

No. 9725

NETHERLANDS
and
BELGIUM

**Treaty regulating the lighting and buoyage of the
Western Scheldt and its estuary. Signed at the Hague
on 23 October 1957**

Authentic texts: Dutch and French.

Registered by the Netherlands on 22 July 1969.

PAYS-BAS
et
BELGIQUE

**Traité réglant l'éclairage et le balisage de l'Escaut
occidental et de ses embouchures. Signé à La Haye
le 23 octobre 1957**

Textes authentiques: néerlandais et français.

Enregistré par les Pays-Bas le 22 juillet 1969.

[TRADUCTION — TRANSLATION]

TREATY¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF BELGIUM REGULATING THE LIGHTING AND BUOYAGE OF THE WESTERN SCHELDT AND ITS ESTUARY

Her Majesty the Queen of the Netherlands and His Majesty the King of the Belgians, recognizing the necessity of making new arrangements concerning the lighting and buoyage of the Western Scheldt and its estuary, have for this purpose designated as their plenipotentiaries:

Her Majesty the Queen of the Netherlands:

His Excellency Mr. J. M. A. H. Luns, Minister for Foreign Affairs;

His Majesty the King of the Belgians:

His Excellency Baron F. X. J. M. G. van der Straten-Waillet,
Ambassador at The Hague,

Who, having exchanged their full powers, found in good and due form, have agreed as follows:

Article 1

For the lighting and buoyage of the Western Scheldt and its estuary:

A. The following *light-buoys* are or shall be moored:

Wielingen

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| 1. A cylindrical light-buoy with vertical red and white stripes, marked A 3, at:
(buoy fitted with radar reflector) | 51-24.9 N
03-24.5 E |
| 2. A conical light-buoy with vertical red and white stripes, marked A 4, at: | 51-25 N
03-28 E |
| 3. A white light-buoy with four vertical blue stripes, marked G G in red letters, at: | 51-25 N
03-30 E |
| 4. A white light-buoy with four vertical blue stripes, marked G G in red letters, at: | 51-25 N
03-30 E |
| 5. A spherical light-buoy with vertical red and white stripes, marked A 5, at: | 51-25.4 N
03-30.7 E |

¹ Came into force on 15 July 1959 by the exchange of the instruments of ratification, which took place at Brussels, in accordance with article 17.

Oostgat

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| 6. | A light-and-whistle buoy with spiral red and white stripes, marked K L, at: | 51-35.7 N
03-23.2 E |
| 7. | A light-and-whistle buoy with vertical red and white stripes marked O G, at: | 51-33.6 N
03-25.1 E |
| 8. | A black light-and-whistle buoy, marked O G 1, at:
(buoy fitted with radar reflector) | 51-31.2 N
03-25.6 E |
| 9. | A black light-buoy, marked O G 5, at: | 51-30 N
03-28 E |
| 10. | A black light-buoy, marked O G 9, at: | 51-28.6 N
03-30 E |
| 11. | A red light-buoy, marked O G 2, at: | 51-27.5 N
03-31.5 E |
| 12. | A black light-buoy, marked O G 13, at: | 51-27 N
03-32 E |

Sardijngeul

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| 13. | A light-buoy with horizontal red and white stripes, marked SG-W, at: | 51-26.5 N
03-33.7 E |
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Fairway off Hoofdplaat

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| 14. | A light-and-whistle buoy with horizontal black and white stripes, marked SS-VH, at:
(buoy fitted with radar reflector) | 51-24.6 N
03-33.5 E |
| 15. | A black light-buoy, marked V H 1, at:
(moored from 1 October to 1 April only) | 51-22.7 N
03-40.8 E |

Fairway off the Paulinapolder

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| 16. | A black light-buoy, marked P P 1, at:
(moored from 1 October to 1 April only) | 51-21.3 N
03-43.8 E |
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Honte

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| 17. | A light-buoy with horizontal red and white stripes, marked H-SL, at: | 51-26.5 N
03-39 E |
| 18. | A black light-buoy, marked 1, at:
(buoy fitted with radar reflector) | 51-26 N
03-38 E |
| 19. | A black light-buoy, marked 3, at: | 51-26.2 N
03-39.3 E |

