

No. 4982

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**NORWAY**  
and  
**NETHERLANDS**

**Agreement (with annexes) regarding compensation for certain Norwegian bonds lost by Netherlands owners during the Second World War, and for war damages to the Scandinavian Seamen's Home in Rotterdam. Signed at Oslo, on 30 June 1958**

*Official text: English.*

*Registered by Norway on 23 December 1959.*

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**NORVÈGE**  
et  
**PAYS-BAS**

**Accord (avec annexes) concernant l'indemnisation pour certaines obligations norvégiennes perdues par des propriétaires néerlandais au cours de la deuxième guerre mondiale et pour les dommages de guerre causés au Foyer des marins scandinaves à Rotterdam. Signé à Oslo, le 30 juin 1958**

*Texte officiel anglais.*

*Enregistré par la Norvège le 23 décembre 1959.*

No. 4982. AGREEMENT<sup>1</sup> BETWEEN THE NORWEGIAN GOVERNMENT AND THE NETHERLANDS GOVERNMENT REGARDING COMPENSATION FOR CERTAIN NORWEGIAN BONDS LOST BY NETHERLANDS OWNERS DURING THE SECOND WORLD WAR, AND FOR WAR DAMAGES TO THE SCANDINAVIAN SEAMEN'S HOME IN ROTTERDAM. SIGNED AT OSLO, ON 30 JUNE 1958

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The Royal Netherlands Government and the Royal Norwegian Government,

Desiring to settle the claims of the Netherlands Government regarding certain bonds lost by Netherlands owners during the Second World War as well as the claim for the compensation of war damage to the Scandinavian Seamen's Home in Rotterdam;

Have agreed as follows :

*Article I*

As the Government of the Netherlands has informed the Government of Norway that Netherlands citizens domiciled in the Netherlands during the Second World War have lost certain Norwegian securities partly as a result of war operations and conditions during the occupation, and partly as a result of the fact that the securities were stolen from them by the occupying power, the Norwegian Government has arrived at the conclusion that it should compensate these Netherlands subjects for the loss, through no fault of their own, of their bonds in Norwegian state loans in accordance with the regulations contained in the present Agreement and Annex 1<sup>2</sup> hereto.

The Norwegian Government has communicated with Norges Kommunalbank (Municipal Bank), Akershus County, the Oslo Municipal Authorities, the Bergen Municipal Authorities, the Fredrikstad Municipal Authorities, Norsk Hydro-Elektrisk Kvaelstofaktieselskab and Kristiania Hypotek- og Realkreditbank, who have stated their willingness to compensate Netherlands subjects for the loss of bonds issued by these institutions, in accordance with the regulations contained in this Agreement and Annex 2<sup>3</sup> hereto.

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<sup>1</sup> Came into force on 20 August 1959, the date on which each Government, in an exchange of notes, stated that the constitutional requirements for the entry into force of the Agreement had been fulfilled, in accordance with article III.

<sup>2</sup> See p. 224 of this volume.

<sup>3</sup> See p. 228 of this volume.

Details of those bonds covered by the present Agreement are contained in Annexes 1 and 2 to the present Agreement. The Annexes shall be regarded as forming an integral part of the present Agreement.

The following procedure shall be followed when applying for compensation :

1. The Owner of a lost bond shall notify the loss, through the appropriate Netherlands authorities, to the following Norwegian institutions :

- (a) The Ministry of Commerce, Foreign Loans Division, in the case of Norwegian state bonds issued in foreign currencies,
- (b) Norges Kommunalbank, in the case of bonds issued by this bank,
- (c) Akershus Elektrisitetsverk, in the case of bonds issued by Akershus County,
- (d) The Principal of the Finance Department of the Oslo Municipal Authorities, in the case of bonds issued by the Oslo Municipal Authorities,
- (e) The Municipal Treasurer of Bergen, in the case of a bond issued by the Bergen Municipal Authorities,
- (f) Fredrikstad og Omegns Bank A/S, in the case of bonds issued by the Fredrikstad Municipal Authorities,
- (g) Norsk Hydro-Elektrisk Kvaelstofaktieselskab, in the case of bonds issued by this company,
- (h) Kristiania Hypotek- og Realkreditbank, Oslo, in the case of bonds issued by this bank.

