



Treaty Series No. 35 (1950)

Agreement

between the Government of the United Kingdom
and the Government of Denmark

relating to Trade and Commerce

[with Exchanges of Letters]

Annecy, 13th August, 1949

[Ratifications exchanged at London
on 9th June, 1950]

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

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**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM AND THE GOVERNMENT OF DENMARK
RELATING TO TRADE AND COMMERCE**

Annecy, 13th August, 1949

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

Desiring to make provision, upon the entry into force between them of the General Agreement on Tariffs and Trade⁽¹⁾, for continuing in force with certain modifications the Commercial Agreement of 24th April, 1933⁽²⁾,

Hereby agree as follows:—

1. The Commercial Agreement of 24th April, 1933, as modified by sub-paragraph (1) of Article 1 of the Supplementary Commercial Agreement of 21st December, 1938⁽³⁾ (hereinafter called "the Commercial Agreement"), shall continue in force during the currency of the present Agreement, subject to the additions and modifications contained in the following Articles.

2. At any time at which both Governments are contracting parties to the General Agreement on Tariffs and Trade, the provisions of Article 1 of the Commercial Agreement of 24th April, 1933, and the provisions of Article 2 of that Agreement, except in so far as they relate to bacon, shall be inoperative.

3. Nothing in the Commercial Agreement as continued by the present Agreement shall—

- (a) require either Government to do anything contrary to any obligations to which it may be subject under the General Agreement on Tariffs and Trade or the Havana Charter for an International Trade Organisation⁽⁴⁾;
- (b) prevent either Government from restricting quantities or value of imports into its territory to such an extent as may be necessary to safeguard its external financial position and balance of payments.

4. The provisions of the Protocol forming part of the Commercial Agreement of 24th April, 1933 and the Exchange of Notes of 17th May, 1933⁽²⁾ relating to that Agreement, and of the Supplementary Commercial Agreement of 19th June, 1936⁽⁵⁾, and of the Supplementary Commercial Agreement of 21st December, 1938, other than sub-paragraph (1) of Article 1 of the last-mentioned Supplementary Commercial Agreement, and of the Exchanges of Notes annexed to these Supplementary Commercial Agreements, shall cease to have effect.

5. The Government of the United Kingdom will not claim the benefit of any privilege accorded by the Government of Denmark exclusively to Iceland.

6. For the purposes of the Commercial Agreement as continued by the present Agreement—

- (i) the term "foreign country" shall mean in relation to the United Kingdom any country other than those referred to in Annex A to the General Agreement on Tariffs and Trade;

⁽¹⁾ Cmd. 7258.

⁽²⁾ "Treaty Series No. 34 (1933)," Cmd. 4424.

⁽³⁾ "Treaty Series No. 45 (1939)," Cmd. 6112.

⁽⁴⁾ Cmd. 7375.

⁽⁵⁾ "Treaty Series No. 12 (1937)," Cmd. 5400.

- (ii) the term "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;
- (iii) any reference to regulation of imports into the United Kingdom relates to regulation of the quantities of imports only;
- (iv) the expression "from Denmark" in the Commercial Agreement of 24th April, 1933, in relation to agricultural products, means "produced or manufactured in Denmark" and the expressions "United Kingdom goods" and "Danish goods" in Article 7 of the Commercial Agreement of 24th April, 1933, mean goods produced or manufactured in the United Kingdom or Denmark as the case may be;
- (v) any reference to imports of fish into the United Kingdom from Denmark includes a reference to fish landed in the United Kingdom direct from the sea by Danish vessels.

7. The present Agreement shall come into force immediately after the Exchange of Ratifications; it may be terminated by either Government upon the expiration of four months' notice given to the other Government, provided that it shall in any event not terminate before 1st January, 1951.

In faith whereof the undersigned, duly authorised, have signed the present Agreement.

Done in duplicate at Annecy, this thirteenth day of August, Nineteen Hundred and Forty-Nine.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

(Sd.) R. J. SHACKLE.

For the Government of the Kingdom of Denmark:

(Sd.) M. A. WASSARD.

EXCHANGES OF LETTERS

No. 1

From the Head of the United Kingdom Delegation to the Head of the Danish Delegation

Sir, *Annecy, 13th August, 1949.*

I have the honour to refer to the discussions which have taken place at Annecy between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and of the Government of the Kingdom of Denmark concerning negotiations contemplated in Annex A of the General Agreement on Tariffs and Trade with regard to the elimination or replacement by tariff preference of the preferential arrangement in respect of imports of bacon existing in the United Kingdom under contractual agreement with Commonwealth Governments.

