N° 2699.

VILLE LIBRE DE DANTZIG
ET POLOGNE

Accord en vue de mettre à exécution et de compléter la Convention polono-dantzikoise du 9 novembre 1920. Signé à Varsovie, le 24 octobre 1921.

FREE CITY OF DANZIG
AND POLAND

Agreement for the purpose of executing and completing the Polish-Danzig Convention of November 9, 1920. Signed at Warsaw, October 24, 1921.
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1 TRANSLATION.


THE POLISH REPUBLIC and the Free City of Danzig, in execution of the Convention concluded between themselves in Paris on November 9, 1920, have instituted negotiations with a view to the conclusion of an Agreement for the purpose of executing and supplementing the same, and to that end have appointed as their Plenipotentiaries:

THE POLISH REPUBLIC:
M. Leon Pluciński, Commissioner General of the Polish Republic in Danzig;

THE FREE CITY OF DANZIG:
M. Julius Jęwelskii, Senator of the Free City;

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

PART I.

CONCERNING POLISH AND DANZIG NATIONALS.

SECTION I.

CONDITIONS OF NATURALISATION IN THE FREE CITY OF DANZIG.

(Articles 1-13.)

Article 1.

The Polish Republic and the Free City of Danzig by mutual agreement in accordance with Article 34 of the Convention between Poland and Danzig of November 9, 1920, hereby lay down the following conditions for naturalisation in the Free City.

1 Translated by the Secretariat of the League of Nations, for information.
Article 2.
Nationality shall be acquired:
(a) By appointment as an official;
(b) By grant.

Article 3.
1. By appointment as an official in the Government service, direct or indirect, of the Free City, a foreigner shall acquire Danzig nationality provided there is no reservation to the contrary in the document making or confirming the appointment.
2. The term "officials" shall mean such persons as cannot be deprived of their office except as a result of disciplinary proceedings, or persons for whose appointment provision is made by budget.
3. Candidates for official positions must produce evidence before their appointment that by acquiring Danzig nationality they will lose their former nationality by operation of law, or that they have been relieved of the same.
4. The acquisition of nationality shall take effect as from the delivery of the document making or confirming the appointment.
5. The above provisions shall apply equally to officials appointed before the present Agreement comes into force.

Article 4.
Appointments of clergy or ministers of religion in the service of religious bodies recognised by the State shall be on the same footing as appointments of officials.

Article 5.
The acquisition of nationality under Articles 3 and 4 shall extend to the wife and unmarried children, being minors, of the person acquiring the nationality.

Article 6.
Foreigners may be granted Danzig nationality by the Senate on application for the same, provided that:
(1) They are fully competent under the law of their former native land to contract, or would be competent to do so under the laws in force in Danzig, or alternatively that their application is made by their legal representative or with the latter's approval.
(2) They have resided or been domiciled in the territory of the Free City for five consecutive years immediately preceding the date of the application. The date from which the five years begin to run shall not be earlier than January 11, 1920.
(3) They are of good character.
(4) They intend to reside permanently in the territory of the Free City.
(5) They have a domicile or lodging in the place where they are established.
(6) They are in a position to support themselves and their dependents.

(7) They can show that they have been relieved of their former nationality, or will be relieved thereof as the result of acquiring Danzig nationality. Polish nationals must further produce a certificate from the competent Polish authority to the effect that there are no objections to their relinquishment of Polish nationality.

Article 7.

The stipulation with regard to five years’ residence may be waived in the case of:

(a) Persons who have married a woman of Danzig nationality.

(b) Persons, being as at January 10, 1920, not yet thirty years of age, whose father or mother had become Danzig nationals as on that date, and who had no domicile as a result of having taken part in the world war or have lived in some place other than that of their parents’ domicile for purposes of professional training. The application in such case must be made not later than two years after the coming into force of this Agreement, and shall be conditional on the father or mother or, if these are deceased, other relations in the direct line or brothers or sisters having been still resident in the territory of the Free City at the time the application is made.

Article 8.

The following persons shall be entitled to the grant of Danzig nationality on application, where the conditions stipulated in Article 6, paragraph No. 1 and paragraphs Nos. 3 to 7, are complied with:

(a) Widows or divorced wives of foreigners who had Danzig nationality at the time of their marriage;

(b) Foreigners who, having lost their Danzig nationality while still minors, apply for the grant of it within two years of attaining their majority.

Article 9.

1. The grant of Danzig nationality shall extend on application to the wife of the applicant and to those of his children whose legal representative he is by virtue of parental authority, provided they also satisfy the condition stipulated in Article 6, paragraph No. 7.

2. This provision shall not apply to daughters who are or have been married.

Article 10.

The grant of Danzig nationality shall take effect as from the delivery of the naturalisation papers.

Article 11.

Both Parties reserve the right in the event of subsequent amendment of this Agreement to determine the purport and conditions of naturalisation in a sense other than that of Articles 2 to 10.

Article 12.

1. The Free City of Danzig hereby affirms that it will not reject applications for naturalisation by Polish nationals where the legal conditions are complied with, unless such naturalisation is
to the economic, national, social or religious detriment of the Free City or otherwise endangers its welfare.

2. The Free City at the same time affirms that the decision with regard to applications for naturalisation is its own internal concern and that differences of opinion in regard to such applications are not therefore subject to decision under Article 39 of the Convention. The Polish Republic hereby affirms that it does not share this view, and that the matter is one which affects the relations of Poland with Danzig and is consequently subject to decision under Article 39 of the Convention.

Article 13.

1. The Polish Republic hereby affirms that the condition laid down in the second sentence of Article 6, paragraph No. 7 will be waived in the case of such Polish nationals as may settle in the territory of the Free City not later than December 31, 1922, inclusive and apply for naturalisation not later than April 1, 1928.

2. This provision shall not apply to such persons as may be denounced by the Polish Republic to the Free City as being deserters or having otherwise failed to comply with their obligation for military service.

Section II.

Passage of Persons across the Frontier.

(Articles 14-31.)

Article 14.

1. The Polish Republic and the Free City of Danzig shall permit each other's nationals, being in possession of identity papers issued by the respective national authorities competent for the purpose in their respective official languages, to cross the common frontier. Persons who have been lawfully expelled shall not have the benefit of this provision.

2. Children under fourteen years of age shall not require identity papers.

Article 15.

Identity papers must contain at least the following information:

(a) A description of the person of the holder and his exact address.
(b) A recent photograph of the holder with the certificate of some authority that it is a photograph of the holder.
(c) The holder's signature in his own hand or, if he is unable to write, a note to that effect by the official issuing the identity paper.
(d) An indication of the holder's nationality.

Article 16.

Official identity papers of Government officials or military persons shall serve in lieu of the identity papers to which Article 15 relates.

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Article 17.

Each Party shall notify the other as to what authorities are competent for the issue of identity papers or official identity papers.

Article 18.

The frontier between Poland and Danzig may only be crossed at certain points fixed by mutual agreement.

Article 19.

1. Passenger traffic by rail or by boat may cross the frontier at any time of the day or night. The same facilities shall be accorded on certain main roads to be determined by mutual agreement.

2. At other points (Article 18) the frontier may be crossed only between sunrise and sunset or in any case between seven a. m. and seven p. m. (Central European time).

3. The regulation of passenger traffic by air shall form the subject of a special agreement.

Article 20.

1. Owners of agricultural property situate across the frontier shall be entitled, together with the members of their families and the employees or labourers working on the said property, to cross the frontiers wherever it is most convenient to do so as well as at the places specially designated for the purpose. This provision shall apply also to persons who, though not the owners of agricultural property situate across the frontier, are nevertheless compelled for business reasons to make use of roads and paths which involve the passage of the frontier.

2. For the crossing of the frontier in such cases it shall be sufficient to produce identity papers issued by the competent local police authority of the one Party and vissé by the competent local police authority of the other Party: the said identity papers shall be valid for not less than six months.

3. The identity papers must contain the following information:

   (a) Christian names and surname of the holder, description of his person, address and photograph.

   (b) Christian names and surname of the landed proprietor and address of the same.

   (c) Indication of the pieces of land on which the work is being done with particulars of the area of the same and references to the land register.

   (d) Indication of the family or service relation between the landed proprietor and the holder of the identity paper.

Article 21.

1. Polish or Danzig ministers of religion, doctors, veterinaries or midwives residing within a distance of not more than five kilometres from the frontier-line may be provided with identity papers for the practice of their profession within the five-kilometre zone on the other side of the frontier, entitling them to cross the frontier without restriction of any kind.

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2. The identity papers shall be issued by the locally competent Starost or Landrat of the one Party and visés by the locally competent Starost or Landrat of the other Party: the said identity papers shall be valid for not less than six months.

3. Such identity papers must contain, in addition to the particulars required for the identity papers to which Article 15 relates:

(a) An indication of the holder’s profession;
(b) A note as to the facilities accorded under the first paragraph of this Article.

Article 22.

The form of the identity papers to which Articles 20 and 21 relate, and the manner and cost of their issue, shall form the subject of a special agreement between the Polish Government and the Government of the Free City.

Article 23.

In urgent cases, and in particular in the case of danger to life or limb, the person in danger or the persons rendering him assistance may cross the frontier without restriction of any kind under a certificate issued by the competent head of the commune concerned. Such certificate shall entitle the holder to cross the frontier on a single occasion only and to return, and shall be valid for twenty-four hours only.

Article 24.

In case of fire on one side of the frontier, fire-brigades on the other side may cross the frontier without restriction as to time or place without papers of any kind, and even without the identity papers to which Article 15 relates.

Article 25.

1. Measures to prevent the introduction of infectious diseases or epidemic diseases of cattle shall not be affected by these provisions.

2. The Polish Republic reserves nevertheless in respect of this provision (paragraph 1) the rights guaranteed to it in the Treaty of Peace of Versailles and in the Convention between Poland and Danzig of November 9, 1920.

Article 26.

1. The Free City of Danzig undertakes not to allow Polish nationals to cross the Danzig frontier to or from the sea, or to or from the German Reich, unless they are in possession of a passport for abroad entitling them to leave or enter Poland as the case may be.

2. The Polish Republic shall communicate to the Free City as soon as possible the necessary regulations for carrying out the provisions of the preceding paragraph, together with specimens of the passports for abroad and visas.

Article 27.

The Polish Government and the Government of the Free City shall institute negotiations as soon as possible with regard to the manner in which Polish authorities, and in particular Polish
consulates, shall co-operate in the issue of passports to nationals of the Free City living in foreign countries.

Article 28.

The provisions of this Section shall take effect three months after the day the present Agreement comes into force. Until that date the current regulations shall remain in force.

Article 29.

1. The Free City of Danzig declares that it will not expel Polish nationals from its territory, unless their presence is to the economic, national, social or religious detriment of the Free City or otherwise endangers its welfare.

2. The Free City at the same time declares that expulsions are its own internal concern, and that differences of opinion in regard to the expulsion of Polish nationals are not therefore subject to decision under Article 39 of the Convention. The Polish Republic declares that it does not share this view, and that the matter is one which affects the relations of Poland with Danzig and is consequently subject to decision under Article 39 of the Convention.

Article 30.

The Free City of Danzig declares that the execution of Article 26 represents a departure from current procedure applicable to Polish nationals alone, and that mistakes will be unavoidable in practice during the initial period (three months).

Article 31.

In the event of a state of siege (emergency, war) being introduced in Poland, the Polish Government shall come to an understanding with the Government of the Free City in regard to the institution of measures of control on the frontier between Poland and Danzig and, if no understanding is reached, shall institute such measures of control of its own part.

Section III.

CONVERSION OF FOREIGN COMPANIES INTO DANZIG COMPANIES.

(Articles 32-38.)

Article 32.

Subject to the reservation by the Polish Republic of the more extensive rights which it derives from Article 104, paragraph No. 5, of the Treaty of Peace of Versailles and from Article 33, paragraph 1, of the Convention between Poland and Danzig of November 9, 1920, the following conditions for the conversion of foreign companies into Danzig companies (Article 34 of the Convention) are hereby laid down by mutual agreement.
Article 33.

