

N° 1201.

ALLEMAGNE ET POLOGNE

Accord relatif au règlement de certaines questions résultant de l'exécution des lois de valorisation en vigueur dans les deux États, avec protocole de signature, signés à Varsovie, le 3 octobre 1925.

GERMANY AND POLAND

Agreement regarding the Settlement of certain Questions resulting from the Execution of the Valorisation Laws in force in the two States, with Protocol of Signature, signed at Warsaw, October 3, 1925.

¹ TRADUCTION. — TRANSLATION.

No. 1201. — AGREEMENT² BETWEEN POLAND AND GERMANY REGARDING THE SETTLEMENT OF CERTAIN QUESTIONS RESULTING FROM THE EXECUTION OF THE VALORISATION LAWS IN FORCE IN THE TWO STATES, SIGNED AT WARSAW, OCTOBER 3, 1925.

French official text communicated by the Polish Delegate accredited to the League of Nations. The registration of this Agreement took place June 11, 1926.

THE GOVERNMENT OF THE POLISH REPUBLIC and THE GOVERNMENT OF THE GERMAN REICH, being desirous of furthering the protection of the interests of nationals of the two States, on the basis of the valorisation laws in force in the two countries, have resolved to conclude the present Agreement and have for this purpose appointed as their Plenipotentiaries :

THE GOVERNMENT OF THE POLISH REPUBLIC :

M. Antoni GOERNE, Chief of Section at the Ministry of Finance ;

THE GOVERNMENT OF THE GERMAN REICH :

Dr. Hermann HÜTTENHEIN, Director of the Ministry of Finance ;

Who, having communicated their full powers found in good and due form, have agreed upon the following provisions :

Article 1.

The time-limits fixed by the decree of the Polish Minister of Finance dated July 20, 1925, (Dz. U. R. P. No. 75 (532)), with regard to the registration of the securities specified in that decree and in the decree of the Polish Minister of Finance dated August 31, 1925, (Dz. U. R. P. No. 91 (641)), shall be extended as follows :

(a) For the bonds of the 4 ½% 1914 Galician loan until November 15, 1925.

(b) For all the other securities — until December 1, 1925.

Article 2.

The presentation and declaration of the above-mentioned securities for purposes of registration and stamping in Germany shall be made by the German bearers at the Reichsbank and its branches.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² Came into force provisionally, October 3, 1925.

Article 3.

The Reichsbank shall register and stamp the above-mentioned securities in conformity with the provisions in the Decree of the Polish Minister of Finance, dated July 20, 1925.

The Polish Government reserves the right to appoint a commissioner to co-operate with the Reichsbank in effecting the registration. This commissioner shall, in each case, be entitled to examine the declarations, if necessary to oppose registration and stamping and to require the furnishing of further proof, until the period of conversion is expired. This commissioner may delegate his rights to one or more deputies whose names shall be communicated to the Reichsbank.

The Polish Government shall recognise the validity of the registration and stamping carried out by the Reichsbank and shall not require from bearers any further proofs or formalities.

Article 4.

The registration and stamping of the above-mentioned securities effected by the Polish Consulates in Germany before the entry into force of the present Agreement shall suffice to safeguard the interests of the German bearers.

Nevertheless, German bearers may also have these securities registered and stamped by the Reichsbank.

Article 5.

An attestation by the competent police office shall be regarded as sufficient proof of the bearer's nationality.

Proofs of ownership by German bearers on the date May 21, 1924, may be submitted in any form, if possible in the form of deposit receipts from the banks and other documents supplying sufficient evidence of ownership.

The Reichsbank is authorised to issue detailed provisions regarding the formalities to be fulfilled by the German bearers with a view to the declaration and registration of their securities.

Article 6.

Stamping by the Reichsbank shall consist in the affixing of the official stamp of the respective branch of the Reichsbank upon the first page of the security presented.

This stamp may be accompanied by a note stating that the stamped security is recognised as German property.

Article 7.

Securities issued by the communes and autonomous local corporations shall be dealt with and stamped in the same way as the other securities mentioned in Article 1 of the present Agreement. The result of the registration of these securities shall be submitted by the Polish Government to the administrations of the respective communes and autonomous corporations.

Article 8.

In order that the Polish Government may be informed of the progress of the registration, the Reichsbank shall transmit to it a summarised list of the declarations made up to November 1, 1925.

The final result of the registration must be brought to the knowledge of the Polish Government by January 1, 1926, at the latest.

Article 9.

Poland shall be exempted from the whole cost of the registration and stamping of Polish securities by the Reichsbank in Germany. The Reichsbank is authorised, if necessary, to charge these costs to the German bearers.

Article 10.

The declarations of securities belonging to German nationals made in virtue of Article 13 of the decree dated July 20, 1925, of the Polish Minister of Finance by Polish offices where these securities are deposited, shall bear the visa of the competent German Consulates with indication of the names of the German bearers, their last address in Germany, the nature of the securities and their nominal value.

Article 11.

The Polish Government shall transmit to the German Government the applications of the autonomous Polish corporations which, instead of the inscription of the loan for the repayment of debt (*Anleiheablösungsschuld*) and of the drawing rights (*Auslösungsrechte*) in the register of debts (*Schuldbuch*), demand the delivery of bearer bonds (*Inhaberschuldverschreibungen*) through the Polish Government. The German Government shall take measures to ensure that the required delivery of bearer bonds shall be made as soon as possible through the Polish Government.

The banks in Poland appointed as intermediary offices for the exchange of loans in Reich marks shall be determined by the German Government in agreement with the Polish Government.

Article 12.

In settling, in virtue of the German law regarding the valorisation of mortgage and other debts, dated July 16, 1925, (*German Law Gazette I*, page 117), and of the law regarding the repayment of public debts dated July 16, 1925, (*German Law Gazette I*, page 137), the time-limits to be fixed by means of executive regulations the German Government shall take into account the possibility for the Polish bearers in Poland to observe these time-limits.

The German Government undertakes to recommend the State Governments to enable Polish bearers to observe the time-limits to be fixed for the declaration of loans in marks issued by the States, the local communes and autonomous corporations.

Article 13.

Should the Polish laws provide for a valorisation or a repayment at least equal in extent to those fixed by the German laws in this matter, the Government of the German Reich shall not issue any regulations covering Polish bearers and resulting from the rights reserved to it by paragraph 86 of the law regarding the valorisation of mortgage and other debts and by paragraph 50 of the law regarding the repayment of public debts.

Article 14.

The present Agreement shall be approved by the two Governments and shall enter into force on the tenth day following the exchange of Notes placing this approval on record.

Done at Warsaw in duplicate on October 3, 1925.

(Signed) (—) GOERNE.

(Signed) (—) Dr. Hermann HÜTTENHEIN.

PROTOCOL OF SIGNATURE.

When signing the Agreement of this day's date regarding the settlement of certain questions resulting from the execution of the valorisation laws in force in the two States, the representatives of the two Parties agree to put the above-mentioned Agreement provisionally into force as from the day of its signature, pending its approval by the respective Governments.

WARSAW, *October 3, 1925.*

(—) GOERNE.

(—) Dr. Hermann HÜTTENHEIN.