2. The notification shall contain information regarding :

- (a) the loan in question—rate of interest, year, series,
- (b) whether the loss relates to the actual bond, to the coupons or to both,
- (c) the bond's letter, number and face value,
- (d) which coupon sheet and coupon periods are lost,
- (e) who the owner was as per 9th September, 1945, and his name and address. If the present owner is not the same as the owner on 9th September, 1945, the present owner's name and address shall also be stated,
- (f) proof of the fact that the applicant, or the person from whom he has acquired his right, was the owner of the bond when it was lost, e.g. attestation from an authority of assessment, bank, probate court, notary public,
- (g) when and how the bond or coupons were stolen, destroyed or lost as a result of war operations or circumstances prevailing during the occupation,
- (h) if the bond has been registered in Norway by a Netherlands subject other than the one applying for compensation, and the bond has not already been

redeemed, a declaration or a copy of the decision, whereby the person who has registered the bond has relinquished or has been deprived of any right, to it, shall also be attached.

The appropriate Netherlands authority shall certify that the information contained in the notification is correct.

3. The representatives of the bond issuers (the debtors) mentioned under No. 1 shall decide in each individual case whether the information submitted gives sufficient proof that the claimant is entitled to submit the claim as the legitimate owner, and whether the bond has been lost in such a manner that the loss entitles him to compensation.

4. The Netherlands Government shall guarantee any loss which the Norwegian Government, Norges Kommunalbank, Akershus County, the Oslo Municipal Authorities, the Bergen Municipal Authorities, the Fredrikstad Municipal Authorities, Norsk Hydro-Elektrisk Kvaestofaktieselskab or Kristiania Hypotek- og Realkreditbank might sustain as a result of payments of compensation without bonds and coupons being presented.

Those lost bonds and coupons for which compensation is paid shall remain blocked.

The Netherlands authorities shall be informed of any effort made to present such securities for redemption, and redemption shall not take place until after the lapse of a reasonable period.

If, however, the bonds and coupons presented are redeemed, either as a result of an unintentional mistake on the part of an employee or fiscal agent or because the debtor, after considering all the circumstances, finds no reason for refusing redemption, the Netherlands Government shall on demand immediately compensate the debtor for all expenses involved in the payment. The parties agree that the Netherlands Government as the guarantor shall not be entitled to make any objection to the Norwegian debtor's appraisal as to whether payment was necessary in such cases.

The provisions regarding guarantee liability in cases where lost bonds and coupons are presented after compensation has been paid, shall also apply if a claim is submitted by a legitimate creditor who is unable to present the bond or coupon concerned.

The abovementioned instances of guarantee liability are not intended to be exhaustive but are mentioned as examples.

The Netherlands Government's guarantee shall apply until the bonds and the coupons which are covered by the present Agreement are prescribed according to the Norwegian legislation in force at any time. However, when the bonds have face values in several currencies or in a currency other than Norwegian crowns, the guarantee shall also apply until prescription has come into force in conformity with the general regulations which the debtor in question applies in relation to foreigners.

### Article II

On the basis of the Netherlands "Wet op de Materiële Oorlogsschade" the Government of the Netherlands shall pay to the Society for Scandinavian Seamen's Homes in Foreign Ports a compensation of h. fl. 92.400.— for war damage to the Scandinavian Seamen's Home in Rotterdam. To this amount there will be added 4% interest p.a. for the period June 1, 1940 to March 1, 1950 and 3½% interest p.a. from March 1, 1950 till February 29, 1952, inclusive.

### Article III

The present Agreement shall come into force on the date on which each Government shall receive from the other Government a Note in which it is stated, that the constitutional requirements for the entry into force of such Agreement have been fulfilled.

IN WITNESS WHEREOF the undersigned representatives, duly authorized to that effect, have signed the present Agreement.

DONE in duplicate at Oslo, on 30th June, 1958, in the English language.

For the Government  
of the Kingdom of Norway :  
(Signature)

For the Government  
of the Kingdom of the Netherlands :  
(Signature)

## ANNEX 1

DETAILS OF BONDS IN NORWEGIAN STATE LOANS LOST BY NETHERLANDS CITIZENS DURING THE SECOND WORLD WAR AS WELL AS REGULATIONS FOR COMPENSATION OF THE BONDS

### I. Demand for compensation is submitted for the following bonds and coupons:

*The Norwegian 3% State Loan of 1888.* Letter C. Nos. 11365 and 15886, drawn on 1st February, 1945 and 1st February, 1943, respectively, Bond and coupons lost.

Letter C. No. 9928, drawn on 1st August, 1946, and No. 14077, drawn on 1st February, 1946. Bond lost, coupon sheet not lost.

Letter C. Nos. 10396, 15885 and Letter D. No. 22242. Undrawn bonds, bond and coupon sheet lost.

Letter C. Nos. 3226, 4271, 5339, 7293, 9454, 9683, 10172, 11134, 11779, 14347, 14591, 14592, 16295, 16298. Letter D. Nos. 17981, 17983, 17984, 17985, 18073, 18074, 18075, 18203, 18215, 18422, 18423, 18424, 18945, 22487, 22488, 22552, 23371, 23372, 23505, 23980, 23981, 24433, 24722, 24969, 24998. Undrawn bonds. Bond lost, coupon sheet not lost.

