

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

Note by which the Government of the United Kingdom of Great Britain and Northern Ireland, in pursuance of article 44 of the Treaty of Peace with Italy, notified the Italian Government of those pre-war bilateral treaties between the two countries which the United Kingdom desires to keep in force or revive. Rome, 13 March 1948

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 27 September 1951.

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

Note par laquelle le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord a notifié au Gouvernement italien, conformément à l'article 44 du Traité de paix avec l'Italie, les traités bilatéraux conclus entre les deux pays avant la guerre, dont le Royaume-Uni désire le maintien ou la remise en vigueur. Rome, 13 mars 1948

Texte officiel anglais.

Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 27 septembre 1951.

No. 1435. NOTE¹ BY WHICH THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, IN PURSUANCE OF ARTICLE 44 OF THE TREATY OF PEACE² WITH ITALY, NOTIFIED THE ITALIAN GOVERNMENT OF THOSE PRE-WAR BILATERAL TREATIES BETWEEN THE TWO COUNTRIES WHICH THE UNITED KINGDOM DESIRES TO KEEP IN FORCE OR REVIVE.³ ROME, 13 MARCH 1948

*His Majesty's Ambassador at Rome to the Italian Minister
for Foreign Affairs*

13th March, 1948

Your Excellency :

Under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to invite your Excellency's attention to the provisions of Article 44 of the Treaty of Peace with Italy and to notify you that His Majesty's Government in the United Kingdom desire to keep in force or revive the following pre-war bilateral treaties and agreements in respect of the United Kingdom of Great Britain and Northern Ireland and of those other territories for which His Majesty's Government in the United Kingdom are internationally responsible, and to which the under-mentioned bilateral treaties and agreements respectively applied at the time of the outbreak of war :—

1. Rome	5.ii.1873	Treaty—Extradition ⁴
2. Rome	7.v.1873	Declaration—Rectifying error in above ⁵
3. London	17.iv.1877	Declaration—Estates of deceased seamen ⁶
4. London	8.vi.1880	Agreement—Relief of distressed seamen ⁷

¹ Came into force on 13 March 1948, date of the said note.

² United Nations, *Treaty Series*, Vol. 49 and 50.

³ The texts of treaties and agreements which have been kept in force or revived by the above note are published herein unless previously registered with the League of Nations. In respect of treaties so registered, references are made in footnotes to the relevant volumes of the League of Nations, *Treaty Series*.

⁴ See p. 48 of this volume.

⁵ See p. 60 of this volume.

⁶ See p. 70 of this volume.

⁷ See p. 76 of this volume.

5. Rome	11. vii. 1896	Convention—Parcel Post (as regards Malta only) ¹
6. Rome	18/20. ix. 1904	Exchange of Notes—Coasting Trade ²
7. Rome	27. xi. 1911	Notes extending Extradition Treaty of 1873 to African British Protectorates ³
8. Rome	11. v. 1922	} Convention—War Graves ⁴ Agreement—Money Orders ⁵
9. London	29. x. 1925	
Rome	20. xii. 1925	
10. Rome	25. i. 1929	Exchange of Notes—Passenger Ship Certificates and Emigrant Ship Regulations. Mutual recognition ⁶
11. London	21. viii. 1930	} Agreement—Parcel Post ⁷
Rome	28. viii. 1930	
12. London	17. xii. 1930	Convention—Legal Proceedings in Civil and Commercial matters ⁸
13. Rome	17. ix. 1934	Exchange of Notes ⁹ —Certificates of Airworthiness: Reciprocal Validation
14. Rome	6. viii. 1936	Exchange of Notes ¹⁰ —War Graves. Interpretation of Article 7 of Agreement of 11. v. 1922
	21. iii.	} Agreement—Diplomatic Bags ¹¹
15. Rome	3. v. 1938	
16. Rome	21. iii. 1940	Agreement—Trade in Medicinal Products ¹²

It is His Majesty's Government's understanding that the notification of the above list under the terms of the Treaty of Peace in no way prejudices the right of either of the two Governments to propose revisions in any of the treaties or agreements mentioned in the above list. It is also understood that any of the provisions in the treaties and other agreements in the above list which may be found not to be in conformity with the Treaty of Peace shall be considered to have been deleted in so far as the application of the Treaty of Peace is concerned, but shall be regarded as being in full force with regard to matters not covered by the Treaty of Peace.

In accordance with paragraph 2 of Article 44 of the Treaty of Peace, His Majesty's Government will register with the Secretariat of United Nations the bilateral treaties and other agreements which are kept in force or revived.

¹ See p. 80 of this volume.

² See p. 98 of this volume.

³ See p. 102 of this volume.

⁴ League of Nations, *Treaty Series*, Vol. XI, p. 23.

⁵ League of Nations, *Treaty Series*, Vol. XLIX, p. 79, and Vol. LXIX, p. 434.

⁶ League of Nations, *Treaty Series*, Vol. XCV, p. 39.

⁷ League of Nations, *Treaty Series*, Vol. CXI, p. 91.

⁸ League of Nations, *Treaty Series*, Vol. CXXXI, p. 78.

