

No. 53

**NETHERLANDS AND UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND**

Protocol concerning currency and mutual aid for the Netherlands Indies (with Exchange of Notes). Signed at London, on 20 December 1945

Came into force on 1 June 1944 by signature.

English official text communicated by the Minister for Foreign Affairs of the Netherlands. The registration took place on 12 June 1947.

**PAYS-BAS ET ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

Protocole relatif aux moyens de paiement et à l'aide réciproque aux Indes néerlandaises (avec échange de notes). Signé à Londres, le 20 décembre 1945

Entré en vigueur le 1er juin 1944 par signature.

Texte officiel anglais communiqué par le ministre des Affaires étrangères des Pays-Bas. L'enregistrement a eu lieu le 12 juin 1947.

No. 53. PROTOCOL BETWEEN THE NETHERLANDS GOVERNMENT AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONCERNING CURRENCY AND MUTUAL AID FOR THE NETHERLANDS INDIES. SIGNED AT LONDON, ON 20 DECEMBER 1945

The Royal Netherlands Government, acting on behalf of the Royal Netherlands Indies Government, and the Government of the United Kingdom of Great Britain and Northern Ireland, desiring to make arrangements for the attribution of expenditure in connexion with the war against Japan, agree as follows: —

Article 1.

(i) The Government of the United Kingdom, retaining the right of final decision in the light of its own potentialities and responsibilities, shall not, as from the effective date of this Protocol, claim reimbursement of the cost of the equipment (including supply of war material) and maintenance by departments or agencies of the Government of the United Kingdom, of the Netherlands Indies Armed Forces.

(ii) After the termination of this Protocol, the Government of the United Kingdom may require the return of any of the articles supplied under this Article which have not been lost, destroyed or consumed.

Article 2.

(i) The costs to which the provisions of Article 1 (i) of this Protocol relate are the costs of all types of supplies, stores, equipment and material and also all services and facilities required in connexion with the war against Japan for the equipment and maintenance of the Netherlands Indies Armed Forces which can most effectively be provided and are provided directly by departments or agencies of the Government of the United Kingdom, including the cost of the arrangements for training (exclusive of training for Air Force personnel) and transport and of the necessary administrative, maintenance and medical services incurred by the aforesaid departments or agencies for the benefit of the Netherlands Indies Armed Forces.

(ii) The provisions of Article 1 (i) of the Protocol shall not apply to the pay, allowances, pensions and any other emoluments of members of the Netherlands Indies Armed Forces or to other expenditures not eligible under this agreement.

In case the provisions as mentioned in paragraph (i) of this Article have to be procured outside the departments or agencies of the Government of the United Kingdom, but are eligible under this agreement, the cost of such provisions will be refunded by the Government of the United Kingdom.

Article 3.

The Netherlands Indies Government, retaining the right of final decision in the light of its own potentialities and responsibilities, will furnish to the British Armed Forces operating in Netherlands Indies territory, engaged in operations against Japan reciprocal aid consisting of the following types of assistance, when and to the extent that it is found, that they can be most effectively procured in Netherlands Indies territory: —

(i) Such produce and materials and such available facilities, information, services and labour as are required by the aforesaid British Armed Forces for military purposes.

(ii) Produce and materials, and available information, services and labour required for other common military purposes in Netherlands Indies territory, including the construction of capital works and other military projects.

(iii) The costs of civil affairs in Netherlands Indies territory.

Article 4.

(i) After the termination of this Protocol the Netherlands Indies Government may require the return of any of the articles supplied under Article 3 which have not been lost, destroyed or consumed.

(ii) The provisions of Article 3 of this Protocol shall not relate to the pay, allowances, pensions and other emoluments of members of the British Armed Forces or other British or Allied citizens or of civilians directly employed by the United Kingdom Government other than those engaged in Netherlands Indies territory for the purpose of providing the services and facilities specified in Article 3.

(iii) As far as possible the reciprocal aid described in Article 3 of this Protocol will be procured directly by departments or agencies of the Netherlands Indies Government and direct local procurement by the British Military Authorities involving expenditure of funds as provided in Article 7 (i) will be kept to a minimum.

Article 5.

