

No. 5997

**UNITED STATES OF AMERICA
and
FEDERAL REPUBLIC OF GERMANY**

Exchange of notes constituting an agreement relating to reciprocal legal assistance in penal matters and information from the penal register. Bonn/Bad Godesberg, 7 November 1960, Bonn, 28 December 1960 and Bonn/Bad Godesberg, 3 January 1961

Official texts: English and German.

Registered by the United States of America on 13 December 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

Échange de notes constituant un accord relatif à l'assistance juridique réciproque en matière pénale et à la communication de renseignements figurant au casier judiciaire. Bonn/Bad Godesberg, 7 novembre 1960, Bonn, 28 décembre 1960 et Bonn/Bad Godesberg, 3 janvier 1961

Textes officiels anglais et allemand.

Enregistré par les États-Unis d'Amérique le 13 décembre 1961.

No. 5997. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE FEDERAL REPUBLIC OF GERMANY RELATING TO RECIPROCAL LEGAL ASSISTANCE IN PENAL MATTERS AND INFORMATION FROM THE PENAL REGISTER. BONN/BAD GODESBERG, 7 NOVEMBER 1960, BONN, 28 DECEMBER 1960 AND BONN/BAD GODESBERG, 3 JANUARY 1961

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The American Embassy to the German Ministry of Foreign Affairs

No. 103

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Federal Republic of Germany and has the honor to confirm the following on behalf of the United States agencies concerned :

1. With regard to legal assistance in penal matters, reciprocity will be granted to the Federal Republic of Germany, including *Land* Berlin, in the sense that the submission by an agency of the United States of a request for information or for the transmittal of objects or for other legal assistance in penal matters automatically implies the assurance to give corresponding legal assistance in the reverse case when so requested by the Government of the Federal Republic of Germany. This statement does not cover any acts of legal assistance which fall within the provisions of the Extradition Treaty between the United States and the German Reich of July 12, 1930. *

2. Upon the receipt from a German authority of a request for penal register information in non-criminal matters, the Federal Bureau of Investigation will give information to the same extent as it would give to a corresponding American authority.

3. Requests of the Bundeskriminalamt (on its own behalf or on behalf of other agencies), of German courts and of German Prosecutors for penal register information may be addressed to the Legal Attaché at the Embassy of the United States of America in Bonn on behalf of the Federal Bureau of Investigation. Any other requests shall be transmitted through the diplomatic channel and the United States Department of State, unless existing agreements provide otherwise.

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Embassy of the United States of America
Bonn/Bad Godesberg, November 7, 1960

¹ Came into force on 3 January 1961, by the exchange of the said notes.

² League of Nations, *Treaty Series*, Vol. CXIX, p. 247.