



FEDERAL
REPUBLIC OF
GERMANY

Treaty Series No. 22 (1982)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Federal Republic of Germany
constituting an Administrative Agreement under Article 71,
paragraph 4, of the Agreement to supplement the Agreement
between the Parties to the North Atlantic Treaty regarding
the Status of their Forces with respect to Foreign Forces
stationed in the Federal Republic of Germany

Bonn, 16 February 1982

[The Agreement entered into force on 16 February 1982]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
June 1982*

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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 FEDERAL REPUBLIC OF GERMANY
CONSTITUTING AN ADMINISTRATIVE AGREEMENT UNDER
ARTICLE 71 PARAGRAPH 4 OF THE AGREEMENT TO
SUPPLEMENT THE AGREEMENT BETWEEN THE PARTIES TO
THE NORTH ATLANTIC TREATY REGARDING THE STATUS
OF THEIR FORCES WITH RESPECT TO FOREIGN FORCES
STATIONED IN THE FEDERAL REPUBLIC OF GERMANY

No. 1

*The British Embassy at Bonn to the Federal Ministry of Foreign Affairs
of the Federal Republic of Germany*

Note No. 17

Her Britannic Majesty's Embassy present their compliments to the Federal Ministry of Foreign Affairs and have the honour to state that Hogg Robinson (GFA) Ltd. (hereinafter called the Government Freight Agent) has been appointed to act as agent for the British Forces Germany in arranging on their behalf for the removal at public expense of the personal baggage of members of the British Forces and of the civilian component. In order to facilitate the carrying out of this task by the Government Freight Agent, the Embassy propose that an Administrative Agreement under Article 71 paragraph 4 of the Agreement⁽¹⁾ to Supplement the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces with respect to Foreign Forces stationed in the Federal Republic of Germany⁽²⁾ be concluded between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal Republic of Germany in the following terms:

1. The Government Freight Agent shall be accorded the same treatment as the organisations listed in paragraph 3 of the Section in the Protocol of Signature referring to Article 71 of the Supplementary Agreement to the NATO Status of Forces Agreement.
2. The Government Freight Agent is responsible for meeting the military requirements of the British Forces Germany in connexion with the movement at public expense of the personal baggage of its members. The Government Freight Agent shall operate under the general direction and supervision of the British Forces.
3. The activities of the Government Freight Agent with regard to the road transport enterprises employed by it shall be subject in the Federal Republic of Germany to German legal provisions, including the Güterkraftverkehrsgesetz (law governing the transport of goods by road).

⁽¹⁾ Treaty Series No. 73 (1963), Cmd. 2191.
⁽²⁾ Treaty Series No. 3 (1955), Cmd. 9363.

4. Persons employed exclusively by the Government Freight Agent shall, subject to the provisions of Article 71 paragraph 6 of the Supplementary Agreement to the NATO Status of Forces Agreement, be considered to be and treated as members of the civilian component, and their dependants as dependants of members of the civilian component.

5. The Government Freight Agent shall not be considered to be an integral part of the Force within the meaning of Article 41 paragraph 7 of the Supplementary Agreement to the NATO Status of Forces Agreement and shall not for the purpose of the settlement of damage claims enjoy exemption from German jurisdiction. Passenger vehicles of the Government Freight Agent shall be licensed by the British Forces in accordance with Article 10 of the Supplementary Agreement to the NATO Status of Forces Agreement and shall be considered to be service vehicles within the meaning of Article XI paragraphs 2(c) and 11 as well as of Article XIII paragraph 4 of the NATO Status of Forces Agreement.

6. Article 44 of the Supplementary Agreement to the NATO Status of Forces Agreement shall not apply to the settlement of disputes arising from contracts concluded by the Government Freight Agent for his own account or for the account of the authorities of the British Forces.

7. Her Britannic Majesty's Embassy shall inform the Federal Ministry of Foreign Affairs of the locations in the Federal Republic of Germany at which the Government Freight Agent is to have its offices, as well as of the personal data of those persons to be employed by the Agent.

If an Administrative Agreement in the above terms is acceptable to the Government of the Federal Republic of Germany, the Embassy have the honour to propose that this Note and the Note in reply of the Federal Ministry of Foreign Affairs shall constitute an Administrative Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal Republic of Germany within the meaning of Article 71 paragraph 4 of the Supplementary Agreement to the NATO Status of Forces Agreement, which shall enter into force on the date of the Note in reply of the Federal Ministry of Foreign Affairs.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Federal Ministry of Foreign Affairs the assurance of their highest consideration.

