

270° distant 1.0 miles from Albion Point, thence 126° to a point 063° 0.8 miles from the easternmost point of Ping Chau Island, thence 180° to a point 270° distant 2.7 miles from Mirs Point, thence 135° to a point where this line meets the eastern limits of Hong Kong waters as the same is delineated on the plan annexed hereto.



EXCHANGE OF NOTES BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF CHINA
AND THE GOVERNMENT OF THE UNITED
KINGDOM FOR THE TRANSFER OF
CERTAIN BRITISH NAVAL VESSELS

Signed and exchanged on May 18, 1948;
Entered into force at same date.

(I) Note from Mr. Ernest Bevin, British Foreign Secretary, to Dr. Cheng Tien-hsi, Chinese Ambassador to United Kingdom

May 18, 1948

Your Excellency,

In order to assist in the post-war reconstruction of the Chinese Navy and to consolidate the association between the Royal Navy and the Chinese Navy, which has continued for seventy years, and in order to show their goodwill towards the Government of the Republic of China, His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are willing to make an agreement with the Government of the Republic of China on the following terms:

(1) His Majesty's Government shall transfer to the Government of the Republic of China the ownership of the cruiser H.M.S. Aurora and H.M. Harbour Defence Motor Launches 1033, 1047, 1058, 1059, 1068, 1390, 1405 and 1406 (all of which Launches are at present on loan to the Government of the Republic of China). The transfer shall be made on 19th May, 1948.

(2) His Majesty's Government shall also lend to the Government of the Republic of China the

八十六度伸長至距南澳嘴一哩，其方位為正極北二百七十度處，轉向正極北一百二十六度，至距平洲極東十分之八哩，其方位為正極北六十三度處，再由此據點伸向正極北一百八十度，至距大鵬角二·七哩，其方位為正極北二百七十度處，然後伸向正極北一百三十五度直至香港領水東面邊界線相交為止。上述界線一如附圖所示。

中英移交艦艇換文
(譯文)

三十七年五月十八日簽換
同日生效

(一) 英國外交部長貝文
致中國駐英大使鄭
天錫照會

逕啓者：英王陛下大不列顛及北愛爾蘭聯合王國政府為協助戰後之中國海軍建設及鞏固七十年來皇家海軍與中國海軍間之不斷聯繫，並為表示其對中華民國政府之友好起見，茲願依照下開辦法，與中華民國政府成立協定：

(一) 英王陛下政府將英國巡洋艦 AURORA 及英國海防汽艇第一〇三三，一〇四七、一〇五八，一〇五九，一〇六八，一三九〇，一四〇五，及一四〇六各號（上開汽艇現均已借與中華民國政府）之所有權移轉與中華民國政府。此項移轉於一九四八年五月十九日舉行。

(二) 英王陛下政府依照本照會附件內所列條件，將英國驅逐艦

destroyer H.M.S. Mendip for a period of five years on the terms set forth in the annex to the present note. Possession of H.M.S. Mendip shall be formally transferred by His Majesty's Government to the Government of the Republic of China on the 19th May, 1948.

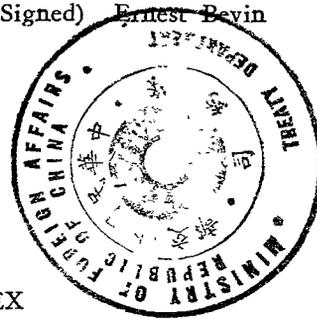
(3) With effect from the date of completion of the transfers mentioned in paragraphs (1) and (2) above, His Majesty's Government waive all claims which they have or may have against the Government of the Republic of China arising out of the loss of H.M.S. Petunia, which was lent to the Government of the Republic of China on the 12th January, 1946, and was sunk in collision off Formosa on the 20th March, 1947.

