

**ROYAUME DES SERBES,
CROATES ET SLOVÈNES
ET TCHÉCOSLOVAQUIE**

Accord concernant l'interdiction des revendications en justice des créances et dettes en anciennes couronnes austro-hongroises, nées avant le 26 février 1919, en tant que la monnaie est contestable. Signé à Prague, le 29 septembre 1928.

**KINGDOM OF THE SERBS,
CROATS AND SLOVENES
AND CZECHOSLOVAKIA**

Agreement concerning the Prohibition of Legal Proceedings in respect of Claims and Debts in former Austro-Hungarian Crowns which arose before February 26, 1919, where the Currency is contestable. Signed at Prague, September 29, 1928.

¹ TRADUCTION. — TRANSLATION.

No. 2215. — AGREEMENT² BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE SERBS, CROATS AND SLOVENES AND THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC CONCERNING THE PROHIBITION OF LEGAL PROCEEDINGS IN RESPECT OF CLAIMS AND DEBTS IN FORMER AUSTRO-HUNGARIAN CROWNS WHICH AROSE BEFORE FEBRUARY 26, 1919, WHERE THE CURRENCY IS CONTESTABLE. SIGNED AT PRAGUE, SEPTEMBER 29, 1928.

French official text communicated by the Permanent Delegates of the Kingdom of Yugoslavia and of the Czechoslovak Republic accredited to the League of Nations. The registration of this Agreement took place November 29, 1929.

Having regard to the negotiations now in progress concerning the settlement of claims and debts in former Austro-Hungarian crowns, so far as they arose before February 26, 1919, and being anxious to prevent incompatible decisions relating to the currency and the rate of exchange to be accepted for the settlement of such claims and debts, the two Governments have decided to conclude an Agreement concerning the temporary prohibition of legal proceedings in respect of such claims and debts.

The undersigned, being duly authorised, have agreed upon the following provisions :

Article I.

As from November 15, 1928, at latest, it shall be prohibited to institute legal proceedings in the territory of either State for the settlement of claims and debts in former Austro-Hungarian crowns which arose on any grounds before February 26, 1919, or which are based on contracts or other legal instruments drawn up prior to that date between natural or juridical persons in private or public law who, on February 26, 1919, had their domicile (head office), the one in the territory of the Czechoslovak Republic and the other in that of the Kingdom of the Serbs, Croats and Slovenes, so far as the currency in which such claims and debts are to be paid is contestable.

Legal proceedings instituted not later than November 15, 1928, shall be automatically suspended.

Distrain and temporary measures (measures to preserve the *status quo*) in respect of the claims and debts mentioned in the first paragraph of this Article shall not be permitted.

Where steps have already been taken to distrain, they shall be automatically postponed as from November 15, 1928, at latest.

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 Belgrade, April 11, 1929.

Article II.

The provisions of the preceding Article shall not apply to actions to obtain a declaration that, the claim or debt was drawn in former Austro-Hungarian crowns and legally exists in that currency, and to obtain a statement of its amount.

Article III.

The time during which claims covered by the present Agreement cannot be made the subject of litigation or enforced by distraint shall not be included in the period of prescription, or in the periods within which application must be made, or in any other periods the non-observance of which might, by virtue of the law, prejudice the legal interests of the parties concerned.

Article IV.

In the case of claims and debts of branches of banks or insurance companies, the place at which the branch is established, and not the place at which the head office is situated, shall be the decisive factor.

Obligations arising out of insurance policies or other instruments issued by the head offices of insurance companies may not be regarded as obligations of branches of such companies unless they are clearly shown to be so by the text of such policies or instruments or of other agreements in writing concluded between the parties concerned.

Nevertheless, the provisions of the present Agreement shall not affect the legal relations between the branches and the head office,

Article V.

The two Governments shall pass such legislation as may be necessary for the execution of this Agreement, and shall communicate to each other the text of such legislation.

The present Agreement shall be submitted to the two Governments for their sanction, and they shall agree as to the date on which it is to be put into force.

The present Agreement shall cease to be in force on June 30 1929, unless the Convention between the Kingdom of the Serbs, Croats and Slovenes and the Czechoslovak Republic concerning the settlement of mutual claims and debts which arose before February 26, 1919, in former Austro-Hungarian crowns, or the Convention on claims and debts arising out of private insurance policies, referred to in Article 9 c) of the aforesaid Convention, shall have come into force before that date.

Done at Prague on September 29, 1928, in French, in two original copies, one of which has been transmitted to each of the two Governments.

In faith whereof the Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

(L. S.) (Signed) Dr. Ploj MIROSLAV,
Delegate of the Kingdom of the Serbs,
Croats and Slovenes.

(L. S.) (Signed) Dr. Bohumil VLASÁK,
Minister Plenipotentiary of the
Czechoslovak Republic.