

CANADA

TREATY SERIES, 1944

No. 18

AGREEMENT

BETWEEN

CANADA

AND

NEW ZEALAND

ON THE PRINCIPLES APPLYING TO THE
PROVISION BY CANADA OF CANADIAN
WAR SUPPLIES TO NEW ZEALAND UNDER
THE WAR APPROPRIATION (UNITED NATIONS
MUTUAL AID) ACTS OF CANADA, 1943 AND 1944

Signed at Ottawa, June 28, 1944

Effective June 28, 1944



OTTAWA

EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,
KING'S PRINTER AND CONTROLLER OF STATIONERY

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AGREEMENT BETWEEN THE GOVERNMENTS OF CANADA AND NEW ZEALAND ON THE PRINCIPLES APPLYING TO THE PROVISION BY CANADA OF CANADIAN WAR SUPPLIES TO NEW ZEALAND UNDER THE WAR APPROPRIATION (UNITED NATIONS MUTUAL AID) ACTS OF CANADA 1943 AND 1944

Signed at Ottawa, June 28, 1944

Whereas Canada and New Zealand are associated in the present war, and Whereas it is desirable that war supplies should be distributed among the United Nations in accordance with strategic needs of the war and in such manner as to contribute most effectively to the winning of the war and the establishment of peace, and

Whereas it is expedient that the conditions upon which such war supplies are made available by one United Nation to another should not be such as to burden post-war commerce, or lead to the imposition of trade restrictions or otherwise prejudice a just and enduring peace, and

Whereas the Governments of Canada and New Zealand are mutually desirous of concluding an agreement in regard to the conditions upon which Canadian war supplies will be made available to New Zealand,

The Undersigned, being duly authorized by their respective Governments for the purpose, have agreed as follows:—

ARTICLE I

The Government of Canada will make available under the War Appropriation (United Nations Mutual Aid) Acts of Canada, 1943 and 1944, to the Government of New Zealand such war supplies as the Government of Canada shall authorize from time to time to be provided.

ARTICLE II

The Government of New Zealand will continue to contribute to the defence of Canada and the strengthening thereof and will provide such articles, services, facilities or information as it may be in a position to supply and as may from time to time be determined by common agreement in the light of the development of the war.

ARTICLE III

The Government of New Zealand will, in support of any applications to the Government of Canada for the provision of war supplies under this agreement, furnish the Government of Canada with such relevant information as the Government of Canada may require for the purpose of deciding upon the applications and for executing the purposes of this agreement.

ARTICLE IV

The Government of New Zealand agrees to use any war supplies delivered to it under this agreement in the joint and effective prosecution of the war.

ARTICLE V

The Government of New Zealand will not without the consent of the Government of Canada sell to any other Government or to persons in other countries war supplies delivered to it under this agreement.

ARTICLE VI

The Government of Canada will not require the Government of New Zealand to re-deliver to the Government of Canada any war supplies delivered under this agreement except as specifically provided in Articles VII and VIII and subject to any special agreement which may be concluded in the circumstances contemplated in Article IX.

ARTICLE VII

Title to any cargo ships delivered under this agreement will remain with the Government of Canada and the ships shall be chartered to the Government of New Zealand on terms providing for their re-delivery.

ARTICLE VIII

Upon the cessation of hostilities in any major theatre of war, any war supplies which have been transferred to the Government of New Zealand under this agreement and are still in Canada or in ocean transit shall revert to Canadian ownership, except those supplies destined for a theatre of war in which hostilities have not ceased or supplies made available for relief purposes or such other supplies as the Government of Canada may specify.

