

24 (2007) Nr. 1

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2007 Nr. 214

A. TITEL

*Notawisseling houdende een verdrag tussen het Koninkrijk der
Nederlanden en de African Management Services Company inzake de
tewerkstelling van gezinsleden die deel uitmaken van het huishouden
van de functionarissen van de African Management Services
Company;
Amsterdam, 19 september 2007*

B. TEKST

Nr. I

The Hague, 13 June 2007

Treaties Division

DJZ/VE-502/07

Agreement between the Kingdom of the Netherlands and the African Management Services Company regarding employment opportunities of members of the families forming part of the household of the officials of the African Management Services Company

The Ministry of Foreign Affairs of the Kingdom of the Netherlands presents its compliments to the African Management Services Company and, with reference to the Treaty between the Kingdom of the Netherlands and the International Finance Corporation (IFC) concerning the African Training and Management Services (ATMS) Project of the United Nations Development Programme of 13 April 1989, the Exchange of Notes of 22 November/7 December 2005 between the Government of the Kingdom of the Netherlands and the African Manage-

ment Services Company and to discussions between the Ministry and the African Management Services Company regarding employment opportunities of members of the families forming part of the household of the officials of the African Management Services Company, has the honour to propose the following in respect of the privileges and immunities of the staff of the African Management Services Company:

1. Members of the family forming part of the household of all categories of officials in the service of the African Management Services Company 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 officials in the service of the African Management Services Company;

b) children of officials in the service of the African Management Services Company who are under the age of 18;

c) children of officials in the service of the African Management Services Company who are 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 official concerned and are attending fulltime education in the Netherlands;

d) children of officials in the service of the African Management Services Company who are aged 18 or over, but not older than 23; they shall also be recognized as members of the family forming part of the household if they are not studying as long as they are unmarried and financially dependent on the official concerned.

3. Persons mentioned in paragraph 2 who obtain gainful employment shall enjoy no immunity from criminal, civil or administrative jurisdiction with respect to matters arising in the course of or in connection with such employment. However, any measures of execution shall be 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 a gainful employment of that person, the immunity of the official in the service of the African Management Services Company of whose family the person concerned is a member shall be waived for the purpose of settlement of the claim, in accordance with the provisions of the applicable African Management Services Company agreements.

5. The employment referred to in paragraph 1 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 African Management Services Company, the Ministry proposes that this Note and the African Management Services Company's affirmative reply to it shall together constitute an Agreement between the Kingdom of the Netherlands and the African Management Services Company. This Agreement shall enter into force on the date of receipt of the African Management Services Company's reply by the Ministry.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to renew to the African Management Services Company the assurances of its highest consideration.

*The African Management Services Company
Amsterdam*

Nr. II

Amsterdam, 19 September 2007

The African Management Services Company 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-502/07 of 13 June 2007, which reads as follows:

(Zoals in nota I)

The African Management Services Company has the honour to inform the Ministry of Foreign Affairs that the proposal is acceptable to the African Management Services Company. The African Management Services Company accordingly agrees that the Ministry's Note and this reply shall constitute an Agreement between the African Management Services Company and the Kingdom of the Netherlands, which shall enter into force on the date of receipt of this reply.

The African Management Services Company 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.

AYISI B. MAKATIANI
 Managing Director & CEO
 African Management Services
 Company

*Ministry of Foreign Affairs
 The Hague*

D. PARLEMENT

Het in de nota's vervatte verdrag behoeft ingevolge artikel 7, onderdeel a, van de Rijkswet goedkeuring en bekendmaking verdragen juncto artikel 3 van de Wet van 24 december 1947 (*Stb.* H 452) niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

De bepalingen van het in de nota's vervatte verdrag zijn ingevolge het gestelde in de één na laatste alinea van beide nota's in werking getreden op 19 september 2007.

Wat betreft het Koninkrijk der Nederlanden, geldt het in de nota's vervatte verdrag alleen voor Nederland.

J. VERWIJZINGEN

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|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Titel | : Verdrag tussen het Koninkrijk der Nederlanden en de Internationale Financieringsmaatschappij (IFC) inzake het African Training and Management Services (ATMS) Project van het Ontwikkelingsprogramma van de Verenigde Naties;
Amsterdam, 13 april 1989 |
| Tekst | : <i>Trb.</i> 1989, 61 (Engels) |
| Titel | : Notawisseling houdende een verdrag tussen het Koninkrijk der Nederlanden en de African Management Services Company betreffende privileges en immuniteiten van het personeel van de African Management Services Company en hun gezinsleden;
Amsterdam, 7 december 2005 |
| Tekst | : <i>Trb.</i> 2005, 306 (Engels) |

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 zesde december 2007.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN