



Treaty Series No. 25 (1955)

Agreement

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of Denmark
regarding Military Service

London, January 20, 1955

*Presented by the Secretary of State for Foreign Affairs to Parliament
by Command of Her Majesty
May 1955*

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**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
AND THE GOVERNMENT OF DENMARK REGARDING
MILITARY SERVICE**

London, January 20, 1955

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark,

Desiring, in a spirit of friendship, to extend special consideration to persons who are, or may become, liable, under the laws of the United Kingdom and of Denmark, to perform compulsory military service in the armed forces of both countries;

Have agreed as follows:—

ARTICLE 1

This Agreement shall apply to persons who are or may become liable to perform compulsory military service both under the law in force with regard to such service in the United Kingdom and under that in force with regard to such service in Denmark.

For the purpose of this Agreement service in the Danish Civil Defence Corps shall be regarded as constituting compulsory military service under the law in force in Denmark and the expression "armed forces of Denmark" shall be construed as including the Danish Civil Defence Corps.

ARTICLE 2

Persons to whom this Agreement applies shall be deemed to have fulfilled the military obligations imposed upon them by the law in force in Denmark if they have fulfilled their obligations in the armed forces of the United Kingdom and furnish as proof of this a duly authenticated certificate obtained on application from the competent authorities of the United Kingdom.

ARTICLE 3

Persons to whom this Agreement applies shall be deemed to have fulfilled the military obligations imposed upon them by the law in force in the United Kingdom if they have fulfilled their obligations in the armed forces of Denmark and furnish as proof of this a duly authenticated certificate obtained on application from the competent authorities of Denmark.

ARTICLE 4

The competent authorities of each of the Contracting Parties shall, on or after the registration for military service of persons to whom they know that this Agreement applies, notify the persons concerned that they have the choice of performing their military service in the armed forces of either of the two countries and that their call-up will be suspended until they reach the age of 21, unless they apply to the contrary.

OVERENSKOMST MELLEN REGERINGEN I KONGERIGET DANMARK OG REGERINGEN I DET FORENEDE KONGERIGE STORBRIANNIEN OG NORDIRLAND ANGÅENDE MILITÆRTJENSTE

London den tyvende Januar 1955

Regeringen i Kongeriget Danmark og regeringen i Det Forenede Kongerige Storbritannien og Nordirland,

som i venskabelig ånd ønsker at tage særligt hensyn til personer, der i medfør af Danmarks og Det Forenede Kongeriges love er eller måtte blive pligtige at aftjene værnepligt i begge landes væbnede styrker,

er kommet overens om følgende:

ARTIKEL 1

Nærværende overenskomst finder anvendelse på personer, som er eller måtte blive pligtige at aftjene værnepligt såvel efter den i Danmark som efter den i Det Forenede Kongerige gældende lovgivning.

Ved anvendelsen af denne overenskomst skal tjeneste i det danske civilforsvarskorps betragtes som aftjening af værnepligt i henhold til den i Danmark gældende lovgivning, og udtrykket "de danske væbnede styrker" skal fortolkes som indbefattende det danske civilforsvarskorps.

ARTIKEL 2

Personer, der omfattes af nærværende overenskomst, skal anses at have aftjent deres værnepligt i henhold til den i Danmark gældende lovgivning, hvis de har aftjent deres værnepligt i Det Forenede Kongeriges væbnede styrker og som bevis herfor fremviser en behørigt legaliseret attest, der på begæring udstedes af de kompetente myndigheder i Det Forenede Kongerige.

ARTIKEL 3

Personer, der omfattes af nærværende overenskomst, skal anses at have aftjent deres værnepligt i henhold til den i Det Forenede Kongerige gældende lovgivning, hvis de har aftjent deres værnepligt i de danske væbnede styrker og som bevis herfor fremviser en behørigt legaliseret attest, der på begæring udstedes af de kompetente myndigheder i Danmark.