1. The conversion of a foreign company into a Danzig company shall be taken to mean:
   (a) The founding in conformity with Danzig law of a profit-earning company with legal personality, having its seat in the Free City, by the legally requisite number of physical or juristic persons, being in the majority foreigners.
   (b) The founding by a foreign company of a branch establishment in the Free City.

2. Foreigners within the meaning of paragraph 1 (a) shall be taken to mean physical persons who are not nationals of Danzig, or juristic persons whose seat is not situate in the Free City.

Article 34.

Within six months of the conclusion of the present Agreement, the Free City of Danzig shall draw up regulations to ensure that profit-earning companies which, being juristic persons and as such having legal personality, may or must under Danzig law have a Board of Control (Aufsichtsrat) or equivalent control organisation, shall not be entitled to be registered in the Register of the competent Court, notwithstanding their compliance with all other requirements of the law, unless the memorandum of association stipulates:
   (a) That the majority of the Board of Control or equivalent control organisation must consist of Danzig nationals.
   (b) That the meeting of the members of the company (General Meeting) must meet in some place within the territory of the Free City.

Article 35.

1. Companies coming under the terms of Article 33 (a), which have been founded before the present Agreement comes into force, shall amend their memorandum of association in accordance with the provisions of Article 34, and report such amendment on or before December 31, 1924, for registration.

2. The Free City shall enforce compliance with these obligations.

Article 36.

Registration of amendments to the articles of association of a company which conflict with the provisions of Articles 34 and 35 shall not be allowable. Resolutions by companies which conflict with the said Articles shall be null and void.

Article 37.

1. The founding by a foreign company of a branch establishment within the territory of the Free City shall require the Free City's assent.

2. The following conditions shall be applicable to the grant of the Free City's assent; that is to say, the foreign company shall be required:
   (a) To appoint a permanent representative residing within the territory of the Free City, who shall be empowered to meet all obligations incumbent on the foreign company in relation to the Free City and the authorities of the same; and to publish in the Official Gazette (Staatsanzeiger) the surname, Christian first name and domicile of the said representative, and any change in the person or place of residence of the same, and to put in his power of attorney to the registering Court.
(b) To conclude any contracts it may make with nationals of the Free City through the branch established in the Free City or, if it has more than one such branch establishment in the Free City, through one or other of them.

(c) Not to make provision for the non-judiciability of claims against the establishment or the capital assets thereof (§§ 21 and 23 of the Civil Procedure Code).

3. The Free City shall be entitled to impose more far-reaching conditions, and in particular may make provision enabling its assent to be withdrawn or terminated at any time the Danzig Senate may see fit, in the event of any substantial change in the circumstances under which the assent was granted.

Article 38.

Either of the Parties may apply at any time after January 1, 1925, for amendment of the provisions of this Section (Articles 33 to 37).

SECTION IV.

PERMISSION TO ENGAGE IN TRADE OR MANUFACTURES WITHIN THE TERRITORY OF THE OTHER PARTY.

(Articles 39-42.)

Article 39.

1. Nationals of the one Party who have established themselves within the territory of the other Party shall enjoy therein the same rights in every respect as nationals of the latter Party in the pursuit of trade or manufactures. In particular, they shall not be subject, on the legal ground of their nationality, to other or higher taxes than those imposed on the nationals of the other Party.

2. Within six months of the coming into force of this Agreement, negotiations shall be instituted with a view to the avoidance of double taxation and unfairness in the taxation of tax-payers of either Party.

Article 40.

1. Merchants, manufacturers and other persons engaged in trade (Gewerbetreibende) of Polish or Danzig nationality who show proof, by the possession of identity cards issued by the authorities of their respective countries, that they are authorised to engage in trade in the country in which they reside, shall be entitled, in person or through the agency of travellers of Polish or Danzig nationality in their service, to make purchases of goods or solicit orders for goods within the territory of the other Party. They shall be entitled to take samples with them of every description, but not goods. They shall be treated in the same way as nationals of the Party in whose territory they trade in respect of taxes on the pursuit of trade or manufactures.

2. Legal provisions restricting trade in the territory of one Party which are applicable to nationals of that Party shall be applicable also to nationals of the other Party.

3. Each Party shall inform the other as to the authorities competent to issue identity cards, the form of the cards, and the rules to be observed by traders and travellers in the pursuit of their trade.
4. Nationals of one Party who engage in trade or offer their products for sale at fairs or markets within the territory of the other Party shall receive the same treatment as nationals of that Party, and shall not be subject to higher taxes than the latter.

Article 41.

Joint stock companies, limited liability companies and other trading companies of whatever kind which have acquired legal personality in the territory of the one Party in conformity with the current law of the same and have their seat therein, shall be recognised in the territory of the other Party as being legally constituted; in particular, they shall be entitled to appear before the Courts as plaintiff or defendant or in any other capacity. They shall be permitted to engage in trade under the same conditions as similar companies of the Party concerned.

Article 42.

The provisions of this Section shall not be applicable to undertakings dealing with insurance shipping, transport or emigration. The question of the treatment of such undertakings is left open for subsequent separate agreements. Pending the conclusion of such agreements, the prevailing practice shall hold good.

Section V.

ACQUISITION AND ALIENATION OF MOVABLE AND IMMOVABLE PROPERTY IN THE TERRITORY OF THE OTHER PARTY.

(Articles 43 and 44.)

Article 43.

Nationals of one Party shall be entitled, on the same footing as nationals of the other Party, to acquire movable or immovable property of any kind in the territory of the other Party, under any form of legal title, and to hold, administer and dispose of the same in any way, without being subject to imposts, taxes or charges of whatever description other or higher than those to which nationals of the other Party are subject.

Article 44.

Nationals of one Party shall be entitled, provided they observe the national laws of the other Party, to remove their property, and in particular the proceeds of the sale of their property from the territory of the other Party, without being subject as foreigners to charges other or higher than those to which nationals of the other Party would be subject under similar circumstances.
PART II.

LEGAL QUESTIONS.

SECTION I.

ADMINISTRATION OF JUSTICE.

(Articles 45-109.)

CHAPTER I.

CIVIL MATTERS.

(Articles 45-70.)

HEADING I.

LEGAL CO-OPERATION IN CIVIL MATTERS.

(Articles 45-59.)

I. General (Articles 45-51.)

Article 45.

The Polish Republic and the Free City of Danzig undertake to co-operate each with the other on request in matters of civil or commercial law or voluntary jurisdiction, by means of direct communication between the judicial authorities concerned.

Article 46.

1. Letters of request shall be addressed to the Court of lowest instance, save in so far as otherwise indicated by the nature of the request or by the provisions of this Agreement, provided always that in that part of Poland which was formerly Russian territory they shall be transmitted through the Ministry of Justice in Warsaw.

2. If the authority applied to is without jurisdiction, the request shall be transmitted, without any further application, to the competent authority of the Party applied to.

Article 47.

1. Letters of request shall be drawn up in the language either of the authority applying or of the authority applied to. They shall not require legalisation, but shall be sealed or stamped with the official seal or stamp of the authority applying.
2. Documents and other written communications submitted in pursuance of letters of request shall be drawn up in the language either of the authority applying or of the authority applied to, and shall be transmitted direct to the authority applying.

Article 48.

Letters of request shall specify the subject of the request and contain a brief account, where required, of the facts of the case and the names, status or profession, and domicile or place of residence of the parties concerned.

Article 49.

1. Requests shall be executed in the manner laid down by the laws of the Party applied to.

2. Nevertheless, if the authority applying asks for a particular form of procedure, such procedure shall be followed, unless prohibited by the law of the Party applied to.

Article 50.

In all cases where a request is not executed by the authority applied to, the latter shall immediately inform the authority applying and, if it is a case of refusal (Articles 53 and 58), shall give reasons for the refusal, or, if it is a case of transmission to another authority (Article 46, paragraph 2), shall specify the other authority.

Article 51.

1. The costs of legal co-operation shall be borne by the Party applied to; no fees or other outlay of whatever kind shall be refunded.

2. Nevertheless the authority applied to shall notify the amount of the costs incurred to the authority applying, to enable the latter to collect the same from the person under obligation to make refund thereof. The amounts collected shall be retained by the Party applying.

II. Service of documents (Articles 52-55.)

Article 52.

Written communications for service shall be drawn up in the language either of the authority applying or of the authority applied to. If drawn up in another language, they shall be accompanied by a certified translation by a sworn translator into the language of one or other of the Contracting Parties. If they are communications from the Court applying, they must be sealed or stamped with the official seal or stamp of the Court.

Article 53.

1. Service may be refused if the Party in whose territory it is to be effected considers it such as to compromise its sovereignty or safety.

2. The service of documents summoning witnesses or experts may also be refused if the documents contain threats of penalties for non-appearance.
Article 54.

1. Proof of service shall be furnished either by a dated and legalised acknowledgment of receipt from the recipient or by an attestation of the authority applied to, stating the fact, form and date of the service.

2. If the communication for service is transmitted in two identical copies, the acknowledgment of receipt or the attestation shall be given on one of the two copies or be attached thereto.

Article 55.

Either Party shall also be entitled to effect direct by post the service of documents which are to be served in the territory of the other Party.

III. Other judicial requests (Articles 56-59.)

Article 56.

1. The judicial authorities of either Party, acting in accordance with the provisions of the law of their respective countries, may request the competent judicial authorities of the other Party to hear cases or take other judicial proceedings within the limits of their competence.

2. The provisions of paragraph 1 shall not be applicable to distress proceedings. The question of distress proceedings is left open for subsequent separate agreement.

Article 57.

1. Judicial authorities to whom requests are addressed shall comply therewith and use the same compulsory measures as they would apply in the execution of requests emanating from their own national authorities or of requests for the same purpose made by interested parties. Such compulsory measures shall not be necessary where the appearance in person of parties to a dispute is concerned.

2. The authority applying shall on his demand be informed as to the time and place of the proceedings in execution of the request, so as to enable the party concerned to attend.

Article 58.

1. The execution of requests may be refused:

   (a) If the authenticity of the document is not established.

   (b) If the proceedings requested do not come within the powers of the judicial authority of the Party applied to.

   (c) If the Party applied to considers the execution of the request to be such as to compromise its sovereignty or safety.

2. The transmission of records or other documents may also be refused where there are weighty objections to so doing on the ground of the importance of the documents, if the supreme judicial authority concurs.
Article 59.

1. Should a Court request information regarding the law in force in the territory of the other Party, such information shall be supplied by the Ministry of Justice in Warsaw and the President of the Court in Danzig in Poland and the Free City of Danzig respectively.

2. The legal points on which information is requested shall be specified exactly in the Court's request.

Heading 2.

LEGAL PROTECTION IN CIVIL MATTERS.

(Articles 60-64.)

Article 60.

Nationals of either Party shall enjoy in the territory of the other Party, free and unhindered access to the Courts and may appear therein under the same conditions as nationals of the country, save in so far as otherwise provided in Article 61.

Article 61.

The question of the provision of guarantees for the cost of legal proceedings and the payment in advance of Court fees is left open for subsequent separate agreement between the two Parties.

Article 62.

Nationals of either Party shall enjoy the benefit of free legal aid for poor persons in the territory of the other Party on the same footing as nationals of the other Party.

Article 63.

1. Certificates of indigence shall be issued by the authorities of the applicant’s habitual place of residence or, in default of any such place, by the authorities of his place of residence at the time of applying.

2. If the applicant is not living in the territory of either of the Parties, the certificate of indigence shall be legalised free of charge by the competent diplomatic or consular representative.

3. If certificates of indigence are not issued by the authority of the applicant’s place of residence, it shall suffice for the certificate to be issued by the competent diplomatic or consular representative.

Article 64.

