

N° 1918.

AUTRICHE ET ITALIE

Convention concernant l'établissement d'assurances contre les accidents des ouvriers pour la Styrie et la Carinthie à Graz. Signée à Vienne, le 17 janvier 1925.

AUSTRIA AND ITALY

Convention regarding the Workmen's Accident Insurance Organisation at Graz for Styria and Carinthia. Signed at Vienna, January 17, 1925.

¹ TRADUCTION. — TRANSLATION.

No. 1918. — CONVENTION ² BETWEEN THE REPUBLIC OF AUSTRIA AND THE KINGDOM OF ITALY REGARDING THE WORKMEN'S ACCIDENT INSURANCE ORGANISATION AT GRAZ FOR STYRIA AND CARINTHIA. SIGNED AT VIENNA, JANUARY 17, 1925.

French official text communicated by the Italian Minister for Foreign Affairs and the Federal Chancellor of the Austrian Republic. The registration of this Convention took place January 10, 1929.

THE KINGDOM OF ITALY and THE REPUBLIC OF AUSTRIA, being desirous of concluding, in execution of Article 275 of the Treaty of Saint-Germain, a Convention regarding the Workmen's Accident Insurance Organisation at Graz for Styria and Carinthia (*Arbeiter-Unfallversicherungsanstalt für Steiermark und Kränien in Graz*), herein after called for short "the Organisation", have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF ITALY :

Dr Ulysses GOBBI, Professor ;

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA :

M. Wilhelm THAA, formerly Head of Section at the Federal Ministry for Social Administration, Vienna ;

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

Article 1.

A. DISTRIBUTION OF INSURANCE LIABILITIES.

1. As regards liabilities resulting from insurance concluded by the Organisation, the Kingdom of Italy shall assume that portion of these liabilities resulting from the following accidents within the meaning of the Austrian Law on insurance against accidents to workmen, dated December 28, 1887, Imperial Law Gazette, No. 1 ex 1888, and its supplementary laws published up to October 31st, 1918 :

(a) Accidents occurring up to the end of December 1918 in an industrial establishment situated in the part of the former territory of the said Organisation, transferred to the Kingdom of Italy by the Treaty of Saint-Germain ;

(b) Accidents happening up to the end of December 1918 in other parts of the former territory of the said Organisation to persons possessing Italian nationality on December 31st, 1923, and at that time domiciled neither in the territory of the Republic of Austria nor in the territory of the Kingdom of the Serbs, Croats and Slovenes.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Vienna, August 17, 1928.

The remaining insurance liabilities, unless assumed by the Kingdom of the Serbs, Croats and Slovenes, shall devolve on the Organisation.

2. If the insured person was not himself living on December 31, 1923, the obligation to support the insurance liabilities in accordance with paragraph 1 (b) shall depend upon the nationality and domicile of his widow at that date, and if at that time there was no widow entitled to a pension, upon the nationality and domicile at that date of the youngest child entitled to a pension, and finally, in the absence of children with such right, upon the nationality and domicile at that time of the youngest ascendant relative having such right. In every case the Contracting Party accepting the insurance liabilities on behalf of a person entitled to a pension in accordance with the foregoing provisions shall also be responsible for making all payments, whether already due or subsequently becoming due, to any of the survivors of the insured person.

3. The insurance liabilities to be borne by the Kingdom of Italy shall, as from December 31, 1918, and in conformity with the internal regulations of the Kingdom of Italy, fall upon the office in Italy which is responsible for the administration of insurance against accidents to workmen or the office which has been selected as competent for such administration by the Government of that State. If, however, during a period prior to the coming into force of the present Convention, the insurance liabilities to be assumed by an office of one Contracting Party have been borne by an office of the other Contracting Party, any payments made shall be regarded as taking the place of the payments due under the present Convention, without any subsequent arrangement on this head having to be made between the offices concerned.

4. With the entry into force of the present Convention, all activities of the Organisation shall cease in respect of the insurance liabilities to be borne by the Kingdom of Italy in conformity with Nos. 1 and 2.

5. The Republic of Austria shall hand over to the Kingdom of Italy the files and accessory documents of the Organisation relating to the insurance liabilities to be accepted by the latter State, and shall ensure that for at least ten years from the coming into force of the present Convention the files and accessory documents which are not distributed shall be preserved at the offices of the Organisation so that they may be inspected by the authorised organs of the Kingdom of Italy or the organs of the Italian offices which take over the insurance liability.