⁹ League of Nations, *Treaty Series*, Vol. CLV, p. 85.

¹⁰ League of Nations, *Treaty Series*, Vol. CLXXII, p. 391.

¹¹ See p. 108 of this volume.

¹² See p. 112 of this volume.

In the absence of separate representation for Ceylon, I have been instructed, at the instance of His Majesty's Government in Ceylon, to notify their desire to bring into force or revive those above-mentioned treaties and agreements which applied to Ceylon at the outbreak of war; and that the Government of Ceylon wish to reserve the right to open negotiations to alter or revoke any of these treaties or agreements, since they were signed prior to the attainment of independence by Ceylon.

I avail, &c.

(Signed) V. A. L. MALLET

TREATY¹ BETWEEN HER MAJESTY AND THE KING OF ITALY
FOR THE MUTUAL SURRENDER OF FUGITIVE CRIMINALS.
SIGNED AT ROME, ON 5 FEBRUARY 1873

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Italy, having judged it expedient, with a view to the better administration of justice, and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; Their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Augustus Berkeley Paget, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy;

And His Majesty the King of Italy, the Noble Emilio Visconti Venosta, Deputy in the Parliament, and Minister Secretary of State for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

Article I

The High Contracting Parties engage to deliver up to each other reciprocally any persons who, being accused or convicted of any of the crimes specified in the Article following, committed within the territory of either of the said Parties, shall be found within the territory of the other, in the manner and under the conditions determined in the present Treaty.

Article II

The crimes for which the extradition is agreed to are the following :—

1. Murder, or attempt or conspiracy to murder, comprising the crimes designated by the Italian Penal Code as the association of criminals for the commission of such offences.
2. Manslaughter, comprising the crimes designated by the Italian Penal Code as wounds and blows wilfully inflicted which cause death.
3. Counterfeiting or altering money, and uttering or bringing into circulation counterfeit or altered money.

¹ The instruments of ratification were exchanged at Rome on 18 March 1873.

4. Forgery, counterfeiting or altering, or uttering of the thing or document that is forged or counterfeited or altered.
 5. Larceny, or unlawful abstraction or appropriation.
 6. Obtaining money or goods by false pretences (cheating or fraud).
 7. Fraudulent bankruptcy.
 8. Fraud, abstraction, or unlawful appropriation, by a bailee, banker, agent, factor, trustee, director, or member, or officer of any public or private company or house of commerce.
 9. Rape.
 10. Abduction.
 11. Child stealing.
 12. Burglary and housebreaking, comprising the crimes designated by the Italian Penal Code as entry by night, or even by day, with fracture or escalade, or by means of false key or other instrument, into the dwelling of another person with intent to commit a crime.
 13. Arson.
 14. Robbery with violence.
 15. Threats by letter or otherwise, with intent to extort money or anything else.
 16. Piracy, according to international law, when the pirate, a subject of neither of the High Contracting Parties, has committed depredations on the coasts, or on the high seas, to the injury of citizens of the requiring party, or when, being a citizen of the requiring party, and having committed acts of piracy, to the injury of a third State, he may be within the territory of the other party, without being subjected to trial.
 17. Sinking or destroying, or attempting to sink or destroy, a vessel at sea.
 18. Assaults on board a ship on the high seas with intent to kill or to do grievous bodily harm.
 19. Revolt or conspiracy by two or more persons on board a ship on the high seas, against the authority of the master.
- Accomplices before the fact in any of these crimes shall, moreover, also be delivered up, provided their complicity be punishable by the laws of both the Contracting Parties.

Article III

The Italian Government shall not deliver up any Italian to the United Kingdom; and no subject of the United Kingdom shall be delivered up by it to the Italian Government.

Article IV

In any case where an individual convicted or accused shall have obtained naturalization in either of the two Contracting States after the commission of the crime, such naturalization shall not prevent the search for, arrest, and delivery of the individual. The extradition may, however, be refused if five years have elapsed from the concession of naturalization, and the individual has been domiciled, from the concession thereof, in the State to which the application is made.

Article V

No accused or convicted person shall be given up if the offence for which he is claimed is political; or if he proves that the demand for his surrender has been made with the intention of trying and punishing him for a political offence.

Article VI

The extradition shall not be granted if, since the commission of the crime, the commencement of proceedings, or the conviction, such a length of time has elapsed as to bar the penal prosecution of the punishment, according to the laws of the State to which application is made.

Article VII

The accused or convicted person who has been given up shall not, until he has been liberated, or had an opportunity of returning to the country in which he was living, be imprisoned or subjected to trial in the State to which he has been given up, for any crime or on any charge other than that on account of which the extradition took place.

This does not apply to offences committed after the extradition.

Article VIII

If the individual claimed is under prosecution or in custody for a crime committed in the country where he has taken refuge, his surrender may be deferred until the law has taken its course.

In case he should be proceeded against or detained in such country on account of obligations contracted with private individuals, or any other civil claim, his surrender shall nevertheless take place, the injured party retaining his right to prosecute his claims against him before the competent authority.

