

N° 621.

ESTHONIE ET LETTONIE

Convention relative à la perception des droits de port sur les bâtiments affectés à la navigation maritime dans les ports d'Esthonie et de Lettonie, signée à Tallinn le 31 octobre 1923.

ESTHONIA AND LATVIA

Convention concerning the levying of Harbour Dues from sea-going vessels in the ports of Esthonia and Latvia, signed at Tallinn, October 31, 1923.

TEXTE ESTHONIEN. — ESTHONIAN TEXT.

No. 621. — KONVENTSIOON¹ SADAMA MAKSUDE VOIMINE KOHTA, VÄLJAMAA VAHEI SÕITVATE LAEVADE PEALT LÄTI JA EESTI SADAMATES. TALLINNAS 31 OKTOOBRIIL 1923.

*Official Esthonian and Latvian texts communicated by the Latvian Minister for Foreign Affairs.
The registration of this Convention took place May 31, 1924.*

LÄTI VABARIIGI VALITSUS, ESITATUD PEA — ja VÄLISMINISTER Zigfrids A. MEIEROVICS'I poolt ja EESTI VABARIIGI VALITSUS, esitatud Välisminister Dr. Friedrich AKEL'I poolt, otsustasid sõlmida järgmist konventsiooni :

§ 1.

Mõlema Lepinguosalise Poole sadamates võetakse kõikide väljamaa vahet sõitvate laevade pealt, alamaltähendatud eranditega, sadama maksusid, ja nimelt : tonnaashi, lootsi, tuletorni, päästejaamade ülespidamiseks, meremeeste maja heaks ja ülemaltähendatud laevade peal sisseveetavate või väljaveetavate kaupade kaalumaksu.

Märkus : Peale selles (1) paragrafis nimetatud maksude, missuguste võtmine mõlemale Poolele suuduslik on, jääb kumbagi Lepinguosalisele Poolele ka teistenimetustliste sadama maksude võtmise õigus, nii kui sanitaar, jäärmurdja ja sellesarnased maksud.

§ 2.

Selle konventsiooni esimeses (1) paragrafis nimetatud maksude suurus on allpool kindlaks määratud ja välja arvatud kuldfrankides, kusjuures iga Lepinguosalisele Poolele on õigus jäetud neid võtta oma riigi valuutas kindla kursi järele, mis kumbagi Poole jaoks tema Valitsuse Rahaministri korraldusel kindlaks määratakse, kuid seega, et juhtumistel, kui vahe börse kursi suuruse vahel Londonis ühe kuldfrangi peale ja niisuguse, Rahaministri korraldusel määratud kindla kursi ühele või teisele poole kümme protsenti (10%) nimetatud börse kursi suurusest Londonis kõrgemale tõuseb, siis pannakse Rahaministri peale kohustus mitte hiljem kui ühe kuu jooksul selle äärmise kaldumise kätte jõudmise silmapilgust ümber muuta tema korraldusel määratud kindla kursi suurus kuldfrangi peal, teda vastavusse viies ülemaltähendatud börse kursi suurusega Londonis.

Mõlemad pooled leppisid selles kokku, et kuldfrangi kursi väljaarvamisel nende maa valuuta peale, tarvitab kumbki Pool vabat nael sterlingite börse kursi, Eestis — Tallina börsel, Lätis — Riia börsel.

¹ The exchange of ratifications took place at Tallinn, February 21, 1924.

¹ TRADUCTION.

No. 621. — CONVENTION RELATIVE A LA PERCEPTION DES DROITS DE PORT SUR LES BATIMENTS AFFECTÉS A LA NAVIGATION MARITIME DANS LES PORTS D'ESTHONIE ET DE LETTONIE, SIGNÉE A TALLINN LE 31 OCTOBRE 1923.

LE GOUVERNEMENT DE LA RÉPUBLIQUE LETTONE, représenté par M. Zigfrīds A. MEIEROVICS, Président du Conseil et Ministre des Affaires étrangères, et LE GOUVERNEMENT DE LA RÉPUBLIQUE ESTHONIENNE, représenté par M. le Dr Friedrich AKEL, Ministre des Affaires étrangères, ont décidé de conclure la Convention suivante :

1. Les Hautes Parties contractantes percevront des droits de port, à savoir une taxe de tonnage, de pilotage et de balisage, des taxes pour l'entretien des postes de sauvetage et des asiles de marins, et une taxe calculée d'après le poids des cargaisons importées ou exportées, sur tous les bâtiments affectés à la navigation maritime, mouillés dans leurs ports, sauf exceptions indiquées ci-après.