ARTIKEL 4

Hver af de kontraherende parters kompetente myndigheder skal samtidig med eller efter optagelsen i lægdsrullen af personer, om hvem det vides, at de omfattes af nærværende overenskomst, gøre de pågældende personer bekendt med, at de har valget mellem at aftjene deres værnepligt i det ene eller det andet af de to landes væbnede styrker, og at deres indkaldelse vil blive udsat, indtil de fylder 21 år, med mindre de fremsætter anmodning i modsat retning.

ARTICLE 5

Persons to whom this Agreement applies, who are rejected for military service on medical grounds or excepted from service in the armed forces in accordance with the laws governing compulsory military service in the country concerned shall, for the purposes of the present Agreement, be deemed to have fulfilled their military obligations if they furnish as proof of rejection or exception a duly authenticated certificate furnished by the competent authorities of the country concerned.

ARTICLE 6

Persons to whom this Agreement applies who have voluntarily enlisted in the armed forces of one of the two countries and have served for a period of not less than the term of military service prescribed by law in that country at the time of discharge shall, for the purpose of the present Agreement, be considered as having fulfilled their military obligations.

ARTICLE 7

Persons to whom this Agreement applies who have been granted a deferment or postponement of call-up by the competent authorities of one of the two countries shall not be called up for service in the armed forces of the other country until the period of deferment or postponement has expired. A duly authenticated certificate issued by the competent authorities of the country which has granted deferment or postponement shall be accepted as proof of such deferment or postponement.

ARTICLE 8

Persons to whom this Agreement applies who, during their term of military service in the armed forces of one of the two countries, obtain official leave to proceed to the other country shall not be called up for service in the armed forces of that country if they produce a duly authenticated certificate issued at their request by the competent authorities of the country granting the said leave.

This certificate shall show the surname, Christian names, rank, regiment or service and identifying number of the person concerned, together with the date of commencement and expiration of leave. The person concerned may be required to produce this certificate at any time during his stay.

ARTICLE 9

Nothing in the present Agreement shall in the event of an emergency prevent the competent authorities of either of the Contracting Parties from calling up for service persons to whom this Agreement applies or from placing their names on the reserve list. Persons called up by either of the Contracting Parties in accordance with this article shall, on or before the completion of their emergency service, be furnished with a certificate giving full particulars of the date and nature of the call-up.

ARTICLE 10

Any dispute concerning the application and interpretation of this Agreement shall be settled through the diplomatic channel or in default of such settlement by such other means as the Contracting Parties may agree.

ARTIKEL 5

Personer, der omfattes af denne overenskomst, og som af lægelige grunde findes uskikket til militærtjeneste, eller som i overensstemmelse med lovgivningen om værnepligt i det pågældende land fritages for tjeneste i de væbnede styrker, skal ved anvendelsen af nærværende overenskomst anses at have aftjent deres værnepligt, hvis de som bevis for tjenestudygtigheden eller fritagelsen fremlægger en af vedkommende lands kompetente myndigheder udstedt, behørigt legaliseret attest herom.

ARTIKEL 6

Personer, der omfattes af denne overenskomst, og som frivilligt er indtrådt i et af de to landes væbnede styrker og har gjort tjeneste i et tidsrum, som ikke er kortere end den tjenestetid, der ved tidspunktet for hjemsendelsen er fastsat i det pågældende lands lovgivning, skal ved anvendelsen af nærværende overenskomst anses at have aftjent deres værnepligt.

ARTIKEL 7

Personer, der omfattes af denne overenskomst, og som af de kompetente myndigheder i et af de to lande har fået bevilget udsættelse med indkaldelse, skal ikke indkaldes til tjeneste i det andet lands væbnede styrker, før udsættelsen er udløbet. En behørigt legaliseret attest, udstedt af de kompetente myndigheder i det land, som har bevilget udsættelse, skal anses som bevis for sådan udsættelse.

ARTIKEL 8

Personer, der omfattes af denne overenskomst, og som under deres tjeneste i et af de to landes væbnede styrker får orlov for at begive sig til det andet land, skal ikke indkaldes til tjeneste i dette lands væbnede styrker, hvis de fremlægger en behørigt legaliseret attest, udstedt på deres anmodning af de kompetente myndigheder i det land, der har bevilget orloven.