Article IX

The requisitions for extradition shall be made, respectively, by means of the Diplomatic Agents of the High Contracting Parties.

The demand for the extradition of an accused person must be accompanied

by a warrant of arrest issued by the competent authority of the State applying for the extradition, and by such proof as, according to the law of the place where the fugitive is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person convicted, it must be accompanied by the sentence of condemnation of the competent Court of the State applying for the extradition.

The demand for extradition must not be founded upon a sentence *in contumacia*.

Article X

If the demand for extradition be made according to the foregoing stipulations, the competent authorities of the State, to which the requisition is made, shall proceed to arrest the fugitive.

The prisoner shall be taken before the competent Magistrate, who shall examine him, and make the preliminary investigations of the affair, in the same manner as if the arrest had taken place for a crime committed in the same country.

Article XI

In the examinations to be made in conformity with the preceding stipulations, the authorities of the State to which the demand is addressed shall admit, as entirely valid evidence, the documents and depositions taken on oath in the other State, or copies of them, and likewise the warrants and sentences issued there; provided that such documents are signed or certified by a Judge, Magistrate, or Officer of such State, and are authenticated by the oath of some witness, or stamped with the official seal of the Department of Justice or some other Department of State.

Article XII

If, within two months from the arrest of the accused, sufficient evidence be not produced for his extradition, he shall be liberated.

Article XIII

The extradition shall not take place until the expiration of fifteen days after the arrest, and then only if the evidence has been found sufficient, according to the laws of the State to which the demand is addressed, to justify the committal of the prisoner for trial in case the crime had been committed in the territory of that State; or to show that the prisoner is the identical person condemned by the Tribunals of the State which demands him.

Article XIV

If the prisoner be not given up and taken away within two months from his apprehension or from the decision of the Court upon the demand for a writ of *habeas corpus* in the United Kingdom, he shall be set at liberty, unless sufficient cause be shown for the delay.

Article XV

If the individual claimed by one of the two Contracting Parties, in conformity with the present Treaty, should be also claimed by another or by other States on account of crimes committed in their territories, his surrender shall, in preference, be granted according to priority of demand, unless an agreement be made between the Governments which make the requisition, either on account of the gravity of the crimes committed, or for any other reason.

Article XVI

Every article found in the possession of the prisoner at the time of his arrest shall be seized, in order to be delivered up with him. Such delivery shall not be limited to the property or articles obtained by the robbery or fraudulent bankruptcy, but shall include everything that may serve as evidence of the crime; and it shall take place even when the extradition, after having been ordered, cannot take effect, either on account of the escape or the death of the delinquent.

Article XVII

The High Contracting Parties renounce all claim for repayment of the expenses incurred for the arrest and maintenance of the person to be given up, and for his conveyance on board a ship; such expenses shall be borne by themselves respectively.

Article XVIII

The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of the two High Contracting Parties.

The requisition for the surrender of a person accused or condemned, who has taken refuge in any such Colony or possession of either party, shall be made to the Governor or chief authority of such Colony or possession by the Chief Consular officer of the other residing in such Colony or possession; or, if the accused or condemned person has escaped from a Colony or foreign possession of the party on whose behalf the requisition is made, the requisition shall be made by the Governor or chief authority of such Colony or possession.

Such requisitions may be disposed of, in accordance, as far as possible, with the stipulations of this Treaty, by the respective Governors or chief authorities, who, however shall be at liberty either to grant the extradition or to refer the matter to their own Government.

Her Britannic Majesty shall nevertheless be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender to His Italian Majesty of criminals who may have taken refuge in such Colonies or possessions, always in conformity, so far as possible, with the provisions of the present Treaty.

Finally, it is agreed that this stipulation does not apply to the Island of Malta, the Ordinance of the Maltese Government of May 3, 1863 (No. 1230), remaining in full force.

Article XIX

The High Contracting Parties declare that the present stipulations apply as well to persons accused or convicted, whose crimes, on account of which the extradition is demanded, may have been committed previously, as to those whose crimes may be committed subsequently to the date of this Treaty.

Article XX

The present Treaty shall come into operation ten days after its publication according to the forms prescribed by the laws of the High Contracting Parties.

Either party may at any time put an end to this Treaty, which, however, shall remain in force for six months after the notice for its termination.

This Treaty shall be ratified, and the ratifications shall be exchanged at Rome within six weeks, or sooner if possible.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed in duplicate, in English and Italian, the present Treaty, and have affixed thereto their respective seals.

DONE at Rome, the 5th day of February, in the year of our Lord one thousand eight hundred and seventy-three.