The Royal Netherlands Indies Government hereby agree to place at the disposal of the British War Office such funds in Netherlands Indies currency as are required in the Netherlands Indies territory by the British Armed Forces.

Article 6.

On the termination of this Protocol, the British War Office shall hand to the Royal Netherlands Indies Government any Netherlands Indies currency remaining in their possession.

Article 7.

(i) In so far as the funds mentioned in Article 5 are used for the procurement on behalf of the British Armed Forces of stores, supplies, services and facilities and for civil affairs as mentioned in Article 3 of this Protocol, no reimbursement shall be made by the Government of the United Kingdom.

(ii) In so far as such funds are used for the pay, allowances, pensions and other emoluments of the British Armed Forces in the Netherlands Indies or other expenditures not eligible under this Protocol, the Government of the United Kingdom shall place quarterly to the credit of the Royal Netherlands Indies Government the sterling equivalent of the sum so used, calculated at the official rate of exchange current when the Netherlands Indies guilders are used.

Article 8.

The Government of the United Kingdom undertake to replace or to refund in sterling the cost of any articles requisitioned or purchased with Netherlands Indies guilders by the British Armed Forces, which require replacement by articles which ultimately have to be paid for in other than Netherlands or Netherlands Indies currency. This does not apply to such imported articles as can reasonably be considered as minor incidental components of a completed article delivered or of a service rendered.

Article 9.

The Government of the United Kingdom and the Royal Netherlands Indies Government shall consult together with regard to the detailed application of this Protocol. Likewise any difficulty which may arise as to the interpretation and application of this Protocol and any doubt which may arise as to the nature of the stores, supplies, services and facilities covered by the provisions of Articles 1 (i) and 3 (i) or as to the extent to which these stores, supplies, services and facilities shall be furnished, shall be resolved by consultations between the contracting Governments.

Article 10.

The effective date of this Protocol shall be the 1st June, 1944.

Article 11.

This Protocol shall remain in force until six months after the general suspension of hostilities with Japan, except that as from the date of the general suspension of hostilities, the provisions of Article 2 shall apply only to the continued maintenance of Netherlands Indies Forces. The contracting Governments will consult together as regards the arrangements to be made after the termination of the present Protocol.

IN WITNESS WHEREOF the undersigned duly authorised by their respective Governments have signed the present Protocol and have affixed thereto their seals.

DONE in London in duplicate this 20th day of December, 1945.

For the Royal Netherlands Government:

E. TEIXEIRA DE MATTOS

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

Philip NOEL-BAKER

I

FOREIGN OFFICE, S. W. 1
20th December, 1945

Sir,

I have the honour on the occasion of the signature to-day of the Currency and Mutual Aid Protocol for the Netherlands Indies, to place on record the following discussions.

2. The Netherlands Indies Armed Forces referred to in the Agreement shall be understood to include any units of the Netherlands Armed Forces (including land, sea and air forces) destined for service in the Far East.

3. This Agreement shall be regarded as covering any supplies or facilities which may be provided for Dominions or Allied contingents operating with the British Armed Forces in the Netherlands Indies. Furthermore, arrangements will be made whereby any cash advances to the American or other Allied Military Forces will be reported direct to the Royal Netherlands Indies Government, who will make financial adjustments direct with the Governments concerned.

4. I have further the honour to state that every effort will be made by the British Military authorities to prevent members of the British Armed Forces from exchanging into other currencies, or exporting, Netherlands Indies currency in excess of the amounts drawn for the purpose mentioned in paragraph 4 (ii) of the Protocol.

5. I shall be glad if you will inform me whether the above-mentioned understandings are correct.

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

(for the Acting Secretary of State)
Philip NOEL-BAKER

Jonkheer E. Teixeira de Mattos
etc., etc., etc.
21A, Portman Square,
W.1.

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AMBASSADE DER NEDERLANDEN

London, 20th December, 1945

Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's note of to-day's date setting forth certain understandings reached in connexion with the Currency and Mutual Aid Protocol signed to-day.

I have the honour to confirm that the understandings set forth in your note are correct.

I have the honour to remain, with the highest consideration, Your Excellency's obedient Servant,

E. TEIXEIRA DE MATTOS

The Right Honourable
Ernest Bevin, M.P.
etc., etc., etc.,