1. The authority competent to issue the certificate of indigence shall be entitled to make enquiries of the authorities of the other Party as to the applicant’s financial position.

2. The authority responsible for the decision on the application for free legal aid shall, within the limits of his powers, be entitled to scrutinise the certificates and information submitted to him.
Heading 3.

Particulars Concerning Documents.

(Articles 65-70.)

Article 65.

1. Documents drawn up or issued by the Courts of one Party shall not require legalisation (certification) for use in the territory of the other Party, if sealed or stamped with the seal or stamp of the Court.

2. The same applies to:

(a) Documents of the Land Register Offices or offices issuing certificates against the lodgment of objects or securities for safe-keeping (Depositenämter), where these Offices are distinct from the Courts referred to in paragraph 1.
(b) Bill protests by notaries, Clerks of Courts or bailiffs.

Article 66.

Documents drawn up or issued by notaries, Clerks of Courts or bailiffs, with the exception of bill protests (Article 65, paragraph 2b), shall require legalisation for use in the territory of the other Party. Legalisation shall be effected in the territory of the Free City of Danzig by the President of the Court, and in Poland by the President of the district Court in whose area the official seat (Dienstsitz) of the notary, Clerk of the Court or bailiff is situate.

Article 67.

1. Articles 65 and 66 shall apply mutatis mutandis to private documents, the signature of which is legalised by a Court, notary or Clerk of a Court.

2. Nevertheless, such legalisation shall constitute proof only of the authenticity of the signature of the person who drew up the document.

Article 68.

1. Documents drawn up, issued or legalised by one of the supreme or higher administrative authorities of the one Party enumerated in the List attached (Annex 1), and sealed or stamped with their official seal or stamp of the authority, shall not require certification (legalisation) for use in the territory of the other Party.

2. Alterations or additions to the List may at any time be made, by mutual agreement, by public notice by the administrative authorities concerned.

3. Documents drawn up, issued or legalised by an authority other than those to which this Article refers shall require legalisation by that one of the authorities enumerated in the List which is next in rank above the authority drawing up, issuing or legalising the document.

Article 69.

1. Documents issued by a registrar of births, deaths and marriages in the territory of one Party in respect of entries in the official registers shall only require legalisation by the competent Court, or by the political administrative authority of first instance responsible for the supervision of the registrar, for use in the territory of the other Party.
2. Extracts from church registers in respect of births, deaths or marriages, which are delivered under the seal of the church, shall, unless they are covered by paragraph 1, require legalisation and an attestation by the Court within whose competence the parish falls that the person making out the extract is entitled to deliver it.

Article 70.

1. Legalised copies of documents for use in the territory of the other Party must be delivered by the authority that drew up or issued the document. Where under the above provisions a special legalisation is required for drawing up or issuing the document, such legalisation shall also be required for the legalised copy of the document.

2. If the authority which drew up or issued a document is no longer in existence, the legalisation of the copy thereof shall be effected by the competent authority taking the place of the former authority.

3. Failing any such authority in the place of the former authority, the legalisation shall be effected by the supreme administrative authority of the country.

Chapter 2.

Criminal Cases.

(Articles 71-109.)

Heading I.

Extradition.

(Articles 71-87.)

Article 71.

1. The two Parties hereby undertake to deliver up to one another in accordance with the terms of this Agreement, upon requisition being made, all persons within their respective territories who are being proceeded against or have been convicted in an ordinary civil Court for offences committed within the territory of the Party applying which are punishable with imprisonment (incarceration) with or without the option of a fine, or other more severe penalty, provided the offence in respect of which extradition is claimed is also punishable with one of the aforesaid penalties under the law of the Party applied to or, if the Party applied to is Poland, even under the law of one part of its territory.

2. Extradition shall also be granted under the same conditions for complicity, receiving, and aiding and abetting in connection with an offence of the kind specified in paragraph 1, and for attempts to commit the same or action preparatory thereto.

3. Extradition shall be granted under the same conditions if the offence was committed in the territory of a third State by a national of the Party applying.

4. In proceedings before the ordinary military courts the extradition of persons belonging to the Polish Army may be applied for only where the offenders, if civilians, would be liable to be surrendered under this Convention for the same offence, and where the transfer of the proceedings to an ordinary civil Court is not permissible.

No. 2699
Article 72.

1. The following offences shall not be extraditable:
   (a) Political or military crimes or misdemeanours;
   (b) Offences against laws relating to Customs or taxes or other financial legislation.

2. The following cases shall also not be extraditable:
   (a) Where, at the time the application is received, exemption from prosecution or punishment has been acquired by lapse of time under the law of the Party applied to in all parts of its territory;
   (b) Where proceedings in respect of the same criminal offence have been instituted in the territory of the Party applied to against the person claimed, provided always that acquittal or stay of proceedings shall not constitute a bar to extradition when such acquittal or stay of proceedings was due solely to the offence having been committed in a foreign country.

Extradition may be refused:
   (a) Where proceedings in respect of the same criminal offence are pending in the territory of the Party applied to against the person claimed;
   (b) Where the criminal offence in respect of which extradition is claimed is not judiciable, under the law of the Party applied to or the law of a part of its territory, unless a criminal information is laid (Strafantrag).

Article 74.

1. Neither Party shall surrender its own nationals.

2. If the person claimed has made request for naturalisation to the Party applied to before the application relating to him is received, the application may be held over pending the final decision on the request for naturalisation.

Article 75.

1. If the person claimed is not a national of the Party applying, the Party applied to may bring the application to the notice of the Government of the State of which the person in question is a national.

2. If the Government of the State of which the person claimed is a national lays claim to him for the purpose of bringing him to trial in its own Courts in connection with the same criminal offence, he shall be surrendered to the said Government.

Article 76.

1. If the Governments of more States than one apply for extradition of the person in respect of the same criminal offence, the State in whose territory the offence was committed shall have the preference, save in so far as otherwise provided in Article 75.

2. If the Governments of more States than one apply for extradition of the same person in respect of different criminal offences, the provisions of Article 75 shall be applicable. If it is not a case of extradition to the Government of the State of which the person claimed is a national, the relative severity of the penalties attaching to the several crimes shall decide to which Government
he shall be surrendered, preference being given to the application relating to the more severely punishable crime. If all the crimes are punishable with equally severe penalties, the offender shall be surrendered to the Government whose application was received first.

Article 77.

1. If the person claimed is being proceeded against, or has been convicted, in the territory of the Party applied to for another crime, extradition may be deferred — without prejudice to the decision to be taken immediately in regard to the application — until such time as the proceedings are at an end and the punishment, if any, carried out or remitted.

2. Provisional extradition may nevertheless be granted before the close of the proceedings to enable proceedings to be continued or sentence to be passed in the territory of the Party applying, provided the latter undertakes to re-deliver the provisionally extradited person immediately after the completion of the proposed investigations or the passing of sentence, and in any case within a reasonable time-limit to be imposed for the purpose.

Article 78.

1. An extradited person may not be proceeded against or punished or re-extradited to a third State for a criminal offence committed before his extradition, unless extradition or re-extradition for such offences is specially granted.

2. If the legal position in regard to the facts on which the extradition took place, as shown in the documents submitted with the demand for extradition, is modified to such an extent as to make it appear doubtful to the Court whether with the new legal position the offence is extraditable, the assent of the Party applied to shall be required for the continuance of the proceedings.

3. The conduct of investigations or infliction of punishment in connection with a crime of an extradited person other than that for which he was extradited shall not be permissible, unless the other crime is extraditable under the present Agreement and the Party which has effected the extradition consents thereto, or the extradited person signifies his assent by a deposition in Court.

4. A certified copy of the deposition in Court by which the extradited person signifies his assent to the conduct of investigations in connection with the other crime shall be communicated to the extraditing Party. At the same time there shall be attached thereto a written communication of the Court showing the nature of the other crime with a statement of the facts of the case and indication of the provisions of the criminal law relating thereto and the text of the same.

Article 79.

1. If the extradited person has of his own fault failed to leave the territory of the Party to which he has been extradited within two months from the close of the proceedings against him in connection with the crime for which he was extradited, or from the service or remission of the sentence passed on him, or if he of his own free will returns there, he may be proceeded against or punished in respect of crimes for which he was not extradited.

2. The time-limit of two months shall be reckoned:

(a) In cases of conviction, from the close of the day on which the penalty inflicted on the extradited person has been carried out;

(b) In cases of acquittal or stay of proceedings, from the close of the day on which the verdict of acquittal was pronounced on him or the notification of the close of proceedings conveyed to him.
3. If the extradited person is at the time undergoing imprisonment or detention before trial, the time-limit shall be deemed to begin from the time of his release from such imprisonment or detention and not before, save in so far as otherwise provided in paragraph 2.

Article 80.

1. Application for extradition shall be made to the supreme judicial authority of the Party applied to.

2. Applications for extradition should be accompanied by a warrant of the Court for the arrest of the person claimed or by the sentence passed on him, being of legally binding force. The said documents shall show the crime for which extradition is claimed with a statement of the facts of the case and indication of the provisions of the criminal law relating thereto: in the case of criminal offences against property, the damage occasioned or intended by the offender shall be specified, as nearly as may be. If these particulars are not apparent from the documents referred to, a special written communication of the Court shall be attached containing the missing particulars. A certified copy of the text of the provisions of the criminal law relating to the case shall also be attached.

3. Facts serving to establish nationality shall, where possible, be given.

4. The written communications to be attached shall be drawn up in the prescribed form of the Party applying, and shall be sealed or stamped with the official seal or stamp.

Article 81.

1. The necessary steps to give effect to an application for extradition shall be taken, in the absence of any presumption that the case is non-extraditable, immediately upon receipt of the application.

2. Where, for the purpose of ascertaining the whereabouts of a person required for extradition, it is essential that postal matter or telegrams should be confiscated, or information procured with regard to such, the necessary steps required under the law of the Party applied to shall be taken in the regular course.

3. The application shall include, wherever possible, a description of the person required for extradition, together with any other circumstances which may be of importance for the establishment of his identity.

Article 82.

1. The person whose extradition is applied for shall be provisionally arrested before service of the application, if such arrest is applied for under a warrant or legally binding sentence, in the absence of any presumption that the case is non-extraditable.

2. Application may also be made directly, in writing or by telegraph, by the Courts of the Party applying or by the public prosecutors (Staatsanwaltschaft) attached thereto to the corresponding authorities of the Party applied to.

3. Persons whose names have appeared on the application of the competent authorities of one of the Parties in the police lists of "wanted persons" of the other Party, in accordance with the arrangements made for that purpose, shall also be provisionally arrested, if found in the territory of the other Party.
Article 83.

1. The date of the provisional arrest (Article 82) and the place of detention shall be notified immediately and directly to the authority applying for the custody or pursuit of the person of the arrested party, and to the supreme judicial authority of the country making the arrest.

2. Provisionally arrested persons shall be set at liberty, unless the warrant or sentence is received by the authority in whose custody the arrested person is held within fifteen days at most from the close of the day of arrest. The said authority shall immediately serve the arrested person with a copy of the warrant or sentence.

3. The supreme judicial authority of the Party making the arrest shall be entitled to release the provisionally arrested person, if no application for extradition is received within 30 days from the close of the day of arrest.

Article 84.

Extradition shall be effected at a point on the frontier between the two Parties to be designated by the extraditing Party, at which there is an authority with power to take over the person surrendered.

Article 85.

1. All objects found in possession of the person to be surrendered and seized at the time of his arrest, being objects procured by him by means of the criminal offence, and all objects capable of serving as evidence of the said offence, shall be handed over with the person surrendered to the Party applying.

2. The same shall apply to any objects of the above description brought subsequently to light.

3. The objects in question shall also be handed over, on demand, in cases where extradition would have been admissible but could not be effected owing to the death or escape of the person to be surrendered.

