

No. 8934

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

**Military Service Agreement. Signed at Santiago, on 31 July
1954**

**Exchange of notes constituting an agreement relating to the
above-mentioned Agreement. Santiago, 31 July 1954**

Official texts: English and Spanish.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
22 January 1968.*

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

**Accord relatif au service militaire. Signé à Santiago, le
31 juillet 1954**

**Échange de notes constituant un accord relatif à l'Accord
susmentionné. Santiago, 31 juillet 1954**

Textes officiels anglais et espagnol.

*Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
22 janvier 1968.*

No. 8934. MILITARY SERVICE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF CHILE. SIGNED AT SANTIAGO, ON 31 JULY 1954

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Chile,

Desiring to put an end to the difficulties encountered by those nationals of either of their two countries who also possess the nationality of the other country and who, though they have served in the armed forces of one of the two countries, remain liable for service in those of the other,

Having decided to conclude an Agreement for this purpose,

Have agreed as follows :

Article 1

This Agreement shall apply to persons who are or may become liable to perform compulsory military service both under the law in force with regard to such service in the United Kingdom and under that in force with regard to such service in Chile.

Article 2

Persons to whom this Agreement applies shall be deemed to have fulfilled the military obligations imposed upon them by Chilean law if they have fulfilled their obligations in the armed forces of the United Kingdom and furnish as proof of this a duly authenticated certificate from the competent authorities of the United Kingdom.

Article 3

Persons to whom this Agreement applies shall be deemed to have fulfilled the military obligations imposed upon them by the law in force in the United Kingdom if they have fulfilled their obligations in the Chilean armed forces and furnish as proof of this a duly authenticated certificate from the competent Chilean authorities.

¹ Came into force on 29 September 1959, the date on which the Government of Chile notified the Government of the United Kingdom that the required constitutional approval had been obtained, in accordance with article 16.

Article 4

The competent authorities of the Contracting Parties, shall, on or after the registration for military service of persons to whom they know that this Agreement applies, notify them that it is open to them to perform their military service in the armed forces of either of the two countries and that their call-up will be suspended until they reach the age of 21, unless they apply to the contrary. The notification shall be made in writing to the person concerned.

Article 5

Persons to whom this Agreement applies who are rejected for military service for reasons of physical unfitness or excepted from service in the armed forces in accordance with the laws governing compulsory military service in the country concerned shall, for the purpose of the present Agreement, be deemed to have fulfilled their military obligations if they furnish as proof of rejection or exception a duly authenticated certificate furnished by the competent authorities of the country concerned.

Article 6

Persons to whom this Agreement applies who have voluntarily enlisted in the armed forces of one of the two countries and who have served for a period not shorter than the term of military service prescribed by the laws governing compulsory military service in force in that country at the time of their discharge shall, for the purpose of the present Agreement, similarly be deemed to have fulfilled their military obligations.

Article 7

Persons to whom this Agreement applies who have been granted a deferment or postponement of call-up by the competent authorities of one of the two countries shall not be called up for service in the armed forces of the other country until the period of their deferment or postponement has expired. A duly authenticated certificate issued by the competent authorities of the country which has granted deferment or postponement shall be accepted as proof of such deferment or postponement.

Article 8

1. Persons to whom this Agreement applies who, during their term of military service in the armed forces of one of the two countries, shall obtain official leave to proceed to the other country shall be deemed to comply with the military service regulations of that country if they produce a duly authenticated certificate issued by the competent authorities of the country granting the said leave.

2. This certificate shall show the surname, Christian names, rank and regiment or service of the person concerned, together with the dates of commencement and expiration of leave. The person concerned may be required to produce this certificate at any time during his stay.

Article 9

Nothing in the present Agreement shall, in the event of an emergency, prevent the competent authorities of either of the Contracting Parties from calling up for service the persons referred to in this Agreement or from placing their names on the reserve list. Persons called up by either of the Contracting Parties in accordance with this article shall, on or before the completion of their emergency service, be furnished with a certificate giving full particulars of the date and nature of the call-up.