(4) In consideration of the foregoing, the Government of the Republic of China waive, with effect from the date of completion of the transfers mentioned in paragraphs (1) and (2) above, all claims which they, or the Chinese Maritime Customs on their behalf, have or may have against His Majesty's Government with respect to the six patrol vessels of the Chinese Maritime Customs, Chunhsing, Hohsing, Tehhsing, Haihui, Feihsing and Haiping, which were requisitioned by the Commodore, Hongkong, on the 11th March, 1941, and were subsequently either lost or fell into Japanese hands.

If the above terms are acceptable to the Government of the Republic of China, I propose that this Note and Your Excellency's reply to that effect shall constitute an Agreement between His Majesty's Government and the Government of the Republic of China on the terms set forth above and that the Agreement shall come into force on this day's date.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

(Signed) Ernest Bevin



ANNEX

1. H.M.S. Mendip (hereinafter referred to as "the vessel") shall be lent by His Majesty's Govern-

MENDIP號借與中華民國政府，借與期間定為五年。該MENDIP號定於一九四八年五月十九日，由英王政府陛下政府正式移轉與中華民國政府。

(三)同上開第一、第二兩項所述移轉完成之日起，英王陛下政府關於一九四六年一月十二日借與中華民國政府，後於一九四七年三月廿日在台灣附近撞沉之英國軍艦伏波號(H.M.S. PETUNIA)放棄其因該艦損失而對中華民國政府現有或可能有之一切索償權利。

(四)鑒於上述各節，自上開第一、第二兩項所述移轉完成之日起，中華民國政府關於一九四一年三月十一日被香港艦隊司令徵用，後遭損失或淪入日本人掌握之春星號，和星號，德星號，海輝號，飛星號及海平號六艘中國海關巡防艦放棄中華民國政府或中國海關代表中華民國政府，對英王陛下政府現有或可能有之一切索償權利。

上開辦法如荷中華民國政府接受，本部長提議本照會及閣下同意復照即構成英王陛下政府與中華民國政府間依照上開辦法所訂立之協定，本協定並應自本日起發生效力。

本部長順向
貴大使表示崇高之敬意。

此致

中華民國駐大不列顛及北愛爾蘭聯合王國特命全權大使鄭天錫博士閣下

一九四八年五月十八日

貝文 (簽字)

附件

一、英王陛下聯合王國政府將英國軍艦 MENDIP 號 (以下簡稱

ment in the United Kingdom to the Government of the Republic of China for a period of five years commencing from the date of formal transfer of possession in a United Kingdom port. At the end of this period the Government of China will return the vessel to His Majesty's Government unless alternative arrangements shall have been agreed between the two Governments. The Government of China undertake to restore the vessel to His Majesty's Government at any time during the period of the loan upon receiving from His Majesty's Government three months' notice to do so.

2. The vessel shall be transferred free of charge in good sea-going condition and shall in all respects be complete with armaments and with the necessary stocks of fuel, and of armament, naval, medical and victualling stores required on board.

3. All costs of maintenance of the vessel during the period of loan, including the cost of necessary spares and stores, and the cost of refit, repair and upkeep, shall be defrayed by the Chinese Government. The Lords Commissioners of the Admiralty will supply, at the expense of the Chinese Government, any spare parts and special material which cannot be obtained from commercial sources.

4. The vessel shall be maintained at the expense of the Chinese Government at the same standard of efficiency as vessels of the same class in the Royal Navy. Any alteration or addition incorporated by the Lords Commissioners of the Admiralty in the same class of vessels shall, at their request, be carried out in the vessel on loan at the joint expense of His Majesty's Government and of the Chinese Government, the cost of such alterations and additions being shared equally between the two Governments. Alterations and additions of Chinese origin, or otherwise than of British origin, may be incorporated in the vessel only with the consent of the Lords Commissioners of the Admiralty and at the expense of the Chinese Government. The necessary liaison will be established between the technical departments of the Admiralty and those of Chinese Naval Headquarters.

5. The Chinese Government undertake to carry out periodical inspections and surveys of machinery, hull, armament and other equipment, as laid down for His Majesty's ships.

