

No. 4745

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

**Exchange of notes constituting an agreement concerning  
the revision of the penal system in the New Hebrides.  
London, 26 January 1959**

*Official texts: English and French.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
15 June 1959.*

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

**Échange de notes constituant un accord relatif à la revision  
du système pénal aux Nouvelles-Hébrides. Londres,  
26 janvier 1959**

*Textes officiels anglais et français.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
15 juin 1959.*

No. 4745. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FRENCH REPUBLIC CONCERNING THE REVISION OF THE PENAL SYSTEM IN THE NEW HEBRIDES. LONDON, 26 JANUARY 1959

N° 4745. ÉCHANGE DE NOTES CONSTITUANT UN ACCORD<sup>1</sup> ENTRE LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD ET LE GOUVERNEMENT DE LA RÉPUBLIQUE FRANÇAISE RELATIF À LA REVISION DU SYSTÈME PÉNAL AUX NOUVELLES-HÉBRIDES. LONDRES, 26 JANVIER 1959

## I

*The Secretary of State for Foreign Affairs to the French Ambassador at London*

*Le Secrétaire d'État aux affaires étrangères à l'Ambassadeur de France à Londres*

FOREIGN OFFICE, S.W. 1

January 26, 1959

Your Excellency,

Following recent discussions between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic about increasing the penalties for offences against local regulations for the maintenance of order in the New Hebrides, I have the honour to propose that, pending the entry into force of a revised Protocol, Article 7 and paragraph 1 of Article 61 of the Anglo-French Protocol concerning the New Hebrides of the 6th of August 1914,<sup>2</sup> shall be amended to read as follows :

*Article 7*

LEGISLATION—REGULATIONS

“ The High Commissioners shall have power to issue jointly, for the maintenance of order and for the good government of the Group, and for carrying the present Convention into effect, local regulations binding on all the inhabitants of the Group without exception, and to enforce such regulations by imposing one or more of the following penalties in respect of each offence :

<sup>1</sup> Came into force on 26 January 1959 by the exchange of the said notes.

<sup>2</sup> League of Nations, *Treaty Series*, Vol. X, p. 333.

<sup>1</sup> Entré en vigueur le 26 janvier 1959 par l'échange desdites notes.

- “ (a) Imprisonment not exceeding five years;  
 “ (b) Fine not exceeding £ Sterling 500 or its equivalent in francs at the current rate of exchange;  
 “ (c) Confiscation of movable property (including ships not exceeding 500 tons burden) involved in the offence committed;  
 “ (d) Prohibition of entry or residence in certain parts of the territory. ”

*Article 61*

PENALTIES

“ 1. Any breach by non-natives of Articles 57, 59 and 60 shall be punishable by the infliction of one or more of the following penalties :

- “ (a) Imprisonment not exceeding five years;  
 “ (b) Fine not exceeding £ Sterling 500 or its equivalent in francs at the current rate of exchange;  
 “ (c) Confiscation of movable property (including ships not exceeding 500 tons burden) involved in the offence committed;  
 “ (d) Prohibition of entry or residence in certain parts of the territory. ”

If the foregoing proposal is acceptable to the Government of the French Republic, I have the honour to suggest that the present Note and Your Excellency's reply in that sense should be regarded as formally recording the agreement of the two Governments to amend the said Protocol of the 6th of August, 1914, accordingly, with immediate effect.

I have, &c.

For the Secretary of State :

John PROFUMO

[TRADUCTION — TRANSLATION]

FOREIGN OFFICE, S.W. 1

Le 26 janvier 1959

Monsieur l'Ambassadeur,

[*Voir note II*]

Veillez agréer, etc.

Pour le Secrétaire d'État :

John PROFUMO

N° 4745

« Si les propositions ci-dessus reçoivent l'accord du Gouvernement français, j'ai l'honneur de suggérer que la présente Note et celle que Votre Excellence m'enverra en réponse, soient considérées comme constatant officiellement l'accord des deux Gouvernements pour amender en conséquence ledit Protocole du 6 août 1914, et ceci avec effet immédiat. »

En réponse, j'ai l'honneur de vous informer que la proposition ci-dessus emporte l'accord du Gouvernement français qui, dans ces conditions, approuve la suggestion de Votre Excellence que Sa Note et la présente réponse soient considérées comme constatant officiellement l'accord des deux Gouvernements pour amender en conséquence ledit Protocole du 6 août 1914 et ceci avec effet immédiat.

Veillez agréer, etc.

J. CHAUVEL

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

FRENCH EMBASSY

London, January 26, 1959

Your Excellency,

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

[See note I]

In reply I have the honour to inform you that the above-mentioned proposal is acceptable to the French Government who therefore agree with your suggestion that Your Excellency's Note and this reply should be regarded as formally recording the agreement of the two Governments to amend the said Protocol of the 6th August, 1914, accordingly with immediate effect.

I avail, &c.

J. CHAUVEL

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<sup>1</sup> Translation by the Government of the United Kingdom.

<sup>2</sup> Traduction du Gouvernement du Royaume-Uni.