Note. — Indépendamment des droits spécifiés dans le présent paragraphe, dont la perception sera obligatoire pour les deux Parties, chacune des Hautes Parties contractantes aura la faculté de percevoir d'autres droits tels que taxe sanitaire, taxe pour le brisage de la glace et autres taxes analogues.

2. Les taux des droits spécifiés au § 1 de la présente Convention sont stipulés ci-après et évalués en francs-or, mais chacune des deux Parties contractantes aura la faculté de percevoir ces droits dans la monnaie de l'Etat intéressé, à un cours de change fixe qui sera déterminé par le Ministre des Finances du pays en question, étant entendu que si la différence entre le cours du franc-or à la Bourse de Londres et le cours fixé par le Ministre des Finances dépasse 10⁰/₀, dans un sens ou dans l'autre, le Ministre des Finances sera tenu de modifier le cours fixe établi par lui et de l'adapter au cours pratiqué à la Bourse de Londres, dans le délai d'un mois à partir de la date à laquelle l'écart aura atteint son maximum.

Les Hautes Parties contractantes conviennent de déterminer le cours du franc-or dans la monnaie particulière des deux Etats, d'après le cours libre de la livre sterling, en Lettonie, à la Bourse de Riga, et, en Esthonie, à la Bourse de Tallinn.

3. La taxe de tonnage sera perçue tant sur les vaisseaux entrants que sur les vaisseaux sortants, aux taux suivants :

- a) Navires à vapeur ou à moteur, avec cargaison : 15 francs-or par tonne de jauge nette ;
- b) Navires à voiles (sans moyens de propulsion mécanique) avec cargaison : 12 francs-or par tonne de jauge nette ;
- c) Navires sur lest ou avec cargaison partielle : 75⁰/₀ des taxes stipulées aux alinéas a) et b) du présent paragraphe.

Note. — Un navire sera considéré comme transportant une cargaison partielle si la quantité de marchandises chargées ou déchargées dans le port, calculée d'après le poids ou le volume, ne dépasse pas 1/20 du tonnage net de ce navire. A cet effet, les Hautes Parties contractantes conviennent de convertir les mesures de volume en mesures de poids suivant le rapport : 40 pieds cubes = 1000 kilogrammes.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

TRANSLATION ¹.

No. 621. — CONVENTION CONCERNING THE LEVYING OF HARBOUR DUES FROM SEA-GOING VESSELS IN THE PORTS OF ESTHONIA AND LATVIA, SIGNED AT TALLINN, OCTOBER 31, 1923.

THE GOVERNMENT OF THE LATVIAN REPUBLIC, represented by the Prime Minister and Minister for Foreign Affairs, Mr. Zigfrids A. MEIEROVICS, and THE GOVERNMENT OF THE ESTHONIAN REPUBLIC, represented by the Minister for Foreign Affairs, Dr. Friedrich AKEL, have decided to conclude the following Convention :

(1) The High Contracting Parties shall levy harbour dues, viz, tonnage, pilot and beacon tax, taxes for the maintenance of salvage stations, saillors' homes, and weight tax on cargoes imported or exported, from all sea-going vessels in their ports, with the exceptions hereinafter indicated.

Note. — In addition to the dues specified in the present paragraph, the levying of which shall be compulsory for both sides, each of the High Contracting Parties shall have the right to exact other dues, such as sanitary, ice-breaker, and similar taxes.

(2) The rates of the dues specified in paragraph 1 of the present Convention are hereinafter stipulated and estimated in gold francs, whereby each of the High Contracting Parties shall have the right to exact the dues in the currency of the respective State at a fixed rate of exchange, which shall be stipulated by the respective Finance Minister, on the condition that if the difference between the rate of one gold franc as quoted at the London Exchange and the rate fixed by the Finance Minister should exceed 10 per cent. in either direction, the Finance Minister shall be obliged to alter the stipulated fixed rate and to adjust it in accordance with the London Exchange rate within one month as from the date when the deviation reached its maximum.

The High Contracting Parties agree to base the estimation of the rate of the gold franc in the individual currency of the respective States on the free exchange rate of the pound sterling — in Latvia at the Riga Exchange, and in Esthonia at the Tallinn Exchange.