[L.S.]	A. B. PAGET
[L.S.]	VISCONTI VENOSTA

DECLARATION RECTIFYING AN ERROR IN ARTICLE XVIII OF
THE TREATY BETWEEN HER MAJESTY AND THE KING OF
ITALY OF THE 5th FEBRUARY, 1873, FOR THE MUTUAL
SURRENDER OF FUGITIVE CRIMINALS. SIGNED AT ROME,
ON 7 MAY 1873

The Envoy Extraordinary and Minister Plenipotentiary of Her Majesty the Queen of Great Britain and Ireland to His Majesty the King of Italy, and His Italian Majesty's Minister for Foreign Affairs, having concurrently recognized a material error in the date of the Ordinance of the Maltese Government of the 21st of February, 1863, as it is mentioned at the end of the XVIIIth Article of the Extradition Treaty of the 5th of February, 1873, between Great Britain and Italy, have, by common consent, declared that the words :—

“ Finally, it is agreed that this stipulation does not apply to the Island of Malta, the Ordinance of the Maltese Government of May 3, 1863 (No. 1230), remaining in full force,” shall be read :—

“ Finally, it is agreed that this stipulation does not apply to the Island of Malta, the Ordinance of the Maltese Government of the 21st of February, 1863, remaining in full force.”

The present Declaration is signed in duplicate at Rome, this 7th day of May, 1873.

[L.S.]	A. B. PAGET
[L.S.]	VISCONTI VENOSTA

DECLARATION BETWEEN GREAT BRITAIN AND ITALY RELATIVE
TO THE DISPOSAL OF THE ESTATES OF DECEASED SEAMEN
OF THE TWO NATIONS. SIGNED AT LONDON, ON 17 APRIL
1877

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Italy, being desirous to make arrangements as to the disposal of the property of deceased seamen of the two nations in certain cases, the Undersigned, duly authorized to that effect, have agreed as follows :—

Article I

If any British seaman dies on board an Italian ship, or whilst serving on board an Italian ship within Italian territory; or if, on the other hand, any Italian seaman dies on board a British vessel, or whilst serving on board a British vessel within British territory, the Governments of Italy and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any money or effects belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Italian Government shall cause the property, if not exceeding 50*l.* in value, to be delivered, as soon as possible after the decease, to the British Consul at the Italian port where the decease occurs; or if the decease does not occur at an Italian port, but on Italian territory, to the British Consul nearest to the place where such decease occurs, or where the property may be; or if such decease occurs at sea on board an Italian vessel, to the British Consul at the first Italian port at which the vessel arrives after such decease.

In the case of an Italian seaman dying, as aforesaid, his property, if not exceeding 50*l.* in value, shall, subject to the provision contained in Article II, be delivered, as soon as possible after the decease, to the Italian Consul at the British port where the decease occurs; or if the decease does not occur at a British port but on British territory, to the Italian Consul nearest to the place where such decease occurs, or where the property may be; or if such decease occurs at sea on board a British vessel, to the Italian Consul at the first British port at which the vessel arrives after such decease.

When the property exceeds 50*l.* in value it shall, subject to the provision contained in Article II, be paid to the legal representative of the deceased according to the law of the nation of the ship or territory where the property is at the time of the decease.

In cases where a deceased seaman has signed articles either as an Italian or as a British subject, as the case may be, but the Government into whose possession his effects come is not satisfied of his nationality, that Government shall equally protect his property, and shall send an account of it, and its value, and of all information in the possession of that Government relating to the deceased, to the other Government as soon as possible, and shall deliver the property to the other Government immediately on receiving its assurance that there is no doubt that the deceased was a subject of it.

Article II

If the deceased shall have served in the Royal Navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

Article III

The term "seaman" in this Declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant-ship, or who has been so employed or engaged within six months before his death, and every person (not being a commissioned, warrant, or subordinate officer, or assistant engineer) borne on the books of, or forming part of the complement of any public ship of war.

The term "Consul" includes Consul-General, Consul, Vice-Consul, and Consular Agent, and every person for the time being discharging the duties of Consul-General, Consul, Vice-Consul, or Consular Agent.

IN WITNESS WHEREOF the Undersigned have signed the present Declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

DONE at London, the seventeenth day of April, 1877.

[L.S.]

DERBY

[L.S.]

R. DE MARTINO

AGREEMENT BETWEEN THE BRITISH AND ITALIAN GOVERNMENTS FOR THE MUTUAL RELIEF OF DISTRESSED SEAMEN.
SIGNED AT LONDON, ON 8 JUNE 1880

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Italy, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the Undersigned, duly authorized to that effect, have agreed as follows :—

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its Colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into ship-service again, or finds other employment, or until he arrives in his native State or its Colonies, or dies.

But this is on condition that the seaman so situated shall avail himself of the first opportunity that offers to prove his necessitous condition and the causes thereof to the proper officials of the State whose support is to be solicited, and that the destitution is shown to be the natural consequence of the termination of his service on board the ship; otherwise the aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted, or has been turned out of the ship for any criminal act, or has left it on account of disability for service in consequence of illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the first of September, 1880, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

IN WITNESS WHEREOF the Undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

DONE in duplicate at London, the eighth day of June, 1880.