4. Rights of third parties to such objects shall remain reserved; the objects shall be returned free of charge after the close of the judicial proceedings to the persons thereto entitled or, if the identity of the entitled persons cannot be established beyond question, to the Party applied to on the demand of the latter.

5. The Party to which demand is made for the handing over of the objects in question may retain them provisionally, if it has need of them for the conduct of criminal proceedings.

Article 86.

1. There shall be no refund of costs or fees incurred by one Party within its own territory as a result of extradition proceedings.

2. Nevertheless, the extraditing authority shall notify the amount of the costs incurred to the authority applying, to enable the latter to collect the same from the person under obligation to make refund thereof. The amounts collected shall be retained by the Party applying.

Article 87.

1. Where a third State extradites a person to one of the two Parties, the other Party shall permit through-transit across its territory of the person so extradited, provided always that the latter is not a national of the Party asked to permit such through-transit.

No. 2699
2. The provision contained in Article 80, paragraph 1 and in the first sentence of paragraph 2 of the same Article shall be applicable to demands for permission for through-transit.

3. The through-transit shall be effected by the shortest route by officials of the Party giving permission therefor without refund of any charges or fees.

HEADING 2.

LEGAL CO-OPERATION IN CRIMINAL CASES.

(Articles 88-104.)

Article 88.

Both Parties hereby engage to co-operate each with the other on request in criminal cases in accordance with the terms of Articles 89-104.

Article 89.

1. The said co-operation shall comprise:

   (a) Service of all papers of cases, including sentences.
   (b) Interrogation of accused persons, witnesses or experts, inspection by the Court of the scene of the crime, searches and seizures, and all other proceedings in connection with preliminary investigations.
   (c) Transmission of documents, acts of Court or copies of the same, evidence of guilt or other justificative material, and objects brought to light by the crime or liable on other grounds to confiscation.
   (d) Communication of particulars from judicial records.

2. Sentences of one Party shall not be carried out by the other Party.

Article 90.

1. Co-operation may be refused:

   (a) If the authenticity of the document is not established.
   (b) If the offence with which the preliminary investigations are concerned:
       1° Is not punishable under the law of the Party applied to;
       2° Is a political or military crime or misdemeanour.
   (c) If the person proceeded against, being a national of the Party applied to, is not within the territory of the Party applying.
   (d) If the proceedings requested are outside the competence of the Courts in the territory of the Party applied to.
   (e) If the Party applied to considers compliance with the request to be liable to compromise its own sovereignty or safety.

2. If on the other hand the letter of request is a request for search or seizure with a view to establishing evidence of guilt, the grant of such request shall be subject to the conditions governing extradition under the provisions of the present Agreement.

3. The service of invitations to give evidence may also be refused, if the invitations contain threats of penalties for non-appearance.
Article 91.

1. The transmission of Acts of Court and other documents, may also be refused, where there are special objections thereto, if the supreme judicial authority concurs.

2. The objects referred to in Article 89, paragraph 1 c) shall be returned free of charge, unless the Party applied to decides otherwise. Rights of third parties shall remain in any case reserved.

Article 92.

Direct communication between the ordinary Courts and the public prosecutors attached thereto shall also be allowable, save in so far as otherwise provided by the present Agreement, for purposes of legal co-operation in criminal cases.

Article 93.

Letters of request shall be addressed to the Court of lowest instance, save in so far as otherwise indicated by the nature of the request or the provisions of the present Agreement, provided always that in that part of Poland which was formerly Russian territory they shall be transmitted through the Ministry of Justice in Warsaw.

Article 94.

1. If the object of the request is not the service of an invitation to witnesses or experts to give evidence, but the actual invitation of the same for the purpose, the Court applied to shall itself issue the invitation, in the absence of any grounds for rejection of the request under the terms of the present Agreement.

2. The authority applying shall specify in its request the sum which will be paid to the persons invited to give evidence as a fee for their attendance. The sum named shall be notified to the persons invited together with the invitation. If the persons invited so desire, the authority applying shall make them an advance of the money.

Article 95.

1. Where a person in custody in the territory of one Party is to be brought up before a Court of the other Party for the purpose of giving evidence or being confronted with other persons, the request shall be addressed through the agency of the supreme judicial authority of the Party applying to the supreme judicial authority of the Party applied to.

2. In the absence of any grounds for rejection of the request under the terms of the present Convention, or any other specific objections to the granting of the same, the person to be brought up before the Court shall be handed over to the authorised agents of the Party applying at a point on the frontier to be designated by the Party applied to.

3. The person handed over shall be redelivered to the same point on the frontier by the Party applying immediately after the official proceedings proposed.

Article 96.

Save in the case for which Article 95 provides, witnesses and experts of the one Party may not be called upon sub poena to give evidence before the authorities of the other Party.

No. 2899
Article 97.

1. Persons of the one Party who appear of their own free will as witnesses or experts before an authority of the other Party in compliance with an invitation, or who are brought up before a Court of the other Party under the provisions of Article 95, may not under any circumstances be proceeded against in the territory of the Party applying, whichever State they may belong to, for an offence committed before they entered the territory of the Party applying.

2. Similarly, no sentence passed on them before they entered the territory of the Party applying may be carried out.

3. If the witness or expert has of his own fault failed to leave the territory of the Party applying within one month of giving evidence, he shall forfeit the grace accorded him under paragraphs 1 and 2.

Article 98.

1. Letters of request shall be drawn up in the language either of the authority applying or of the authority applied to. They shall not require legalisation, but shall be sealed or stamped with the official seal or stamp of the authority applying.

2. Documents and other written communications executed in pursuance of letters of request shall be drawn up in the language either of the authority applying or of the authority applied to, and shall be transmitted direct to the authority applying.

3. Requests for the service of written communications which are not drawn up in the language either of the authority applying or of the authority applied to shall be accompanied by a certified translation by a sworn translator into one or other of the two languages.

Article 99.

1. Letters of request shall specify the subject of the request, the name, place of residence or stay, and, where possible, particulars of the nationality of each of the accused persons, together with a brief account of the facts of the case and indication of the provisions of the criminal law relating thereto.

2. In letters of request for the service of documents, the authority applying shall give the exact address of the authority to which the documents are to be sent.

Article 100.

1. Requests shall be executed in the manner laid down by the laws of the Party applied to.

2. Authorities to whom requests are addressed shall resort to the same measures of compulsion for their execution as they would employ in the execution of requests by their own national authorities.

Article 101.

1. In the case of requests for service, proof of service shall be furnished either by a receipt dated and certified by the recipient or by an attestation of the authority applied to, stating the fact, form and date of the service.

2. If the communication for service is transmitted in two identical copies, the receipt or attestation shall be given on one of the two copies or be attached thereto.
Article 102.

In the event of the authority applied to not being competent in the matter, the request shall be transmitted in the regular course to the authority of the Party applied to which under the law of the latter is competent for the purpose.

Article 103.

In all cases where a request is not executed by the authority applied to, the latter shall immediately inform the authority applying and, if it is a case of refusal, shall give reasons for the refusal, or, if it is a case of transmission to another authority, shall specify the other authority.

Article 104.

1. The costs of legal co-operation under the terms of this heading shall be borne by the Party applied to. No fees or charges of whatever kind shall be refunded.

2. Nevertheless the authority applied to shall notify the amount of the costs incurred to the authority applying, to enable the latter to collect the same from the person under obligation to make refund thereof. The amounts collected shall be retained by the Party applying.

Heading 3.

NOTIFICATION OF CONVICTIONS.

Article 105.

1. Both Parties hereby engage, in all cases of conviction of nationals of the one Party by the Courts of the other Party, to notify the national authority of the convicted person free of charge, without specific request, by the transmission of the crime-sheet (record of conviction) or copy of the sentence being legally binding. This provision shall not be applicable where the crime-sheet (record of conviction) is not notifiable, under the rules governing the Court passing sentence to the Court's own national authorities in the case of the particular crime sentenced.

2. Notifications of convictions and requests for particulars of criminal records shall be addressed to the Public Prosecutor (Staatsanwaltschaft) at Danzig in the case of the Free City, and to the Ministry of Justice at Warsaw in the case of Poland. If it is within the knowledge of the Danzig Court which is the Polish authority in charge of the criminal records, the above notifications or letters of request may be addressed to the said Polish authority direct.

Heading 4.

RIGHT OF HOT PURSUIT.

(Articles 106-109.)

Article 106.

1. Officers of the Police or Public Safety Services of the one Party may follow fugitive criminals in hot pursuit, immediately after the commission of the crime or immediately after the detection of the criminal, where delay is dangerous, to a distance of eight kilometres within the territory
of the other Party, and there apprehend them and take from them the instruments used for the crime and any other objects constituting evidence of guilt.

2. Officials of the one Party shall not be entitled of their own authority to search houses in the territory of the other Party.

Article 107.

1. An official in hot pursuit must show his official identity papers on demand to any official of the Police or Public Safety of the other Party.

2. He must immediately report to the police authority of the place in which he proposes to effect the arrest of the person pursued, unless the pursuit would thereby be stultified or rendered appreciably more difficult, in which case he must report immediately after completion of the pursuit proceedings. On the demand of the police authority to whom he reports, he must immediately return to his own territory.

3. An official in hot pursuit shall be entitled to carry his service weapons in course of the pursuit, and to make use of them in case of need in self-defence.

Article 108.

The Public Safety authorities of the Party in whose territory the hot pursuit takes place must assist the official effecting the pursuit to arrest the person pursued or to obtain evidence.

Article 109.

1. Persons apprehended in hot pursuit shall be handed over immediately, together with the objects taken from them, to the police authority or judicial authority of the place in which they are apprehended.

2. Apprehended persons shall be provisionally arrested, in the absence of any presumption that the case is non-extraditable. Subsequent proceedings shall be governed by the provisions relating to provisional arrest.

Section II.

TRASFER OF THE ADMINISTRATION OF JUSTICE.

(Articles 110-144.)

Chapter I.

CIVIL SUITS.

(Articles 110-121.)

Article 110.

Civil suits which at the date of transfer of the administration of justice were pending within the jurisdiction of the former Prussian Provinicial Court of Danzig, and at the time of the coming into force of this Part of the present Agreement (Article 148) have not yet been the subject of a decision which has become legally binding, shall be proceeded with by the Court in which they are pending, save in so far as otherwise provided in Articles 111-113.
Article III.

Suits brought before a Court with sole competence to try the same, which, if brought at the time of the coming into force of this Part of the present Agreement, would have been judiciable solely before a Court of the other Party, shall be transferred to the Court of the other Party.

Article III2.

Where no one Court has sole competence in the case, the following provisions shall hold good:

(a) On the unanimous proposal of both litigants the case shall be transferred to the Court of the other Party designated in their proposal;

(b) Where a Court of the other Party of equal standing would have been competent, if the suit had been brought at the time of the coming into force of this Part of the present Agreement, either litigant may propose transference to such Court; and effect shall be given to the proposal, unless the Court to which Article III0 relates is also competent at the time of the coming into force of this Part of the present Agreement, and the party sued objects to the transfer. Where more than one Court of the other Party is competent, the litigant proposing transference or, if both litigants propose transference, the party sued, shall have the choice between the Courts in question;

(c) Where the litigants and parties to the suit or interveners, if any, are all nationals of the other Party, the case may be transferred automatically to a Court of the other Party of equal standing, if such would have been competent, had the suit been brought at the time of the coming into force of this Part of the present Agreement, unless the Court to which Article III0 relates is also competent at the time of the coming into force of this Part of the present Agreement. If more than one Court of the other Party is competent, the party sued shall have the choice between them. If the party sued does not exercise his choice, or if the parties sued, being more than one in number, cannot agree between themselves as to the Court to which the case should be transferred, the Court transferring the case shall designate the Court to which it is to be transferred.

Article III3.

1. The transference of cases may be decided without oral proceedings. The litigants shall be heard before a decision is taken.

