

No. 13375

FRANCE
and
ITALY

**Exchange of notes constituting an agreement concerning
the establishment of a joint national control office at
Ventimiglia. Rome, 14 December 1972**

Authentic texts: French and Italian.

Registered by France on 31 May 1974.

FRANCE
et
ITALIE

**Échange de notes constituant un accord pour la création
d'un bureau à contrôles nationaux juxtaposés à Vinti-
mille. Rome, 14 décembre 1972**

Textes authentiques : français et italien.

Enregistré par la France le 31 mai 1974.

[TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN FRANCE AND ITALY CONCERNING THE ESTABLISHMENT OF A JOINT NATIONAL CONTROL OFFICE AT VENTIMIGLIA

I

Rome, 14 December 1972

Sir,

I have the honour to refer to article 2 of the Convention of 11 October 1963² between the French Republic and the Italian Republic relating to joint national control offices and inspections in transit, hereinafter called "the Convention", and to state the following:

The French Government has taken note of the Arrangement concerning the establishment at Ventimiglia, in Italian territory, of a joint national control office which was drawn up by the Joint Commission provided for in article 27 of the Convention at the fourth meeting of the said Commission held at Cervo (Imperia) on 18 March 1970.

The French Government accordingly proposes to the Italian Government that the Agreement between the two Governments should conform to the following provisions:

Article 1. A joint national control office shall be established at Ventimiglia, in Italian territory, on highway A 10.

Italian and French inspections in connexion with the crossing of the Franco-Italian frontier in either direction shall be conducted at that office.

Inspections shall apply to persons, to luggage and other property carried by them, to automotive and other vehicles used by them, and to articles of merchandise.

Article 2. The zone provided for in article 3, paragraph 1 (B), of the above-mentioned Convention shall be delimited according to plans which shall be prepared by the above-mentioned Joint Commission and annexed to this Arrangement, of which they shall form an integral part.

Article 3. 1. The officials of the Italian State shall carry out, with or without the assistance of the officials of the French State, the supervision of the section of highway between the office at Ventimiglia and the frontier.

2. If the officials of the Italian State find that a customs offence has been committed on that section of the highway, they shall deliver the persons, goods and vehicles in question to the French officials, who have priority in intervening under the provisions of article 6, paragraph 3, and article 9, paragraph 2, of the Convention.

¹ Came into force on 15 January 1973, the date of the exchange of notifications stating that the constitutional procedures required had been completed, in accordance with the provisions of the said notes.

² See p. 39 of this volume.

The officials of the French State must accede to any request for intervention on this section of the highway received from officials of the Italian State either upon entry or upon exit. The reasons for any refusal to accede to such a request must be indicated by the French officials in charge.

Article 4. For purposes of the application of article 4, paragraph 1, of the Convention, the French office set up in the zone shall be attached to the commune of Menton.

Article 5. 1. Persons working in the zone shall be required to have an entry permit issued jointly by the police authorities of the two countries responsible for control, subject to agreement by the customs authorities.

The entry permit may be withdrawn from persons who have committed offences against the laws, regulations and administrative provisions of either State relating to control.

2. In accordance with the provisions of article 25 of the Convention, the preceding paragraph shall not apply to persons making customs declarations or to their employees who enter the zone in a professional capacity.

Article 6. The Director of International Customs at Ventimiglia and the Director of the Frontier Police Office at Torino, on the one hand, and the Regional Director of Customs at Nice and the Chief of the Air and Frontier Police for the Department of Alpes-Maritimes, on the other hand, shall establish by agreement between them the details governing the conduct of inspections, subject to the provisions of article 6 of the Convention.

Urgent measures to deal with difficulties arising during inspections shall be taken by mutual agreement by the highest ranking Italian and French police and customs officials on duty at the office.

Article 7. After the entry into force of this Arrangement, the authorities of the two States shall agree, at the appropriate time, on the application of the provisions of article 17, paragraph 2, second paragraph, of the Convention.

I propose that this letter and your letter of reply should constitute, in conformity with article 2 of the Convention, the Agreement between the two Governments confirming the Arrangement concerning the establishment of a joint national control office at Ventimiglia, in Italian territory, on highway A 10.

This Agreement shall enter into force as soon as there has been an exchange of notifications stating that the constitutional procedures required for that purpose have been completed by both sides, it being understood that the notification by the Italian Government shall be accompanied by the instrument of ratification.

The Agreement, which is of indefinite duration, may be denounced by either Party on six months' notice. Such denunciation shall take effect on the first day of the month following the date of expiry of the notice.

Accept, Sir, etc.

[Signed]

CHARLES LUCET

His Excellency Mr. Cesidio Guazzaroni
Director General for Economic Affairs
in the Ministry of Foreign Affairs
Rome

II

Rome, 14 December 1972

Sir,

I have the honour to acknowledge receipt of your note of today's date, which reads as follows:

[See note I]

In this connexion, I have the honour to inform you that the Italian Government agrees to the foregoing.

Accept, Sir, etc.

[Signed]

CESIDIO GUAZZARONI

His Excellency Mr. Charles Lucet
Ambassador of the French Republic
Rome
