

N° 4136.

AUTRICHE ET PAYS-BAS

Echange de notes comportant un arrangement concernant la franchise des droits de douane ou autres sur les combustibles et lubrifiants employés dans le service aérien international. Vienne, le 2 avril 1937.

**AUSTRIA
AND THE NETHERLANDS**

Exchange of Notes constituting an Agreement concerning Immunity from Customs and Other Duties on Fuel and Lubricants used in International Air Service. Vienna, April 2nd, 1937.

¹ TRADUCTION. — TRANSLATION.

No. 4136. — EXCHANGE OF NOTES ² BETWEEN THE AUSTRIAN AND NETHERLANDS GOVERNMENTS CONSTITUTING AN AGREEMENT CONCERNING IMMUNITY FROM CUSTOMS AND OTHER DUTIES ON FUEL AND LUBRICANTS USED IN INTERNATIONAL AIR SERVICE. VIENNA, APRIL 2ND, 1937.

French official text communicated by the Netherlands Minister for Foreign Affairs. The registration of this Exchange of Notes took place July 1st, 1937.

I.

No. 484.

VIENNA, *April 2nd*, 1937.

YOUR EXCELLENCY,

I have the honour to inform Your Excellency that the Netherlands Government, being desirous of concluding with the Austrian Government a provisional Agreement regarding the admission, free of Customs or other duties, of the fuel and lubricants contained in the tanks of aircraft operating an international air service, proposes that it shall consist of the following provisions :

i. The Netherlands Government shall grant on its territory in Europe the following facilities to aircraft of Austrian nationality :

I. On arrival on Netherlands territory in Europe, the fuel and the lubricants contained in the fixed tanks of the Austrian aircraft referred to above shall be admitted free of Customs or other duties, it being understood, however, that none may be unloaded free of duty.

II. On the departure of Austrian aircraft from a Netherlands Customs aerodrome in Europe for the purpose of proceeding to another country, the fuel and lubricants necessary for the supply of the aircraft shall be delivered free of all Customs or other duties, it being understood, however, that in the event of a landing being made at another Netherlands aerodrome, the granting of such exemption may be made subject to certain specified conditions.

III. The exemption referred to in sub-paragraph II may be granted in the form of a refund of the duties paid.

IV. It is understood that a Customs aerodrome is an aerodrome open for public use at which a Customs service is in operation.

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 April 2nd, 1937.

2. The Austrian Government shall reciprocally grant the same facilities on its own national territory to the said aircraft of Netherlands nationality.

3. The present Agreement shall come into force immediately and shall remain in force until three months after the date on which either Government shall have given notice of the termination of the Agreement.

4. I have the honour to propose that the present note and Your Excellency's reply in similar terms shall be regarded as constituting a formal Agreement on this matter between the two Governments.

I have the honour to be, etc.

L. G. VAN HOORN.

Dr. Guido Schmidt,
Secretary of State for Foreign Affairs,
Vienna.

II.

VIENNA, *April 2nd*, 1937.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your note No. 484, of to-day's date, in which you were good enough to inform me that the Netherlands Government, being desirous of concluding with the Austrian Government a provisional Agreement regarding the admission, free of Customs or other duties, of the fuel and lubricants contained in the tanks of aircraft operating an international air service, proposes that it shall consist of the following provisions :

I. The Netherlands Government shall grant on its territory in Europe the following facilities to aircraft of Austrian nationality :

I. On arrival on Netherlands territory in Europe, the fuel and the lubricants contained in the fixed tanks of the Austrian aircraft referred to above shall be admitted free of Customs or other duties, it being understood, however, that none may be unloaded free of duty.

II. On the departure of Austrian aircraft from a Netherlands Customs aerodrome in Europe for the purpose of proceeding to another country, the fuel and lubricants necessary for the supply of the aircraft shall be delivered free of all Customs or other duties, it being understood, however, that in the event of a landing being made at another Netherlands aerodrome, the granting of such exemption may be made subject to certain specified conditions.

III. The exemption referred to in sub-paragraph II may be granted in the form of a refund of the duties paid.

IV. It is understood that a Customs aerodrome is an aerodrome open for public use at which a Customs service is in operation.

2. The Austrian Government shall reciprocally grant the same facilities on its own national territory to the said aircraft of Netherlands nationality.

3. The present Agreement shall come into force immediately and shall remain in force until three months after the date on which either Government shall have given notice of the termination of the Agreement.

4. I am authorised to state that the Austrian Federal Government accepts the above-mentioned provisions and agrees with the proposal of the Netherlands Government that the present note and your note of this day's date shall be regarded as constituting a formal Agreement on this matter between the two Governments.

I have the honour to be, etc.

Dr. Guido SCHMIDT.

His Excellency
Monsieur Lucien G. van Hoorn,
Envoy Extraordinary
and Minister Plenipotentiary
of the Netherlands,
Vienna.