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Treaty Series No. 22 (1929)

# Exchange of Notes

BETWEEN HIS MAJESTY'S GOVERNMENT  
IN THE UNITED KINGDOM  
AND THE FRENCH GOVERNMENT

*in regard to the*

# Laws of Landlord and Tenant

Paris, May 21/25, 1929

Presented by the Secretary of State for Foreign Affairs  
to Parliament by Command of His Majesty

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**Exchange of Notes between His Majesty's Government  
in the United Kingdom and the French Government  
in regard to the Laws of Landlord and Tenant.**

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*Paris, May 21/25, 1929.*

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(1.)

*Lord Tyrrell to M. Briand.*

*British Embassy, Paris,  
May 21, 1929.*

M. le Président,

THE negotiations which have been carried on by His Majesty's Embassy with the Government of the French Republic on the subject of housing legislation have, as you know, led to agreement on the following conclusions.

2. The Franco-British Convention of the 28th February, 1882, is not restricted to matters of commerce and navigation, but applies also to residence.

3. The most-favoured-nation clause, which is the basis of this convention, gives British subjects the right to benefit by the grant of national treatment to foreigners in other treaties concluded by France; from this it follows that British subjects may claim in France, in the same way as French citizens themselves, the benefits of all provisions, whether they apply to landlords or to tenants, of the French law of the 1st April, 1926, concerning the respective rights of lessors and lessees of dwelling-houses, and of the law of the 30th June, 1926, as amended by the law of the 22nd April, 1927, concerning the respective rights of lessees and lessors of commercial or industrial premises, notwithstanding the provisions of article 11 of the Civil Code and any provisions in the above-mentioned laws limiting or excluding their operation in regard to foreigners.

4. Similarly, the Franco-British Convention of the 28th February, 1882, entitles French citizens in Great Britain to enjoy the same treatment as British subjects to the same extent as the nationals of any third Power enjoy such treatment; in particular, French citizens have the right in England and Wales to benefit by the provisions of the British "Landlord and Tenant Act, 1927," which came into force on the 25th March, 1928.

5. I request that you will be good enough to confirm your agreement in the above statement, which shall for the future constitute an official interpretation by His Britannic Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and by the Government of the French Republic of the effect of the Franco-British Convention of the 28th February, 1882.

I have, &c.

W. TYRRELL

(2.)

*M. Briand to Lord Tyrrell.**Ministère des Affaires étrangères,  
Paris, le 25 mai 1929.*

M. l'Ambassadeur,

En réponse à votre lettre du 21 de ce mois, j'ai l'honneur de vous confirmer mon accord sur les déclarations que cette lettre contient et que je reproduis ci-dessous, déclarations qui constituent pour l'avenir une interprétation officielle du Gouvernement de Sa Majesté britannique dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et du Gouvernement de la République française, sur la portée de la Convention franco-britannique du 28 février 1882.

La clause de la nation la plus favorisée qui est à la base de cette convention donne aux sujets britanniques le droit de se prévaloir des traités de la France stipulant l'assimilation de l'étranger au national ; d'où il suit que les sujets britanniques peuvent invoquer en France comme les Français eux-mêmes le bénéfice de toutes les dispositions, qu'elles s'appliquent aux propriétaires ou aux locataires, de la loi du 1<sup>er</sup> avril 1926 déterminant les rapports entre les bailleurs et les locataires de locaux d'habitation et de la loi du 30 juin 1926, modifiée par la loi du 22 avril 1927, réglant les rapports entre locataires et bailleurs de locaux à usage commercial ou industriel, nonobstant l'article 11 du Code civil et les exclusions ou restrictions prévues à l'égard des étrangers par les lois précitées.

De même, la Convention franco-britannique du 28 février 1882 permet au Français en Grande-Bretagne d'être assimilé au sujet britannique dans toute la mesure où le ressortissant d'une Puissance quelconque y bénéficie de cette assimilation ; notamment, il a le droit d'invoquer à son profit en Angleterre et dans le pays de Galles la loi britannique de 1927 sur les propriétaires et locataires entrée en vigueur le 25 mars 1928.

Veuillez agréer, &amp;c.

A. BRIAND.

(Translation.)

*Ministry for Foreign Affairs,  
Paris, May 25, 1929.*

M. l'Ambassadeur,

In reply to your note of the 21st May, I have the honour to confirm my agreement with the statements contained in that note and reproduced below, which statements constitute an official definition for the future on the part of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic of the scope of the Franco-British Convention of the 22nd February, 1882.

The most-favoured-nation clause, which is the basis of this convention, gives British subjects the right to benefit by the grant of national treatment to foreigners in other treaties concluded by France ; from this it follows that British subjects may claim in France, in the same way as French citizens themselves, the benefits of all provisions, whether they apply to landlords or to tenants, of the French law of the 1st April, 1926, concerning the respective rights of lessors and lessees of dwelling-houses, and of the law of the

30th June, 1926, as amended by the law of the 22nd April, 1927, concerning the respective rights of lessors and lessees of commercial or industrial premises, notwithstanding the provisions of article 11 of the Civil Code and any provisions in the above-mentioned laws limiting or excluding their operation in regard to foreigners.

Similarly, the Franco-British Convention of the 28th February, 1882, entitles French citizens in Great Britain to enjoy the same treatment as British subjects to the same extent as the nationals of any third Power enjoy such treatment; in particular, French citizens have the right in England and Wales to benefit by the provisions of the British "Landlord and Tenants Act, 1927," which came into force on the 25th March, 1928.

I have, &c.

A. BRIAND

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