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| 20. | A black light-buoy, marked 5, at:
(buoy fitted with radar reflector) | 51-26.1 N
<u>03-40.5 E</u> |
| 21. | A black light-and-whistle buoy, marked 7, at: | 51-25.5 N
<u>03-41 E</u> |
| 22. | A black light-buoy, marked 9, at:
(buoy fitted with radar reflector) | 51-25.3 N
<u>03-42.2 E</u> |

Terneuzen Channel

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| 23. | A light-buoy with horizontal red and white stripes, marked
P v N-E, at: | 51-24.5 N
<u>03-43 E</u> |
| 24. | A red light-buoy, marked 6, at: | 51-23.5 N
<u>03-43.3 E</u> |
| 25. | A black light-buoy, marked 17, at:
(buoy fitted with radar reflector) | 51-23 N
<u>03-43 E</u> |
| 26. | A red light-buoy, marked 10, at:
(buoy fitted with radar reflector) | 51-22.6 N
<u>03-44.3 E</u> |
| 27. | A red light-buoy, marked 14, at: | 51-22 N
<u>03-46.5 E</u> |
| 28. | A black light-buoy, marked 25, at: | 51-21.1 N
<u>03-47.1 E</u> |
| 29. | A red light-buoy, marked 18, at:
(buoy fitted with radar reflector) | 51-21.1 N
<u>03-48.5 E</u> |
| 30. | A red light-buoy, marked 22, at: | 51-20.8 N
<u>03-50.2 E</u> |
| 31. | A red light-buoy, marked 30, at:
(buoy fitted with radar reflector) | 51-21.5 N
<u>03-53.4 E</u> |

Middelgat

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| 32. | A light-buoy with horizontal black and white stripes,
marked MG-G v O, at: | 51-22.2 N
<u>03-54.5 E</u> |
| 33. | A light-buoy with horizontal red and white stripes,
marked MG-E, at:
(buoy fitted with radar reflector) | 51-22.4 N
<u>03-54 E</u> |
| 34. | A black light-buoy, marked 39, at:
(buoy fitted with radar reflector) | 51-26 N
<u>03-56 E</u> |

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| 35. | A black light-buoy, marked 41, at:
(buoy fitted with radar reflector) | 51-26.9 N
<u>03-56.9 E</u> |
| 36. | A red light-buoy, marked 38, at: | 51-27.4 N
<u>03-57.7 E</u> |
| 37. | A black light-buoy, marked 43, at: | 51-27 N
<u>03-57.7 E</u> |
| 38. | A black light-buoy, marked 47, at: | 51-26.3 N
<u>03-59.7 E</u> |

Zuidergat and Valkenisse Bank

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| 39. | A black light-buoy, marked 51, at:
(buoy fitted with radar reflector) | 51-25.6 N
<u>04-01 E</u> |
| 40. | A light-buoy with horizontal red and white stripes,
marked ZG-S v W, at: | 51-25.2 N
<u>04-01 E</u> |
| 41. | A light-buoy with horizontal black and white stripes,
marked ZG-G v O, at:
(buoy fitted with radar reflector) | 51-24.4 N
<u>04-01.5 E</u> |
| 42. | A red light-buoy, marked 46, at: | 51-24.5 N
<u>04-02 E</u> |
| 43. | A red light-buoy, marked 48, at:
(buoy fitted with radar reflector) | 51-23.4 N
<u>04-02.7 E</u> |
| 44. | A light-buoy with horizontal black and white stripes,
marked WN-ZG, at: | 51-23.5 N
<u>04-02.3 E</u> |
| 45. | A light-buoy with horizontal black and white stripes,
marked WZ-ZG, at: | 51-22.5 N
<u>04-03.7 E</u> |
| 46. | A red light-buoy marked 54, at: | 51-22.5 N
<u>04-04.8 E</u> |
| 47. | A red light-buoy, marked 56, at:
(buoy fitted with radar reflector) | 51-22.4 N
<u>04-05.8 E</u> |