[L.S.] GRANVILLE
[L.S.] Luigi Federigo MENABREA

CONVENTION CONCERNING THE EXCHANGE OF PARCELS BY
PARCEL POST CONCLUDED BETWEEN THE UNITED KING-
DOM OF GREAT BRITAIN AND IRELAND AND THE KINGDOM
OF ITALY. SIGNED AT ROME, ON 11 JULY 1896

The Governments of the United Kingdom of Great Britain and Ireland and of Italy, wishing to facilitate commercial relations between the two countries and between Italy and the Island of Malta, by means of the exchange of parcels through the post;

The Undersigned, duly authorized for that purpose, have agreed upon the following provisions, which are based upon the International Parcel Post Convention¹ signed at Vienna on the 4th of July, 1891 :—

Article I

1. Parcels may be forwarded by Parcel Post from the United Kingdom and Malta to Italy, up to the weight of 11 pounds English, and from Italy to the United Kingdom and Malta, up to the weight of 5 kilogrammes.

2. The parcels thus exchanged may be insured for any sum not exceeding 40*l.* sterling or 1,000 lire.

3. As regards the service between the United Kingdom and Italy, the provisions of this Convention apply to parcels exchanged between the two countries in closed mails, the transmission of parcels *à découvert* through other countries being a matter for arrangement with the Post Offices of those countries.

4. The Detailed Regulations agreed upon by the Post Offices of the contracting countries define the other conditions on which the parcels are admitted to the service.

Article II

Each of the Contracting Parties guarantees the right of transit of parcels over its territory to or from any country with which such Contracting Party has parcel post arrangements, and the Post Offices which take part in the conveyance are held responsible within the limits determined by Article XI below.

Article III

The prepayment of the postage on parcels is compulsory except in the case of re-directed parcels.

¹ De Martens : *Nouveau Recueil général de Traité*s, deuxième série, tome XVII, p. 680.

Article IV

The sums to be prepaid on parcels originating in the United Kingdom and Malta addressed to Italy, and *vice versa*, are as follows :—

(1.) On parcels from the United Kingdom for Italy :—

	Postage			Insurance Fee for every 12l. of value declared.
	Not over 3 lbs. in Weight.	Over 3 lbs. but not over 7 lbs.	Over 7 lbs. but not over 11 lbs.	
	Fr. c.	Fr. c.	Fr. c.	c.
British territorial rate	0 50	1 00	1 50	5
Sea rate	0 25	0 25	0 25	10
French transit rate	0 50	0 50	0 50	5
Italian territorial rate	0 75	0 75	0 75	5
TOTALS	2 00	2 50	3 00	25

The British Post Office is also entitled to collect and retain a registration fee not exceeding 25 centimes on each insured parcel from the United Kingdom for Italy.

(2.) On parcels from Italy for the United Kingdom :—

	Postage per Parcel.	Insurance Fee for every 300 lire of value declared.
	Fr. c.	c.
Italian territorial rate	0 75	5
French transit rate	0 50	5
Sea rate	0 25	10
British territorial rate	1 00	5
Fee for delivery and the fulfilment of Customs formalities in the United Kingdom	0 25	..
TOTALS	2 75	25

(3.) On parcels exchanged between Italy and Malta :—

	Postage per Parcel	Insurance Fee for every 12 l. or 300 lire of value declared
	Fr. c.	c.
Italian territorial rate	0 75	5
Sea rate	0 25	10
Malta territorial rate	0 75	5
TOTALS	1 75	20

Article V

1. The Post Office of the country of origin pays to the Post Office of the country of destination the territorial rate of the latter, and also the sea rate, if the latter office provides for the sea service.

2. The Post Office of the country of origin is also accountable for the French transit rate in the case of parcels exchanged between the United Kingdom and Italy *viâ* France.

3. On parcels sent from Italy to the United Kingdom the Italian Post Office pays to the British Post Office, in addition to the territorial rate of the latter, a fee of 25 centimes per parcel for delivery and the fulfilment of Customs formalities.

Article VI

1. On parcels sent from Italy in transit through the United Kingdom the British Post Office is entitled to receive a territorial postage of 1 franc per parcel.

2. On parcels sent from the United Kingdom or Malta in transit through Italy, the Italian Post Office is entitled to receive a territorial postage of 50 centimes per parcel.

3. The Post Office of the country of origin has also to defray all charges for the onward land and sea transit of the parcels.

4. The insurance fees to be credited by one of the two offices to the other on transit parcels shall be those fixed by the foregoing Article IV, and also the land and sea insurance fees due to any other Administration concerned in the subsequent transit and the delivery.

Article VII

1. In Italy there may be levied from the addressee, for the delivery of the parcels and for the fulfilment of Customs formalities, a fee not exceeding 25 centimes for each parcel.

2. Should the Post Office of Italy at any time so desire, the Post Offices of Great Britain and Malta will collect this fee from the senders of parcels addressed to Italy, and will credit it to the Italian Post Office, the total postage, as fixed by the foregoing Article IV, being in that case increased by the amount of the fee.

Article VIII

The parcels to which the present Convention applies cannot be subjected to any postal charge other than those contemplated by the foregoing Articles IV, V, and VII, and by Article IX below.

Article IX

For the re-direction of parcels from one country to the other, as well as for the return of undelivered parcels, a supplementary charge on the basis of the rates fixed by Article IV shall be collected from the addressees or the senders, as the case may be.

