

FRANCE



Treaty Series No. 35 (1964)

Exchanges of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the French Republic

establishing a Joint Commission of
Surveillance for the Geological Survey in
connexion with the Channel Tunnel Project

Paris, June 3, 1964

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
July 1964*

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EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FRENCH REPUBLIC ESTABLISHING A JOINT COMMISSION OF SURVEILLANCE FOR THE GEOLOGICAL SURVEY IN CONNEXION WITH THE CHANNEL TUNNEL PROJECT

No. 1

The French Minister for Foreign Affairs to Her Majesty's Ambassador at Paris

Paris, le 3 juin 1964

Monsieur l'Ambassadeur,

J'ai l'honneur de vous rappeler qu'à l'issue des consultations qui ont eu lieu récemment en vue d'assurer la coordination et l'harmonisation des décisions prises par les Gouvernements français et britannique en ce qui concerne les études géologiques préalables à la réalisation du tunnel sous la Manche et de les tenir informés du développement de ces études, il a été convenu de créer une Commission de surveillance franco-britannique composée d'experts désignés par les deux Gouvernements.

Le rôle de cette Commission sera :

- 1°/ de donner un avis aux deux Gouvernements sur l'adoption des spécifications techniques et des cahiers des charges figurant aux contrats à passer par les quatre sociétés participant au groupe connu sous le nom de G.E.T.M. avec les entreprises chargées de l'exécution des travaux.
- 2°/ de donner un avis :
 - a) sur la liste des entreprises admises à soumissionner
 - b) sur le choix du ou des titulaires des marchés.
- 3°/ de recueillir, au cours des travaux, toutes informations nécessaires relativement à leur exécution et à leur coût.
- 4°/ de suivre la progression des travaux et études, de prendre connaissance de leurs résultats, d'apprécier ceux-ci et, le cas échéant, de formuler des observations quant à la poursuite et à l'orientation desdits travaux et études.
- 5°/ d'une manière générale et dans le cadre de sa mission, faire toutes autres observations et répondre aux demandes d'avis qui pourraient être formulées par les deux Gouvernements.

Je vous serais obligé de bien vouloir me confirmer l'accord du Gouvernement britannique sur ces dispositions.

La présente lettre et votre réponse constitueront entre les deux Gouvernements un accord qui prendra effet à la date de cette réponse.

Veuillez agréer, etc.

M. COUVE DE MURVILLE

Translation of No. 1

Paris, June 3, 1964

Monsieur l'Ambassadeur,

I have the honour to recall that as a result of the consultations which took place recently to ensure the co-ordination and harmonisation of the decisions taken by the French and British Governments concerning the geological studies preparatory to the realisation of the Channel tunnel project, and to keep the Governments informed of the progress of these studies, it has been agreed to set up a Franco-British Commission of Surveillance composed of experts appointed by the two Governments.

The rôle of this Commission shall be:

- (1) to advise the two Governments on the adoption of the technical specifications and of the contract documents relating to the contracts to be entered into between the four companies participating in the group known as the Channel Tunnel Study Group and the contractors entrusted with the execution of the work;
- (2) to advise:
 - (a) on the list of contractors to be invited to tender,
 - (b) on the selection of the contractor or contractors to which the contracts are to be awarded;
- (3) to collect, while the work is in progress, all necessary information relating to its execution and to its cost;
- (4) to follow the progress of the work and studies, to take cognizance of their results, to evaluate these and, if necessary, to submit observations with regard to the conduct and direction of the said work and studies;
- (5) generally and within the limits of their terms of reference to make any other observations and to comply with requests for advice which might be made by the two Governments.

I should be obliged if you would be good enough to confirm that the British Government are in agreement with these provisions.

The present Note and your reply shall constitute an Agreement between the two Governments which shall take effect from the date of that reply.

Please accept, etc.,

M. COUVE DE MURVILLE

Her Majesty's Ambassador at Paris to the French Minister for Foreign Affairs
British Embassy,
Paris. June 3, 1964.

Monsieur le Ministre,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date, which in translation reads as follows:

[As in translation of No. 1]

In reply I have the honour, on instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, to confirm that the Government of the United Kingdom of Great Britain and Northern Ireland accept the foregoing proposals and therefore agree to regard Your Excellency's Note, together with the present reply, as constituting an Agreement between the two Governments in this matter, which shall take effect on this day's date.

I avail, etc.,

PIERSON DIXON

*The French Minister for Foreign Affairs to Her Majesty's Ambassador
at Paris*

Paris, le 3 juin 1964

Monsieur l'Ambassadeur,

Me référant aux consultations qui ont eu lieu récemment, et au cours desquelles les représentants des deux Gouvernements ont examiné les contrats à conclure entre le Ministre des Transports britannique et les sociétés du Groupement d'Etudes du Tunnel sous la Manche (G.E.T.M.) ainsi qu'entre la S.N.C.F. et lesdites sociétés, j'ai l'honneur de vous informer que le Gouvernement français, sans préjudice de son droit de se substituer à tout moment à la S.N.C.F. dans tous les droits et obligations résultant du contrat qui sera conclu entre la S.N.C.F. et les sociétés, exercera également ce droit au cas où il estimerait, d'accord avec le Gouvernement britannique, que cette substitution est nécessaire.

D'autre part, je vous confirme que l'intention présente du Gouvernement français est que les dépenses relatives aux études et aux travaux exécutés conformément aux contrats conclus entre la S.N.C.F. et les sociétés et entre le Ministre des Transports britannique et lesdites sociétés, y compris celles résultant de l'utilisation ou de la cession des renseignements et éléments géologiques relatifs aux recherches, soient en définitive éventuellement supportées par le ou les organismes chargés de construire ou d'exploiter l'ouvrage.

Veillez agréer, etc.

M. COUVE DE MURVILLE

Paris, June 3, 1964

Monsieur l'Ambassadeur,

Referring to the consultations which have recently taken place, during the course of which representatives of the two Governments have examined the contracts for conclusion between the British Minister of Transport and the companies of the Channel Tunnel Study Group (G.E.T.M.) and also between the French National Railways (S.N.C.F.) and the aforesaid companies, I have the honour to inform you that the French Government, without prejudice to its right to replace the French National Railways (S.N.C.F.) at any time in all the rights and obligations arising out of the contract which will be concluded between the French National Railways (S.N.C.F.) and the companies, will also exercise this right if it should consider, in agreement with the British Government, that this replacement is necessary.

On the other hand, I confirm that the present intention of the French Government is that the expenditure relating to the studies and to the work carried out in accordance with the contracts concluded between the French National Railways (S.N.C.F.) and the companies and between the British Minister of Transport and the aforesaid companies, including that resulting from the use or transfer of the geological information and material relevant to the investigation, should ultimately be borne by the organisation or organisations charged with the construction or operation of the tunnel.

Please accept, etc.

M. COUVE DE MURVILLE

No. 4

Her Majesty's Ambassador at Paris to the French Minister for Foreign Affairs

British Embassy,

Paris, June 3, 1964

Monsieur le Ministre,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date, which reads in translation as follows:

[As in translation of No. 3]

In reply I have the honour to note the statement of the French Government's position in the first paragraph of Your Excellency's Note and to confirm that the present intention of the Government of the United Kingdom of Great Britain and Northern Ireland as regards the expenditure to which Your Excellency refers is identical with the present intention of the French Government.

I avail, etc.

PIERSON DIXON

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