Walsoorden Channel

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| 48. | A black light-buoy, marked 59, at:
(buoy fitted with radar reflector) | 51-23 N
<u>04-03 E</u> |
| 49. | A red light-buoy, marked 50, at: | 51-22.9 N
<u>04-03.6 E</u> |

Bath Narrows

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|-----|----------------------------------|-----------------------------|
| 50. | A red light-buoy, marked 60, at: | 51-22.5 N
<u>04-08 E</u> |
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51. A red light-buoy, marked 64, at:	<u>51-22.7 N</u> <u>04-08.5 E</u>
52. A light-buoy with horizontal black and white stripes, marked N v B-S v N, at: (buoy fitted with radar reflector)	<u>51-23 N</u> <u>04-09.9 E</u>
53. A black light-buoy, marked 73, at:	<u>51-23.7 N</u> <u>04-11 E</u>
54. A black light-buoy, marked 75, at: (buoy fitted with radar reflector)	<u>51-23.9 N</u> <u>04-11.5 E</u>
55. A black light-buoy, marked 77, at:	<u>51-23.8 N</u> <u>04-12 E</u>
 Fairway above Bath	
56. A black light-buoy, marked 79, at:	<u>51-23.5 N</u> <u>04-12.4 E</u>
57. A red light-buoy, marked 68, at:	<u>51-23.3 N</u> <u>04-12.8 E</u>
58. A black light-buoy, marked 81, at:	<u>51-23 N</u> <u>04-12.8 E</u>
59. A red light-buoy, marked 72, at:	<u>51-22.4 N</u> <u>04-13.2 E</u>
60. A red light-buoy, marked 76, at:	<u>51-21.8 N</u> <u>04-13.7 E</u>
61. A light-buoy with horizontal black and white stripes, marked S - OD, at:	<u>51-21.4 N</u> <u>04-14.4 E</u>
 Scheldt up to Antwerp	
62. A black light-buoy, marked 87, at:	<u>51-21.1 N</u> <u>04-15 E</u>
63. A black light-buoy, marked 91, at:	<u>51-20.5 N</u> <u>04-16.2 E</u>
64. A light-buoy with horizontal black and white stripes, marked F-OD, at:	<u>51-19.9 N</u> <u>04-16.2 E</u>
65. A red light-buoy, marked 84, at:	<u>51-19.3 N</u> <u>04-16.3 E</u>
66. A red light-buoy, marked 90, at:	<u>51-18.3 N</u> <u>04-16.7 E</u>
67. A red light-buoy, marked 92, at:	<u>51-17.9 N</u> <u>04-17.7 E</u>

68. A black light-buoy, marked 97, at :	$\frac{51-17.5 \text{ N}}{04-18.6 \text{ E}}$
69. A black light-buoy, marked 101, at :	$\frac{51-17.2 \text{ N}}{04-19.2 \text{ E}}$
70. A black light-buoy, marked 103, at :	$\frac{51-16.8 \text{ N}}{04-19.1 \text{ E}}$
71. A red light-buoy, marked 94, at :	$\frac{51-16.3 \text{ N}}{04-18.5 \text{ E}}$
72. A red light-buoy, marked 98, at :	$\frac{51-15.9 \text{ N}}{04-18 \text{ E}}$
73. A red light-buoy, marked 102, at :	$\frac{51-15.4 \text{ N}}{04-18.4 \text{ E}}$
74. A black light-buoy, marked 105, at :	$\frac{51-15.2 \text{ N}}{04-19.4 \text{ E}}$
75. A red light-buoy, marked 108, at :	$\frac{51-15.2 \text{ N}}{04-19.5 \text{ E}}$
76. A red light-buoy, marked 112, at :	$\frac{51-14.7 \text{ N}}{04-20.5 \text{ E}}$
77. A red light-buoy, marked 114, at :	$\frac{51-14.5 \text{ N}}{04-21 \text{ E}}$
78. A red light-buoy, marked 116, at :	$\frac{51-14.4 \text{ N}}{04-21.7 \text{ E}}$
79. A black light-buoy, marked 109, at :	$\frac{51-14.1 \text{ N}}{04-23.9 \text{ E}}$

The term "light-buoy" means a complete light-buoy fitted with lantern, chain and anchor.