Article X

1. It is forbidden to send by post parcels containing letters, or communications of the nature of a letter, or articles the admission of which is not authorized by the Customs or other laws or regulations of either country. A parcel may, however, contain an open invoice in its simplest form.

2. It is equally forbidden to send from one country to the other, in uninsured parcels, coin, anything made of gold or silver, or any other precious articles.

3. If a parcel contravening any of these prohibitions is handed over by one Administration to the other, the latter proceeds in the manner and with the formalities prescribed by its law or inland regulations.

Article XI

1. Except in cases beyond control, when a parcel has been lost or damaged, the sender or, in default or at the request of the sender, the addressee is entitled to an indemnity corresponding with the actual amount of the loss or damage; provided always that this indemnity may not exceed, in the case of an uninsured parcel, 25 francs or 15 francs, according as the weight of the parcel exceeds or does not exceed 3 kilogrammes, and, in the case of an insured parcel, the sum for which it has been insured. The sender of a lost parcel is also entitled to have the postage refunded.

2. The obligation of paying the indemnity rests with the Administration to which the dispatching office is subordinate. To that Administration is reserved a remedy against the Administration responsible, that is to say, against the Administration on the territory or in the service of which the loss or the damage took place.

3. Until the contrary be shown, the responsibility rests with the Administration which, having received the parcel without making any observation, cannot prove its delivery to the addressee or, in the case of a transit parcel, its regular transfer to the following Administration.

4. The payment of the indemnity to the sender or addressee ought to take place as soon as possible, and at the latest within a year of the date of the application. The Administration responsible is bound to make good, without delay, the amount of the indemnity paid.

5. It is understood that no application for an indemnity is entertained unless made within a year of the posting of the parcel; after this term the applicant has no right to any indemnity.

6. If the loss or the damage occurred in course of conveyance between the exchanging offices of the two countries, and it is not possible to ascertain on the territory or in the service of which the loss or damage took place, each Administration pays half of the indemnity.

7. The Administration cease to be responsible for parcels of which the owners have accepted delivery.

Article XII

1. No parcel may be insured for an amount above the real value of its contents.

2. In case the sender of an insured parcel, with intent to defraud, declares the contents to be above their real value, he loses all claim to compensation; and the enforcement of this rule does not prejudice any legal proceedings of which the law of the country of origin may admit.

Article XIII

The cost of the receptacles used for the conveyance of parcel mails between the United Kingdom and Italy shall be shared equally between the Postal Administrations of the two countries.

Article XIV

The internal legislation of Italy, the United Kingdom, and Malta remains applicable as regards everything not provided for by the stipulations contained in the present Convention.

Article XV

The Postal Administrations indicate the offices or localities which they admit to the international exchange of parcels by Parcel Post; they regulate the mode of transmission of these parcels, and fix all other measures of detail and order necessary for insuring the performance of the present Convention.

Article XVI

1. This Convention shall supersede the Convention dated the 26th day of July, 1886; it shall come into operation on the first day of August, 1896, and shall be terminable on a notice of one year by either party.

2. The Postal Administrations of the two countries may, however, agree to defer to a later date the operation of the clauses of the Convention which refer to insured parcels.

IN WITNESS WHEREOF the Undersigned, duly authorized for that purpose, have signed the present Convention, and have affixed thereto their seals.

DONE in duplicate at Rome, the eleventh day of July, 1896.

Her Britannic Majesty's Ambassador
Extraordinary and Plenipotentiary
Francis Claire FORD
[L.S.]

EXCHANGE OF NOTES BETWEEN THE UNITED KINGDOM AND
ITALY MAINTAINING THE *STATUS QUO* AS TO THE PARTI-
CIPATION OF BRITISH SHIPPING IN THE COASTING TRADE
OF ITALY. ROME, 18 AND 20 SEPTEMBER 1904

I

[TRANSLATION¹ — TRADUCTION²]

*The Under-Secretary of State for Foreign Affairs of Italy to the British Chargé
d'Affaires at Rome*

MINISTRY FOR FOREIGN AFFAIRS

Rome, September 18, 1904

M. le Chargé d'Affaires,

You had the goodness to inform me that His Britannic Majesty's Govern-
ment had no objection to the postponement of the signature of the convention
between Italy and England guaranteeing reciprocally to the respective subjects
of the two States the advantages of the coasting trade in the ports of the other
country on condition that the *status quo*, by which British ships have hitherto
enjoyed the rights of the coasting trade in the ports of the Kingdom of Italy,
be prolonged *sine die*, notwithstanding the dispositions of the law of July 1904.

I am happy to be able to give you the desired assurance to this effect and
to inform you at the same time that the necessary instructions in this sense
have already been despatched to the proper maritime and customs authorities.

I have, &c.

FUSINATO

¹ Translation communicated by the Government of the United Kingdom.

² Traduction transmise par le Gouvernement du Royaume-Uni.