2. In the cases to which Article III2 relates, proposals for transference shall be made — jointly, if there are more parties than one to the case — not later than the first day on which the case is before the Court after the coming into force of this Part of the present Agreement. In cases before an appeal Court, proposals for transference may be made up to the close of the oral proceedings on which the decision of the Court is based, in provision for the event of reference back to the previous Court.

3. There shall be no appeal against decisions to transfer cases. A case shall be deemed to be pending before the Court designated in the decision transferring it, as from the publication or service of such decision. The Court so designated shall be bound by the decision.

4. The costs arising out of the proceedings before the Court transferring the case shall be included in the costs of the proceedings before the Court designated in the decision. The provisions of Article 47, paragraphs 1 and 3 of the German Law concerning judicial costs shall be applicable to the proceedings and to the decision.

No. 2699
Article II4.

1. The provisions of Articles II0 to II3 shall be applicable mutatis mutandis to cases which, having been before the Prussian Provincial Court of Danzig, to which Article II0 relates, are now pending before the Danzig Higher Court, or before a Prussian Higher Provincial Court, or before the German Supreme Court of the Reich, or, in Poland, before a Court of Appeal or the Supreme Court.

2. Cases referred back shall come before the Courts which are competent for the purpose under Articles II0 to II3. The provision in the second sentence of Article II3, paragraph 2, shall be applicable to proposals for transference made in provision for the event of reference back to previous Courts.

Article II5.

1. If sentences passed before the coming into force of this Part of the present Agreement in cases of the kind to which Article II0 relates are subsequently appealed against, the Court competent for the proceedings and decision on the appeal shall be the Court in whose jurisdiction the seat of the Court whose decision is appealed against was situate at the time of the coming into force of this Part of the present Agreement. The provisions of Articles II1 to II4 shall be applicable mutatis mutandis.

2. The same rule shall hold good where a sentence passed before the coming into force of this Part of the present Agreement is subsequently disputed by a motion for retrial.

Article II6.

In proceedings with regard to transference of a case, as also in the event of interjection of an appeal or action for restitution or nullity, the parties to the case may be represented under power of attorney by any counsel admitted to practise before a Danzig Court or a Polish Court within the jurisdiction of the former Prussian Provincial Court of Danzig.

Article II7.

The provisions of Articles II0 to II6 shall apply mutatis mutandis to the settlement of petitions (Beschwerden).

Article II8.

Proceedings for recovery of debts (Mahnsachen) to which the conditions of Article II0 are applicable shall be continued by the Court to which application is made for the order of the Court to the debtor to pay. In the event of resistance or protest (Widerspruch oder Einspruch) the provisions with regard to pending cases shall be applicable. If the claim relates to the competence of the provincial Courts (District Courts), the provisions of Articles II5 and II6 shall be applicable mutatis mutandis in the event of the case being brought before the provincial Court (District Court) after the coming into force of this Part of the present Agreement.

Article II9.

1. Proceedings by public summons (Aufgebotswfahren) to which the conditions of Article II0 are applicable shall be governed mutatis mutandis by the provisions with regard to pending
cases. Invalidation proceedings (Anfechtungsklagen) which come before the Courts after the coming into force of this Part of the present Agreement shall be governed by the provisions of Articles 115 and 116 mutatis mutandis.

2. Proceedings by public summons with a view to establishing the decease of a person who, if alive, would be in possession of Danzig nationality at the time of the coming into force of this Part of the present Agreement shall be continued by the Danzig Court of first instance (Amtsgericht), if the Court before which the case is pending has its seat within that part of the territory coming under the jurisdiction of the former Prussian Provincial Court of Danzig which has fallen to Poland. If the said person would be in possession of Polish nationality, the proceedings shall be continued before the Divisional Court of Poznań (Posen), if the Court before which the case is pending has its seat in the territory of the Free City.

Article 120.

Bankruptcy proceedings to which the conditions of Article 110 are applicable shall be continued by the Court before which they are pending. If, in the event of the bankruptcy petition being brought after the coming into force of this Part of the present Agreement, the sole competent Court would be a Court of the other Party, the proceedings shall be transferred to such Court.

Article 121.

Distrain proceedings to which the conditions of Article 110 are applicable, if relating to immovable property, shall be continued by the Court of the Party in whose jurisdiction the property is situate, and otherwise by the Court competent for distrain proceedings after the coming into force of this Part of the present Agreement. If the Court before which the case is brought is competent to deal with a dispute in connection with distrain proceedings, the provisions of Articles 115 and 116 shall be applicable mutatis mutandis.

CHAPTER 2.

CRIMINAL CASES.

(Articles 122-133.)

Article 122.

Criminal proceedings which at the date of transfer of the administration of justice were pending within the jurisdiction of the former Prussian Provincial Court of Danzig, and at the time of the coming into force of this Part of the present Convention have not yet been the subject of a decision which has become legally binding, shall be continued by the Court in which they are pending.

Article 123.

1. Where under Article 122 criminal proceedings against a Danzig national, whose domicile or, in default of such, his habitual residence is situate, at the time of the coming into force of this Part of the present Agreement, within the territory of the Free City, would be continued before a Polish Court, the proceedings shall be transferred on application by the accused person to a Danzig Court, provided the offence forming the subject of the charge is judiciable under Danzig criminal law.
2. Where under Article 122 criminal proceedings against a Polish national, whose domicile or, in default of such, his habitual residence is situate, at the time of the coming into force of this Part of the present Agreement, in Poland, would be continued before a Danzig Court, the proceedings shall be transferred, on application by the accused person, to a Polish Court, provided the offence forming the subject of the charge is judicable under Polish criminal law.

3. In cases of criminal proceedings in which both Polish and Danzig nationals are concerned, the Polish nationals shall be tried in a Polish Court and the Danzig nationals in a Danzig Court in accordance with the rules laid down in the preceding paragraphs.

4. The accused person must put in his application before the beginning of the first proceedings in Court: he shall be warned to that effect at the earliest possible date. The Court to which the proceedings are transferred shall be designated by the Polish or Danzig Administration of Justice as the case may be.

Article 124.

1. The provisions of Article 78 shall be applicable mutatis mutandis to criminal proceedings which, having been before the Prussian Provincial Court to which Article 122 relates, were pending at the date of transfer of the administration of justice before a Danzig Higher Court or a Polish Court of Appeal or before the Supreme Court of the Reich or the Polish Supreme Court as the result of an appeal, and at the time of the coming into force of this part of the present Agreement had not yet been the subject of a decision which had become legally binding. The same rule shall apply to the settlement of petitions (Beschwerden).

2. Criminal cases referred back shall come before the Courts which are competent for the purpose under Articles 122 and 123. In the case to which Article 123 relates, the proposal for transference must be made before the beginning of the first proceedings in the Court to which the case is referred back: the necessary instructions shall be given by the Court of Appeal to enable the case to be referred back, where possible, direct to the Court of the other Party.

Article 125.

1. If sentences passed before the coming into force of this Part of the present Agreement in criminal proceedings of the kind to which Article 122 relates are not appealed against till after the coming into force of this Part of the present Agreement, the appeal shall be decided by the Court which, after the coming into force of this Part of the present Agreement, was the Court of higher instance in relation to the Court whose decision is appealed against, or to the Court taking its place under Article 122. The provisions of Article 123 shall be applicable mutatis mutandis.

2. If application is made after the coming into force of this Part of the present Agreement for retrial of a case, already pending at the date of transfer of the administration of justice, in which the last sentence was passed before the coming into force of this Part of the present Agreement, the provisions of Articles 122 and 123 shall be applicable mutatis mutandis.

Article 126.

Investigatory proceedings (Ermittlungsverfahren) which were pending within the jurisdiction of the Provincial Court to which Article 122 relates at the date of transfer of the administration of justice and are still so pending at the time of the coming into force of this Part of the present Agreement, shall be transferred by the public prosecutors in whose hands they are pending to the public prosecutors of the other Party, as soon as it appears that only Courts of the other Party are competent to try the case. The same rule shall apply to preliminary judicial enquiries of the same kind, as soon as it appears that, if the public prosecution had not been initiated until after the coming into force of this Part of the present Agreement, only Courts of the other Party would have been competent to try the case.
Article 127.

If criminal proceedings coming under the provisions of this Agreement cannot be completed by the authorities of the Court competent under the Agreement for the reason that the accused person is living in the territory of the other Party, being himself a national of the other Party, the other Party shall proceed against him, on application by the competent Party, provided the offence forming the subject of the charge is judiciable also under the other Party's own criminal law. The public prosecutors or Court for the purpose shall be designated by the Polish or Danzig Administration of Justice, whichever takes over the case.

Article 128.

Where sentences (or orders of the Court imposing penalties) falling within the jurisdiction of the Provincial Court to which Article 122 relates were already due for execution at the date of transfer of the administration of justice, or where sentences in cases of the kind to which Article 124, paragraph 1 relates became due for execution after the transfer of the administration of justice as a result of the rejection of an appeal, the execution of the sentences shall be begun or continued by the competent authority of the Court whose sentence is due for execution.

Article 129.

1. Convicted persons, the criminal proceedings against whom were pending at the date of transfer of the administration of justice, being persons within the meaning of the provisions of Article 123, paragraphs 1 and 2, with regard to the transference of criminal proceedings, may apply for the execution of their sentence to be transferred to the competent authorities of the Party whose nationals they are, if it is a case of penalties comporting confinement of the person which at the time of the application have still a term of not less than six weeks to run, provided the offence forming the subject of the conviction is judiciable also under the criminal law of the Party to whom the execution of the sentence is to be transferred.

2. Application for the execution of the sentence to be transferred must be made before the sentence has begun to be executed or, if it has already begun, within two weeks from the convicted person being warned of his power to apply: convicted persons shall be warned in either case at the earliest possible date.

3. In the case of convicted persons of the kind to which paragraph 1 relates, the Party which is competent under Article 128 for execution of the sentence may also apply for transference of its execution, if it is a case of penalties comporting confinement of the person which at the time of the application have still a term of not less than six weeks to run, provided the offence is one to which the condition laid down in paragraph 1 applies. The application in such cases must be made before the lapse of two months from the coming into force of this Part of the present Agreement.

4. The authority to whom the execution of the sentence is to be transferred shall be designated by the Polish or Danzig Administration of Justice, whichever takes over the case.

Article 130.

Cumulative sentences (Gesamtstrafen), the several terms of which have been imposed partly by the former Prussian Courts of the territory which has fallen to Poland and partly by Danzig Courts, shall be executed by that one of the two Parties whose contribution to the aggregate total of the sentence is the largest, or, if the contribution of the two Parties is equal, by that Party, the execution of whose terms of sentence begins first or has already begun. Article 129 shall be applicable mutatis mutandis.
Article 131.

1. If a sentence coming under the provisions of this Agreement in virtue of Article 128 cannot be executed in the territory of the Party competent for its execution for the reason that the convicted person is living in the territory of the other Party, being himself a national of the other Party, or for the reason that the property of a convicted person sentenced to a fine is situate in the territory of the other Party, the other Party shall undertake the execution of the sentence, on application by the competent Party, provided the offence forming the subject of the conviction is judiciable also under the other Party’s own criminal law. The authority competent for the execution of the sentence shall be designated by the Polish or Danzig Administration of Justice, whichever takes over the case.

2. Fines collected shall go to the Party collecting them.

Article 132.

1. The right of pardon shall in all cases pass with the execution of sentence to the Party to which the latter is transferred.

2. Costs incurred in connection with the execution of sentences shall in no case be refunded.

3. The costs of transport of persons on remand or committed for trial, who are to be handed over to the other Party, shall be borne as far as the place on the frontier at which they are handed over by the Party handing them over.

Article 133.

1. The crime registers (Strafregister) kept within the jurisdiction of the Provincial Court to which Article 122 relates shall be continued until further notice by the present registrars.

2. Records of convictions (Strafnachrichten) which neither Party has any longer any interest in preserving in its registers shall be gradually withdrawn from the files by each Party and placed at the disposal of the other Party in accordance with such arrangements for the purpose as may be made between the respective Administrations of Justice of Poland and the Free City.

