

N° 1677.

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## PAYS-BAS ET SUÈDE

Déclaration concernant la reconnaissance réciproque des certificats de jauge néerlandais et suédois, avec arrangement et protocole y relatifs. Signés à La Haye, le 24 décembre 1927.

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## THE NETHERLANDS AND SWEDEN

Declaration regarding the mutual Recognition of Dutch and Swedish Tonnage Certificates, with Arrangement and Protocol relating thereto. Signed at The Hague, December 24, 1927.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 1677. — DECLARATION BETWEEN THE NETHERLANDS AND SWEDEN REGARDING THE MUTUAL RECOGNITION OF DUTCH AND SWEDISH TONNAGE CERTIFICATES. SIGNED AT THE HAGUE, DECEMBER 24, 1927.

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*French official text communicated by the Netherlands Minister at Berne. The registration of this Declaration took place April 2, 1928.*

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The undersigned, being duly authorised by their respective Governments, have agreed upon the following Declaration in regard to the mutual recognition of Dutch and Swedish tonnage certificates issued in accordance with the rules for the measurement of ships adopted in the Netherlands and in Sweden, namely, the "British rule" in the Netherlands (British system of ship measurement) and the "German rule" in Sweden.

*Article 1.*

The national tonnage certificates of Swedish ships, and the national tonnage certificates "with appendix" drawn up in accordance with the British system of ship measurement, of Swedish ships, shall be recognised in the Netherlands, and the national tonnage certificates of Dutch ships, and the national tonnage certificates "with appendix", drawn up in accordance with the Swedish system of ship measurement, of Dutch ships, shall be recognised in Sweden, subject to any exceptions arising out of the stipulations of the present Declaration.

In the present Declaration, the term "national certificate of measurement" shall be understood to mean documents recording ship measurements issued on the basis of measurements carried out according to Rule I by the Swedish authorities or according to Rule A by the Dutch authorities and stating in particular the main capacity in cubic metres or registered tons.

*Article 2.*

Swedish ships propelled by engine power and furnished only with national tonnage certificates shall only be subject in the Netherlands to partial measurement as provided for in Article 3. The tonnage dues payable in the Netherlands on gross or net tonnage shall be computed on the basis of the gross or net tonnage thus determined. Nevertheless, if the owner or master of the vessel so requests, the tonnage dues payable in the Netherlands shall be computed on the basis of the gross dues or net tonnage entered in the national tonnage certificate, according as they are levied on the gross or net tonnage.

If a Swedish ship of the above-mentioned type is provided with a national tonnage certificate "with appendix", issued in accordance with the British system of ship measurement, the tonnage

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

dues payable in the Netherlands shall be computed on the basis of the gross or net tonnage entered in the said certificate, according as these dues are levied on the gross or net tonnage.

Dutch ships propelled by engine power and furnished only with a national tonnage certificate shall only be subject in Sweden to partial measurement as provided for in Article 3. The tonnage dues payable in Sweden shall be computed on the basis of the net tonnage thus determined.

If a Dutch ship of the above-mentioned type is provided with a national tonnage certificate "with appendix" issued in accordance with the Swedish system of ship measurement, the tonnage dues payable in Sweden shall be computed on the basis of the net tonnage entered in the said certificate.

If a Swedish ship not propelled by engine power is provided with a national tonnage certificate, the tonnage dues payable in the Netherlands on gross or net tonnage shall be computed on the basis of the gross or net tonnage entered in the said certificate.

If a Dutch ship not propelled by engine power is provided with a national tonnage certificate, the tonnage dues payable in Sweden shall be computed on the basis of the net tonnage entered in the said certificate.

#### *Article 3.*

The partial measurement, under Article 2, paragraphs 1 and 3, of Swedish and Dutch ships propelled by engine power shall include an assessment, in accordance with the respective Dutch and Swedish regulations of the gross tonnage of the space over the tonnage deck and of the deduction to be allowed for the engine-room and also for any other space, whether above or below the tonnage deck, in respect of which no tonnage dues are payable in the Netherlands or Sweden as the case may be.

These partial measurements shall be recorded in a special tonnage document drawn up in the languages of the two nations concerned, which shall be valid for the same time as the national certificate of measurement to which it is annexed.

#### *Article 4.*

Dutch tonnage certificates "with appendix" (see Article 2, paragraph 4) issued in accordance with the Swedish system of ship measurement must also comply with the conditions set forth in the annexed agreement.