Letter C. Nos. 6263 and 15919. Undrawn bonds. Coupon sheet lost, bond not lost.

*The Norwegian 3<sup>1</sup>/<sub>2</sub>% State Loan of 1904.* No. 14146, drawn on 15th June, 1946, 14147, drawn on 15th June, 1944, 14148, drawn on 15th December, 1946, and 14159, drawn on 15th June, 1946. Bond and coupon sheet lost. Nos. 18853 and 18854. Undrawn bonds. Bond and coupon sheet lost.

II. *The Ministry of Commerce will make a settlement on the following lines:*

1. *Drawn bonds. Bond and coupon sheet lost.* Payment will be made of the bonds' face value and of all coupons matured up to the day of drawing. In the case of bonds drawn during the war interest will be paid up to 1st February, 1946, and 15th December 1945, for the 1888 and 1904 loans respectively.

2. *Drawn bonds. Bond lost, coupon sheet not lost.* Coupons for these bonds have been cashed up to the day the bonds were drawn. The face value of the bonds will be paid on condition that all coupons maturing after the day of drawing are handed into Norges Bank.

3. *Undrawn bonds. Bond and coupon sheet lost.* The Ministry of Commerce will purchase the right to the bonds at a rate based on the average rate for purchase for amortisation purposes in 1955. The rate will be \$ 18-8-0d. both for bonds having a face value of \$20-0-0d. (the 1888 loan) and for bonds having a face value of \$ 19-16-5d. (the 1904 loan). With regard to bonds having a face value of \$ 100-0-0d. (the 1888 loan) the rate will be \$ 92-0-0d. Uncashed matured coupons will be paid at face value.

4. *Undrawn bonds. Bond lost, coupon sheet not lost.* The Ministry of Commerce will purchase the right to the lost bonds on the conditions mentioned under II, 3., above, provided that all non-matured coupons up to until the last interest period are handed in at the same time. Those matured coupons of this group which have not been lost are excluded from the general settlement.

5. *Undrawn bonds. Bond not lost, coupon sheet lost.* The Ministry of Commerce will purchase these bonds against delivery of the bonds at the price as mentioned under II, 3., above, and uncashed matured coupons will be paid at face value.

In the case of settlement made in accordance with this Agreement the shortened statutory limits for coupons in conformity with Art. 41 of the law relating to Bonds of 17th February, 1939, shall not apply.

Settlement in respect of multi-currency loans will be made on the basis of the face value in pounds sterling.

As far as bond dealt with in II, 3 and 5, are concerned, interest will not be paid for the expired part of the term in which settlement is made. With regard to bonds mentioned under II, 4., the current period's coupon must be handed in without such interest being paid.

## ANNEX 2

DETAILS OF BONDS ISSUED BY NORGES KOMMUNALBANK, AKERSHUS COUNTY, THE OSLO MUNICIPAL AUTHORITIES, THE BERGEN MUNICIPAL AUTHORITIES, THE FREDRIKSTAD MUNICIPAL AUTHORITIES, NORSK HYDRO-ELEKTRISK KVAELSTOFAKTIESELSKAB AND KRISTIANIA HYPOTEK- OG REALKREDITBANK, LOST BY NETHERLANDS SUBJECTS DURING THE SECOND WORLD WAR, AS WELL AS REGULATIONS FOR COMPENSATION OF THE BONDS

I. *Bonds issued by Norges Kommunalbank*

Norges Kommunalbank's 4 ½% loan of 1933, letter C. No. 17864, face value Kr. 500.—. The bond has been registered by the Netherlands owner.

Norges Kommunalbank's 5% Dollar loan of 1930, bond No. 1584, face value \$ 1.000.—.

When paying compensation Norges Kommunalbank shall base itself on the regulations applying to bonds in Norwegian state loans in conformity with the present Agreement and Annex 1.

II. *Bonds issued by Akershus County*

Akershus County's 5% loan of 1931, letter C. face value Kr. 1.000.— No. 10420, 13405, 13406, 10810 and 10811. The bonds have been registered by two Netherlands subjects.

Akershus County when paying compensation shall base itself on the regulations applying to bonds in Norwegian State loans in conformity with the present Agreement and Annex 1.

III. *Bonds issued by the Oslo Municipal Authorities*

The Oslo Municipal Authorities, 4 ½% loan of 1914, face value £ 100-0-0; Nos. 1703 (only coupon sheet lost) and 1791.

The Oslo Municipal Authorities 5% loan of 1930, letter B No. 19912, face value of Kr. 1.000.—.

