

3 (2002) Nr. 1

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2002 Nr. 35

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A. TITEL

*Notawisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en het Gemeenschappelijk Fonds voor Grondstoffen inzake de invoeging van artikel 19 A in de Zetelovereenkomst tussen het Koninkrijk der Nederlanden en het Gemeenschappelijk Fonds voor Grondstoffen, met betrekking tot de mogelijkheid voor gezinsleden van functionarissen van het Fonds om in Nederland betaald werk te verrichten;  
's-Gravenhage, 24 en 25 januari 2002*

B. TEKST

Nr. I

MINISTERIE VAN BUITENLANDSE ZAKEN  
TREATIES DIVISION  
DJZ/VE-62/02

The Hague, 24 January 2002

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Common Fund for Commodities (CFC) and, with reference to the discussions between the Ministry and the CFC regarding employment opportunities of members of the families forming part of the household of the officials of the CFC, has the honour to propose that a new Article 19A be inserted after Article 19 of the Agreement between the Kingdom of the Netherlands and the Common Fund for Commodities concerning the Headquarters of the Fund, concluded at The Hague on 19 December 1991, reading as follows:

## “Article 19A

*Employment of Family Members of Officials*

1. Members of the family forming part of the household of the officials of the Fund shall be authorised to engage in gainful employment in the Netherlands for the duration of the term of office of the officials concerned.

2. The following persons are members of the family forming part of the household in the sense of paragraph 1:

- a. the spouses or registered partners of the officials of the Fund;
- b. children of the officials of the Fund who are under the age of 18;
- c. children of the officials of the Fund aged 18 or over, but not older than 27, provided that they formed part of the official’s household prior to their first entry into the Netherlands and still form part of this household, and that they are unmarried, financially dependent on the Fund official concerned and are attending education in the Netherlands.

3. Persons mentioned in paragraph 2 of this Article who obtain gainful employment shall have no immunity from criminal, civil or administrative jurisdiction with respect to matters arising in the course of or in connection with such employment, provided that measures of execution are taken without infringing the inviolability of their person or of their residence, if they are entitled to such inviolability.

4. In case of the insolvency of a person aged under 18 with respect to a claim arising out of gainful employment of that person under this Article, the immunity of the official of whose family the person concerned is a member shall be waived by the Fund for the purpose of settlement of the claim, in accordance with the provisions of the applicable international legal instrument regarding waiver.

5. The employment referred to in paragraph 1 of this Article shall be in accordance with Netherlands legislation, including fiscal and social security legislation, unless any other applicable international legal instrument provides otherwise.”

If this proposal is acceptable to the CFC, the Ministry proposes that this Note and the CFC’s affirmative reply to it shall together constitute an Agreement between the Kingdom of the Netherlands and the Common Fund for Commodities, which shall enter into force on the date of the Common Fund’s reply.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to renew to the Common Fund for Commodities the assurances of its highest consideration.

*The Common Fund for Commodities  
at  
Amsterdam*

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Nr. II

COMMON FUND FOR COMMODITIES

Amsterdam, 25 January 2002

The Common Fund for Commodities 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-62/02 of 24 January 2002, which reads as follows:

“The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the Common Fund for Commodities (CFC) and, with reference to the discussions between the Ministry and the CFC regarding employment opportunities of members of the families forming part of the household of the officials of the CFC, has the honour to propose that a new Article 19A be inserted after Article 19 of the Agreement between the Kingdom of the Netherlands and the Common Fund for Commodities concerning the Headquarters of the Fund, concluded at The Hague on 19 December 1991, reading as follows:

(Zoals in Nr. I)

In reply, the Common Fund for Commodities has the honour to inform the Ministry that the proposal is acceptable to the CFC which therefore agrees that the Ministry's Note and this reply shall constitute an Agreement between the Common Fund for Commodities and the Kingdom of the Netherlands, which shall enter into force on the date of this reply.

The Common Fund for Commodities 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.

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

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D. PARLEMENT

Het in de nota's vervatte verdrag heeft ingevolge artikel 7, onderdeel a, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal, alvorens in werking te kunnen treden.

G. INWERKINGTREDING

De bepalingen van het in de nota's vervatte verdrag zijn ingevolge het gestelde in de voorlaatste alinea van de tweede nota op 25 januari 2002 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt het verdrag alleen voor Nederland.

J. GEGEVENS**Verwijzingen**

Het in de onderhavige nota's vervatte verdrag strekt tot wijziging van

Titel:	Zetelovereenkomst tussen het Koninkrijk der Nederlanden en het Gemeenschappelijk Fonds voor Grondstoffen; 's-Gravenhage, 19 december 1991
Tekst:	<i>Trb.</i> 1992, 8 (Engels)
Laatste <i>Trb.</i> :	<i>Trb.</i> 1993, 169

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 notawisseling vervatte verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *twintigste* februari 2002.

*De Minister van Buitenlandse Zaken,*

J. J. VAN AARTSEN