

No. 796

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**AUSTRALIA  
and  
NETHERLANDS**

**Exchange of notes constituting an agreement concerning  
the release of assets frozen during the war following  
the enemy occupation of the Netherlands. Canberra,  
26 April 1950**

*Official text : English.*

*Registered by Australia on 11 May 1950.*

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**AUSTRALIE  
et  
PAYS-BAS**

**Echange de notes constituant un accord relatif au déblocage  
des avoirs gelés pendant la guerre par suite de l'occu-  
pation ennemie des Pays-Bas. Canberra, 26 avril 1950**

*Texte officiel anglais.*

*Enregistré par l'Australie le 11 mai 1950.*

No. 796. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF THE NETHERLANDS CONCERNING THE RELEASE OF ASSETS FROZEN DURING THE WAR FOLLOWING THE ENEMY OCCUPATION OF THE NETHERLANDS. CANBERRA, 26 APRIL 1950

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MINISTER FOR EXTERNAL AFFAIRS  
CANBERRA, A.C.T.

26th April, 1950

Sir,

I have the honour to refer to previous negotiations between representatives of the Government of the Kingdom of the Netherlands and the Government of the Commonwealth of Australia concerning the release of property situated in the Netherlands and Australia which is owned by persons in Australia and the Netherlands respectively and which has been subjected to special measures in consequence of the enemy occupation of the Netherlands.

The understanding of the Australian Government as to the agreement reached between our two Governments is as follows :

*Article 1*

In this Agreement, unless the contrary intention appears—

“Person” means natural person.

“Institution” includes any firm, authority, government department, partnership and company, whether incorporated or unincorporated.

“Netherlands” means the Kingdom of the Netherlands including its overseas Territories.

“Australia” includes the Territories of or under the control of Australia.

“Controller” means the Controller of Enemy Property of Australia.

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<sup>1</sup> Came into force on 26 April 1950 by the exchange of the said notes.

*Article 2*

The Controller shall furnish the Royal Netherlands Legation at Canberra or such other representative as the Netherlands Government may designate with full particulars in regard to :

- (a) All moneys which have been paid to the Australian Government in pursuance of the National Security (Enemy Property) Regulations and the Trading with the Enemy Act 1939-1947 (hereinafter referred to as the Commonwealth Statutes) on behalf of persons in the Netherlands and institutions established in the Netherlands; and
- (b) All other moneys and property belonging to persons in the Netherlands and institutions established in the Netherlands which have been subject to the National Security (Enemy Property) Regulations,

and which are under the control of the Controller at the date on which this Agreement comes into force.

*Article 3*

The Controller shall also furnish the Legation, or such other representative as the Netherlands Government may designate, with particulars of all claims registered in his office :

- (a) by persons and institutions in Australia against persons in the Netherlands and against institutions established in the Netherlands; and
- (b) with respect to property in the Netherlands belonging to persons in Australia, Australian persons resident outside Australia and institutions established in Australia.

*Article 4*

Moneys at present held by the Australian Government in the terms of the Commonwealth Statutes on behalf of Netherlands persons and institutions established in the Netherlands shall be paid to the Netherlands Government, or to such Bank as may be nominated by the Netherlands Government, with a view to the satisfaction of the claims of the Netherlands persons or institutions to whom such moneys are due.

*Article 5*

The Controller shall, whenever he receives a request to that effect from the Netherlands Government, and subject to the provisions of Article 6 hereof, release from his control all other Netherlands moneys