The O.M.A.'s 4 ½% loan of 1937, Nos. 10213 and 10214	} Loan taken up in the Netherlands
The O.M.A.'s 4 ½% loan of 1937, Nos. 1727 and 10062	
The O.M.A.'s 4 ½% loan of 1937, Nos. 8578/81 and 8583/85	
The O.M.A.'s 3 ½% loan of 1942, Letter A. Nos. 646 and 1191	
The O.M.A.'s 3 ½% loan of 1942, Letter B. No. 9203 and	
The O.M.A.'s 3 ½% loan of 1942, Letter C. No. 10842	
The O.M.A.'s 3 ½% loan of 1942, Letter B. No. 8788	
The O.M.A.'s 3 ½% loan of 1942, Letter B. Nos. 8789 and 8790	

The Oslo Municipal Authorities will only pay compensation for the bonds and coupons which are still uncashed in the municipal authorities' books. When paying compensation the Oslo Municipal Authorities shall base themselves on the regulations applying to bonds in Norwegian state loans in conformity with the present Agreement and Annex I. However, with regard to the current (undrawn) municipal bonds in the Oslo Municipal Authorities' 4 ½% loan of 1937 offered in the Netherlands, the Oslo Municipal Authorities shall base themselves on the par value (100%) when purchasing the right to the bonds.

The Oslo Municipal Authorities also reserve the right to demand supplementary information as regards the circumstances connected with the loss of the bonds after the notification has been submitted in accordance with Article I, 1, of the present Agreement.

#### IV. *Bond issued by the Bergen Municipal Authorities*

The Bergen Municipal Authorities' 5% loan of 1931, letter B. No. 6676, face value Kr. 1.000.—. The bond has been registered by a Netherlands citizen.

When paying compensation the Bergen Municipal Authorities shall base themselves on the regulations applying to bonds in Norwegian state loans in conformity with the present Agreement and Annex 1.

#### V. *Bonds issued by Fredrikstad Municipal Authorities*

The Fredrikstad Municipal Authorities' 4% loan of 1917, Nos. 413, 416, 1253 and 1254.

Bond No. 413 was drawn on August 1st, 1942, but has not been redeemed.

Bonds Nos. 416, 1253 and 1254 have not been presented for conversion when the loan was converted on February 1st, 1944. Compensation for unredeemed and unprescribed coupons will be paid through Fredrikstad og Omegns Bank A/S in conformity with the rules applying to Norwegian state loans according to the present Agreement and Annex 1.

#### VI. *Bonds issued by Norsk Hydro-Elektrisk Kvaelfaktieselskab*

Norsk Hydro-Elektrisk Kvaelfaktieselskab's 4% loan of 1937 I, face value Fl. 1.000.—

Nos. 937, 1068, 1362, coupon sheet, 1849, 2601, 2602, 2917, 2918, 3079, mantle, 5167 mantle, 5700, 8200, 8207 coupon sheet, 11556, 11779, 12111, 12646 coupon sheet, 12647 coupon sheet, 12648 coupon sheet, 12959, 12960 and 13287,

+ 93 coupons at Fl. 20.— :

1591	—	1 coupon per 1.9.1940
5993	—	3 coupons per 1.9.1940 up to and including 1.9.1941
6253	—	7 coupons per 1.9.1940 up to and including 1.9.1943
8108/17	—	30 coupons per 1.9.1940 up to and including 1.9.1941
8189	—	1 coupon per 1.9.1940
8190/92	—	15 coupons per 1.9.1940 up to and including 1.9.1942
8209/11	—	9 coupons per 1.9.1940 up to and including 1.9.1941
8212	—	4 coupons per 1.9.1940 up to and including 1.3.1942
8214	—	5 coupons per 1.9.1940 up to and including 1.9.1942
8753	—	7 coupons per 1.9.1940 up to and including 1.9.1943
10586	—	1 coupon per 1.9.1940
11850	—	1 coupon per 1.9.1940
12305	—	1 coupon per 1.9.1940
12499/503	—	5 coupons per 1.9.1944
13664/66	—	3 coupons per 1.9.1944



When paying compensation the Norsk Hydro-Elektrisk Kvaestofaktieselskab shall base itself on the regulations applying to bonds in Norwegian state loans in conformity with the present Agreement and Annex 1.

VII. *Bonds issued by Kristiania Hypotek- og Realkreditbank, Oslo*

Kristiania Hypotek- og Realkreditbank's 4½% loan of 1903, Serie IV, face value Fl. 1,000.—, No. 306 A. mantle, No. 557 A. mantle.

When paying compensation the Kristiania Hypotek- og Realkreditbank shall base itself on the regulations applying to bonds in Norwegian state loans in conformity with the present Agreement and Annex 1.

Compensation will be paid in accordance with the amounts in Norwegian crowns which are stated on the bonds and coupons.