

No. 2347

**UNITED STATES OF AMERICA
and
NEW ZEALAND**

**Exchange of notes constituting an agreement relating to
mutual defense assistance. Washington, 19 June 1952**

Official text: English.

Registered by the United States of America on 30 October 1953.

**ÉTATS-UNIS D'AMÉRIQUE
et
NOUVELLE-ZÉLANDE**

**Échange de notes constituant un accord relatif à l'aide pour
la défense mutuelle. Washington, 19 juin 1952**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 30 octobre 1953.

No. 2347. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND NEW ZEALAND RELATING TO MUTUAL DEFENSE ASSISTANCE. WASHINGTON, 19 JUNE 1952

I

The Secretary of State to the New Zealand Ambassador

DEPARTMENT OF STATE
WASHINGTON

June 19, 1952

Excellency :

I have the honor to refer to my note of July 26, 1951² declaring New Zealand eligible to receive from the Government of the United States of America reimbursable military assistance under the provisions of Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended,³ and stating that certain assurances would be required from the New Zealand Government before any transactions pursuant to this determination could be completed. It is the purpose of this note to furnish Your Excellency with the following revised list of assurances replacing those set forth in my note of July 26 :

1. The Government of New Zealand, in accordance with the purposes and principles of the Charter of the United Nations and having regard to the Security Treaty between Australia, New Zealand, and the United States of America,⁴ agrees to make effective use of any equipment, materials or services acquired under this agreement to maintain and develop its capacity to resist armed attack. The Government of New Zealand further agrees that it will give sympathetic consideration to requests for equipment and materials, services, or other assistance, consistent with the Charter of the United Nations, to be

¹ Came into force on 19 June 1952 by the exchange of the said notes.

² Not printed by the Department of State of the United States of America.

³ United States of America : 63 Stat. 720; 22 U.S.C. § 1580.

⁴ United Nations, *Treaty Series*, Vol. 131, p. 83.

furnished to the United States or to and among other nations eligible for assistance, consistent with the Charter of the United Nations, to be furnished to the United States or to and among other nations eligible for assistance under the Mutual Defense Assistance Act.

2. The Government of New Zealand will not relinquish title to or possession of any equipment and materials, information or services furnished under Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended, without the consent of the United States Government.

3. The Government of New Zealand will protect the security of any article, service or information furnished under Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended.

4. The Government of New Zealand understands that, prior to the transfer of any item or the rendering of any service under this Act, the United States Government retains the right to terminate the transaction.

5. The Government of New Zealand is prepared to accept terms and conditions of payment for any item or service which may be furnished under this Act, which are in accord with the provisions of Section 408 (e) (2) of this Act.

Upon the receipt of a note from Your Excellency indicating that the foregoing provisions are acceptable to the Government of New Zealand, the Government of the United States of America will consider that this note and your reply thereto constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

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

Dean ACHESON

His Excellency Leslie Knox Munro
Ambassador of New Zealand

II

The New Zealand Ambassador to the Secretary of State

NEW ZEALAND EMBASSY
WASHINGTON 8, D.C.

19 June 1952

Sir,

I have the honour to acknowledge the receipt of your note of today's date in which, after referring to your note of 26 July 1951 declaring New Zealand eligible to receive from the Government of the United States of America reimbursable military assistance under the provisions of Section 408 (e) of the Mutual Defense Assistance Act 1949, as amended, you set out certain assurances that would be required from the New Zealand Government before any transactions pursuant to this determination could be completed.

I have been authorised to inform you that the Government of New Zealand accepts the undertakings enumerated in your note, namely :

[See note I]

I have the honour to confirm that your note together with this reply constitute an agreement between the Government of New Zealand and the Government of the United States of America to enter into force on this day.

Accept, Sir, the assurances of my highest consideration.

L. K. MUNRO

The Honorable
The Secretary of State
Washington, D.C.