



Treaty Series No. 45 (1939)

AGREEMENT

between His Majesty's Government in the United Kingdom  
and the Danish Government

modifying the

COMMERCIAL AGREEMENT OF  
APRIL 24, 1933

[With Exchanges of Notes]

London, December 21, 1938

[Ratifications exchanged at Copenhagen on August 28, 1939]

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

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:

York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

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1939

Price 2d. net

Cmd. 6112

AGREEMENT BETWEEN HIS MAJESTY'S GOVERNMENT IN  
THE UNITED KINGDOM AND THE DANISH GOVERNMENT  
MODIFYING THE COMMERCIAL AGREEMENT OF APRIL 24,  
1933 [WITH EXCHANGES OF NOTES].

London, December 21, 1938.

[Ratifications exchanged at Copenhagen on August 28, 1939.]

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark,

Having resolved to modify the provisions of Article 4 (2) of the Commercial Agreement signed at London on the 24th April, 1933,<sup>(1)</sup> which was continued in force by the Supplementary Commercial Agreement signed in London on the 19th June, 1936,<sup>(2)</sup> have agreed as follows :—

ARTICLE 1.

In Article 4 (2) of the Commercial Agreement signed in London on the 24th April, 1933, the words "For bacon and hams, the Danish allocation shall not be less than 62 per cent. of the total permitted imports from foreign countries" are deleted and the following provisions substituted therefor :—

"(i) There shall be allocated to Denmark the following percentage shares of the total foreign quotas for bacon and for hams, respectively, permitted to be imported into the United Kingdom :—

For bacon	...	...	...	68·95%
For ham	...	...	...	0·4%

(ii) The expression 'total foreign quota' means the total amount of the commodity in question comprised in the specific allocations of permitted imports which are distributed on a percentage basis among specified foreign countries, and does not include imports which may be permitted within the limits fixed for 'insignificant' suppliers: and the expression 'foreign' and 'foreign countries' has the meaning defined in the exchange of notes between Sir J. Simon and Count Ahlefeldt-Laurvig of the 17th May, 1933.<sup>(1)</sup>

(iii) The Government of the United Kingdom will not amend the Bacon (Import Regulation) Amendment Order, 1935, so as to permit increased imports from the 'insignificant' suppliers without the concurrence of the Government of Denmark.

(iv) The total foreign quota for hams will not be increased beyond the basic quota of 550,000 cwts., per annum, unless the Government

<sup>(1)</sup> "Treaty Series No. 34 (1933)"—Cmd. 4424.

<sup>(2)</sup> "Treaty Series No. 12 (1937)"—Cmd. 5400.

Den danske Regering og det Forenede Kongerige Storbritanniens og Nordirlands Regering,

som har besluttet at ændre Bestemmelserne i Artikel 4 (2) i den i London den 24. April 1933 undertegnede Handelsoverenskomst, der blev forlænget ved den i London den 19. Juni 1936 undertegnede Tillægshandelsoverenskomst, er blevet enige om følgende :

#### ARTIKEL 1.

I Artikel 4 (2) i den i London den 24. April 1933 undertegnede Handelsoverenskomst udgaar Ordene " Danmarks Andel af Bacon og Skinker skal være mindst 62% af den samlede tilladte Indførsel fra fremmede Lande " og erstattes med følgende Bestemmelser :

(i) Der tildeles Danmark følgende Procentandele af de samlede udenlandske Kvoter henholdsvis for Bacon og for Skinker, som tillades indført til det Forenede Kongerige :

for Bacon	...	...	...	68·95%
for Skinker	...	...	...	0·4%

(ii) Udtrykket " samlede udenlandske Kvota " betyder den samlede Mængde af den paagældende Vare, der indgaar i de særlige Tildelinger for tilladt Import, som fordeles paa Procentbasis mellem særligt opregnede fremmede Lande og omfatter ikke den Import, der maatte blive tilladt indenfor de Grænser, som er fastsat for " insignificant suppliers " ; Udtrykket " udenlandsk " og " fremmede Lande " har den i Notevekslingen af 17. Maj 1933 mellem Grev Ahlefeldt-Laurvig og Sir J. Simon definerede Betydning.

(iii) Det Forenede Kongeriges Regering vil ikke uden den danske Regerings Samtykke ændre " the Bacon (Import Regulation) Amendment Order, 1935 " paa en saadan Maade, at der tillades en forøget Import fra de Lande, der henhører under " insignificant suppliers. "

(iv) Den samlede udenlandske Kvota for Skinker vil ikke blive forøget udover Grundkvotaen paa 550.000 cwts. per Aar, medmindre

of the United Kingdom are satisfied that the excess quantity can be accommodated without causing instability in the market for bacon in the United Kingdom.”

