

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2010 Nr. 214

A. TITEL

*Notawisseling houdende een verdrag tussen het Koninkrijk der
Nederlanden en de Haagse Conferentie voor Internationaal
Privaatrecht inzake de registratie van stagiairs;
's-Gravenhage, 18 mei 2010*

B. TEKST

Nr. I

MINISTERIE VAN BUITENLANDSE ZAKEN

The Hague, 4 May 2010

Treaties Division

DJZ/VE-312/10

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Hague Conference on Private International Law (hereinafter referred to as "HCCH"), and, with reference to the Exchange of Letters of 1 December 1959, 16/17 December 1992 and 28 February/5 March 2002 between the Government of the Kingdom of the Netherlands and HCCH, as well as the consultations between the Ministry and HCCH, has the honour to propose the following regarding the registration of interns who have been accepted by HCCH into its internship programme in the Netherlands:

1. For the purpose of this Agreement, the following definition of an intern shall apply: A graduate or postgraduate student, who has been accepted by HCCH into the internship programme of HCCH and who, on that basis, performs certain tasks for HCCH without receiving emolu-

ments from HCCH by reason of his work with HCCH. An intern shall in no case fall under the definition of a staff member of HCCH.

2. Within eight (8) days after first arrival of an intern in the Netherlands, HCCH shall request the Ministry of Foreign Affairs to register the intern in accordance with paragraph 3.

3. The Ministry of Foreign Affairs shall register an intern for the purpose of his internship with HCCH for a maximum period of six months, provided that HCCH supplies the Ministry of Foreign Affairs with a declaration signed by the intern, accompanied by adequate proof, to the effect that:

a) the intern entered the Netherlands in accordance with the applicable immigration procedures;

b) the intern has sufficient financial means for living expenses and for repatriation, as well as sufficient medical insurance (including coverage of costs of hospitalization for at least the duration of the internship plus one month) and third party liability insurance, and will not be a charge on the public purse of the Netherlands;

c) the intern will not work in the Netherlands during his or her internship otherwise than as an intern at HCCH;

d) the intern will not bring any family members to reside with him or her in the Netherlands other than in accordance with the applicable immigration procedures;

e) the intern will leave the Netherlands within 14 days after the end of the internship unless he or she is otherwise entitled to stay in the Netherlands in accordance with the applicable immigration legislation.

4. Upon registration of the intern in accordance with paragraph 3, the Ministry of Foreign Affairs shall issue an identity card bearing the code ZF to the intern.

5. HCCH shall not incur liability for damage resulting from non-fulfilment, by interns registered in accordance with paragraph 3, of the conditions of the declaration referred to in that paragraph.

6. Interns shall not enjoy any privileges or immunities.

7. In exceptional circumstances, the maximum period of six months mentioned in paragraph 3 may be extended once by a maximum period of six months.

8. HCCH shall notify the Ministry of Foreign Affairs of the final departure of the intern from the Netherlands within eight (8) days after such departure, and shall at the same time return the intern's identity card.

If this proposal is acceptable to HCCH, the Ministry suggests that this Note and the HCCH's affirmative reply to it shall together constitute an Agreement between the Kingdom of the Netherlands and HCCH. The Agreement shall be applied provisionally as from the date of such reply

and shall enter into force on the day on which both Parties have notified each other in writing that the legal requirements for entry into force have been complied with.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to renew to HCCH the assurances of its highest consideration.

*Hague Conference on Private International Law
The Hague*

Nr. II

HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW

NOTE VERBALE IN REPLY

The Hague, 18 May 2010

The Hague Conference on Private International Law presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to acknowledge receipt of the Ministry's Note DJZ/VE-312/10 of 4 May 2010, which reads as follows:

(Zoals in Nr. I)

The Hague Conference on Private International Law has the honour to inform the Ministry of Foreign Affairs that the proposal is acceptable to the Hague Conference on Private International Law. The Hague Conference on Private International Law accordingly agrees that the Ministry's Note and this reply shall constitute an Agreement between the Hague Conference on Private International Law and the Kingdom of the Netherlands. This Agreement shall be applied provisionally as from the date of this reply and shall enter into force on the day on which both Parties have notified each other in writing that the legal requirements for entry into force have been complied with.

The Hague Conference on Private International Law avails itself of

this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

*Ministry of Foreign Affairs of the Kingdom of the Netherlands
The Hague*

D. PARLEMENT

Het in de nota's vervatte verdrag behoeft ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan het verdrag kan worden gebonden.

F. VOORLOPIGE TOEPASSING

Het in de nota's vervatte verdrag wordt ingevolge het gestelde in de één na laatste alinea van de nota's Nr. I en Nr. II vanaf 18 mei 2010 voorlopig toegepast door het Koninkrijk der Nederlanden.

Wat het Koninkrijk der Nederlanden betreft, geldt de voorlopige toepassing alleen voor Nederland.

G. INWERKINGTREDING

De bepalingen van het in de nota's vervatte verdrag zullen ingevolge het gestelde in de één na laatste alinea van de nota's Nr. I en Nr. II in werking treden op de dag dat beide partijen elkaar er schriftelijk van in kennis hebben gesteld dat aan de wettelijke vereisten voor inwerkingtreding is voldaan.

J. VERWIJZINGEN

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|---------------------|---|
| Titel | : Statuut van de Haagse Conferentie voor Internationaal Privaatrecht, zoals herzien in 2005; 's-Gravenhage, 31 oktober 1951 |
| Tekst | : <i>Trb.</i> 2005, 239 (Frans en Engels, herzien)
<i>Trb.</i> 2007, 201 (vertaling, herzien) |
| Titel | : Briefwisseling tussen de Nederlandse Minister van Buitenlandse Zaken en de Secretaris-Generaal van de Haagse Conferentie voor International Privaatrecht inzake het verlenen van voorrechten en immuniteiten aan de organen der Conferentie; 's-Gravenhage, 1 december 1959 |
| Tekst | : <i>Trb.</i> 1959, 181 (Frans) |
| Laatste <i>Trb.</i> | : <i>Trb.</i> 1960, 31 |

- Titel : Briefwisseling tussen de Regering van het Koninkrijk der Nederlanden en de Haagse Conferentie voor Internationaal Privaatrecht inzake het verlenen van nadere voorrechten en immuniteiten;
's-Gravenhage, 17 december 1992
- Tekst : *Trb.* 1993, 13 (Engels)
- Titel : Briefwisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en de Haagse Conferentie voor Internationaal Privaatrecht inzake het verlenen van nadere voorrechten en immuniteiten;
's-Gravenhage, 5 maart 2002
- Tekst : *Trb.* 2002, 56 (Engels)
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In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat het in de nota's vervatte verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *eenentwintigste* juli 2010.

De Minister van Buitenlandse Zaken,

M. J. M VERHAGEN