B. The following *light-beacons*, *light-structures* or *lighthouses* are or shall be constructed:

Wielingen

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|----------------------------|---|------------------------------------|
| 1. A gas light, at : | $\frac{51-24 \text{ N}}{03-28 \text{ E}}$ | Kruishoofd |
| 2. An electric light, at : | $\frac{51-24.5 \text{ N}}{03-30.5 \text{ E}}$ | } Nieuwe Sluis
transit bearings |
| 3. An electric light, at : | $\frac{51-24.5 \text{ N}}{03-31.5 \text{ E}}$ | |

Oostgat

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|----------------------------|---------------------------|---------------|--------------------------------|
| 4. An electric light, at : | $\frac{51-32.5}{03-26}$ | $\frac{N}{E}$ | Noorderhoofd |
| 5. An electric light, at : | $\frac{51-32}{03-27}$ | $\frac{N}{E}$ | Westkapelle |
| 6. A gas light, at : | $\frac{51-31.5}{03-26.5}$ | $\frac{N}{E}$ | Zuiderhoofd |
| 7. An electric light, at : | $\frac{51-30}{03-28.5}$ | $\frac{N}{E}$ | Zoutelande |
| 8. An electric light, at : | $\frac{51-28.5}{03-31.1}$ | $\frac{N}{E}$ | Kaapduinen
transit bearings |
| 9. An electric light, at : | $\frac{51-28.5}{03-31}$ | $\frac{N}{E}$ | |

Sardijngeul

- | | | | |
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| 10. A gas light, at : | $\frac{51-27}{03-33}$ | $\frac{N}{E}$ | Fort De Nolle |
|-----------------------|-----------------------|---------------|---------------|

Honte

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|-----------------------------|---------------------------|---------------|-------------|
| 11. An electric light, at : | $\frac{51-26.5}{03-34}$ | $\frac{N}{E}$ | Leugenaar |
| 12. An electric light, at : | $\frac{51-26.5}{03-34.5}$ | $\frac{N}{E}$ | Flushing |
| 13. An electric light, at : | $\frac{51-26.5}{03-34.5}$ | $\frac{N}{E}$ | Roeirshoofd |
| 14. An electric light, at : | $\frac{51-25}{03-44}$ | $\frac{N}{E}$ | Borsele |

Terneuzen Channel

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|-----------------------------|---------------------------|---------------|--|
| 15. A gas light, at : | $\frac{51-21}{03-46}$ | $\frac{N}{E}$ | Verklikker Brakman |
| 16. An electric light, at : | $\frac{51-20.5}{03-48.5}$ | $\frac{N}{E}$ | Nieuw Neuzenpolder
transit bearings |
| 17. An electric light, at : | $\frac{51-20.5}{03-48.5}$ | $\frac{N}{E}$ | |
| 18. An electric light, at : | $\frac{51-20.5}{03-49}$ | $\frac{N}{E}$ | Terneuzen |
| 19. A gas light, at : | $\frac{51-21}{03-53}$ | $\frac{N}{E}$ | Margarethapolder |