II

The British Chargé d'Affaires at Rome to the Under-Secretary of State for Foreign Affairs to Italy

BRITISH EMBASSY

Rome, September 20, 1904

M. le Sous-Secrétaire d'État,

I have the honour to acknowledge with my best thanks the receipt of your Excellency's note of the 18th instant, assuring me that the *status quo* under which the British flag is admitted to the privileges of the coasting trade in Italy will be prolonged *sine die*, notwithstanding the dispositions of the law passed in July last, which reserves this privilege, in the absence of special conventions, with other Powers, to the Italian flag, and at the same time informing me that the necessary instructions in this sense have been given to the maritime and customs authorities.

I shall await a further communication from the Ministry for Foreign Affairs when the time arrives at which the Italian Government shall judge it opportune to proceed to the signature of the convention which has been agreed upon.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

I have, &c.

Rennell RODD.

EXCHANGE OF NOTES BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND ITALY EXTENDING THE EXTRADITION TREATY OF 1873¹ TO AFRICAN BRITISH PROTECTORATES. ROME, 25 AUGUST 1909, 11 JANUARY AND 27 NOVEMBER 1911

I

The British Ambassador to the Italian Minister for Foreign Affairs

Rome, 25 August 1909

Monsieur le Ministre,

I have the honour to inform Your Excellency under instructions from my Government that special legislative enactments have been passed in the British Protectorates mentioned on the enclosed list to render possible the surrender of fugitive criminals between these Protectorates and foreign States and their Dependencies, and local notices have been issued that they will be applicable to the Kingdom of Italy.

I am however to explain that the natives of these Protectorates are not by the mere fact of birth within their limits British subjects, and consequently the provisions in the Treaties which His Majesty's Government have concluded, and which in some cases altogether preclude and in others leave the surrender of nationals optional, would not, in the absence of some specific understanding, apply in strictness to natives. For the purposes of these Treaties however His Majesty's Government contemplate assimilating the position of natives to that of British subjects and they confidently trust that the Royal Government will readily assent to this course. Should this be the case, I am to inform Your Excellency that a reply to the effect that due note has been taken of its contents will be sufficient to give full effect to the understanding without any further formality.

The procedure for requesting the surrender of fugitive criminals would thenceforward be regulated, as far as possible, by the provisions of the Extradition Treaty between Great Britain and the Kingdom of Italy.

I have, etc.

Rennell RODD

Monsieur Tittoni
etc., etc., etc.

¹ See p. 48 of this volume.

INCLOSURE

List of British Protectorates in Africa

Bechuanaland Protectorate.
East Africa Protectorate.
Gambia Protectorate.
North-Eastern Rhodesia.
North-Western Rhodesia.
Northern Nigeria.
Northern territories of the Gold Coast.
Nyasaland.
Sierra Leone Protectorate.
Somaliland Protectorate.
Southern Nigeria Protectorate.
Southern Rhodesia.
Swaziland.
Uganda Protectorate.

II

The British Ambassador to the Italian Minister for Foreign Affairs

Rome, January 11, 1911

Monsieur le Ministre,

I am directed by His Majesty's Secretary of State for Foreign Affairs to recall the attention of the Italian Government to the Note which I had the honour of addressing to Your Excellency's predecessor on August 25, 1909, on the subject of the arrangements contemplated by His Majesty's Government for the rendition of fugitive offenders between British Protectorates in Africa and foreign States with which Great Britain has concluded Extradition Treaties, and I am to enquire whether Your Excellency's Government see their way to signifying their assent to the proposed arrangements in the manner indicated in the Note above referred to.

I have, etc.

Rennell RODD

Marchese di San Giuliano
etc., etc., etc.

III

The Italian Minister for Foreign Affairs to the British Ambassador

[ITALIAN TEXT — TEXTE ITALIEN]

[TRANSLATION — TRADUCTION]

MINISTERO DEGLI AFFARI ESTERI

MINISTRY OF FOREIGN AFFAIRS

27 novembre 1911

27 November 1911

Signor Ambasciatore,

Your Excellency,

Con relazione alla sua Nota 11 gennaio u.s., ho l'onore di significare all'Eccellenza Vostra che questo Ministero consente alla proposta del Governo di S.M. Britannica di estendere la convenzione di estradizione del 18 marzo 1873 ad alcuni territori di protettorato inglese; beninteso sotto la condizione di reciprocità.

With regard to your note of 11 January last, I have the honour to inform you that this Ministry agrees to the proposal of His Britannic Majesty's Government that the Extradition Treaty of 18 March 1873 should be extended to certain British protectorates, subject to reciprocity.

Gradisca, etc.

I have the honour to be, etc.

SAN GIULIANO

SAN GIULIANO

Sir J. Rennell Rodd
etc., etc., etc.

Sir J. Rennell Rodd
etc., etc., etc.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND ITALY CONCERNING DIPLOMATIC BAGS. ROME, 21 MARCH AND 3 MAY 1938

I

BRITISH EMBASSY

Rome, 21st March, 1938

No. 79
(325/2/38)

Monsieur le Ministre,

I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom are desirous of concluding with the Italian Government a reciprocal arrangement for the exchange through postal channels, without prepayment of postage, of diplomatic bags containing non-confidential correspondence between the two Governments and their Embassies in Rome and London respectively.

