



Treaty Series No. 6 (1941)

Convention

between His Majesty, in respect of the United Kingdom, the
Commonwealth of Australia and New Zealand, and the
President of the United States of America

amending the Convention of March 2, 1899

concerning the

Disposal of Real and Personal Property

Washington, May 27, 1936

[Ratifications exchanged at Washington on March 10, 1941]

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

LONDON

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Cmd. 6268

CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, THE COMMONWEALTH OF AUSTRALIA AND NEW ZEALAND, AND THE PRESIDENT OF THE UNITED STATES OF AMERICA, AMENDING THE CONVENTION OF MARCH 2, 1899, CONCERNING THE DISPOSAL OF REAL AND PERSONAL PROPERTY.

Washington, May 27, 1936.

[Ratifications exchanged at Washington on March 10, 1941.]

HIS Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the United States of America, being desirous of amending Article 4 and the second paragraph of Article 6 of the Convention concerning the tenure and disposition of real and personal property signed at Washington on the 2nd March, 1899,⁽¹⁾ have agreed to conclude a supplementary Convention for that purpose and have appointed as their Plenipotentiaries :

HIS Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India :

For Great Britain and Northern Ireland :

The Right Honourable Sir Ronald Lindsay, P.C., G.C.M.G., K.C.B., C.V.O., his Ambassador Extraordinary and Plenipotentiary at Washington ;

For the Commonwealth of Australia :

The Right Honourable Sir Ronald Lindsay, P.C., G.C.M.G., K.C.B., C.V.O., his Ambassador Extraordinary and Plenipotentiary at Washington ;

For the Dominion of New Zealand :

The Right Honourable Sir Ronald Lindsay, P.C., G.C.M.G., K.C.B., C.V.O., his Ambassador Extraordinary and Plenipotentiary at Washington ; and

The President of the United States of America :

Cordell Hull, Secretary of State of the United States of America :

Who, having communicated their full powers, found in due form, have agreed as follows :—

⁽¹⁾ "Treaty Series No. 17 (1900)," Cd. 356.

ARTICLE 1.

As from the date of the entry into force of the present Convention, the following provisions shall be substituted for Article 4 and the second paragraph of Article 6 of the Convention concerning the tenure and disposition of real and personal property signed at Washington on the 2nd March, 1899:—

“ARTICLE 4.

“1. The present Convention shall not be applicable to any colony or protectorate of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any other territory administered under the authority either of his Government in the United Kingdom of Great Britain and Northern Ireland, or of his Government in the Commonwealth of Australia, or of his Government in New Zealand, including any mandated territory in respect of which the mandate is exercised by his Government in the United Kingdom, his Government in the Commonwealth of Australia, or his Government in New Zealand, unless a notice to that effect has been given at any time while the present Convention is in force to the Government of the United States of America by His Majesty's representative at Washington. The Convention shall apply to any territory in respect of which such notice has been given as from the date of such notice.

“2. The present Convention shall not be applicable to any overseas territory under the authority of the United States of America unless a notice to that effect has been given at any time while the Convention is in force by the representative of the United States in London. The Convention shall apply to any territory in respect of which such notice has been given as from the date of such notice.

“3. Either High Contracting Party may by a notification through the diplomatic channel terminate the application of the Convention to any territory to which it is applicable or has become applicable under either of the preceding paragraphs of this Article, and the Convention shall cease to apply to any territory in respect of which such notification is made twelve months after the date of the receipt of the notification.

“4. The expression ‘subjects or citizens’ of one or the other High Contracting Party in the present Convention shall be deemed to mean (a) in relation to His Majesty the King, all subjects of His Majesty and all persons under His Majesty's protection belonging to territories to which the Convention applies, (b) in relation to the United States of America, all citizens of the United States and all persons enjoying the protection of the United States belonging to territories under the authority of the United States to which the Convention applies.”

ARTICLE 2.

The present Convention shall be ratified by His Majesty the King, and by the President of the United States of America by and with the advice and consent of the Senate thereof. The ratifications shall be exchanged at Washington, and the Convention shall take effect as from the date of the exchange of ratifications.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention and have thereunto affixed their seals.

Done in duplicate at Washington, the twenty-seventh day of May, one thousand nine hundred and thirty-six.

For Great Britain and Northern Ireland :

(L.S.) R. C. LINDSAY.

For the Commonwealth of Australia :

(L.S.) R. C. LINDSAY.

For the Dominion of New Zealand :

(L.S.) R. C. LINDSAY.

For the United States of America :

(L.S.) CORDELL HULL.