20. A gas light, at :	$\frac{51-21.5 \text{ N}}{03-54.5 \text{ E}}$	} Eendrachtpolder transit bearings
21. A gas light, at :	$\frac{51-21.5 \text{ N}}{03-54.5 \text{ E}}$	
Middelgat		
22. A gas light, at :	$\frac{51-23.5 \text{ N}}{03-54 \text{ E}}$	Baarland
23. An electric light, at :	$\frac{51-25 \text{ N}}{03-55 \text{ E}}$	Hoedekenskerke
24. An electric light, at :	$\frac{51-26 \text{ N}}{03-55.5 \text{ E}}$	} Biezelingsche Ham transit bearings
25. An electric light, at :	$\frac{51-26 \text{ N}}{03-55.5 \text{ E}}$	
26. An electric light, at :	$\frac{51-26.5 \text{ N}}{03-55.5 \text{ E}}$	Biezelingsche Ham groyne spur light
27. An electric light, at :	$\frac{51-26.5 \text{ N}}{04-00.5 \text{ E}}$	Hansweert
Zuidergat and Valkenisse Bank		
28. A gas light, at :	$\frac{51-23.5 \text{ N}}{04-02 \text{ E}}$	} Zuidergat transit bearings
29. An electric light, at :	$\frac{51-23.5 \text{ N}}{04-02 \text{ E}}$	
30. A gas light, at :	$\frac{51-23.5 \text{ N}}{04-02 \text{ E}}$	Walsoorden eastern groyne spur light
31. An electric light, at :	$\frac{51-22.5 \text{ N}}{04-02.5 \text{ E}}$	} Groenendijk transit bearings
32. An electric light, at :	$\frac{51-22.5 \text{ N}}{04-02 \text{ E}}$	
33. A gas light, at :	$\frac{51-22 \text{ N}}{04-05 \text{ E}}$	Baalhoek
34. A gas light, at :	$\frac{51-22 \text{ N}}{04-07 \text{ E}}$	Konijnenschor
35. A gas light, at :	$\frac{51-22.5 \text{ N}}{04-09 \text{ E}}$	Marlemonsche Plaat
Bath Narrows		
36. A gas light, at :	$\frac{51-23.5 \text{ N}}{04-10.5 \text{ E}}$	Westketel

37. A gas light, at:	$\frac{51-24}{04-11}$	$\begin{matrix} N \\ E \end{matrix}$	Midden- ketel	} Bath transit bearings
38. A gas light, at:	$\frac{51-24.5}{04-11.5}$	$\begin{matrix} N \\ E \end{matrix}$	Noord- ketel	
39. A gas light, at:	$\frac{51-24}{04-11.5}$	$\begin{matrix} N \\ E \end{matrix}$	Oostketel	
40. A gas light, at:	$\frac{51-24}{04-12.5}$	$\begin{matrix} N \\ E \end{matrix}$	Reigersbergsche Polder transit bearings	
41. A gas light, at:	$\frac{51-24}{04-12.5}$	$\begin{matrix} N \\ E \end{matrix}$		
Fairway above Bath				
42. A gas light, at:	$\frac{51-22}{04-13}$	$\begin{matrix} N \\ E \end{matrix}$	Z. Saaftinge	
Scheldt up to Antwerp				
43. A gas light, at:	$\frac{51-21.5}{04-15}$	$\begin{matrix} N \\ E \end{matrix}$	N. Ballastplaat	
44. A gas light, at:	$\frac{51-21}{04-15.5}$	$\begin{matrix} N \\ E \end{matrix}$	Z. Ballastplaat	
45. A gas light, at:	$\frac{51-21}{04-16}$	$\begin{matrix} N \\ E \end{matrix}$	Santvliet and Oudendijk transit bearings	
46. A gas light, at:	$\frac{51-21}{04-16}$	$\begin{matrix} N \\ E \end{matrix}$		
47. A gas light, at:	$\frac{51-20.5}{04-16}$	$\begin{matrix} N \\ E \end{matrix}$		
48. A gas light, at:	$\frac{51-20}{04-17}$	$\begin{matrix} N \\ E \end{matrix}$	Frederik transit bearings	
49. A gas light, at:	$\frac{51-20}{04-17}$	$\begin{matrix} N \\ E \end{matrix}$		
50. A gas light, at:	$\frac{51-19}{04-16}$	$\begin{matrix} N \\ E \end{matrix}$	Doel transit bearings	
51. A gas light, at:	$\frac{51-19}{04-16}$	$\begin{matrix} N \\ E \end{matrix}$		
52. A gas light, at:	$\frac{51-19}{04-16}$	$\begin{matrix} N \\ E \end{matrix}$	Doel	
53. An electric light, at:	$\frac{51-18}{04-17.5}$	$\begin{matrix} N \\ E \end{matrix}$	Lillo	

