



Treaty Series No. 23 (1932)

Exchange of Notes

between His Majesty's Government in the United Kingdom
and the Spanish Government

in regard to the

Reciprocal Recognition of Load-Line Certificates

London, May 26, 1932

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

LONDON

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT
IN THE UNITED KINGDOM AND THE SPANISH GOVERNMENT
IN REGARD TO THE RECIPROCAL RECOGNITION OF LOAD-
LINE CERTIFICATES.

London, May 26, 1932.

No. 1.

Sir John Simon to M. Ramón Pérez de Ayala.

Foreign Office,

Your Excellency,

London, May 26, 1932.

I HAVE the honour to inform you that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree to the following provisions as constituting an agreement between them and the Government of the Spanish Republic in regard to the reciprocal recognition of load-line certificates :—

2. The Spanish Government, being satisfied that the existing laws and regulations of the United Kingdom of Great Britain and Northern Ireland relating to the assignment of load-lines to ships conform, in substance, with those of Spain, agree that no British ship, possessing a load-line certificate issued under the laws and regulations at present in force in the United Kingdom of Great Britain and Northern Ireland and observing those laws and regulations, shall be liable, within ports in Spain or in any Spanish colony or protectorate, to detention or penalty under the Spanish laws and regulations relating to load-lines.

3. The Government of the United Kingdom of Great Britain and Northern Ireland similarly agree that no Spanish ship, possessing a load-line certificate issued under the laws and regulations at present in force in Spain and observing those laws and regulations, shall, within ports in the United Kingdom of Great Britain and Northern Ireland, or in any British colony or protectorate or in any mandated territory in respect of which the mandate is exercised by the Government of the United Kingdom, be liable to detention or penalty under the laws and regulations relating to load-lines.

4.—(i) The present agreement may be extended by the Government of the United Kingdom by means of a notification in writing given through the diplomatic channel—

(a) to any British colony and protectorate; and

(b) to any mandated territory in respect of which the mandate is exercised by the Government of the United Kingdom,

in which laws and regulations relating to the assignment of load-lines to ships are in force similar to those in force in the United Kingdom, and upon such extension the provisions of this agreement will apply to British ships possessing load-line certificates issued under the laws and regulations of any territory to which it has been so extended.

(ii) The present agreement may also be extended by a notification, in writing given through the diplomatic channel, to Newfoundland, provided that laws and regulations relating to the assignment of load-lines to ships are in force in Newfoundland similar to those in force in the United Kingdom, and upon such extension the provisions of this agreement will apply to British ships possessing certificates issued in accordance with the laws and regulations of Newfoundland, and to the ports of Newfoundland.

(iii) The present agreement may also be extended by the Spanish Government by means of a notification given through the diplomatic channel, to any Spanish colony or protectorate in which laws and regulations relating to the assignment of load-lines to ships are in force similar to those in force in Spain, and upon such extension the provisions of this agreement will apply to Spanish ships possessing certificates issued under the laws and regulations of any territory to which it has been so extended.

(iv) Either contracting party may, upon giving six months' notice to that effect, terminate the application of the agreement to any territory to which it has been extended under the preceding paragraphs.

5. The said agreement shall enter into force immediately and shall remain in force subject to the right of either contracting party to terminate it on giving six months' notice to that effect.

6. The present note and your Excellency's reply in similar terms will be regarded as placing on record the agreement arrived at between the two Governments in this matter.

I have, &c.

JOHN SIMON.

No. 2.

M. Ramón Pérez de Ayala to Sir John Simon.

Embajada de España,

Londres, 26 de Mayo de 1932.