Denne attest skal indeholde oplysning om efternavn, fornavne, rang, regiment eller tjenestegren og den pågældende persons identifikationsnummer tilligemed datoen for orlovens begyndelse og udløb. Den pågældende skal nårsomhelst under sit ophold på forlangende fremlægge denne attest.

ARTIKEL 9

Intet i nærværende overenskomst skal i en nødsituation forhindre en af de kontraherende parter kompetente myndigheder i at indkalde personer, der omfattes af denne overenskomst, eller i at overføre dem til reserven. Personer, der i overensstemmelse med denne artikel er blevet indkaldt af en af de kontraherende parter, skal senest ved afslutningen af deres ved nødsituationen foranledigede tjeneste forsynes med en attest, indeholdende alle oplysninger om tidspunktet for og karakteren af denne indkaldelse.

ARTIKEL 10

Enhver uoverensstemmelse vedrørende anvendelsen eller fortolkningen af denne overenskomst skal afgøres ad diplomatisk vej eller—i mangel af sådan afgørelse—på den måde, som de kontraherende parter måtte enes om.

ARTICLE 11

The provisions of this Agreement may be extended by an Exchange of Notes between the Government of the United Kingdom and the Government of Denmark to persons who are or may become liable to perform compulsory military service both under the law with regard to such service in any of the Channel Islands or the Isle of Man and under that in force with regard to such service in Denmark.

ARTICLE 12

The present Agreement shall enter into force on signature, and shall remain in force until the expiration of six months from the date on which either of the Contracting Parties shall have given written notice of termination to the other.

In witness whereof the undersigned, being duly authorised by their respective Governments, have signed the present Agreement and have affixed thereto their seals.

Done in duplicate at London this twentieth day of January, 1955, in the English and Danish languages, both texts being equally authoritative.

(L.S.) ANTHONY NUTTING.

(L.S.) STEENSEN-LETH.

Agreed Minute

It is understood that persons to whom the Anglo-Danish Military Service Agreement, signed this day, applies and who have completed their full-time service in the armed forces of the one country shall be deemed, for the purposes of Articles 2 and 3 of the Agreement, to have fulfilled all the military obligations, including the obligation to perform part-time service in peace-time, imposed upon them by the law in force in the other country.

ANTHONY NUTTING.

STEENSEN-LETH.

ARTIKEL 11

Bestemmelserne i nærværende overenskomst kan ved noteveksling mellem den danske regering og regeringen i Det Forenede Kongerige udvides til at omfatte personer, som er eller måtte blive forpligtet til at aftjene værnepligt såvel i henhold til den på en af kanaløerne eller øen Man herom gældende lovgivning, som i henhold til den i Danmark herom gældende lovgivning.

ARTIKEL 12

Nærværende overenskomst træder i kraft ved undertegnelsen og forbliver i kraft, indtil et halvt år er forløbet fra den dag, da den ene af de kontraherende parter over for den anden skriftligt måtte have opsagt den.

Til bekræftelse heraf har de undertegnede, der dertil er behørigt bemyndiget af deres respektive regeringer, underskrevet nærværende overenskomst og forsynet den med deres segl.

Udfærdiget i London den tyvende Januar 1955 i to eksemplarer på dansk og engelsk, idet begge tekster har samme gyldighed.

(L.S.) ANTHONY NUTTING.
(L.S.) STEENSEN-LETH.

OVERSÆTTELSE

Godkendt protokollat

Der er enighed om, at personer, som omfattes af den i dag underskrevne britisk-danske overenskomst om militærtjeneste, og som har gjort tjeneste i den fulde tjenestetid i det ene lands væbnede styrker, hvad angår overenskomstens artikler 2 og 3 skal anses at have opfyldt alle de militære forpligtelser, herunder forpligtelsen til at forrette tjeneste under genindkaldelser i fredstid, som den i det andet land gældende lovgivning pålægger dem.

ANTHONY NUTTING.
STEENSEN-LETH.

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