54. A gas light, at:	$\frac{51-18}{04-17} \frac{N}{E}$	Liefkenshoek
55. A gas light, at:	$\frac{51-18}{04-18.5} \frac{N}{E}$	Belgische Sluis
56. A gas light, at:	$\frac{51-17.5}{04-19.5} \frac{N}{E}$	Kruisschans
57. A gas light, at:	$\frac{51-16.5}{04-19.5} \frac{N}{E}$	Meestoof
58. A gas light, at:	$\frac{51-16}{04-18} \frac{N}{E}$	De Parel
59. A gas light, at:	$\frac{51-15.5}{04-18.5} \frac{N}{E}$	Philippe
60. A gas light, at:	$\frac{51-15.5}{04-18} \frac{N}{E}$	} Krankeloon transit bearings
61. A gas light, at:	$\frac{51-15.5}{04-17.5} \frac{N}{E}$	
62. A gas light, at:	$\frac{51-15}{04-20} \frac{N}{E}$	} Boerenschans transit bearings
63. A gas light, at:	$\frac{51-15}{04-20.5} \frac{N}{E}$	
64. A gas light, at:	$\frac{51-14.5}{04-20.5} \frac{N}{E}$	Pijp Tabak
65. A gas light, at:	$\frac{51-14}{04-21} \frac{N}{E}$	Draaiende Sluis (upper light)
66. A gas light, at:	$\frac{51-14.5}{04-21} \frac{N}{E}$	Pijp Tabak (lower light)
67. A gas light, at:	$\frac{51-14.5}{04-20.5} \frac{N}{E}$	Pijp Tabak (upper light)
68. A gas light, at:	$\frac{51-14.5}{04-23} \frac{N}{E}$	Oosterweel
69. A gas light, at:	$\frac{51-14.5}{04-23.5} \frac{N}{E}$	Oosterweel
70. A neon light, at:	$\frac{51-14.3}{04-23.9} \frac{N}{E}$	} Oosterweel transit bearings
71. A neon light, at:	$\frac{51-14.3}{04-24} \frac{N}{E}$	

72. An electric light, at: $\frac{51-13.9 \text{ N}}{04-23.6 \text{ E}}$ Antwerp

73. An electric light, at: $\frac{51-13.3 \text{ N}}{04-23.5 \text{ E}}$ Antwerp

C. The following *unlighted beacons* are or shall be constructed:

1. A beacon with a cylindrical top mark, Belgische Sluis, at: $\frac{51-17.7 \text{ N}}{04-18.8 \text{ E}}$

2. A beacon with a spherical top mark near Pijp Tabak, at: $\frac{51-14.5 \text{ N}}{04-20.5 \text{ E}}$

D. The following *tide-gauges* are or shall be constructed:

1. An unlighted tide-gauge, Borsele, at: $\pm \frac{51-24.7 \text{ N}}{03-44.1 \text{ E}}$

2. An unlighted tide-gauge, Margriet, at: $\pm \frac{51-21 \text{ N}}{03-53.1 \text{ E}}$

3. A lighted tide-gauge, Hoedekenskerke, at: $\pm \frac{51-25.3 \text{ N}}{03-55 \text{ E}}$

4. A lighted tide-gauge, Kapellebank, at: $\pm \frac{51-27.2 \text{ N}}{03-59.2 \text{ E}}$

5. An unlighted tide-gauge, Walsoorden, at: $\pm \frac{51-23.7 \text{ N}}{04-02 \text{ E}}$

6. A lighted tide-gauge, Konijnenschor, at: $\pm \frac{51-22.2 \text{ N}}{04-07 \text{ E}}$

7. A lighted tide-gauge, Zuid-Saaftinge, at: $\pm \frac{51-21.8 \text{ N}}{04-13.2 \text{ E}}$

8. An unlighted tide-gauge, Oudendijk, at: $\pm \frac{51-20.7 \text{ N}}{04-16.2 \text{ E}}$

9. A lighted tide-gauge, Liefkenshoek, at: $\pm \frac{51-17.8 \text{ N}}{04-17.1 \text{ E}}$

10. A lighted tide-gauge, Kruisschans, at: $\pm \frac{51-14.5 \text{ N}}{04-19.5 \text{ E}}$

11. An unlighted tide-gauge, Pijp Tabak, at: $\pm \frac{51-14.5 \text{ N}}{04-20.6 \text{ E}}$

12. A lighted tide-gauge, Oosterweel, at: $\pm \frac{51-14.4 \text{ N}}{04-23.6 \text{ E}}$

Article 2

The purchase, installation, care and maintenance of light-buoys, of light-beacons, light-structures or lighthouses and constructions accessory thereto, of unlighted beacons and of tide-gauges shall, in Belgian territory, be effected by and at the expense of the Belgian Government.