Chapter 3.

Matters relating to voluntary jurisdiction.

(Articles 134-141.)

Article 134.

The provisions of Articles 135 to 141 shall apply to matters relating to voluntary jurisdiction in the jurisdiction of the former Prussian Provincial Court of Danzig.

Article 135.

1. Voluntary jurisdiction proceedings which are not yet finally settled shall be settled by the Court before which the matter is pending.

2. Nevertheless the Court must transfer the case to a Court of equal standing of the other Party, if the latter would be competent to try the case, had it not been brought before the coming
into force of this Part of the present Agreement. If at the time of the coming into force of this Part of the present Agreement both a Polish and a Danzig Court are competent, the case shall not be transferable, unless the person on whose jurisdiction the question of competence turns is at the time a national of the other Party, or one of the parties to the case proposes transference and all the others concur. The provisions of Article 113, paragraphs 1, 3 and 4 shall be applicable mutatis mutandis.

Article 136.

1. Where a Land Register Office has in its possession a register relating to landed properties within the jurisdiction of the other Party, it must transfer the register to the competent Land Register Office of the other Party. The date of such transfer shall be publicly notified,

2. Official proceedings undertaken by a Land Register Office to which the provisions of paragraph 1 relate before the coming into force of this Part of the present Agreement shall not be open to dispute on the ground that the said Office was not the competent local authority for the purpose.

3. The procedure in cases where only a part of a volume of the Land Register is transferable to the Land Register Office of the other Party, or where the landed properties dealt with on a page of the Register are not all situate within the jurisdiction of one and the same Party, is laid down in Annex II to this Part of the present Agreement.

Article 137.

1. Court registers shall be continued by the Court by which they have been kept hitherto.

2. Nevertheless, where under the conditions prevailing at the time of the coming into force of this Part of the present Agreement, a Court of the other Party would be competent for the keeping of a register, certified copies of the said register shall be communicated to the said Court. The extent to which in particular cases the registers themselves should be transferred, certified copies thereof being retained, shall form the subject of an arrangement between the Polish and Danzig Administrations of Justice.

3. The date of such transfers shall be publicly notified.

4. The provisions of Article 136, paragraph 2, shall be applicable mutatis mutandis.

Article 138.

Wills and contracts relating to successions shall remain in the keeping of the Court with which they have been officially deposited. Nevertheless Polish testators may, till December 31, 1922, apply for their transfer to a Polish Court or Danzig testators to a Danzig Court.

Article 139.

1. Judicial documents shall remain in the keeping of the Court by which they are at present kept.

2. The same rule shall apply to notarial papers (originals, registers, etc.) in the keeping of the Court.

Article 140.

Transcripts and certified copies or extracts of judicial or notarial documents, including copies of wills or testamentary dispositions, may be had on application made in accordance with the
provisions of the existing law to the authority or notary in whose keeping the original is. The same rule shall apply to the issue of certificates of all kinds.

Article 141.

1. Where the property of an entailed estate is situate exclusively in the territory of one of the two Parties, it shall be subject to the powers of the said Party.

2. If the entailed estate is partly in the territory of one of the Parties and partly in the territory of the other, the Polish and Danzig Administrations of Justice shall make arrangements for such alterations in the State supervision of these entails as are required owing to the transfer of the administration of justice. Entailed estates which include other property besides land shall, as a general rule, be placed under the supervision of that Party in whose territory the entailed landed property is situate, regard being had to the relative values and uses of the several parts of the estate. Both Governments reserve all their rights in the event of no agreement being reached within two years from the coming into force of this Part of the present Agreement, if no arrangement is made for the prolongation of the said time-limit.

3. The alterations in regard to State supervision of entailed estates for which paragraph 2 provides shall imply the concurrent transfer of the powers to make material changes in the law with respect to such entails, subject to the right of either Government, on or before the conclusion of an agreement relating to the question of State supervision, to take specific steps, or to arrange with the other Government for specific steps, in regard to the division of the estates.

CHAPTER 4.

CUSTODY OF JUDICIAL RECORDS, COSTS, DATE OF TRANSFER.

(Articles 142-144.)

Article 142.

1. Judicial records shall be handed over to the judicial authority entrusted with the continuance of the case under the above rules with regard to the transference of cases.

2. Filed records shall remain in the hands of the judicial authority in whose keeping they are at the time of the coming into force of this Part of the present Agreement. Where a past case recorded in the files again arises, and under the above rules with regard to the transference of case the continuance of the proceedings is entrusted to an authority of the other Party, the records shall be handed over to the said authority.

Article 143.

Where under the provisions of this Section proceedings pending are transferred to a Court of the other Party, the total costs of the proceedings still outstanding shall be collected by the said Court; the costs arising down to the time of transfer shall not be refunded to the Party transferring the case.

Article 144.

The date for the transfer of the administration of justice within the meaning of this Section shall be February 1st, 1920.
SECTION III.

FINAL PROVISIONS.

(Articles 145-148.)

Article 145.

1. The Polish and Danzig Administrations of Justice hereby reserve the right to agree to further provisions for the purpose of supplementing or executing this Part of the present Agreement, in particular in the matter of the transference of objects deposited for safe-keeping.

2. The two Administrations of Justice shall notify one another of such regulations in execution of this Part of the present Agreement as they may issue.

Article 146.

The Polish Republic and the Free City of Danzig are in agreement that the provisions of the Convention between Poland and Danzig of November 9, 1920, are not affected by the regulations contained in this Part of the present Agreement, particularly Article 2 of the former Convention, and Article 33 thereof in the light of Article 61 of the present Agreement.

Article 147.

1. Both Parties reserve the right to amend Article 72, paragraph 1, items (a) and (b), by means of a separate Agreement. Pending the conclusion of such Agreement, the provisions of Article 72 shall hold good.

2. Special arrangements shall be made in regard to the question of distraint in virtue of powers for the execution of judicial decisions in civil cases and matters relating to voluntary jurisdiction.

Article 148.

The provisions of this Part of the present Agreement shall come into force on January 1st, 1922.

ANNEX I.

to Article 68, paragraph 1.

LIST

OF THE ADMINISTRATIVE AUTHORITIES IN THE POLISH REPUBLIC AND IN THE FREE CITY OF DANZIG WHOSE DOCUMENTS DO NOT REQUIRE CERTIFICATION FOR USE IN THE TERRITORY OF THE OTHER PARTY.

A. IN THE FREE CITY OF DANZIG.

1. The Senate.
2. "The Chief of Police (Der Polizeipräsident in Danzig).
3. The Chief Customs Officer (Der Präsident der Oberzolldirektion in Danzig).

No. 2699
4. The Postmaster-General (*Der Präsident der Oberpostdirektion in Danzig.*)

5. The Head of the Social Insurance Organisations (*Der Präsident der Landesversicherungsanstalt und des Landesversicherungsamtes in Danzig.*)

6. The Head of the Inland Revenue Board (*Der Leiter des Steuerpräsidiums in Danzig.*)

7. The President of the Chief Administrative Court (*Der Vorzitzende des Oberverwaltungsgerichts in Danzig.*)

**B. IN THE POLISH REPUBLIC.**

1. All Ministries.

2. The Office of the Procurator General of the Polish Republic. (*Generalna Prokuraturja Rzeczypospolitej Polskiej*).

3. The Central Statistical Office (*Główny Urząd Statystyczny*).

4. The Central Land Office (*Główny Urząd Ziemska*).

5. The Central Liquidation Office (*Główny Urząd Likwidacyjny*).

6. The Chancellery of the President of the Republic.

7. The Chancellery of the Diet (*Sejm*).

**ANNEX II.**

*to Article 136, paragraph 3.*

**Paragraph 1.**

Where the registers at a Land Register Office relate to landed property situate within the jurisdiction of the other Party, the following provisions shall apply.

**Paragraph 2.**

1. If all the pages of a volume of the Land Register relate to landed properties situate within the jurisdiction of the other Party, the pages shall not be closed, but shall be held ready for transference to the other Party. Arrangements shall be made by the two Administrations of Justice in agreement as to the time of their transference.

2. The land records (*Grundakten*) and documents kept separately (cf. Rules of Procedure for the Offices of Clerks of Courts of First Instance, paragraph 46) and further, where the whole of a Land Register district is situate within the jurisdiction of the other Party, the Land Survey documents relating to the district, all papers and the list of property owners (cf. Rules of Procedure paragraph 45, paragraph 6, and paragraph 47) shall be held ready for transference together with the volume of the Register. The same rule shall apply to papers relating to landed properties which are not recorded on pages of the Land Register.

3. The land records shall be examined with a view to ascertaining whether they contain mortgage, dispository or other deeds relating to landed properties situate within the jurisdiction of the Party making the transfer. In the event of this being so, certified copies of such deeds shall be taken and appended to the records of such landed properties.

**Paragraph 3.**

1. If single pages of a volume relate to landed properties situate within the jurisdiction of the other Party, they shall be detached and plainly bound up together in a separate "transfer volume", in which they shall be given new consecutive numbering.

No. 2699
2. The transfer volume may also include pages of different land register districts. Other transfer volumes may be added with consecutive page-numbering from volume to volume, if the number of pages makes it necessary.

3. If there is reason to fear that the volume of the register may suffer unduly from the detachment of a page or pages, or if on any other ground the detachment of pages appears inconvenient, for example, if there are only a small number of pages to be detached, or if the entries on a particular page are continued owing to lack of space in other parts of the volume or in another volume, the pages which would require to be detached may be closed instead, and their contents transferred to a new page of the transfer volume.

4. The provisions of paragraph 2 shall be applicable to the transfer volume mutatis mutandis.

5. If it appears more convenient to transfer the entire volume, for the reason that the great majority of its pages relate to landed properties situate within the jurisdiction of the other Party, the pages relating to landed properties situate within the jurisdiction of the Party making the transfer shall be closed, and their contents transferred to a new page of a volume remaining with the Land Register Office making the transfer. Application may be made under the conditions referred to above for the transfer of volumes so retained.

Paragraph 4.

1. If a page of the Land Register relates to a number of landed properties, some of which are situate within the jurisdiction of the country making the transfer while others are situate within the jurisdiction of the other Party, the entries with regard to the latter shall be transcribed automatically into a new page of the transfer volume.

2. If only a portion of a landed property is situate within the jurisdiction of the other Party, the entries with regard to such portion shall be transcribed automatically onto a new page of the transfer volume. They may be so transcribed, even if the only papers with regard to the portion situate in the country making the transfer are a certified extract from the tax-payers’ roll and a card certified by the official entrusted with the keeping of the entries up to date.

3. In the cases to which paragraphs 1 and 2 relate, the necessary steps shall be taken, when transferring entries in the second and third Sections of the Register, to show joint guarantees (Gesamthaft) both in the old and in the new pages. The transcription shall be notified to all persons in whose favour an entry has been made in the Register and a note of their names has been appended to that effect. The parties concerned may waive such notification. New records shall be made out for the new page. The previous records must be left with the Land Register Office. The provisions of paragraph 2, sub-paragraph 3, shall be applicable mutatis mutandis.

4. If it appears more convenient to transfer the entire volume, for the reason that the entries relate in the main to landed properties or portions of landed properties situate within the jurisdiction of the other Party, the entries with regard to landed properties or portions of landed properties situate within the jurisdiction of the Party making the transfer shall be transcribed automatically on to a new page of a volume remaining with the Land Register Office making the transfer. The provisions of the second sentence of paragraph 2 and of paragraph 3 shall be applicable mutatis mutandis.

PART III.

POST.

(Articles 149-168.)

Article 149.

The postal, telegraphic and telephonic service to be established by the Polish Republic in accordance with Article 29 of the Convention of November 9, 1920, shall be independent of the Postal Administration of the Free City of Danzig.

No. 2699
Article 150.