Señor Ministro,

TENGO la honra de poner en conocimiento de Vuestra Excelencia que el Gobierno de la República Española está de acuerdo con las siguientes disposiciones que constituirán un acuerdo entre el mismo y el Gobierno de Su Majestad Británica en el Reino Unido de la Gran Bretaña e Irlanda del Norte, relativo al recíproco reconocimiento de los certificados del trazado de discos y línea de carga :

1. El Gobierno del Reino Unido de la Gran Bretaña y Norte de Irlanda acuerda que ningún buque español, que tenga un certificado de franco bordo emitido con arreglo a las Leyes y Reglamentos vigentes

en la actualidad en España y que observe estas Leyes y Reglamentos, podrá ser objeto, dentro de puertos del Reino Unido de la Gran Bretaña y Norte de Irlanda o de una colonia o protectorado británico o en cualquier otro territorio respecto al cual el Gobierno del Reino Unido ejerza un mandato, detención o castigo con arreglo a las Leyes y Reglamentos relativos a la línea de franco bordo.

2. El Gobierno de España, reconociendo que las vigentes Leyes y Reglamentos del Reino Unido de la Gran Bretaña y del Norte de Irlanda relativos al señalamiento de la línea de franco bordo están conformes en sustancia con las de España, acuerda igualmente, que ningún buque británico, que posea un certificado de franco bordo emitido con arreglo a las Leyes y Reglamentos vigentes en el Reino Unido de la Gran Bretaña y Norte de Irlanda y que observe estas Leyes y Reglamentos, podrá ser objeto dentro de puertos de España o de una colonia o protectorado español de detención o castigo con arreglo a las Leyes y Reglamentos españoles relativos a la línea de franco bordo.

3.—(i) El presente acuerdo podrá ser extendido por el Gobierno del Reino Unido mediante una notificación por escrito por la vía diplomática

(a) a toda colonia o protectorado británico y

(b) a todo territorio respecto al cual ejerza un mandato el Gobierno del Reino Unido,

en el que estén en vigor Leyes y Reglamentos relativos al señalamiento de la línea de franco bordo en los buques similares a las que están en vigor en el Reino Unido, y al hacerse esta extensión las disposiciones de este acuerdo se aplicarán a los buques británicos que posean certificados emitidos con arreglo a las Leyes y Reglamentos de cualquier territorio al que se haya hecho extensivo.

(ii) El presente acuerdo podrá también hacerse extensivo por notificación escrita por la vía diplomática, a Terranova, siempre que las Leyes y Reglamentos relativos al señalamiento de la línea de franco bordo a buques que estén en vigor en Terranova sean similares a las que están en vigor en el Reino Unido, y al hacerse esta extensión las disposiciones de este acuerdo se aplicarán a los buques británicos que posean certificados emitidos con arreglo a las Leyes y Reglamentos de Terranova, y a los puertos de Terranova.

(iii) El presente acuerdo podrá también hacerse extensivo por el Gobierno español mediante notificación hecha por vía diplomática a toda colonia o protectorado español en que las Leyes y Reglamentos relativos al señalamiento de la línea de franco bordo a buques que estén en vigor sean similares a las que están en vigor en España y al hacerse esta extensión las disposiciones de este acuerdo se aplicarán a buques españoles que posean certificados emitidos con arreglo a las Leyes y Reglamentos de cualquier territorio al que se haya hecho extensivo.

(iv) Cada una de las partes contratantes podrá, dando un aviso de seis meses, dar por terminada la aplicación del acuerdo a todo territorio al que se haya hecho extensivo con arreglo a los anteriores párrafos.

4. El presente acuerdo entrará en vigor inmediatamente y continuará en vigor sujeto al derecho de cada una de las partes contratantes de darlo por terminado dando un aviso de seis meses a ese efecto.

Aprovecho, &c.

AYALA.

(Translation.)

Spanish Embassy,

London, May 26, 1932.

Sir,

I HAVE the honour to inform you that the Government of the Spanish Republic agree to the following provisions which shall constitute an agreement between them and His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland in regard to the reciprocal recognition of load-line certificates :—

1. The Government of the United Kingdom of Great Britain and Northern Ireland agree that no Spanish ship possessing a load-line certificate issued under the laws and regulations at present in force in Spain and observing those laws and regulations shall, within ports in the United Kingdom of Great Britain and Northern Ireland, or in any British colony and protectorate or in any other territory in respect of which the Government of the United Kingdom exercises a mandate, be liable to detention or penalty under the laws and regulations relating to load-lines.

