

72. 241



Treaty Series No. 27 (1927)

Notes exchanged between
His Majesty's Government in
Great Britain
and the Spanish Government

RESPECTING THE RECIPROCAL
RECOGNITION OF PROOF MARKS.
ON FIRE-ARMS

Madrid, September 8, 1927

Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty

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**Notes exchanged between His Majesty's Government
in Great Britain and the Spanish Government
respecting the Reciprocal Recognition of Proof
Marks on Fire-arms.**

(1.)

Sir H. Rumbold to Marqués de Estella.

Your Excellency, *San Sebastian, September 8, 1927.*

I HAVE the honour to state, on behalf of His Britannic Majesty's Government in Great Britain, that they agree to the following provisions, as constituting an Agreement on a reciprocal basis between them and the Spanish Government:—

1. His Britannic Majesty's Government in Great Britain will not require fire-arms which have been officially tested in and which bear the proof marks of the Spanish official proof house at Eibar to undergo on admission into or sale in Great Britain and Northern Ireland any further tests whatever for the purpose of proving them. The Spanish Government will not require fire-arms bearing the proof marks of any of the following proof houses, controlled or owned by His Britannic Majesty's Government in Great Britain, namely, London, Birmingham and Enfield Lock (hereinafter referred to as the British proof houses), to undergo on admission into or sale in Spain any further tests whatever for the purpose of proving them.

2.—(a.) The Spanish official proof house at Eibar on the one hand, and the British proof houses on the other, shall transmit to each other two copies of their respective regulations together with the tests to which they subject fire-arms, and facsimiles of their proof marks.

(b.) His Britannic Majesty's Government in Great Britain and the Spanish Government agree that if it is desired to make any modifications in the tests or regulations, or any alteration of the facsimiles of the proof marks of any of the proof houses above mentioned, the Government in whose territory such proof house is situated shall inform the other Government and invite it to concur in such modification or alteration. If the other Government does not concur therein and such alteration or modification is adopted, the latter Government shall have the right to terminate this Agreement immediately.

3. In the case of shot guns, the provisions of the preceding paragraphs will only apply to guns bearing proof marks signifying that such guns have undergone the definitive tests in regard to black powder and smokeless powder, which are undergone by fire-arms in a state ready for delivery, both Governments undertaking to accept

the proof marks of the definitive test in accordance with the precepts of the regulations in force in Great Britain and Northern Ireland, and Spain, respectively.

4. Subject to the right of termination above mentioned, this Agreement shall remain in force for a period of three years. If neither of the Governments shall have notified the other not less than six months before the expiration of the said period of three years of its intention to terminate the Agreement, this Agreement shall continue in force for a further period of three years, and so forth for further periods of three years in the same manner.

5. His Britannic Majesty's Government in Great Britain and the Spanish Government reserve the right to add, by mutual consent, such modifications to this Agreement as experience may show to be useful.

The present note and your Excellency's reply of the same date in a similar sense shall be regarded as placing on record the understanding arrived at between the two Governments.

I avail, &c.

HORACE RUMBOLD.

(2.)

Ministerio de Estado,

Excmo. Señor,

Madrid, 8 de septiembre de 1927.

Muy Señor mío: Tengo la honra de manifestar a vuestra Excelencia que, como resultado de las comunicaciones cambiadas entre vuestra Excelencia y este Ministerio de Estado y en último término su nota de esta fecha, el Gobierno de Su Majestad Católica conviene en las siguientes cláusulas para concluir un Acuerdo con el Gobierno de Su Majestad Británica sobre el reconocimiento recíproco de punzones de armas de fuego:

1^a El Gobierno español no exigirá que las armas de fuego que lleven las marcas de prueba de los bancos de prueba de London, Birmingham y Enfield Lock, bajo el control o propiedad del Gobierno británico, se sometan para su admisión o venta en España a ninguna otra cualquier prueba, con objeto de probarlas. El Gobierno británico no exigirá a las armas de fuego que hayan sido probadas oficialmente y que lleven las marcas de prueba del banco de pruebas oficial de Eibar, que se sometan para su admisión o venta en la Gran Bretaña y Norte de Irlanda, a ninguna otra cualquier prueba con objeto de probarlas.

2^a—(a.) El banco de prueba oficial español de Eibar por una parte, y los bancos de prueba británicos mencionados por otra, se cambiarán mutuamente dos copias de sus respectivos reglamentos con las pruebas a que se sometan en ellos a las armas, y los facsimiles de sus punzones de prueba.

