

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2002 Nr. 140

A. TITEL

*Verdrag tussen het Koninkrijk der Nederlanden en de Verenigde Staten van Amerika inzake wederzijdse administratieve bijstand ten behoeve van de juiste toepassing van de douanewetgeving en de voorkoming, opsporing en bestrijding van inbreuken op de douanewetgeving, met Bijlage;
Washington, 28 oktober 1996*

B. TEKST

De tekst van Verdrag en Bijlage is geplaatst in *Trb.* 1996, 331. Zie ook *Trb.* 1997, 109.

C. VERTALING

Zie *Trb.* 1997, 109.

D. PARLEMENT

Zie *Trb.* 1998, 83.

G. INWERKINGTREDING

Zie *Trb.* 1998, 83.

H. TOEPASSELIJKVERKLARING

Bij notawisseling als bedoeld in artikel 20, tweede lid, van het Verdrag, is tussen de Regering van het Koninkrijk der Nederlanden en de Regering van de Verenigde Staten van Amerika een verdrag tot stand gekomen dat de uitbreiding van het onderhavige Verdrag tot de Nederlandse Antillen en Aruba regelt. De tekst van de nota's luidt als volgt:

Nr. I

Royal Netherlands Embassy

Washington, April 27, 2001

No. PCdP-2604/01

The Royal Netherlands Embassy presents its compliments to the Department of State and has the honor to refer to the Agreement on Mutual Administrative Assistance for the Proper Application of Customs Law and for the Prevention, Investigation and Combating of Customs Offenses between the Kingdom of the Netherlands and the United States of America signed at Washington on 28 October 1996 (hereinafter referred to as "the Agreement").

The Government of the Kingdom of the Netherlands proposes that, in accordance with Article 20, paragraph 2 of the Agreement, the application of the Agreement shall be extended to the Netherlands Antilles and Aruba, subject to the following.

1. For the Kingdom of the Netherlands, as regards the Netherlands Antilles and as regards Aruba, the term "Customs Administration" shall mean the central administration responsible for the implementation of customs laws, including the assessment of customs duties, charges and other taxes.

2. The application of Article 5 and Article 15, paragraph 6, of the Agreement shall not be extended to the Netherlands Antilles and Aruba.

3. The second sentence of Article 2, paragraph 4, of the Agreement shall apply only to the Netherlands Antilles and Aruba, as the case may be, insofar as the bilateral and multilateral treaties referred to therein apply to those parts of the Kingdom of the Netherlands, respectively.

4. National legal and administrative provisions in the sense of Article 16, paragraph 1, shall, as regards the Netherlands Antilles and as regards Aruba, include Chapter 3 of the Kingdom Act on mutual administrative assistance in customs matters, until such time as legal and administrative provisions adopted by the Netherlands Antilles or Aruba, respectively, come into force.

If the foregoing is acceptable to the Government of the United States of America, the Embassy has the further honor to propose that this Note and the Department's reply to that effect shall constitute an Agreement between the Kingdom of the Netherlands and the United States of America which shall be provisionally applied as from the date of the Department's reply and enter into force after the Kingdom of the Netherlands has notified the United States of America in writing through diplomatic channels that its constitutional requirements for the entry into force have been complied with.

The Royal Netherlands Embassy avails itself of this opportunity to reiterate to the Department of State the assurances of its highest consideration.

*Department of State
Washington*

Nr. II

Department of State

Washington, November 28, 2001

The Department of State acknowledges receipt of note No. PCdP-2604/01 dated April 27, 2001 from the Royal Netherlands Embassy concerning the Agreement on Mutual Administrative Assistance for the Proper Application of Customs Law and for the Prevention, Investigation and Combating of Customs Offenses between the United States of America and the Kingdom of the Netherlands signed at Washington October 28, 1996. The text of aforesaid note reads as follows:

(Zoals in Nr. I)

The Department confirms that the above proposal is acceptable to the Government of the United States of America and that the Embassy's note and this note in reply shall constitute an Agreement between the two Governments, which shall be provisionally applied as from the date of this note and enter into force after the Kingdom of the Netherlands has notified the United States of America in writing through diplomatic channels that its constitutional requirements for the entry into force have been complied with.

*The Royal Netherlands Embassy
Washington*

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

De bepalingen van het in de nota's vervatte verdrag zullen ingevolge het in de laatste alinea van nota Nr. II gestelde in werking treden nadat het Koninkrijk der Nederlanden de Verenigde Staten van Amerika langs diplomatieke weg schriftelijk ervan in kennis heeft gesteld dat aan de constitutionele vereisten voor inwerkingtreding is voldaan.

Het in de nota's vervatte verdrag wordt ingevolge het in de laatste alinea van nota Nr. II gestelde voorlopig toegepast vanaf 28 november 2001.

J. GEGEVENS

Zie *Trb.* 1996, 331.

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 het gehele Koninkrijk op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *tweede* augustus 2002.

De Minister van Buitenlandse Zaken,

J. G. DE HOOP SCHEFFER