

No. 9793

**NETHERLANDS
and
BELGIUM**

**Agreement amending the regulations governing pilotage on the
Scheldt and its estuary and on the Terneuzen Canal. Signed
at Brussels on 12 December 1968**

Authentic texts: Dutch and French.

Registered by the Netherlands on 18 August 1969.

**PAYS-BAS
et
BELGIQUE**

**Convention modifiant le Règlement relatif au pilotage sur l'Escaut,
dans les embouchures de ce fleuve et sur le canal de Terneuzen.
Signée à Bruxelles le 12 décembre 1968**

Textes authentiques : néerlandais et français.

Enregistrée par les Pays-Bas le 18 août 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE KINGDOM OF THE
NETHERLANDS AND THE KINGDOM OF BELGIUM
AMENDING THE REGULATIONS CONCERNING
PILOTAGE ON THE SCHELDT AND ITS ESTUARY
AND ON THE TERNEUZEN CANAL

The Government of the Kingdom of the Netherlands and
The Government of the Kingdom of Belgium,

Recognizing the necessity of making certain new arrangements concerning
pilotage on the Scheldt and its estuary and on the Terneuzen Canal,

Have agreed as follows:

Article 1

The Regulations of 20 May 1843 for the implementation of article 9
of the Treaty of 19 April 1839 and of chapter II, sections 1 and 2, of the Treaty
of 5 November 1842, concerning pilotage and joint supervision shall be
amended and amplified as follows:

A. Article 31 shall read as follows:

“Masters and crews of vessels must treat pilots with respect. While
pilots are on board, masters must provide them free of charge with the
food they need and lodge them. In particular, masters shall refrain from
interfering with pilots in the performance of their duties.”

B. An article 36 *ter* reading as follows shall be inserted after article 36 *bis*:

“The Netherlands and Belgian Governments may by mutual agree-
ment adjust the pilotage charges referred to in article 36. The adjusted
charges shall be set by an exchange of diplomatic notes and shall enter
into force on the first day of the third month following the month in
which the exchange of notes takes place.”

C. An article 38 *bis* reading as follows shall be inserted after article 38:

“When part of the cargo of a vessel to which article 35 applies is

¹ Came into force on 1 July 1969, the date indicated by an exchange of diplomatic notes,
in accordance with article 2.

transshipped in Netherlands territory while en route from the sea to a Belgian port via the Scheldt, the pilotage run shall not be considered to have been interrupted provided that the cargo unloaded is transported directly to Belgium by the route taken by the vessel in question. The same rule shall apply to a vessel proceeding seawards from a Belgian port via the Scheldt, which takes on additional cargo brought from Belgium via the Scheldt.”

D. Article 44 *sexies* reading as follows shall be inserted after article 44 *quinquies*:

“The Netherlands and Belgian Governments may by mutual agreement adjust the amounts of the additional charges referred to in article 44. The adjusted amounts shall be set by an exchange of diplomatic notes and shall enter into force on the first day of the third month following the month in which the exchange of notes takes place.”

E. The following sentence shall be added to article 60:

“This article shall not apply to breaches of article 35 requiring that a pilot be carried on board.”

F. Article 66 *bis* reading as follows shall be inserted after article 66:

“Where damage occurs during pilotage provided under these regulations, the municipal laws of the country to which the personnel providing the pilotage belong shall apply with regard to their liability.”

Article 2

This Agreement shall enter into force on a date to be fixed by an exchange of diplomatic notes.

It shall remain in force until the expiry of a period of six months from the date on which it is denounced by either Contracting Party.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Agreement.

DONE in duplicate at Brussels, on 12 December 1968, in the Dutch and French languages, both texts being equally authentic.

For the Kingdom of the Netherlands:
J. A. DE VOS VAN STEENWIJK

For the Kingdom of Belgium:
Pierre HARMEL