

No. 5794

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

**Agreement relating to trade and commerce (with exchanges
of notes of 18 November 1957 and 25 January 1961).
Signed at London, on 18 November 1957**

Official texts of the Agreement: English and Danish.

Official text of the notes: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
16 August 1961.*

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

**Accord commercial (avec échanges de notes des 18 novembre
1957 et 25 janvier 1961). Signé à Londres, le 18 novembre
1957**

Textes officiels de l'Accord: anglais et danois.

Texte officiel des notes: anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
16 août 1961.*

No. 5794. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF DENMARK RELATING TO TRADE AND COMMERCE. SIGNED AT LONDON, ON 18 NOVEMBER 1957

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark ;

Desiring to make provision for continuing in force with certain modifications, primarily caused by the decision² of the United Kingdom to apply as from 1st October, 1956, a tariff of 10 per cent. *ad valorem* on imports of bacon from foreign countries, the Commercial Agreement of 24th April, 1933 ;³

Have agreed as follows :

Article 1

The Commercial Agreement of 24th April, 1933, (hereinafter referred to as "the Commercial Agreement") as modified by the present Agreement shall continue in force during the currency of the present Agreement.

Article 2

The Commercial Agreement is amended as follows :

(a) In the Second Schedule the item "Bacon.....Free" is deleted and the following substituted therefor :

"Bacon.....10 % *ad valorem*, provided that the Government of the United Kingdom shall suspend such duty during any period in which imports into the United Kingdom of bacon from Denmark are subject to quantitative restrictions."

(b) In paragraph (2) of Article 4 the words "For bacon and hams, the Danish allocation shall not be less than 62 per cent. of the total permitted imports from foreign countries" are deleted and the following substituted therefor :

¹ Came into force on 25 January 1961, upon the exchange of the instruments of ratification at London, in accordance with article 7.

² United Nations, *Treaty Series*, Vol. 252, p. 83.

³ League of Nations, *Treaty Series*, Vol. CXXXIX, p. 127, and Vol. CLXXVII, p. 421.

“There shall be allocated to Denmark not less than the following percentage shares of the total foreign quotas for bacon and for hams, respectively permitted to be imported into the United Kingdom :

“For bacon	68.95 per cent.
“For hams	0.4 per cent.”

Article 3

The following shall cease to have effect as from the date of entry into force of the present Agreement :

(a) The Supplementary Commercial Agreement of 21st December, 1938,¹ in so far as it has not already by virtue of the Commercial Agreement of 13th August, 1949,² ceased to have effect.

(b) The Commercial Agreement of 13th August, 1949, and the Notes exchanged on the same date.

Article 4

At any time at which both Governments are contracting parties to the General Agreement on Tariffs and Trade³ the provisions of Article 1, Article 2 (except in so far as they relate to bacon) and sub-paragraph 2 of Article 7 of the Commercial Agreement shall be inoperative. The provisions of sub-paragraph 2 of Article 9 of the Commercial Agreement shall also be inoperative at any time at which both Governments are contracting parties to the General Agreement on Tariffs and Trade and the Government of Denmark is applying the General Agreement on Tariffs and Trade in respect of Greenland.

Article 5

Nothing in the Commercial Agreement as modified by the present Agreement shall—

- (a) require either Government to do anything contrary to any obligations to which it may be subject under the General Agreement on Tariffs and Trade ;
- (b) prevent either Government from restricting quantities or value of imports into its territory to such an extent as may be necessary to safeguard its external financial position and balance of payments.

¹ League of Nations, *Treaty Series*, Vol. CXCVII, pp. 334 and 338.

² United Nations, *Treaty Series*, Vol. 68, p. 105.

³ See footnote 1, p. 56 of this volume.

Article 6

For the purposes of the Commercial Agreement as modified by the present Agreement—

- (a) the term “foreign country” means in relation to the United Kingdom any country other than those referred to in Annex A¹ to the General Agreement on Tariffs and Trade ;
- (b) the term “total foreign quota” means the total amount of the commodity in question comprised in the specific allocations of permitted imports which are distributed on a percentage basis among specified foreign countries and does not include imports which may be permitted within the limits fixed for “insignificant” suppliers ;
- (c) any reference to regulation of imports into the United Kingdom relates to regulation of the quantities of imports only ;
- (d) the expression “from Denmark” in relation to agricultural products means “produced or manufactured in Denmark” ;
- (e) any reference to imports of fish into the United Kingdom from Denmark includes a reference to fish landed in the United Kingdom direct from the sea by Danish vessels ;
- (f) the term “United Kingdom” means Great Britain and Northern Ireland, the Channel Islands and the Isle of Man.

Article 7

The present Agreement shall be ratified and the instruments of ratification shall be exchanged at London as soon as possible. It shall come into force immediately on the exchange of the instruments of ratification and it may be terminated by either Government upon the expiration of six months’ notice given to the other Government, provided that it shall in any event not terminate before 31st March, 1961.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed the present Agreement.

DONE in duplicate at London, this eighteenth day of November, one thousand nine hundred and fifty-seven, in the English and Danish languages, both texts being equally authoritative.

Selwyn LLOYD
STEENSEN-LETH

¹ United Nations, *Treaty Series*, Vol. 55, p. 284.

EXCHANGES OF NOTES

I

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

ND 115/12

FOREIGN OFFICE, S.W. 1

November 18, 1957

Your Excellency,

In the course of the negotiations between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark, which resulted in the signature to-day of a Trade Agreement,¹ you indicated that you would be grateful for an assurance from the Government of the United Kingdom that the agreement concerning arrangements respecting the expiration of the long-term agreement for the purchase of bacon, as set out in the Agreed Minute and Exchange of Letters of the 27th of February, 1956,² is still valid.

I have the honour to inform Your Excellency that it is the understanding of the Government of the United Kingdom that nothing in the Agreement concluded to-day involves any amendment or limitation of the rights of either party under the said Agreed Minute and Exchanges of Letters.

You also asked for confirmation that, notwithstanding Article 3 (b) of the Agreement concluded to-day, the termination of the Protocols, Agreements and Exchanges of Notes referred to in Article 4 of the Commercial Agreement of the 13th of August, 1949,³ will still have effect. I have to inform you that this is the understanding of the Government of the United Kingdom.

I have, &c.

Selwyn LLOYD

II

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

ROYAL DANISH EMBASSY

London, November 18, 1957

Sir,

I have the honour to acknowledge receipt of your Note ND 115/12 of the 18th of November confirming that it is the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that nothing in the Trade Agreement

¹ See p. 154 of this volume.

² United Nations, *Treaty Series*, Vol. 252, p. 83.

³ United Nations, *Treaty Series*, Vol. 68, p. 105.

IV

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

FOREIGN OFFICE, S.W. 1 *

January 25, 1961

Your Excellency,

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

[*See note III*]

I have the honour to state that the understanding set out in Your Excellency's Note is confirmed by the Government of the United Kingdom, and that your Note and my present reply thereto will be regarded as placing on record the understanding of our Governments on this matter.

I have, &c.

For the Secretary of State :

R. H. MASON
