

No. 2128

**AUSTRALIA
and
FRANCE**

Exchange of notes constituting an agreement concerning compensation for property losses suffered during the Second World War by Australian citizens, companies and associations in France and Indo-China, and French citizens, companies and associations in Australia and its dependent territories. Paris, 21 and 28 September 1951

Official texts: English and French.

Registered by Australia on 20 March 1953.

**AUSTRALIE
et
FRANCE**

Échange de notes constituant un accord relatif à l'indemnisation pour les pertes de biens subies au cours de la deuxième guerre mondiale, en France et en Indochine, par des ressortissants australiens et des sociétés et associations australiennes, et, en Australie et dans ses dépendances, par des ressortissants français et des sociétés et associations françaises. Paris, 21 et 28 septembre 1951

Textes officiels anglais et français.

Enregistré par l'Australie le 20 mars 1953.

No. 2128. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN AUSTRALIA AND FRANCE CONCERNING COMPENSATION FOR PROPERTY LOSSES SUFFERED DURING THE SECOND WORLD WAR BY AUSTRALIAN CITIZENS, COMPANIES AND ASSOCIATIONS IN FRANCE AND INDO-CHINA, AND FRENCH CITIZENS, COMPANIES AND ASSOCIATIONS IN AUSTRALIA AND ITS DEPENDENT TERRITORIES. PARIS, 21 AND 28 SEPTEMBER 1951

Nº 2128. ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE L'AUS-
TRALIE ET LA FRANCE
RELATIF À L'INDEMNI-
SATION POUR LES PER-
TES DE BIENS SUBIES AU
COURS DE LA DEUXIÈME
GUERRE MONDIALE, EN
FRANCE ET EN INDO-
CHINE, PAR DES RESSOR-
TISSANTS AUSTRALIENS
ET DES SOCIÉTÉS ET
ASSOCIATIONS AUSTRA-
LIENNES, ET, EN AUS-
TRALIE ET DANS SES
DÉPENDANCES, PAR DES
RESSORTISSANTS FRAN-
ÇAIS ET DES SOCIÉTÉS
ET ASSOCIATIONS FRAN-
ÇAISES. PARIS, 21 ET 28
SEPTEMBRE 1951

I

Le Ministre des affaires étrangères de France à l'Ambassadeur d'Australie à Paris

LIBERTÉ — ÉGALITÉ — FRATERNITÉ

RÉPUBLIQUE FRANÇAISE

MINISTÈRE DES AFFAIRES ÉTRANGÈRES

Direction des affaires économiques et financières

Paris, le 21 septembre 1951

Monsieur l'Ambassadeur,

Me référant aux conversations qui ont eu lieu à Paris entre M. Wynes, Chargé d'Affaires d'Australie à Dublin, et les représentants du Gouvernement français en vue de régler l'indemnisation des sinistres subis au cours de la

¹ Came into force on 28 September 1951, by the exchange of the said notes.

¹ Entré en vigueur le 28 septembre 1951, par l'échange desdites notes.

[TRANSLATION — TRADUCTION]

The Minister of Foreign Affairs of France to the Australian Ambassador at Paris

LIBERTY—EQUALITY—FRATERNITY

REPUBLIC OF FRANCE
MINISTRY OF FOREIGN AFFAIRS

Department of Economic and Financial Affairs

Paris, 21 September 1951

Your Excellency,

With reference to the conversations which took place in Paris between Mr. Wynes, Australian Chargé d'Affaires at Dublin, and representatives of the French Government with a view to arranging for the compensation of damage suffered during the Second World War by Australian citizens, companies and associations in France and Indo-China, and French citizens, companies and associations in Australia and its dependent territories, I have the honour to inform you that the French Government agrees to the following provisions :

[See note II]

If the Australian Government agrees to these provisions, I have the honour to suggest that this letter and your reply should constitute an agreement between our two Governments to enter into force on the date of your reply.

I have the honour to be, etc.

Maurice SCHUMANN

His Excellency Sir Keith Officer
Australian Ambassador
Paris

II

*The Australian Ambassador at Paris to the Minister of Foreign Affairs of France*AUSTRALIAN EMBASSY
PARIS

608/1/1.

28th September, 1951

Monsieur le Ministre,

I have the honour to acknowledge receipt of your Note of 21st September, 1951, referring to conversations which took place in Paris between Dr. Wynes and representatives of the French Government with a view to arranging for the compensation of damage suffered during the Second World War by Australian citizens, companies and associations in France and Indo-China, and French

citizens, companies and associations in Australia and its dependent territories. I have the honour to confirm that His Majesty's Government in the Commonwealth of Australia accepts the following provisions :—

1. The French Government will give to Australian citizens and to Australian companies or associations whose property, situated in France and in Indo-China, has been destroyed or damaged as a result of the war, reparations equal to those fixed in the case of French nationals for losses of the same nature and extent.

All companies or associations in which either the right to vote or the capital is in majority Franco-Australian will enjoy the same treatment accorded to companies with a French or Australian majority.

However, the benefit of these provisions will not be extended to persons having ceded their damaged property before the entry into force of the present agreement.

2. The Australian Government will give to French nationals and to French companies and associations, whose property situated in Australia and in Australian possessions, has been destroyed or damaged as a result of the war, reparations equal to those fixed in the case of Australian citizens for losses of the same nature and extent.

All companies or associations in which either the right to vote or the capital is in majority Franco-Australian will enjoy the same treatment accorded to companies with a French or Australian majority.

However, the benefit of these provisions will not be extended to persons having ceded their damaged property before the entry into force of the present agreement.

It is agreed that Vietnamese, Cambodian and Laotian citizens, companies or associations shall be admitted to the benefits of this agreement.

3. Damage liable to give rise to the application of French and of Australian legislation relating to war damage will be that having occurred

— in Metropolitan France prior to the dates of the entry into force of French legislation relating to war damage;

— in Australia, in Australian possessions and in Indo-China prior to 2nd September, 1945, when the capitulation of Japan in all theatres of war was signed.

I have the honour to confirm that His Majesty's Government in the Commonwealth of Australia agrees that your Note of 21st September, 1951 and this reply constitute an agreement which enters into force at the date of this present Note, namely 28th September, 1951.

Please accept, Monsieur le Ministre, the assurance of my most high consideration.

Keith OFFICER
Ambassador

Son Excellence Monsieur Robert Schuman
Ministre des Affaires Étrangères
Quai d'Orsay, Paris (7^e)