#### *Article 5.*

The measurement of Dutch ships carried out in Sweden by Swedish authorities, and the measurement of Swedish vessels carried out in the Netherlands by Dutch authorities, shall be subject to the verification survey and, if necessary, to the re-measurement laid down in Sweden and the Netherlands, respectively.

If there is reason to suppose that the particulars contained in a national tonnage certificate or a tonnage certificate "with appendix" are incorrect, the supreme competent authorities in Sweden and the Netherlands respectively shall be entitled to proceed, to the extent required, to a verification survey or, if necessary, to re-measurement, and to issue a supplementary document showing the results of such re-measurement.

#### *Article 6.*

The costs of measuring a vessel and of the verification surveys and re-measurements provided for in Article 5, paragraph 1, shall be calculated in accordance with the regulations in force for similar operations in the country in which the measurement is carried out.

In the case of partial measurement, however, the costs shall only be calculated in respect of engine-room space actually measured and in respect of that part of the remaining measured space for which no deduction is allowed as regards the determination of the net tonnage.

The costs of the verification survey or re-measurement referred to in Article 5, paragraph 2, shall be borne by the country in which these measurements were carried out, provided, however, that if a supplementary document has to be issued as a result of the re-measurement, the cost shall be borne by the owner or master of the ship on the scale laid down by the regulations of the country in question.

#### *Article 7.*

The present Agreement shall come into force three months after the date of its signature and shall remain in force for a period of three months after its denunciation by either Party.

Previous agreements regarding the mutual recognition of Dutch and Swedish tonnage certificates shall cease to be valid as from the date on which the present Declaration comes into force.

In faith whereof the Plenipotentiaries have signed the present Declaration and have thereto affixed their seals.

Done in duplicate at The Hague on December 24, 1927.

(L. S.) BEELAERTS VAN BLOKLAND,  
*For the Kingdom in Europe.*

(L. S.) ADLERCREUTZ.

### AGREEMENT

#### IN REGARD TO THE ISSUE OF DUTCH TONNAGE CERTIFICATES " WITH APPENDIX " IN ACCORDANCE WITH THE SWEDISH RULES FOR SHIP MEASUREMENT.

The undersigned Plenipotentiaries in view of Article 4 of the Declaration accepted this day between the Netherlands and Sweden concerning the mutual recognition of Dutch and Swedish tonnage certificates have agreed that Dutch tonnage certificates " with appendix " issued in conformity with the Swedish system of ship measurement must, in order to be recognised in Sweden, satisfy the following conditions :

#### *Article I.*

The tonnage certificate " with appendix " shall be drawn up in accordance with Rule I. It shall be valid for the same period as the national tonnage certificate to which it relates and will not be deemed valid unless presented with the latter certificate on a request being made at any time by the competent authorities. It must reproduce the particulars given in the national certificate in regard to gross and net tonnage, main cubic capacity, its date of issue and its serial number.

The tonnage certificate " with appendix " shall be issued by the competent authorities in the Netherlands in accordance with the prescribed form attached hereto.

*Article 2.*

The main cubic capacity entered in the tonnage certificate "with appendix" may be the tonnage shown on the national tonnage certificate or may be measured and calculated in accordance with the Swedish rules for ship measurement. In the latter case, the tonnage certificate "with appendix" shall also indicate the method of calculating the said capacity.

*Article 3.*

The space above the tonnage deck shall be measured and calculated in accordance with the Swedish rules for ship measurement and the cubic capacity shall be stated in the tonnage certificate "with appendix".

Nevertheless, the following spaces not included in the gross tonnage according to the Dutch rules for ship measurement shall likewise be excluded when calculating the gross tonnage to be entered in the tonnage certificate "with appendix": spaces used exclusively for auxiliary engines or boilers; the space required for the steering apparatus, the wheelhouse, the galleys and bakehouse, the condenser room and latrines.

*Article 4.*

The number of tons indicated in the national tonnage certificate shall be taken as the total tonnage to be deducted in respect of the following spaces: quarters intended exclusively for the use of the master, officers and crew, the chart, signal and navigating room, boatswain's store, and any water ballast tanks not situated in the double bottom.

A deduction may also be made in respect of the actual cubic capacity of the boatswain's store in excess of the capacity shown in the national tonnage certificate.