(3) Tonnage tax shall be levied both from entering and from clearing vessels at the following rates :

- (a) From steam and motor ships with cargo : 15 gold francs per net register ton ;
- (b) From sailing ships (without mechanical driving power) with cargo : 12 gold francs per net register ton ;
- (c) From vessels with ballast or partial cargo : 75^o/_o of the respective tax stipulated in divisions (a) and (b) of the present paragraph.

Note. — A vessel shall be considered as with partial cargo if the quantity of goods loaded or unloaded at the port by weight or volume does not exceed $\frac{1}{20}$ of the net tonnage, whereby the High Contracting Parties agree to adopt the following proportion for the transfer of volume into measures of weight : 40 cub. feet = 1,000 kg.

¹ Communiquée par le Ministre des affaires étrangères de Lettonie.

¹ Communicated by the Minister for Foreign Affairs of Latvia.

- (d) From vessels which enter a port for the purpose of receiving orders as to continuation of voyage, to take in fuel, food, water, deck reserves, as also from vessels entering the port on account of average, if such vessels do not change passengers or transact any loading or unloading operations — 20 % of the respective tax stipulated in divisions (a) and (b) of the present paragraph.

Note. — If a vessel for the reasons mentioned in division (d) of the present paragraph anchors outside the port, at the outside roadstead or in the fore-harbour, and if she does not change passengers or transact any loading or unloading operations, the vessel shall be exempt from all harbour dues, except pilot tax. A vessel shall be freed from the payment of pilot tax only in case she has not entered the region where the employment of pilots is compulsory. If a vessel changes passengers or transacts loading or unloading operations, harbour dues shall be exacted on the general basis.

- (4) Ships which maintain regular or periodical service shall pay tonnage tax in accordance with paragraph 3 of the present Convention in each calendar year, — in case of near traffic for the first eight voyages, and in case of far traffic, for the first four voyages, at each port separately.

If on a regular shipping line a ship is replaced by one with a larger net tonnage, the dues paid on account of the first ship in the respective calendar year shall be included in the schedule of payments of the other ship, on the condition that the latter shall pay the difference in harbour dues for the previous regular or periodical voyages which has arisen through the change of tonnage.

Note 1. — The following lines shall be considered as near traffic: the Baltic Sea and its gulfs, the Belt, Sund, and Kattegat up to the line Skagen-Lindesnäs, and through the Kaiser Wilhelm Canal to the mouth of the Ems.

Note 2. — The entering and clearing of the ship shall in accordance with the present Convention be considered as one voyage.

- (5) Beacon tax shall be levied on the same basis as tonnage tax at a doubled rate, with the following exceptions:

(a) If a vessel in the course of one voyage enters several ports of one of the States she shall pay the beacon tax as stipulated in the present paragraph only once, viz, when clearing the first port of the respective State which she has entered;

(b) In each calendar year beacon tax shall be levied from ships on near traffic for the first eight voyages, but from ships on far traffic — for the first four voyages, independent of the port at which the tax has been paid.

- (6) Salvage ships shall pay tonnage and beacon tax in each calendar year only for the first five voyages.

Tonnage and beacon tax paid, the salvage ship shall be entitled to enter during the respective calendar year any port of the State where she has paid the taxes mentioned. If a salvage ship transacts commercial operations not connected with her direct task, she shall pay the usual harbour dues.

Note. — Tonnage and beacon tax exacted on the basis of paragraphs 4, 5 and 6 shall be paid in accordance with the rates stipulated for vessels with full cargo.

- (7) Pilot tax for the piloting of a ship from the roadstead into the port and back shall be levied at the rate of 0.06 gold franc per net register ton.

Note. — The tax introduced in accordance with the present paragraph shall not refer to the stationing of the ship within the boundaries of the port, in respect to which

the High Contracting Parties mutually reserve for themselves the right of introducing dues independently.

(8) If vessels are piloted into the port by a tug boat the pilot tax shall be exacted in accordance with the tonnage of the piloted vessels, except in cases where the net tonnage of the tug boat exceeds the total net tonnage of the vessels piloted ; in this case the amount of the tax shall be exacted on the net tonnage of the tug boat.

(9) The employment of pilots shall be compulsory for ships which have a tonnage over 75 register tons.

(10) The total amount of each of the above-mentioned taxes (tonnage, beacon, and pilot tax) exacted for any voyage of a ship shall not be less than 5 gold francs.