It shall extend:

(a) In the port of Danzig to all classes and branches of the traffic services and of the technical and administrative services and the installations necessary for such services.

(b) Between the port of Danzig and Poland and between Poland and other countries via the port, to all postal, telegraphic and telephonic communications without any restriction to certain traffic routes and with the usual means of communication.

Article 151.

1. The Polish Administration shall be entitled independently to decide as to the extent and technical arrangement of such installations.

2. It may establish and maintain such installations with its own workmen or through its own contractors and according to its own regulations, except where joint use is made of Danzig installations (Article 157).

3. The Polish telegraph administration shall, however, inform the Danzig telegraph administration when it desires to undertake new construction in order that an agreement may be reached as to the most convenient method of carrying out such construction.

4. The same shall be done by the Danzig administration if its new construction affects the interests of the Polish administration.

Article 152.

1. Save where otherwise provided in the present Part, Poland shall operate her postal, telegraph and telephone service at her own cost and risk, with her own personnel and according to her own regulations and tariffs, and unaffected by and without the intervention of the Danzig postal administration.

2. The latter administration is, however, prepared in exceptional circumstances to intervene where the establishment of direct communications would involve a disproportionately great expenditure for Poland.

Article 153.

In regard to transport undertakings, the Polish postal administration shall have the same privileges as that of Danzig.

Article 154.

Postal matter and telegrams despatched directly through Polish postal and telegraph offices in the territory of the Free City of Danzig shall not be subject to censorship or confiscation or examination by the Danzig authorities, apart from Customs examination according to the general Customs regulations.
Article 155.

1. Subscribers to the Polish telephone in the port shall be entitled to use the service for local calls.

2. For this privilege Poland shall pay a general yearly tax of one gold franc and shall further guarantee the Free City of Danzig against the amount of any unpaid charges for the use by a Polish subscriber of the local telephone service.

3. Further details as to amounts payable shall be determined within three months of the installation of the Polish telephone service.

Article 156.

1. The Free City of Danzig shall, after an impartial enquiry and with due regard to the interests of both parties, sell or lease to Poland such buildings and land as may be indicated by Poland as necessary for the installation and working of her postal, telegraph and telephone services.

2. It shall be for Poland to decide whether the purchase or rent of such land or buildings is necessary.

3. An agreement shall be concluded between Poland and the Free City of Danzig in regard to the surrender of any particular land or buildings.

Article 157.

1. The Free City of Danzig shall permit the Polish telegraph administration to make joint use of the telegraph and telephone systems of Danzig for carrying Polish lines.

2. Polish lines on poles of the Danzig telegraph administration shall be installed and maintained by the staff of the Danzig administration and according to Danzig regulations. The Danzig administration shall be responsible for the regular and punctual execution of the work.

3. Repairs to Polish lines on Danzig poles shall in principle be carried out by the Polish administration.

Article 158.

1. Poland shall refund to Danzig the expenses of installation and shall pay a yearly rent for the joint use of the poles and the maintenance of Polish lines.

2. The expense of installation shall include the net expenses and also the general and subsidiary expenses.

3. The current yearly charges shall not be higher than those of the Danzig authorities according to the provisions in force.

4. Charges for lines shall include charges for use and maintenance of interior technical installations.
Article 159.

1. Poland is further entitled to make joint use of Danzig cables in so far as cable lines are allotted to her. She shall pay therefor a yearly rent to be calculated in accordance with the principles of Article 158.

2. When a joint cable is installed or repaired, the expenses actually incurred shall be divided between the two administrations in proportion to the lines respectively used by them.

Article 160.

1. The material necessary for construction and maintenance of lines and cables shall be supplied by Poland herself, in so far as such material is capable of use in the Danzig system of construction.

2. Unless the two administrations shall agree otherwise in a particular case, the estimates of the Danzig administration for constructional work shall be adopted when approved by the Polish telegraph administration.

3. Accredited representatives of the Polish postal and telegraph administration may make enquiries as to the progress of the work. The Danzig telegraph administration shall take account of their wishes as concerns construction, so far as circumstances permit, due regard being paid to their own regulations.

Article 161.

The Polish and Danzig postal and telegraph administrations shall, with due regard to the principles herein laid down, come to a further agreement as to the details relating to the above provisions.

Article 162.

1. The Polish telegraph administration shall have the same rights and duties in regard to the use of public and private ways, buildings and lands as the Danzig telegraph administration under the laws of Danzig in force at any moment. The same shall apply to assistance rendered by competent authorities and officials.

2. The penal provisions in force in Danzig for the safety of telegraph, telephone and cable lines shall also apply in regard to Polish lines in the territory of the Free City of Danzig.

Article 163.

For communications between Poland and Danzig each administration shall establish a scale of postal, telegraph and telephone charges on the same principles and as far as possible at the same rates.

Article 164.

1. The scale of charges shall not be lower than that for inland nor higher than that for foreign correspondence.

2. Nevertheless, on the proposal of the Free City of Danzig the same scale shall be adopted for communications by either Party as is enforced at any particular moment by Poland for communications between Poland and the port of Danzig.
Article 165.

Failing agreement between the two administrations as to the principles of the tariff and the amount of the charges, the principles applied shall be those of the international postal, telegraph and telephone tariff, and, for inland correspondence, the charges levied by the party whose inland tariff is highest, having regard to the level of its currency.

Article 166.

1. So long as Poland and Danzig do not have the same currency, the charges shall be established in relation to the value of the Polish and Danzig currency.

2. The currency value shall be determined in accordance with the average rate for the preceding three months.

3. If, within the following three months, this average rate of exchange is modified in such a way that the charges in force must be increased or reduced by twenty per cent in order to correspond to the new currency value, the charges must be revised within one month of the change in the currency value.

4. If an exceptionally important change in the daily quotation as compared with the previous rate occurs, either Party may propose a revision of the scale of charges.

Article 167.

1. The postal and telegraph administration whose charges at any moment form the basis for calculation of the scale of charges for correspondence between the two Parties, shall inform the other administration as speedily as possible of any change in its tariff which it has decided to introduce.

2. The introduction of a new scale of charges for correspondence between the two Parties shall come into force at latest one month after the fixing of the charges.

Article 168.

1. Special arrangements shall be made between the two postal Administrations as soon as possible in regard to the following points:

   (a) The use of Polish postal and telegraphic installations in the port for the local communications of Polish officials and offices;

   (b) The fetching away from the Polish and telegraph offices in the port, by addressees dwelling outside the port, of postal matter and telegrams despatched from Poland;

   (c) The distribution to Polish authorities or offices outside the port, of postal matter and telegrams despatched from Poland;

   (d) The connection with the Polish telephone exchange, to be established in the port for communication with Poland, of Polish authorities and offices situated in Danzig but outside the port;

   (e) Direct service communications between Polish post and telegraph offices in the port and foreign post and telegraph offices;

   (f) Permission to establish an unrestricted postal, telegraph and telephone service between the port of Danzig and foreign countries;
(g) Permission to establish a private local postal and telegraph service in the port of Danzig;
(h) Through communication for Poland, via the territory of Danzig, with Poland or other countries;
(i) Through communication with other countries for Danzig via Polish territory;
(k) Reciprocal communication between Poland and Danzig.

2. Any subsequent arrangements regarding points (a), (c) and (d) shall not affect the decision as to the situation from the standpoint of municipal law, of Polish authorities and offices in the territory of the Free City of Danzig.

PART IV.

NAVIGATION.

(Articles 169-183.)

SECTION I.

MARITIME NAVIGATION.

(Articles 169-173.)

Article 169.

The Free City of Danzig shall be under obligation to communicate to the Polish Government, immediately after registration, all registrations of ships flying the Danzig flag, and any changes in the register, with particulars as to rights of ownership or other impersonal rights in respect of the vessels in question.

Article 170.

1. The Polish Government shall be entitled within one month from the receipt of such communications (Article 169) to lodge an objection to their registration with the Senate of the Free City of Danzig.

2. The Polish Government may appeal against a decision of the Senate in regard to such objections by applying for a decision in accordance with Article 39 of the Convention within one month from the notification of the Senate’s decision to the Diplomatic Representative of Poland in Danzig.

3. The Free City of Danzig shall take steps to ensure the execution of the decisions to which paragraph 2 relates.

Article 171.

1. The Polish Republic shall permit sea-going vessels flying the Danzig flag to carry on the coasting trade in Polish waters under the same conditions as Polish vessels.

2. In the event of war or threat of war or mobilisation or any other considerations of public safety necessitating the temporary imposition of restrictions of any kind on the movements of Polish vessels in Polish waters, Danzig vessels shall be subject to the same restrictions, provided always that Polish authorities shall in no case have the right to seize Danzig vessels or compel them to perform services of any kind. Even if these or similar measures should be applied to Polish
vessels, Danzig vessels shall be permitted to return to Danzig and to make such use for the purpose as may be necessary of accommodation or installations of any kind.

3. Vessels or sea-going vessels within the meaning of this provision shall be deemed to include all Danzig-owned coastal vessels used for the transport of passengers or goods in addition to vessels which rank as Danzig ships under the law of the flag.

*Article 172.*

Danzig nationals shall be permitted to engage for service on Polish merchant vessels under the same conditions as Polish nationals.

*Article 173.*

1. The Polish Government shall be entitled, in accordance with Article 8, paragraph 3, of the Convention of November 9, 1920, to establish offices in Danzig for the registration of Polish ships and the inspection of the seaworthiness of the same and for the engagement of crews.

2. The competent Polish Courts within the territory of the Polish Republic shall decide appeals against the decisions of such offices.

3. The execution of the acts and orders of the said offices, if not within the competence of the Harbour Board, shall rest with the authorities of the Free City of Danzig, acting on the request of the Polish Government. The request of the Polish Government in such case shall be addressed through the Polish Diplomatic Representative in Danzig to such authority (Police or other executive arm) as the Senate may designate as competent for the purpose.

**SECTION II.**

**INLAND NAVIGATION.**

(*Articles 174-183.*)

*Article 174.*

Navigation and timber rafting on the waterways in the territory of the Polish Republic and the Free City of Danzig shall be free to the vessels and rafts of both Parties.

*Article 175.*

In the exercise of navigation or timber rafting on the Polish and Danzig waterways, Polish and Danzig vessels, cargoes and rafts, and the owners thereof and persons employed thereon, shall receive exactly the same treatment. They shall enjoy in the territory of either Party all rights and privileges accorded to the ships, cargoes and rafts, and owners thereof and persons employed thereon of such Party, both on the waterways and in the harbours or installations of any kind in connection therewith, including loading-stages.
Article 176.

Danzig vessels in the sense of Articles 174 and 175 shall be deemed to mean vessels which were registered before August 1st, 1921, or have been registered since that date, in the Danzig Inland Shipping Register, and are the property either of pure Danzig nationals or of companies or associations in which Danzig nationals have a preponderant share.

Article 177.

The Free City of Danzig shall be under obligation to notify the Diplomatic Representative of the Polish Government in Danzig of any changes of ownership registered in the Danzig Inland Shipping Register.

Article 178.

1. Vessels chartered by Danzig nationals or by companies or associations in which Danzig nationals have a preponderant share shall receive the same treatment as Danzig vessels in the sense of Article 176, up to a maximum number of two hundred vessels a year without regard to the number of voyages made.

2. The allocation of these vessels to the commercial circles concerned shall be left to the Government of the Free City of Danzig.

3. It is intended that at recurring intervals of two years the maximum number of vessels allowed shall be fixed afresh, by agreement between both Parties, in accordance with economic requirements. Pending such agreement, the current maximum shall continue in force.

Article 179.

The Diplomatic Representative of the Polish Government in Danzig shall make an entry in the ship’s papers of all Danzig ships (Article 176) or chartered ships (Article 178) with regard to the equal treatment of the same.

Article 180.

Papers issued to shippers or ships by the authorities competent for the issue of such documents in the territory of the Polish Republic and in the territory of the Free City of Danzig shall be equally valid in Polish and in Danzig waters.