*Article 5.*

The deduction allowable in respect of engine-room space shall be measured and calculated according to the Swedish rules for ship measurement.

The only space which may be regarded as constituting permanent fuel bunkers is that assigned and used solely for the stowage of fuel required for the ship's engines, provided that it is either directly connected with the spaces occupied by the engines by means of sliding doors or other openings, or by means of pipes, or is situated immediately above these spaces or the fuel bunkers directly connected therewith.

Fuel bunkers separated from the hold by movable bulkheads only, or having bulkheads with one or more openings, or one or more deck hatches which cannot be regarded as intended exclusively for coaling, shall not be included in the space deducted in respect of the engine-room.

The surveyor shall require the owner or the master of the ship to sign a statement, which shall be attached to the tonnage certificate "with appendix", certifying that the space for fuel bunkers for which a deduction may be made will be exclusively used during voyages to or from Sweden for the stowage of fuel intended for the ship's engines. If the owner or master fails to sign this statement, the space in question shall not be deducted as engine-room space.

The tonnage certificate " with appendix " shall indicate the position, length and cubic capacity of each of the fuel bunkers which are not included in the engine-room, but which are included in the space deducted in respect of the engine-room.

In faith whereof the undersigned have signed the present Agreement and have thereto affixed their seals.

Done in duplicate at The Hague, December 24, 1927.

(L. S.) BEELAERTS VAN BLOKLAND,  
*For the Kingdom in Europe.*

(L. S.) ADLERCREUTZ.

#### PROTOCOL.

On proceeding to sign the Declaration of this day's date regarding the mutual recognition of Dutch and Swedish tonnage measurement certificates, the Government of Her Majesty the Queen of The Netherlands and the Government of His Majesty the King of Sweden have deemed it expedient to define more exactly the following points :

1. The provisions of Article 2, paragraph 2, of the present Declaration shall also be applicable to tonnage certificates " with appendix " issued in Sweden in conformity with the British system of ship measurement prior to the entry into force of the present Declaration.

2. If a Swedish ship arrives in a Dutch port bearing only a provisional certificate (" Interimsnationalitets- och registretingscertifikat " or " Interimsnationalitetscertifikat ") certifying the tonnage on which the ship is taxable according to the Swedish or foreign system of ship measurement, this information in the provisional certificate will be accepted in the Netherlands until the validity of the certificate expires, notwithstanding the fact that the ship has not been measured by a competent Swedish authority.

If a Dutch ship arrives in a Swedish port bearing only a provisional certificate (" Voorloopige zeebrief ") the information given in the said certificate regarding the main cubic capacity in the case of vessels propelled by engine power, and also the net tonnage in the case of vessels not propelled by engine power, shall be accepted in Sweden until the validity of the provisional certificate expires, notwithstanding the fact that the ship has not been measured by a competent Dutch authority.

3. The term " supreme competent authorities " employed in Article 5, paragraph 2, of the present Declaration shall be understood to mean, in Sweden, the " Kungl. Kommerskollegium ", and, in the Netherlands, the Ministry of Finance.

Any alteration which may be made in this respect in either country shall be immediately brought to the notice of the Government of the other country through the diplomatic channel.

4. The competent authorities in the Netherlands referred to in Article 1, paragraph 2, of the agreement regarding the issue of Dutch tonnage certificates " with appendix " shall be understood to mean the chief official surveyors in various districts (" Scheepsmeters ").

5. Tonnage certificates " with appendix " issued in Sweden in accordance with the British system of ship measurement and accepted in the Netherlands in virtue of the present Declaration shall be valid for the same period as the national tonnage certificates relating to the same ships. In order to be considered as valid they should be presented with the latter on demand being made at any time by the competent authorities.

Tonnage certificates " with appendix " issued in Sweden in accordance with the British system of ship measurement shall be accepted in the Netherlands even when the limit fixed by this system for deductions in respect of engine-room space has been disregarded provided that the said limit is also disregarded in the Netherlands when determining the net tonnage.

In faith whereof the respective Plenipotentiaries have signed the present Protocol as an integral part of the afore-mentioned Declaration and have thereto affixed their seals.

Done in duplicate, at The Hague, December 24, 1927.

(L. S.) BEELAERTS VAN BLOKLAND,  
*For the Kingdom in Europe.*

(L. S.) ADLERCREUTZ.