2. In these discussions note was taken of the fact that in view of the provisions of the Agreement signed this day continuing, with modifications, the Commercial Agreement of 24th April, 1933, there was no necessity to embark on such negotiations at the present time.

3. It was, however, understood by both Governments that at the time of such negotiations the whole field of concessions made by the two Governments

to each other under the Agreement signed this day, to which reference is made in paragraph 2 above, and under the General Agreement on Tariffs and Trade, should be open for discussion.

4. 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 our two Governments.

I have, &c.
(Sd.) R. J. SHACKLE.

No. 2

*From the Head of the Danish Delegation to the
Head of the United Kingdom Delegation*

Sir, *Annecy, 13th August, 1949.*

I have the honour to refer to your letter of to-day and the discussions which have taken place at Annecy between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and of the Government of the Kingdom of Denmark concerning negotiations contemplated in Annex A of the General Agreement on Tariffs and Trade with regard to the elimination or replacement by tariff preference of the preferential arrangement in respect of imports of bacon existing in the United Kingdom under contractual agreement with Commonwealth Governments.

2. In these discussions note was taken of the fact that in view of the provisions of the Agreement signed this day continuing, with modifications, the Commercial Agreement of 24th April, 1933, there was no necessity to embark on such negotiations at the present time.

3. It was, however, understood by both Governments that at the time of such negotiations the whole field of concessions made by the two Governments to each other under the Agreement signed this day, to which reference is made in paragraph 2 above, and under the General Agreement on Tariffs and Trade, should be open for discussion.

I have, &c.
(Sd.) M. A. WASSARD.

No. 3

*From the Head of the United Kingdom Delegation to the
Head of the Danish Delegation*

Sir, *Annecy, 13th August, 1949.*

With reference to the Commercial Agreement signed this day on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark, I have the honour to inform you that the agreement of my Government to the abrogation of Part I of the Protocol to the Commercial Agreement of 24th April, 1933, in no way implies any lessening of interest on the part of the United Kingdom Government or of United Kingdom exporters in the supply to Denmark of jute wrappers, parchment paper and salt, as mentioned in Part I of the said Protocol; they trust that the Government of the Kingdom of Denmark will have regard to this continued interest and will grant adequate licences for the importation of these goods from the United Kingdom.

I have, &c.
(Sd.) R. J. SHACKLE.

*From the Head of the Danish Delegation to the
Head of the United Kingdom Delegation*

Sir,

Annecy, 13th August, 1949.

I have the honour to acknowledge the receipt of your letter of to-day in which you state that the agreement of your Government to the abrogation of Part I of the Protocol to the Commercial Agreement of 24th April, 1933, in no way implies any lessening of interest on the part of the United Kingdom Government or of United Kingdom exporters in the supply to Denmark of jute wrappers, parchment paper and salt, as mentioned in Part I of the said Protocol; they trust that the Government of the Kingdom of Denmark will have regard to this continued interest and will grant adequate licences for the importation of these goods from the United Kingdom.

I have, on behalf of my Government, taken note of this communication, which will, I feel certain, receive its sympathetic consideration.

I have, &c.
(Sd.) M. A. WASSARD.

No. 5

*From the Head of the United Kingdom Delegation to the
Head of the Danish Delegation*

Sir,

Annecy, 13th August, 1949.

With reference to the Commercial Agreement signed this day on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark, I have the honour to propose that it be understood between our Governments that nothing in the said Agreement shall be deemed to affect the obligations arising from any purchase contracts in force between the United Kingdom and Denmark for the supply of foodstuffs.

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 our two Governments.

I have, &c.
(Sd.) R. J. SHACKLE.

No. 6

*From the Head of the Danish Delegation to the
Head of the United Kingdom Delegation*

Sir,

Annecy, 13th August, 1949.

With reference to your letter of to-day I have the honour to confirm that it is understood between our Governments that nothing in the Commercial Agreement signed this day on behalf of the Governments of the United Kingdom of Great Britain and Northern Ireland and Denmark shall be deemed to affect the obligations arising from any purchase contracts in force between the United Kingdom and Denmark for the supply of foodstuffs.

I have, &c.
(Sd.) M. A. WASSARD.

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