



Treaty Series No. 39 (1989)

Exchange of Notes

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

concerning the use of
United Kingdom Controlled Ships
Registered in Liberia

Monrovia, 16 February and 17 March 1989

[The Agreement entered into force on 17 March 1989]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
September 1989*

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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 REPUBLIC OF LIBERIA CONCERNING THE USE OF
UNITED KINGDOM CONTROLLED SHIPS REGISTERED IN LIBERIA**

No. 1

*The Acting Minister for Foreign Affairs of Liberia to Her Majesty's Ambassador at
Monrovia*

*Ministry of Foreign Affairs
Monrovia
16 February 1989*

Your Excellency:

I have the honour to refer to recent discussions between our two Governments concerning the use of United Kingdom controlled ships registered in Liberia and to make the following proposals:

The Minister responsible for merchant shipping in the Republic of Liberia, shall whenever requested by the Government of the United Kingdom of Great Britain and Northern Ireland, waive the exercise of the sovereign authority of Liberia over a Liberian vessel where the following circumstances exist:

- (a) The vessel is owned directly or indirectly by a person who is:
 - (i) A British citizen, a British Dependent Territories citizen, a British National (Overseas), a British Overseas citizen, or a British subject under the British Nationality Act 1981; or
 - (ii) A body incorporated or constituted under the law or any part of the United Kingdom or of any Territory for the international relations of which the United Kingdom is responsible; and
- (b) The property in the vessel is divided into shares whereof the greater parts are owned by persons described by sub-paragraph (a) above; and
- (c) There exists a state of war or other hostilities involving the United Kingdom or the threat of such war or other hostilities; and
- (d) There is in force in respect of the vessel a contract of commitment between the owner of the vessel and the competent authorities of the United Kingdom which has been approved by the Government of Liberia in accordance with the applicable Liberian legislation.

The Government of the Republic of Liberia in waiving its sovereign authority shall allow the control of such a vessel to be committed to the Government of the United Kingdom in the circumstances mentioned aforesaid. In the event that any of the circumstances referred to in sub-paragraphs (a), (b), (c) or (d) no longer exists in relation to a vessel, this agreement shall cease to apply to that vessel.

It is further understood and agreed between the two Governments that no Liberian flag vessel will be accepted as entered in a war risks association under such contract of commitment unless the contract in question has first been approved in writing as required by the Liberian Maritime Regulations.

If the foregoing proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to suggest that this Note, together with your Excellency's reply in that sense, shall constitute an Agreement between our two Governments which shall enter into force on the date of your Excellency's reply and continue in force until terminated by either Government giving six months' written notice to the other.

I avail myself of this opportunity to renew to His Excellency the assurances of my highest consideration and esteem.

WILLIAM BULL

No. 2

Her Majesty's Ambassador at Monrovia to the Minister for Foreign Affairs of Liberia

*British Embassy
Monrovia*

17 March 1989

Honourable Minister,

I have the honour to acknowledge receipt of your Note of 16 February 1989 which reads as follows:

[As in No. 1]

I have the honour to inform you that the foregoing proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, who therefore agree that your Note together with this reply shall constitute an agreement between our two Governments which shall enter into force on today's date and shall continue in force until terminated by either Government giving six months' written notice to the other.

I avail myself of this opportunity to renew to you, Honourable Minister, the assurances of my highest consideration.

M. E. J. GORE