(11) The rate of the tax for the maintenance of salvage stations shall be 0.01 gold franc per net register ton ; it shall be levied at each port once in one calendar year for an amount not less than 2 gold francs.

(12) The rate of the tax for the benefit of sailors' homes shall be 0.03 gold franc per net register ton ; it shall be levied only once in one calendar year and in the first port entered by the ship, for an amount not less than 1 gold franc.

(13) The following vessels shall be exempt from payment of all dues, except pilot tax :

(a) State-owned and municipal vessels, also foreign, if they do not carry passengers or goods for commercial purposes. To such vessels belong : warships, hydrographic ships, cable-ships, trawlers, fireships, dredgers, ice-breakers, floating cranes, floating docks, pontoons, and the like ;

(b) Yachts, registered with yachting clubs.

(14) At the estimation of the above-mentioned taxes (tonnage, beacon, and pilot tax, taxes for the maintenance of salvage stations and of sailors' homes), the High Contracting Parties agree to adopt as a basis the certificates of registry as long as they are issued according to the Mursom system.

Note. — If the net tonnage of a tug boat is not indicated in her papers, the harbour dues shall be exacted on a tonnage equal to 25 % of the gross tonnage of the tug boat.

(15) Weight tax shall be levied on cargoes exported to or imported from foreign countries, at the following rates per 100 kilograms :

(a) 0.04 gold franc on : cereals, legumes, potatoes, hay, straw, salt, sulphate of potassium, sulphate of sodium, Stassfurt salts, chloride of potassium, sulphur, China clay, all kinds of manures, all kinds of earths for industrial purposes, sand, clay (except dyeing), gypsum, alabaster, chalk, lime, cement, ordinary bricks, tiles (not broken), unworked non-precious stones (except marble), unworked grindstones, millstones, worked or not, iron slag, old iron, coal and all kinds of coke, raw naphtha, naphtha residues, peat, wood, charcoal, resinous substances, firewood, beams, not worked (except rare sorts), all kinds of pit-props, laths, rods, plank ends, not below one and not over 6 feet in length, saw-dust, and cellulose ;

(b) 0.08 gold franc on : all kinds of seed, flax, hemp, tow, cotton, paper, oil cake, flour, groats, malt, goudron, timber materials (except those specified under (a)), veneer boards, bottoms of chairs, and other semi-manufactured wooden articles ;

(c) 0.16 gold franc on all other goods, not mentioned under (a) and (b).

Note 1. — The weight tax on raw materials in their natural form shall not exceed the weight tax on articles manufactured of these raw materials.

Note 2. — The following goods shall be exempt from payment of weight tax :

- (a) Passengers' immediate luggage, mail, and goods weighing less than 100 kilograms ;
- (b) Ballast, coal in bunkers, ice, provisions for the crew and passengers of the ship ;
- (c) Special war cargoes and coal for the requirements of the War Offices ;
- (d) Vessels imported in mounted or detached form on deck or in the ship's hold ;
- (e) Goods which are imported into a port and transported farther by the same ship, as well as goods which are loaded from one ship into another without being stored on the shore ;
- (f) Goods which have entered the port over the ice ;
- (g) Ordinary stones and broken tiles ;
- (h) Goods which according to law are subject to destruction ;
- (i) Goods which at their inspection appear to be spoilt and which can be used neither in their original form nor as material ;
- (k) Goods which have entirely lost their value or which have been destroyed by accident before the drafting of the Customs inspection certificate.

Note 3.

- (a) Transit goods which are transported through a port to their destination without interruption shall be charged 20% of the total amount of weight tax as estimated in accordance with the present paragraph ;
- (b) Transit goods which are stored at the storehouses of a port, whence they are transported farther by railway, shall be charged 30% of the total amount of weight tax as estimated in accordance with the present paragraph.

(16) Weight tax on goods imported from foreign countries shall be estimated on the basis of the rates which were in force on the day when the goods entered the port.

(17) The present Convention shall be subject to ratification. The documents of ratification shall be exchanged at Tallinn within the shortest possible delay.

(18) The present Convention shall come into force one month after the exchange of the documents of ratification and it shall be valid for six months as from the date on which one of the High Contracting Parties informs the other as to the revocation of the Convention.

The present Convention is drafted in Latvian and Esthonian. Both texts shall be considered as authentic.

The Convention is done in two copies and signed at Tallinn on October 31, 1923.

Z. A. MEIEROVICS.
FR. AKEL.