

No. 142

UNITED STATES OF AMERICA
and
NEW ZEALAND

Exchange of Notes constituting an agreement relating to the principles applying to the provision of aid in the prosecution of the war. Washington, 3 September 1942

English official text communicated by the Secretary-General of the United States Mission to the United Nations. The filing and recording took place on 6 January 1949.

ETATS-UNIS D'AMERIQUE
et
NOUVELLE-ZELANDE

Echange de notes constituant un accord relatif aux principes applicables à la fourniture d'aide pour la poursuite de la guerre. Washington, 3 septembre 1942

Texte officiel anglais communiqué par le secrétaire général de la Mission des Etats-Unis auprès de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 6 janvier 1949.

No. 142. EXCHANGE OF NOTES¹ CONSTITUTING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND NEW ZEALAND RELATING TO THE PRINCIPLES APPLYING TO THE PROVISION OF AID IN THE PROSECUTION OF THE WAR. WASHINGTON, 3 SEPTEMBER 1942

The New Zealand Minister to the Secretary of State

NEW ZEALAND LEGATION

WASHINGTON, D.C.

Sir:

As contracting parties to the United Nations Declaration of January 1, 1942,² the Governments of the United States of America and New Zealand pledged themselves to employ their full resources, military and economic, against those nations with which they are at war.

In the Agreement of February 23, 1942,³ between the Governments of the United Kingdom and of the United States of America, the provisions and principles of which the Government of New Zealand considers applicable to its relations with the Government of the United States, each contracting Government undertook to provide the other with such articles, services, facilities or information useful in the prosecution of their common war undertaking as each may be in a position to supply.

It is the understanding of the Government of New Zealand that the general principle to be followed in providing such aid is that the war production and war resources of both nations should be used by each, in the ways which most effectively utilize available materials, manpower, production facilities and shipping space.

I now set forth the understanding of the Government of New Zealand of the principles and procedure applicable to the provision of aid by the Government of New Zealand to the armed forces of the United States and the manner

¹ Came into force on 3 September 1942, by the exchange of the said notes.

² League of Nations, *Treaty Series*, Volume CCIV, page 381.

³ League of Nations, *Treaty Series*, Volume CCIV, page 389.

in which such aid will be correlated with the maintenance of those forces by the United States Government.

1. While each Government retains the right of final decision, in the light of its own potentialities and responsibilities, decisions as to the most effective use of resources shall, so far as possible, be made in common, pursuant to common plans for winning the war.

2. As to financing the provision of such aid, within the fields mentioned below, it is my understanding that the general principle to be applied, to the point at which the common war effort is most effective, is that as large a portion as possible of the articles and services to be provided by each Government to the other shall be in the form of reciprocal aid so that the need of each Government for the currency of the other may be reduced to a minimum.

It is accordingly my understanding that the United States Government will provide, in accordance with the provisions of, and to the extent authorized under, the Act of March 11, 1941,¹ the share of its production made available to New Zealand. The Government of New Zealand will provide on the same terms and as reciprocal aid so much of its production made available to the United States as it authorizes in accordance with the principles enunciated in this note.

3. The Government of New Zealand will provide the United States or its armed forces with the following types of assistance, as such reciprocal aid, when it is found that they can most effectively be procured in New Zealand:

(a) Military equipment, munitions and military and naval stores;

(b) Other supplies, materials, facilities and services for the United States forces, except for the pay and allowances of such forces, administrative expenses, and such local purchases as its official establishments may make other than through the official establishments of the Government of New Zealand as specified in Paragraph 4;

(c) Supplies, materials and services needed in the construction of military projects, tasks and similar capital works required for the common war effort in New Zealand, except for the wages and salaries of United States citizens;

¹ United States of America, 55 Stat. 31.

(d) Supplies, materials and services needed in the construction of such military projects, tasks and capital works in territory other than New Zealand or territory of the United States to the extent that New Zealand is a more practicable source of supply than the United States or another of the United Nations.

4. The practical application of the principles formulated in this note, including the procedure by which requests for aid by either Government are made and acted upon, shall be worked out as occasion may require by agreement between the two Governments, acting when possible through their appropriate military or civilian administrative authorities.

5. It is my understanding that all such aid accepted by the President of the United States or his authorized representatives, from the Government of New Zealand will be received as a benefit to the United States under the Act of March 11, 1941. In so far as circumstances will permit, appropriate record of aid received under this arrangement, except for miscellaneous facilities and services, will be kept by each Government.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter.

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

W. NASH
Minister of New Zealand

September 3, 1942.

The Honourable Cordell Hull
Secretary of State, United States Department of State
Washington, D. C.

II

The Secretary of State to the New Zealand Minister

DEPARTMENT OF STATE

WASHINGTON

September 3, 1942

Sir:

I have the honor to acknowledge receipt of your note of today's date concerning the principles and procedures applicable to the provision of aid by the

Government of New Zealand to the armed forces of the United States of America.

In reply I have the honor to inform you that the Government of the United States of America likewise considers the provisions and principles contained in the agreement of February 23, 1942 between it and the Government of the United Kingdom as applicable to its relations with the Government of New Zealand. My Government agrees with the understanding of the Government of New Zealand as expressed in your note of today's date, and, in accordance with the suggestion contained therein, your note and this reply will be regarded as placing on record the understanding between our two Governments in this matter.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept, Sir, the renewed assurances of my highest consideration.

Cordell HULL
Secretary of State of the United States of America

The Honorable Walter Nash
Minister of New Zealand