

UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
MALTA

Agreement on mutual defence and assistance (with annex). Signed at Malta, on 21 September 1964

Exchange of letters constituting an agreement on the civil dockyard in Malta. Malta, 21 September 1964

Exchange of letters constituting an agreement on the Flight Information Centre in Malta. Malta, 21 September 1964

Exchange of letters (with annexed map) constituting an agreement amending the Agreement on mutual defence and assistance. Malta, 8 July 1966

Officiel text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 13 January 1966. 7

ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
MALTE

Accord de défense et d'assistance mutuelles (avec annexe).
Signé à Malte, le 21 septembre 1964

Échange de lettres constituant un accord relatif aux docks civils de Malte. Malte, 21 septembre 1964

Échange de lettres constituant un accord relatif au Centre d'informations aéronautiques de Malte. Malte, 21 septembre 1964

Échange de lettres (avec plan annexé) constituant un accord portant modification de l'Accord de défense et d'assistance mutuelles. Malte, 8 juillet 1966

Texte officiel anglais.

Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 13 janvier 1966. 7

No. 8518. AGREEMENT¹ ON MUTUAL DEFENCE AND ASSISTANCE BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF MALTA. SIGNED AT MALTA, ON 21 SEPTEMBER 1964

Preamble

Whereas Malta is a sovereign independent State within the Commonwealth,

And whereas the Government of Malta and the Government of the United Kingdom of Great Britain and Northern Ireland desire to provide for their mutual defence and to contribute to the maintenance of peace in accordance with the Charter of the United Nations, and generally to help promote stability and security,

Now therefore the Government of Malta and the Government of the United Kingdom of Great Britain and Northern Ireland have agreed as follows :

Article 1

The Government of Malta and the Government of the United Kingdom each undertake to afford to the other the assistance specified in this Agreement.

Article 2

The Government of Malta and the Government of the United Kingdom each undertake to afford to the other assistance for mutual defence and to consult together on the measures to be taken jointly or separately to ensure the fullest co-operation between them for this purpose.

Article 3

The two Governments will foster the closest co-operation between the armed forces of the two countries. If so requested by the Government of Malta, the Government of the United Kingdom, after taking account of other demands on its resources, will provide assistance or advice, in such manner and to such extent as may be agreed, including :

¹ Came into force on 21 September 1964, upon signature, in accordance with article 10.

- (a) personnel to assist in the staffing, administration and training of the armed forces of Malta ;
- (b) facilities, including instructional courses abroad, for training members of the armed forces of Malta ;
- (c) expert advice and assistance in operational and technical matters ;
- (d) use of facilities in Malta under the control of the British forces for the maintenance and logistic support of the armed forces of Malta ; and
- (e) assistance in the supply of equipment for the armed forces of Malta.

Article 4

The Government of Malta grants to the Government of the United Kingdom in peace and war the right to station armed forces and associated British personnel in Malta and to use facilities there for the purposes of mutual defence, the fulfilment of international or Commonwealth obligations, the assistance of other nations in maintaining their independence and stability, or the protection of the citizens of the United Kingdom and Colonies or of Malta.

The Annex to this Agreement shall govern the rights and facilities to be afforded in Malta to the Government of the United Kingdom and to its armed forces and associated British personnel.

Article 5

Except under arrangements made between the two Governments no forces, other than the forces of Malta and the United Kingdom, shall be stationed in Malta or be permitted to use harbour, dockyard, airfield, staging or communications facilities in Malta, unless the use is rendered necessary by distress in the course of sea or air navigation or to establish such facilities in Malta ; provided that this Article shall not apply to the forces of any Party to the North Atlantic Treaty, to which the Government of Malta may accord any such rights or facilities which do not impede the exercise of the rights or the use of the facilities granted to the Government of the United Kingdom under this Agreement.

Article 6

The Government of the United Kingdom will consult the Government of Malta when major changes in the British forces in Malta which might have significant effects on the defence or economy of Malta are contemplated.

Article 7

Arrangements shall be made for consultation between the Government of Malta and the Government of the United Kingdom and their respective authorities on the operation of this Agreement and each Government shall have the right to raise with the other at any time any question as to the application of this Agreement, where that is materially affected by any change of circumstances.

Article 8

Nothing in this Agreement is intended to or shall in any way prejudice the rights and obligations which devolve or may devolve upon either Government under the Charter of the United Nations.

Article 9

The Annex to this Agreement shall have force and effect as an integral part of this Agreement and this Agreement shall be interpreted in accordance with the provisions of Part 1 of the Annex.

Article 10

This Agreement shall come into force on the date of signature and shall remain in force for a period of ten years thereafter.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE at Malta in duplicate this 21st day of September 1964.

For the Government of the United Kingdom of Great Britain
and Northern Ireland :

Duncan SANDYS

For the Government of Malta :

G. BORG OLIVIER

ANNEX

PART 1

(1) In this Agreement, including this Annex, unless the context otherwise requires :

(a) " British authorities " means the departments, authorities and organisations of the Government of the United Kingdom having functions relating to the

British forces or to defence matters (including authorities of the British forces) and persons authorised to act for any of them ;

(b) " service authorities " means the authorities of the British forces empowered by the law of the United Kingdom to exercise command or jurisdiction over persons subject to the service law of the United Kingdom ;

(c) " British forces " means naval, army or air forces of the United Kingdom ;

(d) " British forces in Malta " means the contingents of the British forces stationed in Malta, and also members of the British forces in transit by sea, land or air through Malta, or visiting Malta or being otherwise present in Malta, on duty or under official leave arrangements ;

(e) " civilian component " means civilians (not being citizens of nor ordinarily resident in Malta) in the service of a British authority or an authorised service organisation who are employed in or are visiting or entering Malta for purposes relating to the British forces in Malta ;

(f) " dependant " means

- (i) the wife or husband of,
 - (ii) any other person wholly or mainly maintained by or in the custody or charge of, or
 - (iii) any other person (not being a citizen of nor ordinarily resident in Malta) who is employed in the care of children or invalids in the household of,
- a member of the British forces in Malta or civilian component or of a member of the British forces who has been posted to, but has not yet arrived in, Malta, or who, although stationed in Malta, is for the time being absent from Malta ;

(g) " authorised service organisation " means the Navy, Army and Air Force Institutes, the Royal Naval Film Corporation, the Army Kinema Corporation and the Royal Air Force Cinema Corporation and, in such cases and subject to such conditions as may be agreed between the British authorities and the authorities of Malta, other non-profit making organisations authorised by the British authorities to accompany the British forces in Malta in order to provide for the needs of members of those forces, civilian component and dependants, and also any person acting on behalf of an authorised service organisation ;

(h) " British personnel " means members of the British forces in Malta, civilian component and dependants ;

(i) " contractors " means undertakings and persons who execute works or perform services in Malta for British authorities or authorised service organisations under contracts made with those authorities or organisations, but except where otherwise stated does not include an undertaking whose permanent place of business is in Malta or persons who ordinarily reside in or are citizens of Malta ;

(j) " associated British personnel " means civilian British personnel, authorised service organisations and contractors ;