



Treaty Series No. 30 (1946)

## EXCHANGE OF NOTES

BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND AND THE BELGIAN GOVERNMENT

CONCERNING THE DISPOSAL OF THE PROPERTY  
OF BELGIAN AND BRITISH MERCHANT SEAMEN  
WHO DIE WHILE SERVING IN BRITISH  
AND BELGIAN SHIPS

LONDON, JANUARY 4, 1943

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

LONDON  
HIS MAJESTY'S STATIONERY OFFICE

ONE PENNY NET

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE BELGIAN GOVERNMENT CONCERNING THE DISPOSAL OF THE PROPERTY OF BELGIAN AND BRITISH MERCHANT SEAMEN WHO DIE WHILE SERVING IN BRITISH AND BELGIAN SHIPS.

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London, January 4, 1943.

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No. 1.

*Mr. Anthony Eden to Baron de Cartier de Marchienne.*

*Foreign Office, S.W. 1,*

Your Excellency,

*4th January, 1943.*

I HAVE the honour to inform you that, with the view of regulating the question of the disposal of the property of Belgian and British merchant seamen who die while serving in British and Belgian ships, the Government of the United Kingdom of Great Britain and Northern Ireland are prepared to enter into a reciprocal agreement with the Belgian Government in the following terms:—

(1) In the present Agreement the term "British merchant vessel" shall not include vessels registered:—

- (i) In any of His Majesty's self-governing Dominions, or
- (ii) In any territory administered by His Majesty's Government in such a Dominion, or
- (iii) In India or Burma.

The term "British seamen" shall mean any seaman wherever domiciled who is a British subject and shall include all British-protected persons.

(2) In the case of a Belgian seaman dying on board a British merchant vessel or in British or foreign territory whilst serving on board a British merchant vessel, the competent Department of the Government of the United Kingdom shall furnish such authority in the United Kingdom as may be indicated by the Belgian Government with copies of such accounts as may be received by them in respect of the wages and effects of such a deceased seaman, together with any particulars which may be at their disposal likely to facilitate the identification of the deceased and of the legal heirs.

(3) In every case where an estate of such a deceased seaman does not exceed £100 sterling in value, and the Government of the United Kingdom are satisfied that there is no legal personal representative of the deceased seaman resident in British territory or any person so resident entitled to the deceased's estate or entitled to participate in the distribution of his estate or who has any valid claim to the wages and effects left by such seaman, the Government of the United Kingdom shall dispense with the customary form of claim and shall hand over the property in question, or such part of it as may be within their power to dispose of, to the appropriate authority indicated as aforesaid.

(4) In the case of a British seaman dying on board a Belgian merchant vessel or on Belgian or foreign territory whilst serving on board a Belgian merchant vessel, the competent authority of the Belgian Government shall furnish to a British Consular officer or to such other authority as may be indicated by the Government of the United Kingdom copies of such accounts as may be received by them in respect of the wages and effects of such a deceased seaman together with any particulars which may be at their disposal likely to facilitate the identification of the deceased and of the legal heirs.

(5) In every case where an estate of such a deceased British seaman does not exceed £100 sterling in value and the Belgian Government are satisfied that there is no legal representative of the deceased seaman resident in Belgian territory or any person so resident entitled to the deceased's estate or entitled to participate in the distribution of the estate or who has any valid claim to the wages and effects left by the deceased seaman, the Belgian Government shall dispense with the customary form of claim and shall hand over the property in question, or such part of it as may be within their power to dispose of, to the competent authority of the Government of the United Kingdom as indicated above.

(6) Each contracting Government shall indemnify, and keep indemnified the other contracting Government against all claims made against that Government or against any Department thereof, its officers or any person acting on their instructions, in respect of any property so handed over.

(7) The present Agreement shall come into force on the date of the present note, and shall continue in force for one year. It shall thereafter remain in force until terminated by one year's notice given at any time by either of the contracting Governments to the other.

2. If the Belgian Government are prepared to accept the foregoing proposals, I would suggest that the present note and your Excellency's reply to that effect be regarded as constituting an Agreement between the two Governments which shall take effect this day.

I have, &c.  
(Signed) ANTHONY EDEN.

No. 2.

*Baron de Cartier de Marchienne to Mr. Anthony Eden.*

*Ambassade de Belgique, London, S.W. 1,*

Your Excellency,

4th January, 1943.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 4th January, 1943, in which you propose that an Agreement between the Belgian Government and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the disposal of the property of deceased merchant seamen who die while serving in British and Belgian merchant vessels should be concluded in the following terms:—

[Paragraphs (1)–(7) in No. 1.]

2. I have the honour to inform your Excellency that the Belgian Government are prepared to enter into an Agreement with the Government of the United Kingdom in the foregoing terms and will regard your Excellency's note and this reply as constituting an Agreement between the two Governments in this matter which shall take effect this day.

I have, &c.  
(Signed) E. DE CARTIER.