6. The vessel shall remain the property of His Majesty's Government and her name shall not be changed except with the consent of His Majesty the King.

7. The vessel shall be returned to His Majesty's

「該艦」)借與中華民國政府,此項借與自在聯合王國港口正式交接之日起,以五年為期。期滿時,除雙方政府已另行議定辦法外,中國政府須將該艦交還英王陛下政府。在借用期內,如英王陛下政府意欲收回該艦時,中國政府擔允於接獲英王陛下政府通知後三個月內,將其交還英王陛下政府。

二、該艦應在其良好之航海狀態下免費移交與中國政府,並應附帶全部武裝及充足之備用燃料與武器,以及艦上需用之海軍用品,藥品與軍糧。

三、在借用期間,所有該艦之保養費用,包括必要之配件給養以及裝修整理所需費用,均應由中國政府支付。英國海軍最高委員會供給各種不能由商家購得之配件及特種器材,其費用由中國政府支付之。

四、中國政府應自行出資,保持該艦之效能狀況,與皇家海軍同級軍艦之標準一致。英國海軍最高委員會如對於同級軍艦採行任何改修及增添工作,均應於英國海軍最高委員會請求時,對該借用艦同樣辦理,其費用由英王陛下政府及中國政府平均負擔。如對該艦有中國自行發動或非由英國發動之改修及增添工作,須經英國海軍最高委員會同意後始得辦理,其費用應由中國政府負擔。英國海軍部之技術部門當與中國海軍總司令部之技術部門建立必要之聯繫。

五、中國政府擔允參照英國軍艦所採辦法,對該船之機件,船身,武裝及其他裝備,按期實行檢查。

六、該艦仍為英王陛下政府之財產,且非經英王陛下之同意,不得更改其名稱。

七、該艦於交還英王陛下政府

Government in good condition and with a full establishment of naval and armament stores. The Chinese Government accordingly undertake to be responsible for the cost of any refit found to be necessary for this purpose and for the cost of the replenishment of naval and armament stores found to be deficient.

8. In the event of the vessel being lost during the period of loan from any cause whatsoever or otherwise so damaged as not to permit of her being of further service, the Chinese Government shall on demand pay to His Majesty's Government in sterling the depreciated value of the vessel as assessed by the Lords Commissioners of the Admiralty together with the value of all armament, spares and stores on board at the commencement of the loan.

9. In the event of the vessel while on loan causing damage in respect of which compensation may be payable to a third party such compensation shall be paid by the Chinese Government.

(II) Note from Dr Cheng Tien-hsi, Chinese Ambassador to United Kingdom, to Mr. Ernest Bevin, British Foreign Secretary

May 18, 1948

Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows:

"In order to assist in the post-war reconstruction of the Chinese Navy and to consolidate the association between the Royal Navy and the Chinese Navy, which has continued for seventy years and in order to show their goodwill towards the Government of the Republic of China, His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are willing to make an agreement with the Government of the Republic of China on the following terms:

"(1) His Majesty's Government shall transfer to the Government of the Republic of China the ownership of the cruiser H.M.S. Aurora and H.M. Harbour Defence Motor Launches 1033, 1047, 1058, 1059, 1068, 1390, 1405 and 1406 (all of which Launches are at present on loan to the Government of the Republic of China). The transfer shall be made on 19th May, 1948.