ARTICLE IX

The Government of Canada reserves the right to request:

- (a) the delivery, after the cessation of hostilities in any theatre of war, for relief and rehabilitation purposes, to another United Nation or to an international organization, of automotive equipment supplied under this agreement;
- (b) the transfer to Canadian forces serving outside Canada after the cessation of hostilities of vehicles, aircraft, ordnance or military equipment supplied under this agreement to the Government of New Zealand if such war supplies are required for the use of such Canadian forces and are not required by the Government of New Zealand for military operations; and
- (c) the return to Canada after the war, if required in Canada for Canadian purposes, of aircraft and automotive equipment supplied under this agreement which may still be serviceable, due regard being had to the degree of wastage likely to have been suffered by these articles, provided that when the identity of such Canadian equipment has been lost as a result of pooling arrangements or for other reasons, the Government of New Zealand may substitute equipment of a similar type.

The Government of New Zealand agrees to use its best endeavours to meet any such requests on such reasonable terms and conditions as shall be settled in consultation with the Government of Canada.

ARTICLE X

The Governments of Canada and New Zealand re-affirm their desire to promote mutually advantageous economic relations between their countries and throughout the world. They declare that their guiding purposes include the adoption of measures designed to promote employment, the production and consumption of goods, and the expansion of commerce through appropriate international agreements on commercial policy, with the object of contributing to the attainment of all the economic objectives set forth in the Declaration of August 14, 1941, known as the Atlantic Charter.



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ARTICLE XI

This agreement will take effect as from this day's date. It shall apply to war supplies furnished to the Government of New Zealand by the Government of Canada under the authority of the War Appropriation (United Nations Mutual Aid) Acts of Canada, 1943 and 1944, or substituted Act, including supplies furnished under the said Acts before the conclusion of this agreement. It shall continue in force until a date to be agreed upon by the two Governments.

Dated at Ottawa, this twenty-eighth day of June nineteen hundred and forty-four.

Signed for and on behalf of the Government of Canada:

W. L. MACKENZIE KING,
C. D. HOWE.

Signed for and on behalf of the Government of New Zealand:

W. NASH,
R. M. FIRTH.

SUR LES PRINCIPES APPLICABLES À LA PRESTATION PAR LE CANADA DE FOURNITURES DE GUERRE CANADIENNES À LA NOUVELLE-ZÉLANDE EN VERTU DES LOIS DU CANADA DE 1943 ET 1944 SUR LES CRÉDITS DE GUERRE (AIDE MUTUELLE DES NATIONS UNIES)

Signé à Ottawa, le 28 juin 1944

En vigueur le 28 juin 1944



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ARTICLE XI

This agreement will take effect as from the date hereinafter specified. It shall apply to the territories mentioned in Article I of the present agreement. It shall continue in force until a date to be agreed upon by the two Governments.

Done at Ottawa, this twenty-eighth day of June nineteen hundred and forty-three.

Signed for and on behalf of the Government of Canada:

W. L. MACKENZIE KING
C. D. HOWE

Signed for and on behalf of the Government of New Zealand:

W. YASHI
R. M. FIRTH

ARTICLE IX

The Government of Canada reserves the right to request:

- (a) the delivery, after the cessation of hostilities in any theatre of operations, for relief and rehabilitation purposes, to another United Nation or international organization of automotive equipment, spare parts, and accessories;
- (b) the transfer to Canadian forces serving outside Canada, during the cessation of hostilities of vehicles, aircraft, ordnance or military equipment supplied under this agreement to the Government of New Zealand, if such war supplies are required for the use of such Canadian forces and are not required by the Government of New Zealand for its own operations;
- (c) the return to Canada after the war, if required in Canada for essential purposes, of aircraft and automotive equipment and spare parts, and accessories which may still be in use, but which may have been damaged or destroyed, and when the identity of such Canadian equipment has been established as a result of proper arrangements or by other means, the Government of New Zealand may substitute equipment of a similar type.

The Government of New Zealand agrees to use its best endeavours to supply the Government of Canada with such quantities of such equipment and accessories as may be required.

ARTICLE X

The Government of Canada and New Zealand reaffirm their desire to develop and strengthen economic relations between the two countries. They believe that their joint participation in the economic and financial cooperation of the world, through the medium of the International Monetary Fund, will be of great benefit to the world economy and to the economic objectives set forth in the Declaration of the Atlantic Charter.