

No. 4356

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**NETHERLANDS**  
and  
**AUSTRALIA**

**Exchange of notes constituting an agreement concerning exemption from duties on supplies of fuel, etc., for aircraft. Canberra, 29 November 1956**

*Official text: English.*

*Registered by the Netherlands on 11 June 1958.*

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**PAYS-BAS**  
et  
**AUSTRALIE**

**Échange de notes constituant un accord relatif à l'exemption des droits pour les approvisionnements de carburants et autres destinés aux aéronefs. Canberra, 29 novembre 1956**

*Texte officiel anglais.*

*Enregistré par les Pays-Bas le 11 juin 1958.*

No. 4356. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE NETHERLANDS AND AUSTRALIA CONCERNING EXEMPTION FROM DUTIES ON SUPPLIES OF FUEL, ETC., FOR AIRCRAFT. CANBERRA, 29 NOVEMBER 1956

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I

EMBASSY OF THE NETHERLANDS

Canberra, 29th November 1956

Sir,

I have the honour to refer to the exemptions of certain supplies from all national duties and charges, including customs duties and inspection fees, which are accorded, on a basis of reciprocity, in respect of certain operations by Netherlands civil aircraft, including immigration flights, into Australian territory.

In accordance with instructions received from my Government, I have the honour to propose that these exemptions be extended to apply to all Netherlands civil aircraft making non-scheduled flights into Australian territory, reciprocal treatment being accorded by the Netherlands Government to Australian civil aircraft making non-scheduled flights into Netherlands territory. I venture to suggest, in addition, that these exemptions be applied retro-actively to take effect on 1st July, 1955. The position in this regard would then be as follows :

“In addition to the treatment accorded under Article 24 of the Convention on International Civil Aviation,<sup>2</sup> supplies of fuel, lubricating oil, spare parts, regular equipment and aircraft stores introduced into or taken aboard Netherlands civil aircraft operating in Australian territory other than those operated pursuant to the Agreement between the Australian and Netherlands Governments for the establishment of air services signed in Canberra on 25th September, 1951,<sup>3</sup> shall be exempted, with effect from 1st July, 1955, from customs duties, inspection fees, and similar charges, even though such supplies are used by such aircraft on flights in Australian territory, reciprocal treatment being accorded to Australian civil aircraft

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<sup>1</sup> Came into force on 14 April 1958, the date of receipt by the Australian Government of a note stating on behalf of the Netherlands Government that the constitutional approval required in the Netherlands has been obtained, with retroactive effect from 1 July 1955, in accordance with the provisions of the said notes.

<sup>2</sup> See footnote 2 p. 54 of this volume.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 128, p. 63.

on similar flights in Netherlands territory, also with effect from 1st July 1955.”

Finally, I have been instructed to propose that this letter and your reply in the affirmative be deemed to constitute and be evidence of an agreement between our two Governments and that the agreement shall enter into force on the date the Australian Government receive a Note in which it is stated on behalf of the Netherlands Government that the constitutional approval required in the Netherlands has been obtained.

I have the honour to be, Sir,  
Your obedient servant,

(Signed) A. M. L. WINKELMAN  
Netherlands Ambassador

The Honourable Sir Philip A. M. McBride, K.C.M.G., M.P.,  
Acting Minister for External Affairs  
Canberra

II

ACTING MINISTER FOR EXTERNAL AFFAIRS

Canberra, 29th November 1956

Your Excellency,

I have the honour to acknowledge your Note of today's date which reads as follows :

[See note I]

I have the honour to inform you that the Government of the Commonwealth of Australia accepts the above proposals and agrees that your Note and this reply shall be deemed to constitute and be evidence of an agreement between our two Governments, such agreement to enter into force on the date when the Australian Government receives a Note in which it is stated on behalf of the Netherlands Government that the constitutional approval required in the Netherlands has been obtained.

I have the honour to be, with high consideration,  
Your Excellency's obedient servant,

(Signed) P. A. McBRIDE  
Acting Minister for External Affairs

His Excellency Mr. A. M. L. Winkelman  
Ambassador Extraordinary and Plenipotentiary  
of the Kingdom of the Netherlands  
Royal Netherlands Embassy  
Canberra, A. C. T.