

No. 5801

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

**Exchange of notes constituting an agreement for the winding-up of the Social Insurance Committee of the Polish Merchant Navy. London, 17 and 22 August 1949**

*Official text: English.*

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

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

**Échange de notes constituant un accord relatif à la liquidation du Comité des assurances sociales de la marine marchande polonaise. Londres, 17 et 22 août 1949**

*Texte officiel anglais.*

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

No. 5801. 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 REPUBLIC OF POLAND FOR THE WINDING-UP OF THE SOCIAL INSURANCE COMMITTEE OF THE POLISH MERCHANT NAVY. LONDON, 17 AND 22 AUGUST 1949

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I

FOREIGN OFFICE, S.W.1

17th August, 1949

No. N 7402/1053/55

Sir,

As you will be aware the matter of the winding-up of the Social Insurance Committee of the Polish Merchant Navy has been under discussion by the Anglo-Polish Committee for Non-Political Matters. At a meeting of the Committee, held at the Foreign Office on the 24th May, 1949, an agreement was reached in principle about the liquidation of the Social Insurance Committee and it was further recommended that this agreement should be the subject of an exchange of Notes between our two Governments.

2. I now have the honour to propose that an agreement should be concluded between our two Governments on the basis of the terms agreed upon by the Committee, which are as follows :

His Majesty's Government in the United Kingdom is in agreement with the Government of the Republic of Poland that the Social Insurance Committee shall be liquidated as at the date of the 30th April, 1949 and to that end agreed as follows :

1. The property of the Social Insurance Committee shall be used as follows :

(a) the property shall in the first place be applied to secure the full satisfaction of the claims of the group legally entitled to rights that is to say of those entitled to one time payments and pensions under the War Risk Insurance Scheme and all pensioners under other schemes of the Social Insurance Committee.

(b) From the surplus, if any, after satisfying the claims of the above mentioned group appropriate sums shall be applied or distributed for the benefit of persons who

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<sup>1</sup> Came into force on 22 August 1949, with retroactive effect from 30 April 1949, in accordance with the provisions of the said notes.

were insured under the old age and disability schemes but have not become entitled to payments.

The proportions of this surplus allotted to the respective Governments under the provisions of paragraphs 2 and 5 hereof for the benefit of the individuals composing this second group shall be calculated, subject to the provisions of paragraphs 9 and 10 thereof, on the basis of the amount of the premiums paid by those individuals either direct or by deduction from their wages.

2. The two Governments will take over respectively responsibility for the proportions of the unrealised rights and interests of the persons comprising both the above mentioned groups living in Poland or elsewhere on the 30th April 1949, and will take over their unrealised rights and claims against the Committee in order to see that they are satisfied.

The Government of Poland will assume responsibility for satisfying the rights and claims of those resident in Poland on the 30th April 1949, and the Government of Great Britain will assume responsibility for satisfying the rights and claims of those resident elsewhere on that date, and will relieve the Government of Poland of responsibility for those rights and interests of persons not resident in Poland on the 30th April 1949 whether those persons are resident on that date in the United Kingdom or any other place except Poland.

3. The rights of persons mentioned in 1 (a) above will be satisfied either by way of commutation of pension or in the form of current pensions. Rights of those persons referred to in 1 (b) will be dealt with in accordance with the respective internal regulations of both countries.

4. The Polish Government will be provided as soon as possible with all available lists of the persons insured and pensioners with all relevant particulars in order to expedite the search for members of families living in Poland who qualify for payments from the Social Insurance Committee.

5. The property of the Social Insurance Committee will be divided in accordance with the obligations undertaken by the two respective Governments.

His Majesty's Government will cause payment to be made after this exchange of Notes, of the sum of £40,000 (Forty Thousand Pounds) in money on account from the funds of the Social Insurance Committee. This sum and all subsequent payments due to the Polish Government will be made to the Zakład Ubezpieczen Spolecanych (Central Board of Social Insurance) Warsaw, which will meet all the obligations of the Polish Government towards beneficiaries resident in Poland. The 30th April 1949 will be fixed as the date of formal liquidation of the property of the Social Insurance Committee.

After the 30th April 1949 no further payments will be made from the Social Insurance Committee to entitled persons resident in Poland.

Any payments made after the 30th April, 1949 to persons not resident in Poland will be taken into account and deducted from the sum to be allotted to His Majesty's Government in the final division.

6. Both Governments agree to complete the actual liquidation of the Social Insurance Committee if possible by the 30th September 1949 and they undertake to supply all facilities in their power for that purpose.

7. The liquidation will be carried out by two representatives, one from each Government to be appointed at once. The liquidators may be assisted by experts for particular purposes. The expenses of the liquidators and their experts will be a charge against the funds of the Social Insurance Committee.

8. On final conclusions of the liquidation of the Social Insurance Committee any sums found to be due to or from either the Polish Government or His Majesty's Government arising thereout will be paid accordingly.

9. During the course of the liquidation should it be found possible to provide adequate financial cover for all legal claims i.e. those of the group referred to in paragraph 1 (a) hereof without having recourse to collection of certain debts outstanding to the Social Insurance Committee from the two Polish Shipping Companies (The Gdynia-America Line and Baltic Union Shipbrokers) then it is mutually agreed that such debts will be waived in favour of the Polish Government.

10. (a) It is furthermore agreed by the participating Governments that as part of the liquidation of the Social Insurance Committee the Company known as the Polish Sailors Homes Limited should be liquidated and that after it has been liquidated and all its assets (including the property known as The Chase, Rugby) have been realised and all debts and lawful claims against the Company (including the cost of liquidation) have been satisfied the net remaining assets of the Company shall be paid to the Polish Government in addition to any sum otherwise found due to that Government from liquidation of the Social Insurance Committee in accordance with this Agreement.

(b) Subject to the provisions of sub-paragraph 10 (a) hereof in order to facilitate the liquidation of the Company the Polish Government agrees to assign all its rights in the Company to such person or body as the liquidators referred to in paragraph 7 above may select and will afford all possible assistance in getting in or realising the assets of the Company.

I shall be grateful if you will inform me whether the Polish Government are prepared to accept the foregoing terms. If so, I suggest that this Note and your reply shall be regarded as constituting the agreement reached on this subject between our respective Governments.

I have the honour to be, with high consideration, Sir,  
Your obedient Servant,

For the Secretary of State :

Monsieur Albert Morski  
etc., etc., etc.  
W.1

## II

POLISH EMBASSY  
LONDON

22nd August, 1949

No. 7723/171

Sir,

I have received your Note No. N 7402/1053/55 of the 17th August, 1949 in which you propose the following agreement concerning the winding-up of the Social Insurance Committee of the Polish Merchant Navy to be concluded between our two Governments on the basis of the terms agreed upon by the Anglo-Polish Committee for Non-Political Matters.

[See note I]

I have the honour to inform you that my Government hereby accepts the foregoing terms of the agreement and consents to the suggestion that the above mentioned Note of the Foreign Office and this reply Note shall be regarded as constituting the agreement reached on this subject between our respective Governments.

I have the honour to be, Sir, with the highest consideration,

Your obedient Servant,

For the Ambassador :

(Signed) W. MORTZ

The Rt. Hon. Ernest Bevin, M.P.  
His Majesty's Principal Secretary of State  
for Foreign Affairs  
Foreign Office  
S.W.1