

Report on Law of the United Kingdom regarding the importation of motor cars by United States military personnel.

The importation of privately-owned vehicles of military personnel stationed in the United Kingdom is regulated by the North Atlantic Treaty Organization Status of Forces Multilateral Treaty of June 19, 1951 (4 United States Treaties and other International Agreements, 2186, to which the United Kingdom is, of course, a party), and United States military regulations.

Section 6, Article XI of the NATO Agreement provides that members of a force ". . . may import, temporarily free of duty, their private motor vehicles for the personal use of themselves and their dependants." However, this same provision points out that the allowance of a duty-free import on motor vehicles "does not grant an exemption from taxes payable in respect to the use of roads by private vehicles."

Section 8 of this same Article provides that goods which have been imported duty-free "shall not normally be disposed of in the country visited by way of either sale or gift; (emphasis added) however, in particular cases, such disposal may be authorized on conditions imposed by the authorities concerned of the receiving State [the United Kingdom] (for instance, on payment of duty and tax and compliance with the requirements of the controls of trade and exchange)." For example: If a serviceman wishes to sell his privately-owned vehicle within two (2) years from the date of duty-free importation into the United Kingdom, he would be allowed to do so (providing

he had the permission of his area commander, (see below) and on payment of British duties and taxes, and compliance by him with other requirements of the controls of trade and exchange of the United Kingdom. [According to the British Embassy, vehicles of American tourists are treated in the same manner.]

U. S. Army Regulation 55-76, Section 3(a) on this subject, provides for the exportation of privately-owned vehicles from the United States to overseas destinations through a general license issued by the Department of Commerce, but only when such vehicles are for the exclusive use of the owner and/or his immediate family. Vehicles intended for re-sale or for primary use by other persons at the time of delivery to the port of embarkation will not be transported under these regulations.

Section 3(b) of this Regulation further states that vehicles transported overseas may be disposed of in the overseas area only under one of the following conditions, subject to implementing regulations promulgated by the oversea area commander, consistent with the laws and agreements of the visited country. [For the United Kingdom, these are set out above, as part of the Treaty.] The conditions of disposal are as follows:

- (1) If disposed of as scrap, there are no restrictions.
- (2) If sold to a member of the Armed Forces of the United States or to a United States citizen who is an employee of the United States Government, there are no

restrictions, provided the vehicle has been in the overseas area for six (6) months. [This six-month period allows the military departments to complete paper work on the transportation of the vehicle and to satisfy any claims which may have arisen due to the transportation.]

- (3) If sold to other persons, the overseas area commander must give his authorization, and then only after the six months holding period. [According to Army sources, (Department of Defense) such sales are generally discouraged and not allowed in some areas. The decision rests with the area commander, subject to the conditions set out in the NATO Status of Forces Agreement, above.]

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