Article 3

The purchase, installation, care and maintenance of the light-buoys referred to in article 1 (A), items 3, 4, 6, 7, 15, 16, 21, 26, 50 and 55, and of the light-beacons, light-structures or lighthouses and constructions accessory thereto referred to in article 1 (B), items 4, 6, 10, 11, 13, 27 and 38, shall be effected by and at the expense of the Netherlands Government.

As regards the purchase, installation, care and maintenance of the light-beacons, light-structures or lighthouses (and constructions accessory thereto) referred to in article 1 (B), items 5, 12, 14 and 18, the régime laid down in article 18 of the Treaty of 5 November 1842 and in the Regulations of 20 May 1843 to give effect to that article shall continue to apply.

Article 4

Save as provided in the preceding article, the purchase, installation, care and maintenance of light-buoys and light-beacons, light-structures or lighthouses (and constructions accessory thereto) referred to in article 1 which are situated in Netherlands territory, and of tide-gauges referred to in the said article which are situated in the said territory, shall be effected by the Netherlands Government with the concurrence and at the expense of the Belgian Government.

Article 5

The Netherlands Government undertakes to maintain in good condition the light-buoys, the light-beacons, light-structures or lighthouses and constructions accessory thereto and the tide-gauges referred to in article 4.

It shall not remove the said items without the consent of the Belgian Government, or withdraw them from their intended function, except in case of war or danger of war.

The said items shall remain the property of the Netherlands State so long as they are used for their intended function; however, in the event of changes which lead to the closing down or disuse of one or more of the said items; they shall be handed over to the Belgian Government.

When any of the items referred to in the first paragraph of this article can no longer be used, either because of age or as a result of serious damage or loss not caused by the fault or negligence of the Netherlands public authority responsible for their care and maintenance, they shall be

replaced forthwith by the Netherlands Government at the expense of the Belgian Government.

In cases of damage caused by a third party, the Netherlands Government shall undertake the recovery from the party concerned of the costs of the necessary repairs and replacements. If complete reimbursement of the said costs cannot be obtained, the balance shall be charged to the Belgian Government.

Where an amicable settlement is reached, such settlement shall first be submitted to the Permanent Commissioners for the supervision of shipping in the Scheldt for their approval, as provided in article 9, paragraph 2, of the Treaty concluded between the Netherlands and Belgium on 19 April 1839. Should the damage be caused by persons unknown or by Act of God, repair or replacement shall be effected at the expense of the Belgian Government.

Article 6

If any of the light-buoys referred to in article 4 or other items referred to in the said article are to be fitted with radar reflectors, ramarks, transponders or other navigational aids, such aids shall — following agreement between the two Governments — be procured, installed and maintained, in the manner agreed in article 5, by the Netherlands Government with the concurrence and at the expense of the Belgian Government.

The foregoing shall also apply to other installations situated or to be situated in Netherlands territory, unless otherwise agreed by the Permanent Commissioners for the supervision of shipping in the Scheldt.

Article 7

In order that immediate needs resulting from damage, loss, maintenance work, an increase in the number of buoys to be moored or other circumstances may be met in Netherlands territory, the Belgian Government shall place at the disposal of the Netherlands Government such a number of complete reserve light-buoys as shall be determined by the Permanent Commissioners for the supervision of shipping in the Scheldt.

Article 8

Reimbursement for the care, repair, installation, removal, modification, increase, replacement and maintenance of the light-buoys referred to in article 4 shall be payable annually by the Belgian Government to the Netherlands Government in respect of the period for which the said items have actually been in service. The amount of such reimbursement shall be 3,000 guilders for each light-buoy for a full year. It may be reviewed annually, if the occasion arises.

