

**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
CZECHOSLOVAKIA**

**Agreement regarding compensation for British property,  
rights and interests affected by Czechoslovak measures  
of nationalization, expropriation and dispossession  
(with interpretative minute). Signed at London, on  
28 September 1949**

*Official texts: English and Czech.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
11 April 1951.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
TCHÉCOSLOVAQUIE**

**Accord concernant les indemnités relatives aux biens, droits  
et intérêts britanniques touchés par les mesures tchéco-  
slovaques de nationalisation, d'expropriation et d'évic-  
tion (avec procès-verbal interprétatif). Signé à Londres,  
le 28 septembre 1949**

*Textes officiels anglais et tchèque.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
11 avril 1951.*

No. 1157. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC REGARDING COMPENSATION FOR BRITISH PROPERTY, RIGHTS AND INTERESTS AFFECTED BY CZECHOSLOVAK MEASURES OF NATIONALIZATION, EXPROPRIATION AND DISPOSSESSION. SIGNED AT LONDON, ON 28 SEPTEMBER 1949

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The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Czechoslovak Republic,

Desiring to make a final settlement between them of claims with respect to British property, rights and interests affected by various Czechoslovak measures of nationalisation, expropriation, dispossession, or other restrictive measures with respect to such property, rights and interests (hereinafter referred to as "the various Czechoslovak measures");

And taking into consideration the Trade and Finance Agreement signed this day<sup>2</sup> between the Government of the United Kingdom and the Czechoslovak Government;

Have agreed as follows :—

*Article I*

(a) For the purposes of the present Agreement, "British property" shall mean all property, rights and interests affected by the various Czechoslovak measures which on the date of the relevant measure, were owned directly or indirectly, in whole or in part, and whether legally or beneficially, by British nationals, to the extent to which they were so owned.

(b) For the purposes of the present Agreement, "British nationals" shall mean—

- (i) Physical persons who at the date of the signature of the present Agreement are citizens of the United Kingdom and Colonies, or British protected persons belonging to any of the territories mentioned in sub-paragraph (ii) of this paragraph, and their heirs and legal representatives; and

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<sup>1</sup> Came into force on 28 September 1949, as from the date of signature, in accordance with article VII.

<sup>2</sup> See p. 141 of this volume.

- (ii) Companies, firms and associations incorporated or constituted under the laws in force in the territory of the United Kingdom of Great Britain and Northern Ireland, or in any territory for the international relations of which the Government of the United Kingdom are, at the date of the signature of the present Agreement, responsible :

provided that the persons, companies, firms and associations concerned were equally British nationals in accordance with the foregoing definition at the date of the relevant Czechoslovak measure.

### *Article II*

If the claim of a British national is in respect of British property confiscated or taken over by the enemy between the 17th September, 1938, and the 9th May, 1945, and thereafter affected by one of the various Czechoslovak measures, his claim shall fall within the provisions of the present Agreement notwithstanding the fact that the restitution or recognition of his title to the property by the Czechoslovak authorities has not taken place before the coming into force of the present Agreement. Consequently, the Czechoslovak authorities shall have the right to discontinue any proceedings that may have been initiated for the restitution or recognition of the title to such property.

### *Article III*

(a) The Czechoslovak Government shall pay to the Government of the United Kingdom the sum of £8 million in sterling in settlement of all claims of British nationals arising, on or before the date of the signature of the present Agreement, out of the various Czechoslovak measures.

(b) The Government of the United Kingdom hereby declare, on their own behalf and on behalf of British nationals, that the conclusion of the present Agreement and compliance by the Czechoslovak Government with its terms shall be accepted in full satisfaction and final discharge of all liability to British nationals, owners, whether legal or beneficial, of the claims mentioned in paragraph (a) of this Article, whether presented before or after the date of the signature of the present Agreement, and that the Government of the United Kingdom will not present to the Czechoslovak Government any claims arising out of the various Czechoslovak measures on behalf of any persons whether included in the definition of British nationals or not.

(c) The Czechoslovak Government hereby declares that the said sum of £8 million has been arrived at after taking into account all fiscal liabilities in Czechoslovakia of British nationals in respect of British property as defined in Article I (including Capital Levy and Increment Duty under the Czechoslovak Law 134 of 1946) and that all such liabilities are thus fully discharged as from the date of the present Agreement.

#### Article IV

(a) The Czechoslovak Government shall pay to the Government of the United Kingdom the said sum of £8 million in sterling in eighteen instalments at intervals of six months beginning on 15th September, 1950.

(b) The first eight instalments shall be paid as follows :—

	£
on 15th September, 1950 . . . . .	29,000
on 15th March, 1951 . . . . .	29,000
on 15th September, 1951 . . . . .	798,000
on 15th March, 1952 . . . . .	798,000
on 15th September, 1952 . . . . .	810,000
on 15th March, 1953 . . . . .	810,000
on 15th September, 1953 . . . . .	863,000
on 15th March, 1954 . . . . .	863,000

(c) Each of the remaining ten instalments shall so far as possible be of equal amounts and shall be determined by the contracting Governments before 30th June, 1954.

#### Article V

(a) The Government of the United Kingdom shall obtain all documents of title which are available, including *inter alia* shares and kuxen, relating to the claims of British nationals under the present Agreement.

(b) If such documents relating to any claim are not available (as, for example, if documents of title have not been executed or if the documents also relate to property, rights or interest unaffected by any of the various Czechoslovak measures) the Government of the United Kingdom shall obtain a document executed by the British national, to whom the payment is to be made, surrendering all claims by him arising out of the various Czechoslovak measures so far as they affect the property, rights or interests to which the payment relates.

(c) The Government of the United Kingdom shall retain custody of the documents obtained in accordance with the provisions of paragraphs (a) and (b) of this Article and shall deliver to the Czechoslovak Government such documents relating to each claim as soon as the final payment in settlement of that claim shall have been made by the Government of the United Kingdom.

#### Article VI

In all matters affecting the execution of the present Agreement, the contracting Governments shall furnish each other with all necessary information and assistance.

*Article VII*

The present Agreement shall come into force on this day's date.

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

DONE in London, in duplicate, this 28th day of September, 1949, in the English and Czech languages, both texts being equally authoritative.

[L. S.]

William STRANG

[L. S.]

R. MARGOLIUS

## INTERPRETATIVE MINUTE

*Date of the relevant measure*

It is understood that the phrase "date of the relevant measure" in Article I of the Anglo-Czechoslovak Compensation Agreement signed this day (hereinafter called "the Compensation Agreement") shall mean, in all cases in which the measure concerned was effected by or as a direct consequence of a law, the date of promulgation of the law, and in any other case the date of signature of the Compensation Agreement.

In cases in which British property has been confiscated and subsequently nationalised, the phrase "date of the relevant measure" shall mean the date of the promulgation of the nationalisation law.

*Information*

With reference to Article VI of the Compensation Agreement, the Government of the United Kingdom will furnish the Czechoslovak Government with the names of all persons, companies, firms and associations who claim compensation under the terms of the Compensation Agreement, a description of the property to which each claim relates and the amount of the compensation paid, if any.

*Discharge*

With reference to paragraph (b) of Article III of the Compensation Agreement, the phrase "all liability" as used in that paragraph is intended to apply to the liability of the Czechoslovak Government and its officials and any other natural or juridical persons who may bear any liability in respect of the claims mentioned in that paragraph.

(Signed) William STRANG

(Signed) R. MARGOLIUS

28.9.1949.