ARTICLE 2.

The present Agreement shall be ratified and the ratifications shall be exchanged at Copenhagen as soon as possible. It shall come into force on the exchange of ratifications<sup>(3)</sup> and shall remain in force so long as the Commercial Agreement signed at London on the 24th April, 1933, of which it forms an integral part, remains in force.

In witness whereof the undersigned, being duly authorised to that effect, have signed this Agreement and have affixed thereto their seals.

Done in London this 21st day of December, 1938, in duplicate in English and Danish, both texts being equally authentic.

(L.S.) HALIFAX.

(L.S.) E. REVENTLOW.

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<sup>(3)</sup> For provisional application see Exchange of Notes, Nos. 3 and 4, page 7.

det Forenede Kongeriges Regering er overbevist om, at det  
overskydende Kvantum kan optages uden at paavirke det britiske  
Baconmarkeds Stabilitet.

#### ARTIKEL 2.

Denne Overenskomst skal ratificeres, og Ratifikationsdokumen-  
terne skal udveksles i København snarest muligt. Den skal træde i  
Kraft ved Ratifikationsdokumenternes Udveksling og skal forblive i  
Kraft, saalænge den i London den 24. April 1938 undertegnede  
Handelsoverenskomst, af hvilken den udgør en integrerende Del,  
forbliver i Kraft.

Til Bekræftelse heraf har de undertegnede, dertil behørigt  
bemyndigede, underskrevet denne Overenskomst og forsynet den med  
deres Segl.

Udfærdiget i London den 21. December 1938 i to Eksemplarer  
med dansk og engelsk Tekst, hvilke Tekster skal have samme  
Gyldighed.

(L.S.) HALIFAX.

(L.S.) E. REVENTLOW.

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## EXCHANGES OF NOTES.

## No. 1.

*Lord Halifax to Count Reventlow.*

Sir,

*Foreign Office, December 21, 1938.*

I HAVE the honour to inform you that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland propose that the arrangements for separate bacon and ham quotas envisaged in the Supplementary Commercial Agreement signed to-day shall be administered in the light of the following considerations and declarations of intention :—

1. The Danish Government will have the right at any time to approach His Majesty's Government in the United Kingdom if they consider that larger supplies of bacon could be absorbed on the United Kingdom market without causing instability in the bacon market.

2. As regards the possible increases in the basic ham quota referred to in Article 1 (iv) of the Supplementary Agreement, the quota will not be increased in any four-monthly period by more than  $7\frac{1}{2}$  per cent. above the quota in the same period of the preceding year without the concurrence of the Danish Government.

3. It would be the intention that supplies of ham under the ham quota would be imported in a regular manner and in accordance with the seasonal needs of the market.

If the Government of Denmark agree, I would propose that this letter and your reply in similar terms should be regarded as formally placing on record the understanding arrived at in this matter between the two Governments.

I have, &c.  
HALIFAX.

## No. 2.

*Count Reventlow to Lord Halifax.*

*Royal Danish Legation,*

My Lord,

*London, December 21, 1938.*

I HAVE the honour to acknowledge the receipt of your Lordship's note of the 21st December, which reads as follows :—

[As in No. 1.]

2. I have the honour to inform your Lordship that the above correctly sets out the understanding and intentions of the Danish Government in this matter.

I have, &c.  
E. REVENTLOW.

No. 3.

*Lord Halifax to Count Reventlow.*

Sir,

*Foreign Office, December 21, 1938.*

I HAVE the honour to inform you that His Majesty's Government in the United Kingdom propose that, pending the exchange of ratifications, the provisions of the Agreement signed this day, modifying the Commercial Agreement signed in London on the 24th April, 1933, should apply provisionally as from the 1st January, 1939.

2. If the Danish Government are agreeable to this proposal, I have the honour to suggest that the present note and your reply in that sense be regarded as constituting an agreement to the above effect which may be terminated by either Government by giving three months' notice to the other prior to the exchange of ratifications.

I have, &amp;c.

HALIFAX.

No. 4.

*Count Reventlow to Lord Halifax.**Royal Danish Legation,*

My Lord,

*London, December 21, 1938.*

I HAVE the honour to acknowledge receipt of your Lordship's note of the 21st December, which reads as follows:—

[As in No. 3.]

I have the honour to inform your Lordship that the Danish Government are agreeable to the proposals set out in your note.

I have, &amp;c.

E. REVENTLOW.