

**TREATIES FOR WHICH THE UK IS DEPOSITARY**

**Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal 23 September 1971** (Montreal, 24 February 1988)

**Action: Republic of Malawi: ratification**

On 10 January 2014, the Government of the United Kingdom of Great Britain and Northern Ireland received an instrument of ratification from the Republic of Malawi to the above Protocol which, in accordance with Article VI(1), shall enter into force for the latter on 9 February 2014.

The full status list for the Protocol can be found on our web pages:

<https://www.gov.uk/government/collections/treaties-for-which-the-uk-is-depositary>

**BILATERAL TREATIES PUBLISHED THIS MONTH**

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal Republic of Nigeria on the Transfer of Sentenced Persons** (Abuja, 9 January 2013) has been published as Country Series Nigeria No.1 (2014) Cm 8791. The Agreement is not yet in force.

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Belgium, concerning Immigration Controls on Rail Traffic between Belgium and the United Kingdom using the Channel Fixed Link** (London, 3 December 2013 and Brussels, 18 December 2013) has been published as Country Series Belgium No.1 (2014) Cm 8807. The Agreement is not yet in force.

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and on Capital Gains** (London, 27 June 2011) has been published as Treaty Series No.1 (2014) Cm 8783. The Agreement entered into force on 12 April 2013.

**Protocol Amending the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and on Capital Gains** (Beijing, 27 February 2013) has been published as Treaty Series No.2 (2014) Cm 8784. The Protocol entered into force on 13 December 2013.

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**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Council of Ministers of the Republic of Albania for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and on Capital** (Tirana, 26 March 2013) has been published as Treaty Series No.3 (2014) Cm 8785. The Agreement entered into force on 30 December 2013.

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam to amend the Arrangement between the Government of Brunei and His Majesty's Government for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income made in 1950, as amended by an Arrangement in 1968 and a Supplementary Arrangement in 1973, with Protocol** (London, 11 December 2012) has been published as Treaty Series No.4 (2014) Cm 8788. The Agreement entered into force on 19 December 2013.

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America for the Sharing of Visa, Immigration, and Nationality Information** (Queenstown, 18 April 2013) has been published as Treaty Series No.6 (2014) Cm 8790. The Agreement entered into force on 8 November 2013.

**Protocol amending the Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of India for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital Gains** (London, 30 October 2013) has been published as Treaty Series No.7 (2014) Cm 8793. The Protocol entered into force on 27 December 2013.

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of the Philippines concerning Air Services** (Manila, 11 December 2012) has been published as Treaty Series No.8 (2014) Cm 8795. The Agreement entered into force on 7 December 2013.

**Convention between the United Kingdom of Great Britain and Northern Ireland and the Republic of Panama for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital Gains** (London, 29 July 2013) has been published as Treaty Series No.9 (2014) Cm 8798. The Convention entered into force on 12 December 2013.

**Protocol Amending the Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands for the Avoidance of Double Taxation and the Prevention on Fiscal Evasion with Respect to Taxes on Income and on Capital Gains** (London, 12 June 2013) has been published as Treaty Series No.10 (2014) Cm 8799. The Protocol entered into force on 31 January 2014.

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**Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital Gains** (London, 14 March 2013) has been published as Treaty Series No.11 (2014) Cm 8801. The Convention entered into force on 17 December 2013.

**Agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands Relating to the Exploitation of the ORCA Field** (The Hague, 27 November 2013) has been published as Treaty Series No.12 (2014) Cm 8802. The Agreement entered into force on 27 November 2013.

**Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan on the Security of Information** (London, 4 July 2013) has been published as Treaty Series No.13 (2014) Cm 8803. The Agreement entered into force on 1 January 2014.

### MULTILATERAL TREATIES: UK ACTIONS

**Third Additional Protocol to the European Convention on Extradition** (CETS No.209) (Strasbourg, 10 November 2010)

and

**Fourth Additional Protocol to the European Convention on Extradition** (CETS No. 212) (Vienna, 20 September 2012)

#### **Action: signature**

The United Kingdom of Great Britain and Northern Ireland signed both the above Protocols on 6 January 2014.

Confirmation can be found on the depositary's website:

<https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2318872&SecMode=1&DocId=2032954&Usage=2>

**Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure** (opened for signature at Budapest, 28 April 1977 to 31 December 1977)

#### **Action: communication regarding changes in the address of the National Collection of Type Cultures**

On 22 November 2013, the Director General of the World Intellectual Property Organization (WIPO), as depositary, received a communication from the Government of the United Kingdom of Great Britain and Northern Ireland, dated 11 November 2013. The new address details are as follows:

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National Collection of Type Cultures (NCTC)  
Culture Collections  
Public Health England  
Porton Down  
Salisbury, Wiltshire SP4 0JG

Telephone: (44-1980) 61 25 12  
Facsimile: (44-1980) 61 13 15  
E-mail: [culturecollections@phe.gov.uk](mailto:culturecollections@phe.gov.uk)  
Internet: [www.phe-culturecollections.org.uk](http://www.phe-culturecollections.org.uk)

Confirmation can be found on the depositary's website:

[http://www.wipo.int/treaties/en/notifications/budapest/treaty\\_budapest\\_296.html](http://www.wipo.int/treaties/en/notifications/budapest/treaty_budapest_296.html)

**Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974** (London, 1 November 2002) [PAL PROT 2002]

**Action: ratification and reservation**

**Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974**  
(opened for signature at Athens, 13 December 1974 to 31 December 1975) [PAL 1974]

**Action: denunciation**

**Protocol to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974** (London, 19 November 1976) [PAL PROT 1976]

**Action: denunciation**

On 21 January 2014, the Secretary-General of the International Maritime Organization (IMO), as depositary, received an instrument from the United Kingdom of Great Britain and Northern Ireland stating that PAL PROT 2002 will enter into force for the UK on 23 April 2014 (in accordance with Article 20(2)) and the denunciations by the same of PAL 1974 and PAL PROT 1976 also taking effect on that date (in accordance with Article 17.5 of PAL PROT 2002).

