

No. 11458

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
FEDERAL REPUBLIC OF GERMANY**

**Exchange of notes constituting an agreement for offsetting the  
foreign exchange expenditure on British Forces in the  
Federal Republic of Germany. Bonn, 18 March 1971**

*Authentic texts: German and English.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
16 December 1971.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Échange de notes constituant un accord visant à assurer la  
péréquation des dépenses en devises faites au titre des  
forces britanniques en République fédérale d'Allemagne.  
Bonn, 18 mars 1971**

*Textes authentiques: allemand et anglais.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
16 décembre 1971.*

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 FEDERAL  
REPUBLIC OF GERMANY FOR OFFSETTING THE  
FOREIGN EXCHANGE EXPENDITURE ON BRITISH  
FORCES IN THE FEDERAL REPUBLIC OF GERMANY

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I

[GERMAN TEXT — TEXTE ALLEMAND]

DER STAATSSSEKRETÄR DES AUSWÄRTIGEN AMTS

den 18. März 1971

Herr Botschafter,

Am 31. März 1971 läuft die Frist ab, die in Artikel 1 des am 1. September 1969 zwischen unseren beiden Regierungen geschlossenen laufenden Abkommens über einen Ausgleich des Devisenaufwands der Regierung des Vereinigten Königreichs Grossbritannien und Nordirland für britische Truppen in der Bundesrepublik Deutschland (im folgenden als "das Abkommen von 1969" bezeichnet) — ergänzt durch das am 25. September 1970 unterzeichnete Protokoll über die Rückkehr der 6. Brigade in die Bundesrepublik Deutschland —, genannt ist. Eine britische und eine deutsche Delegation haben Gespräche geführt, um zu prüfen, auf welche Weise die britische Zahlungsbilanz auch weiterhin entlastet werden könnte. Gemäss dem in diesen Gesprächen erzielten Einvernehmen beehre ich mich, Ihnen im Namen der Regierung der Bundesrepublik Deutschland folgende Vereinbarung vorzuschlagen :

1. Die Regierung der Bundesrepublik Deutschland bemüht sich auch weiterhin, umfangreiche Aufträge für Forschung, Entwicklung, Erprobung, Beschaffung und Dienstleistungen im militärischen Bereich im Vereinigten Königreich zu vergeben. Diese Aufträge werden im Lichte des deutschen militärischen Bedarfs und der deutschen Haushaltsmittel unter Berücksichtigung der Möglichkeit und der wirtschaftlichen Vorteile einer Beschaffung im Vereinigten Königreich vergeben.

2. Die Regierung der Bundesrepublik Deutschland bemüht sich wie bisher um die Förderung umfangreicher Käufe und Aufträge im Vereinigten Königreich durch die in der Anlage zum Abkommen von 1969 aufgeführten Einrichtungen und in der dort vorgesehenen Weise. Hierzu trifft die Regierung der

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<sup>1</sup> Came into force on 1 April 1971, in accordance with paragraph 6 of the said notes.

[TRANSLATION — TRADUCTION]

*The State Secretary of the German Federal Ministry for Foreign Affairs  
to Her Majesty's Ambassador at Bonn*

THE SECRETARY OF STATE OF THE MINISTRY  
FOR FOREIGN AFFAIRS

18 March 1971

Excellency,

[*See note II*]

SIGISMUND Frhr. v. BRAUN

II

*Her Majesty's Ambassador at Bonn to the State Secretary  
of the German Federal Ministry for Foreign Affairs*

THE BRITISH EMBASSY

BONN

18 March, 1971

Your Excellency,

I have the honour to acknowledge receipt of your Note of today's date which in translation reads as follows :

“The period referred to in Article 1 of the current Agreement providing for Offsetting the Foreign Exchange Expenditure incurred by the Government of the United Kingdom of Great Britain and Northern Ireland on British Forces in the Federal Republic of Germany, which was concluded between our two Governments on 1 September 1969,<sup>1</sup> hereinafter referred to as ‘the 1969 Agreement,’ and supplemented by the Protocol concerning the return of 6 Brigade to the Federal Republic of Germany, signed on 25 September 1970,<sup>2</sup> expires on 31 March 1971. Talks have taken place between a British and a German delegation to consider the means by which relief to the British balance of payments could be continued. In accordance with the understanding reached in these talks, I have the honour, in the name of the Government of the Federal Republic of Germany, to propose to you the following Agreement :

<sup>1</sup> United Nations, *Treaty Series*, vol. 713, p. 109.

<sup>2</sup> *Ibid.*, vol. 771, p. 352.

“1. The Government of the Federal Republic of Germany shall continue to endeavour to place substantial orders in the United Kingdom for research, development, testing, procurement and services in the military field. These orders shall be made in the light of German military requirements and budget capabilities, given the availability and economic advantage of procurement in the United Kingdom.

“2. The Government of the Federal Republic of Germany shall, as hitherto, endeavour to promote substantial purchases and orders from the United Kingdom by the bodies listed, and in the manner envisaged, in the Annex to the 1969 Agreement. To achieve these objectives the Government of the Federal Republic of Germany shall make such arrangements as are within the framework of its competence to provide the British Embassy and Consulates-General in Germany with information of plans for the procurement of equipment and on the construction programmes of public authorities and to communicate information on British supply capabilities to German Public Procurement Agencies.

“3. The Joint Committee appointed under Article 6 of the Agreement for Offsetting the Foreign Exchange Expenditure on British Forces in the Federal Republic of Germany signed on 27 July 1964<sup>1</sup> shall continue to deal with questions arising out of the implementation of that Agreement, the Protocol for the Extension and Modification of the Agreement of 27 July 1964, signed on 20 July 1965,<sup>2</sup> the Agreements for Offsetting the Foreign Exchange Expenditure on British Forces in the Federal Republic of Germany, signed on 5 May 1967,<sup>3</sup> and 11 April 1968,<sup>4</sup> and the 1969 Agreement and shall render its final report to the Contracting Governments not later than 31 December 1971.

“4. The Government of the Federal Republic of Germany shall pay to the Government of the United Kingdom a non-refundable sum of DM550 million in the period from 1 April 1971 to 31 March 1976. This sum shall be paid in five equal instalments on 1 October of each year during that period.

“5. The payment of outstanding instalments in accordance with the provisions of paragraph 4 of this Agreement shall be subject to the level of the British Forces in the Federal Republic of Germany on 1 April 1971 being maintained without any permanent substantial change. In the event of such a change, either Government may propose consultations on the implications of the changed circumstances.

“6. This Agreement shall enter into force on 1 April 1971. It shall remain in force until 31 March 1976.

<sup>1</sup> United Nations *Treaty Series*, vol. 539, p. 243.

<sup>2</sup> *Ibid.*, vol. 548, p. 374.

<sup>3</sup> *Ibid.*, vol. 613, p. 313.

<sup>4</sup> *Ibid.*, vol. 649, p. 89.

“If the Government of the United Kingdom of Great Britain and Northern Ireland are in agreement with the foregoing, I propose that this Note and Your Excellency’s reply to that effect shall constitute an Agreement between our two Governments.”

I have the honour to inform you that the foregoing proposals are acceptable to the Government of the United Kingdom and that therefore your Note and this reply shall constitute an Agreement between the two Governments in this matter which shall enter into force on 1 April 1971.

I have the honour to be, with the highest consideration, Sir, Your Excellency’s obedient Servant.

R. W. JACKLING