2. The Spanish Government, recognising that the existing laws and regulations of the United Kingdom of Great Britain and Northern Ireland relating to the assignment of load-lines conform, in substance, with those of Spain, similarly agree that no British ship, possessing a load-line certificate issued under the laws and regulations in force in the United Kingdom of Great Britain and Northern Ireland and observing those laws and regulations shall be liable, within ports in Spain or in any Spanish colony or protectorate, to detention or penalty under the Spanish laws and regulations relating to load-lines.

3.—(i) The present agreement may be extended by the Government of the United Kingdom by means of a notification in writing given through the diplomatic channel—

(a) to any British colony and protectorate; and

(b) to any mandated territory in respect of which the mandate is exercised by the Government of the United Kingdom,

in which laws and regulations relating to the assignment of load-lines to ships are in force similar to those in force in the United Kingdom, and upon such extension the provisions of this agreement will apply to British ships possessing load-line certificates issued under the laws and regulations of any territory to which it has been so extended.

(ii) The present agreement may also be extended, by a notification in writing given through the diplomatic channel; to Newfoundland, provided that laws and regulations relating to the assignment of load-lines to ships are in force in Newfoundland similar to those in force in

the United Kingdom, and upon such extension the provisions of this agreement will apply to British ships possessing certificates issued in accordance with the laws and regulations of Newfoundland, and to the ports of Newfoundland.

(iii) The present agreement may also be extended by the Spanish Government by means of a notification given through the diplomatic channel, to any Spanish colony or protectorate in which laws and regulations relating to the assignment of load-lines to ships are in force similar to those in force in Spain, and upon such extension the provisions of this agreement will apply to Spanish ships possessing certificates issued under the laws and regulations of any territory to which it has been so extended.

(iv) Either contracting party may, upon giving six months' notice to that effect, terminate the application of the agreement to any territory to which it has been extended under the preceding paragraphs.

4. The said agreement shall enter into force immediately and shall remain in force subject to the right of either contracting party to terminate it on giving six months' notice to that effect.

I have, &c.

AYALA.

No. 3.

Sir John Simon to M. Ramón Pérez de Ayala.

Foreign Office,

Your Excellency,

London, May 26, 1932.

In accordance with paragraph 4 (i) (a) of the notes exchanged this day regarding the mutual recognition of load-line certificates, I have the honour to notify the extension of the said agreement to Hong Kong and the Straits Settlements.

2. I shall be grateful if your Excellency will be good enough to acknowledge the receipt of this notification in due course.

I have, &c.

JOHN SIMON.

No. 4.

M. Ramón Pérez de Ayala to Sir John Simon.

Embajada de España,

Señor Ministro,

Londres, 26 de Mayo de 1932.

TENGO la honra de acusar a Vuestra Excelencia recibo de su Nota No. W.5504/76/50, de esta fecha, por la que Vuestra Excelencia me participa que de acuerdo con el párrafo 4 (i) (a) de las Notas canjeadas en el día de hoy relativas al mutuo reconocimiento de los certificados de línea de carga, pone en mi conocimiento que se hace

extensivo el acuerdo a Hong Kong y Establecimiento de los Estrechos, tengo la honra de informar a Vuestra Excelencia que he comunicado su contenido a mi Gobierno.

Aprovecho, &c.
AYALA.

(Translation.)

Spanish Embassy,
London, May 26, 1932.

Sir,

I HAVE the honour to acknowledge the receipt of your Excellency's note No. W. 5504/76/50 of to-day's date, in which you inform me that, in accordance with paragraph 4 (i) (a) of the notes exchanged this day relative to the reciprocal recognition of load-line certificates, the agreement extends to Hong Kong and the Straits Settlements, I have the honour to acquaint your Excellency that I have communicated the contents thereof to my Government.

I have, &c.
AYALA.