The reservation to PAL PROT 2002 reads as follows:

**“Limitation of liability of carriers, etc.**

1. The Government of the United Kingdom reserves the right to and undertakes to limit liability under paragraph 1 or 2 of article 3 of the Convention, if any, in respect of death of or personal injury to a passenger caused by any of the risks referred to in paragraph 2.2 of the IMO Guidelines for Implementation of the Athens Convention to the lower of the following amounts:

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- 250,000 units of account in respect of each passenger on each distinct occasion,  
or
- 340 million units of account overall per ship on each distinct occasion.

2. Furthermore, the Government of the United Kingdom reserves the right to and undertakes to apply the IMO Guidelines for Implementation of the Athens Convention, paragraphs 2.1.1 and 2.2.2 *mutatis mutandis*, to such liabilities.

3. The liability of the performing carrier pursuant to article 4 of the Convention, the liability of the servants and agents of the carrier or the performing carrier pursuant to article 11 of the Convention and the limit of the aggregate of the amounts recoverable pursuant to article 12 of the Convention shall be limited in the same way.

4. The reservation and undertaking in paragraph 1 will apply regardless of the basis of liability under paragraph 1 or 2 of article 3 and notwithstanding anything to the contrary in article 4 or 7 of the Convention; but this reservation and undertaking do not affect the operation of articles 10 and 13.

### **Compulsory insurance and limitation of liability of insurers**

5. The Government of the United Kingdom reserves the right to and undertakes to limit the requirement under paragraph 1 of article 4bis to maintain insurance or other financial security for death or personal injury to a passenger caused by any of the risks referred to in paragraph 2.2 of the IMO Guidelines for Implementation of the Athens Convention to the lower of the following amounts:

- 250,000 units of account in respect of each passenger on each distinct occasion,  
or
- 340 million units of account overall per ship on each distinct occasion.

6. The Government of the United Kingdom reserves the right to and undertakes to limit the liability of the insurer or other person providing financial security under paragraph 10 of article 4bis, for death or personal injury to a passenger caused by any of the risks referred to in paragraph 2.2 of the IMO Guidelines for Implementation of the Athens Convention, to a maximum limit of the amount of insurance or other financial security which the carrier is required to maintain under paragraph 5 of this reservation.

7. The Government of the United Kingdom also reserves the right to and undertakes to apply the IMO Guidelines for Implementation of the Athens Convention including the application of the clauses referred to in paragraphs 2.1 and 2.2 in the Guidelines in all compulsory insurance under the Convention.

8. The Government of the United Kingdom reserves the right to and undertakes to exempt the provider of insurance or other financial security under paragraph 1 of article 4bis from any liability for which he has not undertaken to be liable.

### **Certification**

9. The Government of the United Kingdom reserves the right to and undertakes to issue insurance certificates under paragraph 2 of article 4bis of the Convention so as:

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- to reflect the limitations of liability and the requirements for insurance cover referred to in paragraphs 1.2, 1.6, 1.7 and 1.9; and

- to include such other limitations, requirements and exemptions as it finds that the insurance market conditions at the time of the issue of the certificate necessitate.

10. The Government of the United Kingdom reserves the right to and undertakes to accept insurance certificates issued by other States Parties issued pursuant to a similar reservation.

11. All such limitations, requirements and exemptions will be clearly reflected in the Certificate issued or certified under paragraph 2 of article 4bis of the Convention.

### **Relationship between this Reservation and the IMO Guidelines for Implementation of the Athens Convention**

12. The rights retained by this reservation will be exercised with due regard to the IMO Guidelines for Implementation of the Athens Convention, or to any amendments thereto, with an aim to ensure uniformity. If a proposal to amend the IMO Guidelines for Implementation of the Athens Convention, including the limits, has been approved by the Legal Committee of the International Maritime Organisation, those amendments will apply as from the time determined by the Committee. This is without prejudice to the rules of international law regarding the right of a state to withdraw or amend its reservation.”

Interested Governments are being notified by IMO circulars PAL.1/Circ.37, PAL.2/Circ.22 and PAL.4/Circ.13. See the IMO website:

<http://www.imo.org/About/Pages/DocumentsResources.aspx>

### **MULTILATERAL TREATIES PUBLISHED THIS MONTH**

**Vienna Agreement establishing the International Classification of the Figurative Elements of Marks** (Vienna, 12 June 1973) has been published as Treaty Series No.5 (2014) Cm 8789. The Agreement entered into force for the UK on 11 September 2013.

**Convention on International Interests in Mobile Equipment** (Cape Town, 16 November 2011) has been published as Miscellaneous Series No.1 (2014) Cm 8786. The Convention is not yet in force for the UK.

**Protocol to the Convention on International Interest in Mobile Equipment on Matters Specific to Aircraft Equipment** (Cape Town, 16 November 2011) has been published as Miscellaneous Series No.2 (2014) Cm 8787. The Protocol is not yet in force for the UK.

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**EU TREATIES PUBLISHED THIS MONTH**

Nil.

**NON TREATY COMMAND PAPERS PUBLISHED BY TREATY SECTION THIS MONTH**

**The Antarctic Treaty: Measures adopted at the Thirty-Fourth Consultative Meeting held at Buenos Aires, 20 June - 1 July 2011** has been published as Cm 8809.

**The Antarctic Treaty: Measures adopted at the Thirty-Fifth Consultative Meeting held at Hobart, 11 - 20 June 2012** has been published as Cm 8810.