2. In similar understandings between His Majesty's Government and foreign governments, the following conditions usually obtain :—

(1) The bag shall not in any case weigh more than thirty kilogrammes, this being the limit of weight for bags of closed mails under the International Postal Regulations.

(2) The dimensions of the bag shall be less than forty-nine inches by twenty-six inches, which is the size of the bags ordinarily employed by the Post Office in the United Kingdom for Imperial and Foreign Mails.

(3) The agreement to be subject to termination by either Party on giving three months' notice to that effect.

3. I have the honour further to suggest that the Agreement should come into force on the 1st April next.

4. If the foregoing proposals are agreeable to the Italian Government, I would suggest that the present Note and Your Excellency's Note in reply be regarded as constituting an agreement in this matter, between His Majesty's Government in the United Kingdom and the Italian Government.

5. His Majesty's Government would be glad to learn in due course at what Post Office in London the diplomatic bags from the Italian Embassy will be handed in, so that suitable instructions may be issued to the postal authorities concerned.

I take this opportunity, Monsieur le Ministre, to renew to Your Excellency, the assurance of my highest consideration.

(Signed) PERTH

II

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

Rome, May 3rd, 1938 (Year XVI)

Treaties.
90098/19

Monsieur l'Ambassadeur,

Under date of March 21st, Your Excellency was good enough to convey to me the Note which in the Italian language is of the following tenour :—

[See note I]

I have the honour to inform Your Excellency that the Italian Government are in agreement with the above and propose that the agreement should enter into force on May 15th, 1938.

The Royal Embassy in London will consign the diplomatic bags which are to be forwarded to Italy to the Post Office of South Molton Street—x—Branch Post Office—London W. 1.

Please accept etc.

(Signed) CIANO

His Excellency Lord Perth
His Britannic Majesty's Ambassador
Rome

[TRADUCTION — TRANSLATION]

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD ENTRE LE
ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU
NORD ET L'ITALIE RELATIF AUX VALISES DIPLOMATIQUES.
ROME, 21 MARS ET 3 MAI 1938

I

AMBASSADE DE GRANDE-BRETAGNE

N° 79
(325/2/38)

Rome, le 21 mars 1938

Monsieur le Ministre,

J'ai l'honneur de faire savoir à Votre Excellence que le Gouvernement de Sa Majesté dans le Royaume-Uni est désireux de conclure, avec le Gouvernement italien, un accord réciproque pour l'échange, par la voie postale, sans paiement préalable de droit d'affranchissement, des valises diplomatiques contenant la correspondance non confidentielle entre les deux Gouvernements et leurs Ambassades respectives à Rome et à Londres.

¹ Translation by the Government of the United Kingdom.² Traduction du Gouvernement du Royaume-Uni.

AGREEMENT BETWEEN THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF
ITALY FOR THE REGULATION OF TRADE IN MEDICINAL
PRODUCTS. SIGNED AT ROME, 21 MARCH 1940.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Royal Italian Government, having recognised the necessity of establishing the measures to be applied, for purposes of health, to imports of medicinal products and in particular medicinal specialities from the United Kingdom to Italy and from Italy to the United Kingdom, have agreed to substitute the following provisions for those contained in the notes exchanged on the 9th July, 1907¹ between the two countries :—

1. The Royal Italian Government shall allow the unrestricted entry into Italy of medicinal products and medicinal specialities produced in and consigned from the United Kingdom, subject to compliance with the regulations and general conditions provided for under Italian legislation.

2. The United Kingdom Government shall allow the unrestricted entry into the United Kingdom of medicinal products and medicinal specialities produced in and consigned from Italy, subject to compliance with the regulations and general conditions provided for under the legislation of the United Kingdom.

3. The medicinal products and specialities imported from either country into the other shall not be granted, after their importation, less favourable treatment than that granted to medicinal products and specialities of national production.

4. Serums, vaccines, viruses, toxins, biological and similar products, as well as opotherapeutic products, are subject exclusively to the legislative measures already in force or subsequently to be enforced in either of the two countries.

5. Each of the contracting Parties reserves to itself the right, in exceptional cases, bearing in mind the necessity of protecting public health, to prohibit the importation of the products forming the subject of the present Agreement. Immediate notice of such prohibition must be made to the other contracting Government.

6. A period of one year from the date of the coming into force of the present Agreement shall be granted to Italian or United Kingdom firms interested for

¹ De Martens, *Nouveau Recueil général de Traités*, troisième série, tome I, p. 847.

the submission of applications to register medicinal products and specialities produced respectively in Italy and the United Kingdom and offered for sale respectively in the United Kingdom and Italy at that date.

7. The present Agreement shall be ratified and the ratifications shall be exchanged in London as soon as possible. It shall come into force thirty days after the day of exchange of ratifications.

The present Agreement may be denounced by either contracting Party at any time, at three months' notice.

DONE in duplicate at Rome on the 21st day of March, 1940, in English and Italian, both texts being equally authentic.

Percy LORAINÉ

CIANO