

SOUTH AFRICA



Treaty Series No. 13 (1968)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Republic of South Africa
concerning Reciprocal Customs Privileges
for Consular Officers and Employees

Pretoria, 15 November 1967

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
April 1968*

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EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA
CONCERNING RECIPROCAL CUSTOMS PRIVILEGES FOR
CONSULAR OFFICERS AND EMPLOYEES

No. 1

*The South African Secretary for Foreign Affairs to Her Majesty's Ambassador
at Pretoria*

No. 10/16/1
Your Excellency,

*Pretoria,
15 November, 1967*

I have the honour to refer to the discussions which have taken place between representatives of the Government of the Republic of South Africa and of the Government of the United Kingdom of Great Britain and Northern Ireland concerning the privileges of South African consular officers and employees in the United Kingdom and United Kingdom consular officers and employees in South Africa. In order to establish on a reciprocal basis the customs privileges to be accorded to such consular officers and employees, I now have the honour to propose that these privileges should be placed on record in the form of an Agreement between the two Governments in the following terms:

- (1) For the purposes of the Agreement:
 - (a) "sending State" shall mean the Contracting Party by whom a consular officer or employee is appointed;
 - (b) "receiving State" shall mean the Contracting Party within whose territory a consular officer or employee exercises his functions;
 - (c) "consular officer" shall mean any person entrusted in that capacity with the exercise of consular functions;
 - (d) "consular employee" shall mean any person employed in the administrative and technical service of a consular post.
- (2) (a) The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services, on:
 - (i) articles for the official use of a consular post;
 - (ii) articles for the personal use of a consular officer, including articles intended for his establishment;

provided that the receiving State may determine that such exemption shall not apply in respect of articles grown, produced or manufactured in the receiving State which have been exported therefrom without payment of, or upon repayment of, taxes and duties which would have been leviable but for such exportation.

- (b) Consular employees shall enjoy the same exemption in respect of articles, excluding food or drink or tobacco in any form, imported at the time of first installation.
- (c) The provisions of sub-paragraphs (a) and (b) of this paragraph shall apply only to a person who is:
 - (i) a national of the sending State and not a national of the receiving State;
 - (ii) not engaged in private occupation for gain in the receiving State;
 - (iii) a permanent official of the sending State, or, if not a permanent official, not ordinarily resident in the receiving State at the time of taking up his consular appointment.

(3) The Agreement shall apply:

- (a) in relation to the Government of the United Kingdom, to the United Kingdom of Great Britain and Northern Ireland;
- (b) in relation to the Government of South Africa, to the Republic of South Africa;

and to any territory for whose international relations either Government is responsible and to which the Agreement shall have been extended by that Government by a notification in writing addressed to the other Government.

If the above proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland. I have the honour to propose that the present Note and Your Excellency's reply to that effect shall constitute an Agreement between the two Governments in the matter, which shall continue in force until six months after either Government shall have given notice in writing to the other Government of their intention to terminate it.

Please accept, Your Excellency, the renewed assurance of my highest consideration.

B. G. FOURIE,
Secretary for Foreign Affairs.

No. 2

*Her Majesty's Ambassador at Pretoria to the South African Secretary
for Foreign Affairs*

Note No. 551

British Embassy,

Sir,

Pretoria, 15 November, 1967

I have the honour to acknowledge receipt of your note No. 10/16/1 of today's date which reads as follows:

[As in No. 1]

I have the honour to inform you that the above terms are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note and the present reply shall constitute an Agreement between the two Governments in the matter, which shall continue in force until six months after either Government shall have given notice in writing to the other Government of their intention to terminate it.

I am,

Sir,

Your obedient Servant,

JOHN NICHOLLS.

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