

N° 3243.

FINLANDE ET PAYS-BAS
(y compris les Indes néerlandaises,
Surinam et Curaçao).

Arrangement concernant la reconnaissance réciproque des certificats de jaugeage des navires néerlandais et finlandais. Signé à Stockholm, le 22 mai 1933.

FINLAND
AND THE NETHERLANDS
(including the Netherlands Indies,
Surinam and Curaçao).

Agreement regarding the Reciprocal Recognition of Tonnage Measurement Certificates of Dutch and Finnish Vessels. Signed at Stockholm, May 22, 1933.

¹ TRADUCTION. — TRANSLATION.

No. 3243. — AGREEMENT² BETWEEN THE REPUBLIC OF FINLAND AND THE KINGDOM OF THE NETHERLANDS (INCLUDING THE NETHERLANDS INDIES, SURINAM AND CURAÇAO) REGARDING THE RECIPROCAL RECOGNITION OF TONNAGE MEASUREMENT CERTIFICATES OF DUTCH AND FINNISH VESSELS. SIGNED AT STOCKHOLM, MAY 22, 1933.

French official text communicated by the Netherlands Envoy Extraordinary and Minister Plenipotentiary at Berne. The registration of this Agreement took place August 22, 1933.

The undersigned, duly authorised by their respective Governments, have arrived at the following Agreement in regard to the reciprocal recognition of tonnage measurement certificates of Netherlands and Finnish ships delivered on the basis of the tonnage measurement regulations at present in force in the Kingdom of the Netherlands (including the Netherlands Indies, Surinam and Curaçao) and in the Republic of Finland.

Article 1.

No Netherlands ship having a national tonnage certificate shall, for the purpose of ascertaining her tonnage, be re-measured in whole in Finnish ports, nor any Finnish ship, likewise having a national certificate of tonnage, in the ports of the Kingdom of the Netherlands, except when a request to that effect is made by the owner or master of the ship.

Ships having no such certificate of tonnage shall be measured under the rules of the country where the ship's dues are to be paid.

Article 2.

The Netherlands and Finnish rules of measurement not being in full accord, the assessable tonnage shall be ascertained by partial re-measurement in accordance with the detailed instructions given below :

I. Dutch Ships propelled by Engine Power.

Save when otherwise provided for in the following paragraph, ships having a Netherlands national certificate of measurement shall, in Finnish ports, be exempted from any partial re-measurement and from any re-calculation.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Came into force August 22, 1933.

If there are, on such ships, spaces such as spaces for hatchways, shelter deck, poop, etc., which have not been included in the gross tonnage, but which, according to the Finnish rules as to the measurement of ships, are to be included therein, such spaces shall be measured and added to the said tonnage; if, however, the size of the space in question has been given in the Dutch certificate of measurement, only the re-calculation of the space shall be made.

The allowance for propelling power shall, in the case next above mentioned, be fixed at 32 per cent of the gross tonnage of the ship (Finnish measurement), provided the total cubical contents of the spaces entitling to allowance for propelling power are greater than 13 per cent and less than 20 per cent of the gross tonnage of the ship, but in other cases at the cubic contents of the spaces entitling to allowance for propelling power, with addition of 75 per cent thereof. In no case, however, shall the allowance be more than 55 per cent of the tonnage remaining when from the gross tonnage has been deducted the cubical contents of the spaces belonging to this tonnage, which spaces, except that of the allowance for propelling power, are not included in the net tonnage.

If under the Netherlands tonnage measurement regulations the allowance for propelling power exceeds 55 per cent of the gross tonnage after deduction therefrom of the spaces included in that tonnage, which with the exception of the allowance for propelling power are not included in the net tonnage, the competent Netherlands authority shall make a note on the tonnage certificate indicating the maximum allowance above mentioned.

The dues to be calculated on the basis of net tonnage shall, in the cases mentioned in the first clause, be calculated — subject to the due observance of the maximum allowance for propelling power mentioned above — on the basis of the assessable tonnage as it appears upon the Netherlands certificate of measurement, and, in other cases, on the basis of the assessable tonnage which is established by the aforementioned re-measurement or re-calculation.

II. *Finnish Ships propelled by Engine Power.*

Save when otherwise provided for in the following paragraph, ships having a Finnish certificate of measurement shall in the ports of the Kingdom of the Netherlands be exempt from any partial re-measurement and from any re-calculation.

If there is on such ships space which, according to the Netherlands rules as to the measurement of ships, is included in the gross tonnage of the ship, but, according to the Finnish rules as to the measurement of ships, does not need to be included therein, such space shall be measured and added to the said tonnage; if, however, the size of the space in question has been given in the Finnish certificate of measurement, only the re-calculation of the said space shall be made.

Dues to be calculated on the basis of gross or net tonnage shall, in cases mentioned in the first clause, be calculated on the basis of the assessable tonnage as it appears upon the Finnish certificate of measurement, and, in other cases, on the basis of the assessable tonnage fixed by the re-measurement or re-calculation mentioned above.

III. *Ships not propelled by Engine Power.*

No ship having a national certificate of measurement shall be re-measured in part or re-calculated.

The dues payable on the basis of gross or net tonnage shall, in such cases, be calculated on the basis of the assessable tonnage as it appears upon the national certificate of measurement

Article 3.

The partial re-measurement for the calculation of increase or deduction, mentioned in Article 2, applies only to such space in regard to the measurement of which the Netherlands and Finnish rules of measurement are not in accord.

A supplementary certificate of re-measurement or re-calculation shall be issued to the ship and shall show the gross and net tonnage of the ship in accordance with the measurement regulations in force in the country where the re-measurement or re-calculation was effected.

The expenses for measurement in whole, partial re-measurement and re-calculation shall be calculated according to the instructions as to such measurement or calculation which are in force in the country where the measurement or calculation is effected.

Article 4.

Should the partial re-measurement or the re-calculation disclose that no statement of the contents of the spaces in question has been made or that the measurement has not been effected in accordance with the rules of measurement in force in the country in question, the figures duly rectified shall be immediately inserted in the certificate provided for in Article 3, paragraph 2, and promptly notified to the Netherlands competent authorities in the case of Netherlands ships, and to the General Directorate of Merchant Shipping of the Republic of Finland, in the case of Finnish ships.

Article 5.

At the request of the owner or master of a ship, measurement in whole, partial re-measurement or re-calculation may be effected independently of the provisions of this Agreement, in which case the expenses therefor shall be borne by the owner or master.

Article 6.

It is understood that wherever in the present Agreement reference is made to Netherlands ships, regulations and authorities, these terms also apply to ships, regulations and authorities of the Netherlands Indies, Surinam and Curaçao.

Article 7.

The present Agreement shall come into force three months after the date of signature. It shall remain in force up to the expiry of a period of twelve months from the date on which it has been denounced by one of the Parties.

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

Done in duplicate at Stockholm on May 22, 1933.

(L. S.) SWEERTS DE LANDAS,
Netherlands Minister at Helsingfors.

(L. S.) Rafael ERICH,
Finnish Minister at Stockholm.