(b.) Los Gobiernos español y británico acuerdan que si se desean hacer modificaciones en las pruebas o reglamentos, o cualquier alteración en los facsimiles de los punzones de prueba de

cualquiera de los bancos de prueba antes mencionados, el Gobierno en cuyo territorio se halle establecido aquel banco de prueba deberá informar al otro Gobierno e invitarle a la aceptación de tal modificación o alteración. Si el otro Gobierno no la aceptase y tal alteración o modificación se adopte, este último Gobierno tendrá derecho a dar por caducado inmediatamente este Acuerdo.

3^a En el caso de que se trate de escopetas, lo dispuesto en los párrafos precedentes sólo se aplicará a las escopetas que tengan los punzones de prueba de haber sido sometidas a la prueba definitiva para la pólvora negra y para la pólvora sin humo, sufridas por las armas de fuego en estado de ser entregadas, comprometiéndose ambos Gobiernos en aceptar los punzones de la prueba definitiva con arreglo a los preceptos de los respectivos reglamentos vigentes en España y en la Gran Bretaña y Norte de Irlanda.

4^a Sin perjuicio de la caducidad del Acuerdo a que antes se hace referencia, el mismo estará en vigor por un periodo de tres años. Si ninguno de los Gobiernos notificase al otro, seis meses antes de la expiración del plazo de tres años, su intención de dar por terminado este Acuerdo, el mismo continuará en vigor durante un nuevo periodo de tres años y así sucesivamente por periodos de tres años, y en igual forma.

5^a Los Gobiernos español y británico se reservan la facultad de llevar, de común acuerdo, a este Arreglo, todas las modificaciones cuya utilidad hubiera demostrado la experiencia.

Con la presente nota en canje con la de vuestra Excelencia de igual fecha y de igual sentido se considera como concluido el presente Acuerdo entre ambos Gobiernos.

Aprovecho, &c.

EL M. DE ESTELLA.

(Translation.)

Ministry of State,

Your Excellency,

Madrid, September 8, 1927.

I HAVE the honour to inform your Excellency that, as a result of the communications exchanged between your Excellency and this Ministry of State and in the last instance your note of this date, His Catholic Majesty's Government agree to the following provisions, as constituting an Agreement with His Britannic Majesty's Government for the reciprocal recognition of proof marks on fire-arms:—

1. The Spanish Government will not require fire-arms which bear the proof marks of the proof houses of London, Birmingham and Enfield Lock controlled or owned by the British Government, to undergo, on admission into or sale in Spain, any further test whatever for the purpose of proving them. The British Government will not require fire-arms, which have been officially tested in, and which bear the proof marks of, the official proof house at Eibar, to undergo on admission into or sale in Great Britain and Northern Ireland any further test whatever for the purpose of proving them.

2.—(a.) The Spanish official proof house at Eibar on the one hand, and the above-mentioned British proof houses on the other, shall transmit to each other two copies of their respective regulations together with the tests to which they subject fire-arms, and facsimiles of their proof marks.

(b.) The Spanish and British Governments agree that if it is desired to make any modifications in the tests or regulations, or any alteration of the facsimiles of the proof marks of any of the proof houses above mentioned, the Government in whose territory such proof house is situated shall inform the other Government and invite it to concur in such modification or alteration. If the other Government does not concur therein and such alteration or modification is adopted, the latter Government shall have the right to terminate this Agreement immediately.

3. In the case of shot guns, the provisions of the preceding paragraphs will only apply to guns bearing proof marks signifying that such guns have undergone the definitive tests in regard to black powder and smokeless powder, which are undergone by fire-arms in a state ready for delivery, both Governments undertaking to accept the proof marks of the definitive test in accordance with the precepts of the respective regulations in force in Spain and Great Britain and Northern Ireland.

4. Subject to the right of termination above mentioned, this Agreement shall remain in force for a period of three years. If neither of the Governments shall have notified the other not less than six months before the expiration of the said period of three years of its intention to terminate the Agreement, this Agreement shall continue in force for a further period of three years, and so forth for further periods of three years in the same manner.

5. The Spanish and British Governments reserve the right to add, by mutual consent, such modifications to this Agreement as experience may show to be useful.

The present note and your Excellency's note of the same date in a similar sense shall be regarded as concluding the present Agreement between the two Governments.

I avail, &c.

MARQUÈS DE ESTELLA.
