



Treaty Series No. 29 (1933)

Exchange of Notes

between His Majesty's Government in the United Kingdom
and the Austrian Government

respecting the

Reciprocal Recognition of Proof-Marks on Fire-Arms

London, July 27, 1933

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses

Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh 2

York Street, Manchester 1; 1, St. Andrew's Crescent, Cardiff

15, Donegall Square West, Belfast

or through any Bookseller

1933

Price 1d. Net

Cmd. 4408

EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE AUSTRIAN GOVERNMENT RESPECTING RECIPROCAL RECOGNITION OF PROOF-MARKS ON FIRE-ARMS.

London, July 27, 1933.

Sir Robert Vansittart to M. Georg Franckenstein.

Sir,

Foreign Office, July 27, 1933.

I HAVE the honour to state on behalf of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland that they agree to the following provisions as constituting an Agreement on a reciprocal basis between them and the Austrian Government :—

1. His Majesty's Government in the United Kingdom will not require fire-arms which have been officially tested in and which bear the proof-marks of one of the Austrian official proof-houses at Ferlach and Vienna (hereinafter referred to as the Austrian proof-houses) to undergo on admission into or sale in the United Kingdom any further tests whatever for the purpose of proving them. The Austrian Government will not require fire-arms bearing the proof-marks of any of the following proof-houses, controlled or owned by His Majesty's Government in the United Kingdom, namely, London, Birmingham and Enfield Lock (hereinafter referred to as the British proof-houses) to undergo on admission into or sale in Austria any further tests whatever for the purpose of proving them.

2.—(a) His Majesty's Government in the United Kingdom and the Austrian Government shall transmit to each other two copies of the regulations of the proof-houses situated in the United Kingdom and Austria respectively, together with the tests to which they subject fire-arms, and facsimiles of their proof-marks.

(b) His Majesty's Government in the United Kingdom and the Austrian Government agree that if it is desired to make any modifications in the tests or regulations, or any alterations of the facsimiles of the proof-marks of any of the proof-houses above mentioned, the Government in whose territory such proof-house is situated shall inform the other Government and invite it to concur in such modification or alteration. If the other Government does not concur therein, and such modification or alteration is adopted, it shall have the right to terminate this Agreement immediately.

3. In the case of shot-guns, the provisions of the preceding paragraphs will only apply to guns bearing proof-marks signifying

that such guns have undergone the definitive tests in regard to black powder and smokeless powder which are undergone by fire-arms in a state ready for delivery, both Governments undertaking to accept the proof-marks of the definitive test in accordance with the regulations in force in the United Kingdom and Austria respectively.

4. Subject to the right of termination above mentioned, this Agreement shall remain in force for a period of three years. If neither of the Governments shall have notified the other not less than six months before the expiration of the said period of three years of its intention to terminate the Agreement, this Agreement shall continue in force for a further period of three years, and so forth for further periods of three years in the same manner.

5. His Majesty's Government in the United Kingdom and the Austrian Government reserve the right to add, by mutual consent, such modifications to this Agreement as experience may show to be useful.

The present note and your reply of the same date in a similar sense shall be regarded as placing on record the understanding arrived at between the two Governments.

I have, &c.

(In the absence of the Secretary of State),

R. VANSITTART.

No. 2.

M. Franckenstein to the Secretary of State for Foreign Affairs.

Austrian Legation,

Herr Staatssekretär,

London, den 27. Juli 1933.

Im Auftrage meiner Regierung beehre ich mich Euer Exzellenz bekanntzugeben, dass die österreichische Bundesregierung den nachfolgenden Abmachungen, die eine Vereinbarung zwischen ihr und der Regierung Sr. Majestät im Vereinigten Königreich von Grossbritannien und Nordirland auf Grundlage der Gegenseitigkeit darstellen, ihre Zustimmung erteilt hat.

1. Die Regierung Sr. Majestät im Vereinigten Königreich wird nicht verlangen, dass Handfeuerwaffen, die einer amtlichen Erprobung durch die amtlichen österreichischen Probieranstalten in Ferlach und Wien (im folgenden als die österreichischen Probieranstalten bezeichnet) unterzogen worden und mit deren Probezeichen versehen sind, bei der Einfuhr oder beim Verkauf im Vereinigten Königreiche irgendeiner weiteren Erprobung unterzogen werden. Die österreichische Bundesregierung wird nicht verlangen, dass Handfeuerwaffen, die mit dem Probezeichen einer der im folgenden

genannten Probieranstalten, die durch die Regierung Sr. Majestät im Vereinigten Königreich kontrolliert werden oder sich in deren Eigentum befinden, nämlich London, Birmingham und Enfield Lock (im folgenden als die britischen Probieranstalten bezeichnet), versehen sind, bei der Einfuhr oder beim Verkauf in Österreich irgendeiner weiteren Erprobung unterzogen werden.

2.—(a) Die österreichische Bundesregierung und die Regierung Sr. Majestät im Vereinigten Königreich werden einander zwei Abschriften der Vorschriften der Probieranstalten, die sich in Österreich und im Vereinigten Königreiche befinden, einschliesslich der Proben, denen sie die Handfeuerwaffen unterziehen, sowie Abbildungen ihrer Probezeichen bekanntgeben.

(b) Die österreichische Bundesregierung und die Regierung Sr. Majestät im Vereinigten Königreich sind einverstanden, dass wenn irgendeine Änderung der Proben oder der Vorschriften oder eine Abänderung der Abbildungen der Probezeichen einer der obenerwähnten Probieranstalten in Aussicht genommen wird, die Regierung, in deren Gebiet diese Probieranstalt liegt, die andere Regierung benachrichtigen und sie einladen wird, dieser Änderung zuzustimmen. Sollte die andere Regierung nicht zustimmen und diese Änderung dennoch vorgenommen werden, soll letztere Regierung das Recht haben, dieses Abkommen sofort zu beenden.

3. Bei Schrotflinten werden die Bestimmungen der vorhergehenden Absätze nur auf solche Flinten Anwendung finden, die mit Probierzeichen versehen sind, durch die nachgewiesen wird, dass diese Flinten den Fertigproben für Schwarzpulver und rauchloses Pulver, welche bei lieferfertigen Handfeuerwaffen vorgenommen werden, unterzogen worden sind; beide Regierungen verpflichten sich, die Probezeichen der Fertigproben gemäss den in Österreich beziehungsweise im Vereinigten Königreich in Kraft stehenden Vorschriften anzuerkennen.

4. Vorbehaltlich des obenerwähnten Rechtes der Aufhebung soll dieses Abkommen drei Jahre in Geltung bleiben. Wenn keine der beiden Regierungen wenigstens sechs Monate vor Ablauf dieser dreijährigen Frist der andern die Absicht zur Kenntnis gebracht hat, das Abkommen zu beenden, wird dieses Abkommen für weitere drei Jahre in Kraft bleiben und sofort in gleicher Weise für weitere Perioden von drei Jahren.

5. Die österreichische Bundesregierung und die Regierung Sr. Majestät im Vereinigten Königreich behalten sich das Recht vor, im gegenseitigen Einverständnis an diesem Abkommen diejenigen Änderungen vorzunehmen, die sich auf Grund der Erfahrungen als nützlich erweisen sollten.

Die vorliegende Note und Euer Exzellenz gleichinhaltliche Antwort vom selben Tage werden als Feststellung des zwischen beiden Regierungen erzielten Einvernehmens gelten.

Genehmigen, &c.

G. FRANCKENSTEIN.

(Translation.)

Sir,

London, July 27, 1933.

I HAVE the honour to state on behalf of my Government that the Austrian Government agree to the following provisions as constituting an Agreement on a reciprocal basis between them and His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland :—

1. His Majesty's Government in the United Kingdom will not require fire-arms which have been officially tested in and which bear the proof-marks of one of the Austrian official proof-houses at Ferlach and Vienna (hereinafter referred to as the Austrian proof-houses) to undergo on admission into or sale in the United Kingdom any further tests whatever for the purpose of proving them. The Austrian Government will not require fire-arms bearing the proof-marks of any of the following proof-houses, controlled or owned by His Majesty's Government in the United Kingdom, namely, London, Birmingham and Enfield Lock (hereinafter referred to as the British proof-houses) to undergo on admission into or sale in Austria any further tests whatever for the purpose of proving them.

2.—(a) The Austrian Government and His Majesty's Government in the United Kingdom shall transmit to each other two copies of the regulations of the proof-houses situated in Austria and the United Kingdom respectively, together with the tests to which they subject fire-arms, and facsimiles of their proof-marks.

(b) The Austrian Government and His Majesty's Government in the United Kingdom agree that if it is desired to make any modifications in the tests or regulations, or any alterations of the facsimiles of the proof-marks of any of the proof-houses above mentioned, the Government in whose territory such proof-house is situated shall inform the other Government and invite it to concur in such modification or alteration. If the other Government does not concur therein, and such modification or alteration is adopted, it shall have the right to terminate this Agreement immediately.

3. In the case of shot-guns, the provisions of the preceding paragraphs will only apply to guns bearing proof-marks signifying that such guns have undergone the definitive tests in regard to black powder and smokeless powder which are undergone by fire-arms in a state ready for delivery, both Governments undertaking to accept the proof-marks of the definitive test in accordance with the regulations in force in Austria and the United Kingdom respectively.

4. Subject to the right of termination above mentioned, this Agreement shall remain in force for a period of three years. If neither of the Governments shall have notified the other not less than six months before the expiration of the said period of three years of its intention to terminate the Agreement, this Agreement shall continue in force for a further period of three years, and so forth for further periods of three years in the same manner.

5. The Austrian Government and His Majesty's Government in the United Kingdom reserve the right to add, by mutual consent, such modifications to this Agreement as experience may show to be useful.

The present note and your Excellency's reply of the same date in a similar sense shall be regarded as placing on record the understanding arrived at between the two Governments.

I have, &c.

G. FRANCKENSTEIN.