



Treaty Series No. 56 (1948)

Exchange of Notes

between the Governments of the United Kingdom
and Belgium constituting an Agreement

for Reciprocal Compensation in respect of War Damage

Brussels, 7th June, 1948

*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

Cmd. 7495

**EXCHANGE OF NOTES BETWEEN THE GOVERNMENTS OF
THE UNITED KINGDOM AND BELGIUM CONSTITUTING AN
AGREEMENT FOR RECIPROCAL COMPENSATION IN RESPECT
OF WAR DAMAGE**

Brussels, 7th June, 1948

No. 1

His Majesty's Chargé d'Affaires to the Belgian Minister for Foreign Affairs

British Embassy,

Brussels, 7th June, 1948.

M. le Ministre,

On the conclusion of the informal negotiations on the subject of compensation for war damage incurred in Belgium and in the United Kingdom of Great Britain and Northern Ireland, I have the honour to propose to your Excellency, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, that an agreement should now be concluded between the Government of the United Kingdom of Great Britain and Northern Ireland and the Belgian Government in the following terms:—

- (1) Under the laws and regulations in force or which may come into force in the United Kingdom in respect of compensation for damage to, or loss of, their property in the United Kingdom as a result of the war, equal treatment is, and shall be, granted to Belgian nationals to that accorded to British nationals.
- (2) (a) Reciprocally under the Belgian Law of 1st October, 1947, and the regulations in force or which may come into force in Belgium in respect of compensation for damage to, or loss of, their property in Belgium as a result of the war, the Belgian Government shall grant to British nationals treatment as regards compensation equal to that accorded to Belgian nationals in respect of similar loss or damage. Further, in the application of the provisions of the last section of paragraph 2 of Article 3 of the Belgian Law of 1st October, 1947, the capital holdings of British nationals in Belgian Corporations or Associations shall receive treatment equal to that accorded to the capital holdings of Belgian nationals. The same equality of treatment shall also be accorded in the case of British nationals who are members of Belgian non-profit making Corporations or Associations.
- (b) Provided, however, that as the law of 1st October, 1947, excepts from the general principle of territoriality war damage sustained by Belgian ships and vessels, the provisions of Belgian war damage legislation regarding compensation for war damage to ships and vessels shall not apply to such damage caused to British ships or vessels on Belgian territory or in Belgian territorial waters.
- (c) Declarations of the nature and the estimated value of their total property as at 9th October, 1944, for the purpose of claims under the provisions of sub-paragraph (a) of this paragraph shall be made by British nationals in the same way as such declarations are required to be made by Belgian nationals.
- (d) Claims by British nationals under the provisions of sub-paragraph (a) of this paragraph shall be submitted to the appropriate Belgian authorities within three months after the date of publication of the

text of this agreement in the *Moniteur Belge*. No claim submitted after the expiration of this period of three months shall be entitled to the benefit of this agreement.

(3) In the present agreement :—

- (a) The expression “British nationals” means all British subjects and British-protected persons belonging to the United Kingdom of Great Britain and Northern Ireland or to any territory for whose international relations the Government of the United Kingdom is responsible.
- (b) The expression “Belgian nationals” means Belgian subjects belonging to the Kingdom of Belgium, to the Belgian Congo or to the territories of Ruanda-Urundi.
- (c) The term “nationals” also includes all legal persons, partnerships or associations deriving their status as such from the laws in force in the United Kingdom, in Belgium or in any of the territories mentioned in sub-paragraphs (a) and (b) of this paragraph.

2. If the foregoing provisions are acceptable to the Belgian Government, I have the honour to suggest that the present Note and your Excellency's reply in similar terms shall be regarded as constituting an agreement between the two Governments which shall take effect from this day's date.

I avail, &c.

(Sd.) W. H. MONTAGU-POLLOCK.

No. 2

*The Belgian Minister for Foreign Affairs to His Majesty's
Chargé d'Affaires at Brussels*

M. l'Ambassadeur,

Bruxelles, le 7 juin 1948.

Par lettre du 7 juin 1948 votre Excellence a bien voulu me proposer la conclusion, dans les termes reproduits ci-après, d'un arrangement portant règlement, par voie de réciprocité, des dommages de guerre subis, d'une part, par les ressortissants britanniques en Belgique et, d'autre part, par les ressortissants belges dans le Royaume-Uni de Grande-Bretagne et de l'Irlande du Nord :

[As in No. 1, paragraphs (1)–(3) inclusive]

J'ai l'honneur de faire savoir à votre Excellence que le Gouvernement belge marque son accord sur le texte qui précède et qu'il considère cet accord comme conclu à la date de ce jour.

Je saisis, &c.

(Sd.) P. H. SPAAK.

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; 13a Castle Street, Edinburgh, 2;
39-41 King Street, Manchester, 2; 1 St. Andrew's Crescent, Cardiff;
Tower Lane, Bristol, 1; 80 Chichester Street, Belfast
OR THROUGH ANY BOOKSELLER
1948

Price *id.* net