*British Embassy
Bonn
16 February 1982*

*The Federal Ministry of Foreign Affairs of the Federal Republic of Germany
to the British Embassy at Bonn*

514-554.60/2

Das Auswärtige Amt beehrt sich, den Empfang der Verbalnote der Königlich Britischen Botschaft Nr. 17 vom 16. Februar 1982 zu bestätigen, mit welcher die Regierung des Vereinigten Königreichs Großbritannien und Nordirland vorschlägt, ein Verwaltungsabkommen nach Artikel 71 Absatz 4 des Zusatzabkommens zum NATO-Truppenstatut für das britische Unternehmen Hogg Robinson (GFA) Ltd., im folgenden als Regierungsfrachtagentur bezeichnet, zu schließen, das folgenden Wortlaut haben soll:

1. Der Regierungsfrachtagentur wird dieselbe Behandlung gewährt wie den Organisationen, die in Absatz 3 der sich auf Artikel 71 des Zusatzabkommens zum NATO-Truppenstatut beziehenden Abschnitts des Unterzeichnungsprotokolls aufgeführt sind.
2. Die Regierungsfrachtagentur ist für die Befriedigung der militärischen Bedürfnisse der britischen Streitkräfte hinsichtlich der Beförderung des persönlichen Gepäcks ihrer Mitglieder zu Lasten der öffentlichen Hand zuständig. Die Regierungsfrachtagentur arbeitet nach Richtlinien der britischen Streitkräfte und untersteht deren Dienstaufsicht.
3. Die Tätigkeit der Regierungsfrachtagentur im Verhältnis zu den von ihr eingesetzten Straßengüterverkehrsunternehmen unterliegt in der Bundesrepublik Deutschland den deutschen Vorschriften einschließlich des Güterkraftverkehrsgesetzes.
4. Die ausschließlich im Dienst der Regierungsfrachtagentur stehenden Angestellten werden, vorbehaltlich des Artikels 71 Absatz 6 des Zusatzabkommens zum NATO-Truppenstatut, wie Mitglieder des zivilen Gefolges, und die Angehörigen dieser Angestellten wie Angehörige von Mitgliedern des zivilen Gefolges angesehen und behandelt.
5. Die Regierungsfrachtagentur gilt nicht als Bestandteil der Truppe im Sinne des Artikels 41 Absatz 7 des Zusatzabkommens zum NATO-Truppenstatut und ist in bezug auf die Abgeltung von Schäden nicht von der deutschen Gerichtsbarkeit befreit. Von der Regierungsfrachtagentur betriebene Personenkraftwagen werden von den britischen Streitkräften nach Artikel 10 des Zusatzabkommens zum NATO-Truppenstatut zugelassen und werden als Dienstfahrzeuge im Sinne des Artikels XI Absatz 2 Buchstabe c und Absatz 11 sowie des Artikels XIII Absatz 4 des NATO-Truppenstatuts angesehen.
6. Artikel 44 des Zusatzabkommens zum NATO-Truppenstatut findet keine Anwendung auf die Beilegung von Streitigkeiten aus Verträgen, welche die Regierungsfrachtagentur für eigene Rechnung oder für Rechnung der Behörden der britischen Streitkräfte abschließt.
7. Die Botschaft wird dem Auswärtigen Amt die Orte in der Bundesrepublik Deutschland, an denen die Regierungsfrachtagentur ihren Sitz haben wird, sowie die Personalien der bei dieser Einrichtung beschäftigten Personen mitteilen."

Das Auswärtige Amt beehrt sich, der Königlich Britischen Botschaft mitzuteilen, daß sich die Regierung der Bundesrepublik Deutschland mit dem Vorschlag der Königlich Britischen Botschaft einverstanden erklärt. Demgemäß bilden die Verbalnote der Königlich Britischen Botschaft Nr. 17 vom 16. Februar 1982 und diese Antwortnote ein Verwaltungsabkommen im Sinne des Artikels 71 Absatz 4 des Zusatzabkommens zum NATO-Truppenstatut zwischen der Regierung der Bundesrepublik Deutschland und der Regierung des Vereinigten Königreichs Großbritannien und Nordirland, das mit dem Datum dieser Antwortnote in Kraft tritt.

Das Auswärtige Amt benutzt diesen Anlaß, die Königlich Britische Botschaft erneut seiner ausgezeichneten Hochachtung zu versichern.

Bonn, den 16. Februar 1982

[Translation of No. 2]

514-554.60/2

The Federal Ministry of Foreign Affairs has the honour to confirm receipt of Her Britannic Majesty's Embassy's Note No. 17 of 16 February 1982, in which the Government of the United Kingdom of Great Britain and Northern Ireland propose the conclusion of an Administrative Agreement under Article 71 paragraph 4 of the Supplementary Agreement to the NATO Status of Forces Agreement, for the British firm of Hogg Robinson (GFA) Ltd., hereinafter referred to as Government Freight Agent, in the following terms:

[As in No. 1]

The Federal Ministry of Foreign Affairs has the honour to inform the British Embassy that the Government of the Federal Republic of Germany agrees to the British Embassy's proposal.

Accordingly, the British Embassy's Note No. 17 of 16 February 1982 and this reply shall constitute an Administrative Agreement between the Government of the Federal Republic of Germany and the Government of the United Kingdom of Great Britain and Northern Ireland within the meaning of Article 71 paragraph 4 of the Supplementary Agreement to the NATO Status of Forces Agreement, which shall enter into force on the date of this reply.

The Federal Ministry of Foreign Affairs avails itself of this opportunity to renew to Her Britannic Majesty's Embassy the assurance of its highest consideration.

Bonn, 16 February 1982