"(2) His Majesty's Government shall also lend to the Government of the Republic of China the

時，須狀態良好，並應附帶全部海軍用品及武器儲備，若因此而須加以裝修或須補充不足之海軍用品及武器儲備時，中國政府擔允支付其一切費用。

八、該艦於借用期內無論由於任何原因，倘遭毀失或因受有損害而不堪繼續應用，則中國政府應循英國之請求，並照英國海軍最高委員會所估定之該艦折舊價值，連同借用開始時該艦上原有之一切武器，配件及儲備之價值，以英鎊付與英王陛下政府。

九、該艦於借用期內，倘因致人損害，而須以賠償付與第三人時，則該項賠償，應由中國政府付與。

(二) 中國駐英大使鄭天錫
復英國外交部長貝文
照會

逕復者：接准本日
貴部長照會內開：



(一) 英王陛下政府將英國巡洋艦 AURORA 號及英國海防汽艇第一〇三三，一〇四七，一〇五八，一〇五九，一〇六八，一三九〇，一四〇五，及一四〇六各號（上開汽艇現均已借與中華民國政府）之所有權移轉與中華民國政府。此項移轉於一九四八年五月十九日舉行。

(二) 英王陛下政府依照本照會附件內所列條件，將英國驅逐艦

destroyer H.M.S. Mendip for a period of five years on the terms set forth in the annex to the present note. Possession of H.M.S. Mendip shall be formally transferred by His Majesty's Government to the Government of the Republic of China on the 19th May, 1948.

“(3) With effect from the date of completion of the transfers mentioned in paragraphs (1) and (2) above, His Majesty's Government waive all claims which they have or may have against the Government of the Republic of China arising out of the loss of H.M.S. Petunia, which was lent to the Government of the Republic of China on the 12th January, 1946, and was sunk in collision off Formosa on the 20th March, 1947.

“(4) In consideration of the foregoing, the Government of the Republic of China waive, with effect from the date of completion of the transfers mentioned in paragraphs (1) and (2) above, all claims which they, or the Chinese Maritime Customs on their behalf, have or may have against His Majesty's Government with respect to the six patrol vessels of the Chinese Maritime Customs, Chunhsing, Hohsing, Tehhsing, Haihui, Feihsing and Haiping, which were requisitioned by the Commodore, Hongkong, on the 11th March, 1941, and were subsequently either lost or fell into Japanese hands.

“If the above terms are acceptable to the Government of the Republic of China, I propose that this Note and Your Excellency's reply to that effect shall constitute an Agreement between His Majesty's Government and the Government of the Republic of China on the terms set forth above and that the Agreement shall come into force on this day's date.”

I have the honour on behalf of the Government of the Republic of China to accept the terms set forth in Your Excellency's Note and to confirm that Your Excellency's Note together with this Note shall constitute an Agreement between His Majesty's Government and the Government of the Republic of China on the above terms which shall come into force on this day's date.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

(Signed) Tien-hsi Cheng

MENDIP 號借與中華民國政府，借與期間定為五年。該 MENDIP 號定於一九四八年五月十九日由英王陛下政府正式移轉與中華民國政府。

(三) 自上開第一，第二兩項所述移轉完成之日起，英王陛下政府關於一九四六年一月十二日借與中華民國政府，後於一九四七年三月廿日在臺灣附近撞沉之英國軍艦伏波號 (H.M.S. PETUNIA) 放棄其因該艦損失而對中華民國政府現有或可能有之一切索償權利。

(四) 鑒於上述各節，自上開第一、第二兩項所述移轉完成之日起，中華民國政府關於一九四一年三月十一日被香港艦隊司令徵用，後遭損失或淪入日本掌握之春星號，和星號，德星號，海輝號，飛星號及海平號六艘中國海關巡防艇，放棄中華民國政府或中國海關代表中華民國政府，對英王陛下政府現有或可能有之一切索償權利。

上開辦法如荷中華民國政府接受，本部長提議本照會及閣下同意復照即構成英王陛下政府與中華民國政府間依照上開辦法所訂立之協定，本協定並應自本日起發生效力。

本大使茲代表中華民國政府接受貴部長來照中所列各項辦法，並證實貴部長來照及本照會即構成英王陛下政府與中華民國政府間依照上開辦法所訂立之協定，本協定並應自本日起發生效力。

本大使順向
貴部長表示崇高之敬意。

此致

大不列顛及北愛爾蘭聯合王國外交
部部長貝文閣下

一九四八年五月十八日

鄭天錫 (簽字)