Payment in reimbursement shall be made within three months following the dispatch to the Belgian Government of a statement by or on behalf of

the Netherlands Government. The statement, covering one calendar year, shall be presented not later than the fifteenth day of January following the year to which it relates. It shall be accompanied by a schedule indicating the periods for which the light-buoys concerned have been in service during that calendar year.

Article 9

All expenditure for personnel and materials to be incurred by the Netherlands Government in respect of the care, repair, installation, removal, modification, increase, replacement and maintenance of items referred to in articles 4 and 6 but not covered by article 8 shall be agreed by the Permanent Commissioners of the two countries in accordance with the rules in force for other services of the same kind in Netherlands waters.

Payments shall be made within two months of the presentation to the Belgian Government by or on behalf of the Netherlands Government of payment schedule or statements, accompanied by documentary evidence of the disbursements duly authenticated by the competent Netherlands authorities.

Article 10

All expenditure for personnel and materials related to the placing of light-buoys or other installations to mark wrecks or other obstacles to navigation in Netherlands territory shall be borne by the Netherlands Government.

Article 11

The Belgian Permanent Commissioners for the supervision of shipping in the Scheldt shall have the right to inspect all works carried out by the Netherlands Government at the expense of the Belgian Government and to supervise the maintenance thereof.

If it is ascertained by the said Permanent Commissioners or in some other way that the lights or other items referred to in articles 4 and 6 are not functioning properly or are not properly maintained or positioned, they shall immediately inform their Netherlands colleagues in order that corrective measures may be taken.

Article 12

Plans and estimates for all works to be carried out in Netherlands territory at the expense of the Belgian Government shall as far as possible be set down in contracts. Such works shall as far as possible be put out to public tender.

They shall not be carried out until approved by the Permanent Commissioners of the two countries.

Article 13

The Permanent Commissioners of the two countries shall be empowered under this Treaty to take such measures as are necessary to put the foregoing articles into effect.

They shall also be competent to make agreed changes in and extensions to the lighting, buoyage, tide-gauges and other installations referred to in this Treaty, as may prove necessary.

Article 14

The mooring of lightships and light-buoys in the Wielingen shall not affect the mutual claims to sovereignty over that area.

Article 15

The mooring, removal and maintenance of such unlighted buoys as may now or in the future be deemed necessary shall continue to be effected by the two Governments in their respective sections of the river, in accordance with the provisions of article 9, paragraph 2, of the Treaty concluded between Belgium and the Netherlands on 19 April 1839.

Article 16

The following Agreements shall be abrogated by this Treaty:

1. The Agreement between Belgium and the Netherlands for the establishment of a new lighting system in the Western Scheldt and its estuary, signed at The Hague on 31 March 1866;
2. The first Additional Agreement to the said Agreement, signed at The Hague on 2 August 1873;
3. The second Additional Agreement to the said Agreement, signed at The Hague on 9 February 1881;
4. The Agreement between Belgium and the Netherlands to improve and extend the buoyage of the Scheldt, signed at The Hague on 9 February 1881;
5. The Agreement between Belgium and the Netherlands to improve the lighting and buoyage of the Scheldt, signed at The Hague on 25 March 1891, and the Additional Article to the said Agreement, signed at The Hague on 30 November 1891;
6. The Agreement between Belgium and the Netherlands to improve the lighting of the Scheldt and its estuary, signed at The Hague on 5 April 1905;

7. The Agreement between Belgium and the Netherlands to improve the lighting and buoyage of the Scheldt, signed at The Hague on 8 October 1907.

Article 17

This Treaty shall be ratified and the instruments of ratification shall be exchanged at Brussels as soon as possible.

It shall enter into force on the date of the exchange of the instruments of ratification.

IN WITNESS WHEREOF the aforementioned plenipotentiaries have signed this Treaty and have thereto affixed their seals.

DONE in duplicate at The Hague, on 23 October 1957, in the Dutch and French languages, both texts being equally authentic.

For the Kingdom
of the Netherlands:

J. LUNS

For the Kingdom
of Belgium:

VAN DER STRATEN