



Treaty Series No. 85 (1948)

Exchange of Notes

between His Majesty's Government in the
United Kingdom of Great Britain and Northern Ireland
and the United States Government

for the Duty-free Treatment of American Relief Goods

London, 1st December, 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

**EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT
IN THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND AND THE UNITED STATES GOVERN-
MENT FOR THE DUTY-FREE TREATMENT OF AMERICAN
RELIEF GOODS**

London, 1st December, 1948

No. 1

*The United States Ambassador to the Secretary of State
for Foreign Affairs*

American Embassy,

Sir,

London, 1st December, 1948.

WE have the honor to propose that for the purpose of giving effect to Article VI, paragraph 2, read with Article IV, paragraph 5, of the Economic Co-operation Agreement between the Governments of the United Kingdom of Great Britain and Northern Ireland and the United States of America signed on 6th July, 1948⁽¹⁾ (hereinafter referred to as the Economic Co-operation Agreement), an agreement shall be made between the Governments of the United Kingdom and the United States in the following terms:—

Paragraph 1.

The Government of the United Kingdom shall accord duty-free treatment on entry into the United Kingdom of:

- (a) Supplies of relief goods or standard packs donated to or purchased by United States voluntary non-profit relief agencies qualified under Economic Co-operation Administration (hereinafter referred to as E.C.A.) regulations and consigned to charitable organizations including United Kingdom branches of these agencies which have been or hereafter shall be approved by the Government of the United Kingdom.
- (b) Relief packages originating in the United States and sent by parcel post or commercial channels addressed to an individual residing in the United Kingdom whether packed privately or by order placed with a commercial firm.
- (c) Standard packs put up by United States voluntary non-profit relief agencies or their approved agents, qualified under E.C.A. regulations, to the order of individuals in the United States and sent for delivery addressed to individuals residing in the United Kingdom.

Paragraph 2.

For the purposes of this Agreement:

- (a) "Relief goods" shall not include tobacco, cigars, cigarettes, or alcoholic liquors;
- (b) "Relief packages" shall not include goods other than foodstuffs, discarded apparel, medical supplies, or soap, and shall not exceed 22 lbs. gross weight; and
- (c) "standard packs" shall contain only such articles which qualify under E.C.A. regulations and are approved by the Government of the United Kingdom.

⁽¹⁾ "Treaty Series No. 41 (1948)," Cmd. 7469.

Paragraph 3.

Transportation charges (as defined in paragraph 5 of Article IV of the Economic Co-operation Agreement) in the United Kingdom on "relief goods", "relief packages", and "standard packs", which comply with the provisions of paragraphs 1 and 2 above, shall be defrayed as follows:—

- (a) The amount of terminal charges for shipments which are sent by United States parcel post addressed to individuals in the United Kingdom shall be computed by the United Kingdom postal service in the manner now or hereafter provided by the applicable agreements. Such charges shall be reimbursed to the United Kingdom postal service out of the special account provided for in Article IV of the Economic Co-operation Agreement (hereinafter referred to as the special account) and no claim for such charges shall be made against the United States.
- (b) With respect to shipments which are originally despatched from the United States by any regular established commercial channels and forwarded in the United Kingdom by an approved agent of the shipper to the addressee by United Kingdom parcel post for delivery as parcels originating in the United Kingdom, such parcels not exceeding 15 lbs. gross weight shall be accepted by United Kingdom parcel post services without payment of postal charges by such agent. The United Kingdom postal service shall be reimbursed for postal charges on such parcels out of the special account upon presentation of adequate documentation. Parcels exceeding 15 lbs. but not exceeding 22 lbs. gross weight are covered by sub-paragraph (c) of this paragraph.
- (c) With respect to shipments which are originally despatched from the United States by any commercial channel and forwarded in the United Kingdom by an approved agent of the shipper to the addressee by United Kingdom carrier, the United Kingdom shall reimburse such agent or United Kingdom carrier, as the case may be, out of the special account upon presentation of adequate documentation.
- (d) With respect to any charges incidental to transportation which may be incurred by an agent of a shipper under sub-paragraphs (b) and (c) of this paragraph, other than parcel post charges and carrier charges, such approved agent shall be reimbursed by the Government of the United Kingdom out of the special account upon presentation of adequate documentation.

Paragraph 4.

The Government of the United Kingdom shall make payments out of the special account for the purposes mentioned in paragraph 3 above, and shall submit to the E.C.A. Mission in the United Kingdom with a copy to the Controller, E.C.A., Washington, monthly statements of the amounts so expended in form satisfactory to the Government of the United Kingdom and the said Mission, provided that each such statement shall at least show total weight carried and charges therefor, and adjustments shall be made to the special account if shown to be required by E.C.A. audit.

Paragraph 5.

So far as practicable effect shall be given to paragraphs 3 and 4 as though they had come into force on 3rd April, 1948.

Paragraph 6.

(a) The present Agreement shall, on the part of the Government of the United Kingdom, apply to the United Kingdom of Great Britain and Northern Ireland, and to any other territories (including the Channel Islands) for whose international relations the Government of the United Kingdom is responsible

to which it may be extended by a notification addressed by the Government of the United Kingdom to the Government of the United States from the date on which such notification is received by the Government of the United States.

(b) Nothing in the present Agreement shall be construed as imposing any obligation contrary to the terms of a Trusteeship Agreement in force in relation to any such territory.

(c) For the purposes of the present Agreement, the term "United Kingdom" means the United Kingdom of Great Britain and Northern Ireland (excluding the Channel Islands) and any territory to which the present Agreement shall have been extended under sub-paragraph (a) of this paragraph and in respect of which such extension has not ceased in accordance with paragraph 7 (c).

Paragraph 7.

(a) The present Agreement shall come into force immediately. Subject to the provisions of sub-paragraphs (b) and (c) of this paragraph and to such modification as may be agreed upon between the competent authorities of the Governments of the United States and the United Kingdom, it shall remain in force for the same period as the Economic Co-operation Agreement.

(b) The present Agreement may be terminated by six months' notice given in writing by either party to the other at any time.

(c) The Government of the United Kingdom shall have the right by giving six months' notice in writing to the Government of the United States to terminate the application of this Agreement to any territory named in such notice to which it has been extended under sub-paragraph (a) of paragraph 6 hereof.

2. If the above proposal is acceptable to the Government of the United Kingdom, we have the honor further to propose that this note and your reply to that effect shall constitute an Agreement on the above terms between the two Governments.

Accept, &c.

(For the Ambassador)

J. C. HOLMES.

THOMAS K. FINLETTER.

No. 2

*The Secretary of State for Foreign Affairs to the
United States Embassy*

Gentlemen,

Foreign Office, 1st December, 1948.

I HAVE the honour to acknowledge the receipt of your Note of the 1st December, 1948, the text of which is as follows:—

[As in No. 1]

2. The terms set out in the Note are acceptable to the Government of the United Kingdom and I have the honour to confirm that your note and this reply shall constitute an Agreement between the two Governments on the above terms.

I have, &c.

(Sd.) ERNEST BEVIN.