B. DISTRIBUTION OF FUNDS.

1. The funds of the Organisation shall be distributed as existing on December 31, 1918. In view of the insurance liabilities transferred under Section A, No. 1, to the Kingdom of Italy, and of the insurance liabilities accepted by the Kingdom of the Serbs, Croats and Slovenes and those falling upon the Republic of Austria, as well as the liabilities regarding pensions for employees of the Organisation, it is agreed that the share allocated to the Kingdom of Italy shall be fixed at 1.7 per cent.

2. The actual securities shall be distributed proportionately. Securities refunded in advance or by drawing or sold after December 31, 1918, shall be replaced by their yield.

Accordingly, the Kingdom of Italy shall receive :

Austrian 4 % crown bonds (4 % <i>ige österreichische Kronenrente, März-September</i>)	to a nominal value of	14,200	crowns
Austrian 4 % crown bonds (4 % <i>ige österreichische Kronenrente, Mai-November</i>)	» » »	17,600	»
Austrian 4 % Paper bonds (4 % <i>ige österreichische Notenrente, Februar-August</i>)	» » »	20,000	»
Austrian 4.2 % silver bonds (4.2 % <i>ige österreichische Silberrente, April-Oktober</i>)	» » »	2,500	»

4 % Government bonds of the Austrian North-Western Railway and of the North and South German Joint Railway (4 % ige österreichische Nordwestbahn- und Südnorddeutsche Verbindungsbahn - Staatsschuldverschreibungen) to a nominal value of 4,000 crowns

Austrian war loan bonds (*österreichische Kriegsanleihe*) :

First issue	»	»	»	34,000	»
Second issue	»	»	»	51,000	»
Third issue	»	»	»	85,000	»
Fourth issue, Treasury bonds	»	»	»	340,000	»
Fifth issue, Treasury bonds	»	»	»	102,000	»
Sixth issue	»	»	»	76,500	»
Sixth issue, Treasury bonds	»	»	»	76,500	»
Seventh issue	»	»	»	25,500	»
Seventh issue, Treasury bonds	»	»	»	127,500	»
Eighth issue	»	»	»	204,000	»
Eighth issue, Treasury bonds	»	»	»	34,000	»

and, further, a cash sum of 1,059,726 Austrian crowns to balance the smaller share of securities and a cash sum of 31,451 Austrian crowns representing the proportionate share of the yield of securities refunded in advance or by drawing or sold.

3. The premises and their fittings and appurtenances shall be left in their entirety to the Organisation, which shall pay to the Kingdom of Italy the sum of 76,860,400 Austrian crowns, representing the repurchase price of the share of the premises and the fittings accruing to the said Kingdom.

4. The right of the Organisation to claim premiums later in respect of industrial undertakings situated in that part of the former territory of the Organisation transferred to the Kingdom of Italy shall pass to the Kingdom of Italy or to the Italian office responsible for continuing the insurance.

5. The Kingdom of Italy shall receive the sum of 202,070 Austrian crowns as its share of the cash balance, available assets, mortgage loans and various credits, on the one hand, and of the various debts, except the pledged debt, on the other hand.

6. The whole of the pledged debt contracted through subscription to war loan bonds shall be borne by the Organisation alone.

7. The cash sums mentioned in Nos. 2, 3 and 5, to a total of 78,153,647 Austrian crowns, and the securities mentioned under No. 2, together with the coupons as from April 1, 1925, and the coupons maturing before that date and still attached at the time of signing the present Convention, shall be placed at the disposal of the Italian Legation at Vienna or at the place of deposit to be selected by that legation at Vienna or Graz, within one month of the coming into force of the present Convention. The Republic of Austria shall hand over the war loan bonds inscribed *Von der Republik Österreich nicht übernommen* and the other securities without any inscription; it shall ensure that the list of the numbers to be submitted to the Reparation Commission is correct, and shall grant authorisation to export the securities free of charge.

8. The transfer to the competent insurance organisation of the funds thus allocated shall be subject to the internal regulations of the Kingdom of Italy.

9. The two Contracting Parties shall not levy any stamp duties or other graduated or fixed duties on the transactions and documents necessary for the execution of this Convention.

Article II.

After the execution of the present Convention by the Republic of Austria, the Kingdom of Italy shall make no further claim on Austria under Article 275 of the Treaty of Saint-Germain concerning the Workmen's Accident Insurance Organisation at Graz for Styria and Carinthia.

Article III.

The present Convention shall be ratified as soon as possible and shall enter into force fourteen days after the date on which the instruments of ratification are exchanged at Vienna.

In faith whereof, the above-mentioned Plenipotentiaries have affixed their signatures to the present Convention.

Done at Vienna, the seventeenth day of January, one thousand nine hundred and twenty-five, in two copies, of which one shall be transmitted to each of the High Contracting Parties.

For the Kingdom of Italy :

(Signed) U. GOBBI.

For the Republic of Austria :

(Signed) THAA.