustee and any other New Zealand persons or concerns involved in respect of any claims arising out of the fact that the moneys in question have been transferred to the Danish Government.
2. The New Zealand Government agrees, within the compass of any general exchange regulations for the time being applicable in New Zealand, to remove any legal obstacles which may prevent New Zealand debtors from settling their debts to Danish creditors.
3. The Danish Government, on the other hand, agree, within the compass of any general exchange restrictions for the time being applicable in Denmark, to remove all legal obstacles preventing Danish debtors from settling their debts to New Zealand creditors.

If the arrangements, as proposed above, meet with the approval of your Government, it is suggested that this note, together with your reply accepting them on behalf of your Government, shall constitute a formal agreement taking effect from the date of your reply.

I have the honour to be, Sir, your obedient servant,

(*Signed*) P. FRASER  
Minister of External Affairs

## II

*The Consul General of Denmark to the Minister of External Affairs*

Sir,

I have the honour to return to the question of moneys held in New Zealand by the Custodian of Enemy Property under the provisions of the Enemy Property Emergency Regulations which are owing to Danish nationals, and also to the question of amounts claimed by New Zealand persons and concerns from Danish persons and concerns.

In note dated July 2nd, you kindly informed me, that the New Zealand Government would be prepared to accept certain arrangements for the release of the moneys concerned.

It is an honour and a pleasure for me to inform you that these arrangements as detailed in your note have met with the complete approval of my Government. Moreover that they have authorized me to accept them on their behalf, so that your note of July 22nd, together with this reply, wherein the content of the note in toto is accepted, shall constitute a formal agreement taking effect from this day of September 18th, 1946.

I have the honour to be, Sir, your obedient servant,

(Signed) Karl I. ESKELUND  
Consul General for Denmark

Wellington, 18th Sept. 1946