Article 10

The provisions of the present Agreement do not in any way affect the legal position of the persons concerned in the matter of nationality.

Article 11

Any dispute concerning the application and interpretation of the present Agreement shall be settled through the diplomatic channel or in default of such settlement by such other means as the Contracting Parties may agree.

Article 12

The present Agreement shall apply to all military service begun after its entry into force.

Article 13

1. The applications made by virtue of the present Agreement and presented by nationals of both countries shall include the following personal data: full name; date and place of birth; name of parents; civil status; number, date and place of issue of identity card, if in possession of one; profession or trade; and address.

2. The said applications shall be dealt with in accordance with this Agreement without the need for other formalities, requirements or taxes than those clearly established in the present Agreement.

Article 14

The present Agreement supersedes the Agreement concerning military service signed at Santiago on the 27th of October, 1947.¹

Article 15

The provisions of this Agreement may be extended by an Exchange of Notes between the Government of the United Kingdom and the Government of Chile to persons who are or may become liable to perform compulsory military service both under the law with regard to such service in any of the Channel Islands or the Isle of Man and under that in force with regard to such service in Chile.

Article 16

The present Agreement shall come into force on the date on which the Government of the Republic of Chile shall notify the Government of the United Kingdom of Great Britain and Northern Ireland that the required constitutional approval has been obtained.

This Agreement shall remain in force until the expiration of six months from the date on which either of the Contracting Parties shall have given notice of termination to the other.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

DONE in duplicate at Santiago de Chile, this 31st day of July, 1954, in the English and Spanish languages, both texts being equally authoritative.

H. A. HANKEY

R. ALDUNATE

¹ United Nations, *Treaty Series*, Vol. 82, p. 209.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE GOVERNMENT OF THE UNITED KING-
DOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF THE REPUBLIC OF CHILE
RELATING TO THE MILITARY SERVICE AGREEMENT
OF 31 JULY 1954. SANTIAGO, 31 JULY 1954

I

*Her Majesty's Chargé d'Affaires at Santiago to the Chilean Minister for
Foreign Affairs*

BRITISH EMBASSY

Santiago, July 31, 1954

Monsieur le Ministre,

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Chile concerning Military Service which we have signed to-day, and to propose that any person who has served in the armed forces of Chile or the United Kingdom between the 27th of October, 1947, and the date of the entry into force of that Agreement, and who would have been entitled to claim exemption from military service in the armed forces of the other country in accordance with the Agreement of the 27th of October, 1947, between the Government of the United Kingdom and the Government of Chile concerning Military Service but for the restriction of that Agreement to service begun before the 27th of October, 1947, should, on application to the appropriate authorities of Chile or the United Kingdom as the case may be, be granted such exemption from military service as would have been accorded to him under the terms of the aforesaid Agreement of the 27th of October, 1947, had that Agreement been applicable in his case.

2. If this proposal is acceptable to the Government of Chile, I have the honour to suggest that this Note, and your Excellency's reply to that effect, should be regarded as constituting an Agreement between the two Governments to take effect as from this day's date.

I have the honour to be, with the highest consideration, Monsieur le Ministre, Your Excellency's obedient Servant,

H. A. HANKEY

¹ Came into force on 31 July 1954 by the exchange of the said notes.

[TRANSLATION¹ — TRADUCTION²]

MINISTRY FOR FOREIGN AFFAIRS

Santiago, July 31, 1954

Sir,

I have the honour to acknowledge receipt of your Note of to-day's date referring to the Military Service Agreement signed to-day, which reads as follows :

[*See note I*]

In this connexion I have pleasure in informing you that the Government of Chile agrees with the terms of the Note transcribed above and that they will consider your Note and this reply as constituting an Agreement between our two Governments to take effect as from this day's date.

I avail myself of this opportunity to renew to you the assurance of my highest consideration.

R. ALDUNATE

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.