Article 181.

In the event of war or threat of war or mobilisation or any other considerations of public safety necessitating the temporary imposition of restrictions of any kind on the movements of Polish vessels in Polish waters, Danzig vessels shall be subject to the same restrictions, provided always that Polish authorities shall in no case have the right to seize Danzig vessels or compel them to perform services of any kind. Even if these or similar measures should be applied to Polish vessels, Danzig vessels shall be permitted to return to Danzig and to make such use for the purpose as may be necessary of accommodation or installations of any kind.
Article 182.

In the acquisition of the necessary land, workshops, shipyards or business premises, and in the erection of branch establishments, Polish and Danzig shipping undertakings shall have the same rights in the territory of either Party.

Article 183.

The Polish Republic and the Free City of Danzig declare their readiness to enter into negotiations with a view to the establishment of identical laws and regulations on Polish and Danzig waters.

PART V.

FINANCIAL MATTERS.

(Articles 184-196.)

SECTION I.

STOCK EXCHANGE.

(Articles 184-190.)

Article 184.

There shall be in the Free City of Danzig a Stock Exchange for stock and currency transactions, on which the Polish mark shall be officially admitted to dealing and quoted officially in the Stock Exchange List.

Article 185.

On the Danzig Stock Exchange, transactions in the following shall be officially quoted:

(a) Polish marks (notes and cash);
(b) Cheques, transfers and cable transfers on banking institutions having in Poland the rights of foreign exchange banks;
(c) Commercial bills payable in Polish marks.

Article 186.

Branches of Danzig banks, having their headquarters in the territory of the Free City of Danzig, which are at present operating or may in future operate in the territory of the Polish Republic, shall be accorded by the Polish Finance Ministry, on fulfilment of the formalities by law prescribed, the rights appertaining to foreign exchange banks in Poland.

Article 187.

For such time as the restrictions on monetary transactions with foreign countries remain in force in Poland, cable transfers, cheques and transfers in Polish marks to private persons or firms, not being foreign exchange banks, shall not be dealt in or quoted on the Danzig Stock Exchange.
Article 188.

1. In fixing the exchange of the Polish mark, those purchases and sales only shall be taken into account which are carried out through sworn brokers.
2. The rates for cash and foreign exchange (Devisen) transactions shall be shown separately.
3. The Stock Exchange List shall contain separate columns showing the banker’s buying and selling rates (Geld and Brief) respectively. The difference between the two rates shall normally not exceed eight per centum.

Article 189.

1. At least two representatives of Polish banks shall be appointed members of the Danzig Stock Exchange Committee.
2. One of these, or his representative, shall be entitled to assist in the fixing of the official exchange of the Polish mark: for which purpose he shall receive the invitation of the Stock Exchange Committee.

Article 190.

1. Save in so far as otherwise provided, the official rate for the conversion of Polish marks into Danzig currency and vice versa shall be the previous day’s official quotation of the banker’s selling rate (Briefkurs) for Polish bank notes on the Danzig Stock Exchange; or, if there was no official quotation for the previous day, the last previous official quotation on the Danzig Stock Exchange.
2. The Polish Republic and the Free City of Danzig shall jointly issue special regulations for the execution of the above provisions.

SECTION II.

POLISH GOVERNMENT OFFICE FOR RECEIPTS AND PAYMENTS.

(Articles 191 and 192.)

Article 191.

1. A Polish Government Office for Receipts and Payments shall be established with the Diplomatic Representative of the Polish Government in Danzig.
2. It shall undertake the following transactions:

(a) Execution of all payments on behalf of the Polish Government, and receipt of payments of every kind on behalf of the same, and in particular any receipts or payments for the settlement of accounts between the authorities of Poland and Danzig.

(b) Financial transactions for the support of the Polish mark.
(c) Attendance at meetings of the Danzig Stock Exchange.

Article 192.

The Government Office for Receipts and Payments shall be entitled to keep or open accounts with banks or financial houses in the territory of the Free City of Danzig.

No. 2699
SECTION III.

SPECIAL PROVISIONS.

(Articles 193-196.)

Article 193.

In the event of financial houses in Danzig concluding special arrangements (cartels) with a view to unifying the conditions of purchase and sale of Polish marks, the competent authorities of the Free City of Danzig shall support such endeavours.

Article 194.

1. The conclusion of contracts in the Free City of Danzig shall not be impeded or restricted on the ground that they are expressed in Polish marks. Contracts of such a nature shall enjoy the same protection at law as contracts concluded in Danzig currency.

2. Sums payable in the territory of the Free City of Danzig in respect of contracts entered into in Polish marks shall be payable only in Polish marks, unless the creditor agrees to another method of payment.

Article 195.

1. Until such time as the Polish Republic has removed all restrictions on the export of Polish marks and foreign currency and securities, and on the conclusion of foreign transactions in Polish marks and foreign currency, it shall be entitled to apply in regard to the Free City of Danzig the same restrictions as are in force in Polish territory in regard to States having a different currency system.

2. The Polish Republic will anticipate the removal of these restrictions in relation to the Free City of Danzig in proportion as the Free City itself imposes such restrictions on foreign monetary transactions.

3. Should the Polish Government remove such restrictions, the Free City of Danzig shall not be entitled to apply similar restrictions against Poland.

Article 196.

The Polish Republic and the Free City of Danzig reserve the right in accordance with Article 36 of the Polish-Danzig Convention of November 9, 1920, at any time to enter upon negotiations for the unification of their currency systems, and, if need be, to take steps with a view to a decision under Article 39 of the Convention.
PART VI.

CUSTOMS.

(Articles 197-210.)

Article 197.

1. As from January 1st, 1922, the following Ordinances shall come into force in the territory of the Free City of Danzig:

(a) Ordinance of the Finance Minister and the Minister of Industry and Commerce dated June 11, 1920, concerning the Customs tariff (Dziennik Ustaw Rzeczypospolitej Polskiej Nr. 51, item 314) and the Additional Regulations contained in the Ordinance of the Finance Minister and the Minister of Industry and Commerce dated July 27, 1920, with regard to an amendment to the Ordinance concerning the Customs Tariff (Dziennik Ustaw R. P. Nr. 79, item 532) and in the Ordinance of the Finance Minister and the Minister of Industry and Commerce dated July 27, 1921, with regard to a partial amendment of the Ordinance concerning the Customs Tariff (Dziennik Ustaw R. P. Nr. 67, item 444);

(b) Ordinance of the Finance Minister dated December 13, 1920, concerning Customs Procedure (Dziennik Ustaw R. P. Nr. 11, item 64) and the Additional Regulations contained in the Ordinance of the Finance Minister dated July 9, 1921, with regard to Customs Procedure concerning Returnable Empties in International Traffic (Dziennik Ustaw R. P. Nr. 67, item 439);

(c) Ordinance of the Finance Minister and of the Minister of Industry and Commerce dated May 17, 1921, concerning the increase in the Supplementary Customs Duty on Luxury Articles (Dziennik Ustaw R. P. Nr. 46, item 284);

(d) Ordinance of the Finance Minister and of the Minister of Industry and Commerce dated June 23, 1921, with regard to the increase in the Supplementary Customs Duty on Luxury and Similar Articles (Dziennik Ustaw R. P. Nr. 57, item 366);

(e) Ordinance of the Finance Minister and the Minister of Industry and Commerce dated August 18, 1921, with regard to Customs Privileges (Dziennik Ustaw R. P. No. 70 item 471);

(f) Decree of the Council of Regents (Rada Regencyjna) dated October 31, 1918, with regard to the Protection of Artistic and Cultural Monuments (Dziennik Praw Państwa Polskiego No. 16, item 36), so far as it contains prohibitions on export;

(g) Law of October 21, 1919, with regard to the Organisation of Administrative Statistics (Dziennik Ustaw R. P. No. 85, item 464), so far as it concerns Customs statistics.

2. Should new Ordinances relating to the Customs laws be issued before January 1, 1922, they shall come into force on that date in the territory of the Free City of Danzig, in default of any provision for a later date.

3. Polish Customs laws and tariffs, and Ordinances issued thereunder by the Polish Central Customs Administration, after January 1, 1922, shall come into force in the territory of the Free City of Danzig at the same time as in the territory of the Polish Republic, unless provision is made therein for a later date.

4. Should the Polish Government desire after the conclusion of this Agreement, to make any amendment to the Customs laws or Tariff or to any of the Ordinances to which paragraph 1 relates in respect of the finishing or warehousing trade or the system of retarded payments, it shall afford opportunity in good time to the representatives of the Government of the Free City of Danzig and to the representatives of the interested circles designated by the Government of the Free City for the expression of their views. Before any amendment of other Customs provisions,
the representatives of the Government and of the interested circles of the Free City shall be heard to the same extent as the representatives of interested circles of the Polish Republic.

5. The Polish Government in its Customs laws and Customs Tariff shall safeguard, as far as may be, the interests of the Free City of Danzig.

*Article 198.*

The following provisions of this Part (Articles 199 to 210) shall come into force on January 1, 1922.

*Article 199.*

1. The organisation of the Danzig Customs shall be under the Government of the Free City of Danzig. The powers and duties of the Danzig Chief Customs Authority in relation to the Polish Central Customs Administration shall be those of a Polish Customs authority of Second Instance.

2. Officials of the Danzig Customs Administration in the territory of the Free City of Danzig shall be subject to the regulations in regard to the legal position of officials and to the orders and supervision of the Danzig authorities set over them.

3. The Danzig Customs Administration shall refer matters falling within the jurisdiction of the Polish Central Customs Administration direct to the latter, at the same time transmitting a copy of the relevant documents to the Polish Chief Inspector of Customs (Article 200, paragraph 3).

4. Official correspondence in German addressed to Customs Offices in Poland by Customs Offices in Danzig shall be accompanied by a Polish translation.

*Article 200.*

1. The Polish Central Customs Administration shall provide for the supervision of the Customs Service in accordance with Article 14 of the Convention of November 9, 1920, in the territory of the Free City of Danzig through Polish Inspectors of Customs appointed by it. They shall be attached to the Danzig personnel, and shall carry out their duties partly in the Offices of the Chief Customs Authority of Danzig and in subordinate Customs Offices, and partly in the Frontier Observation Posts of the Free City.

2. The Polish Inspectors of Customs shall neither be superior nor inferior to the Danzig Customs Administration. Their number and names and any modification thereof shall be communicated by the Polish Central Customs Administration to the Danzig Customs Administration.

3. The Polish Inspectors of Customs shall be under the orders of the Chief Inspector of Customs for the territory of the Free City of Danzig appointed by the Polish Government. The latter shall take such measures as seem good to him for the purpose of exercising control, whether in person or through the Customs Inspectors subordinate to himself.

4. Polish Inspectors of Customs shall be entitled to wear the prescribed uniform when on duty, but shall only carry arms in so far as Danzig officials engaged on similar duty are authorised to do.
Article 201.

1. The Polish Inspectors of Customs for the Free City of Danzig shall be authorised:

   (a) To supervise the application of the Polish Customs laws and Customs Tariff.

   (b) To observe all official transactions, and in particular to enter any Office, and view any appliances of the Danzig Customs Administration at any time during service hours.

   (c) To require information from the Danzig officials as to the reason for, or purpose of, any measures taken by them, and to inspect all Customs papers, books and documents relating to Customs matters.

   (d) To check clearances from Customs already effected.

2. Nevertheless the Polish Inspectors of Customs shall not be entitled to give orders to Danzig Customs officials.

3. They shall be allotted a place in which to work, similar to that allotted to the Danzig Customs officials and suitable for the performance of their duties in the light of local conditions, and shall have the right to make use of all the necessary technical resources available in the Customs Offices which they may require for the exercise of their supervision. Where the use of any apparatus or appliances is for special reasons restricted to officials with particular qualifications, the latter shall be bound to carry out the investigation required by the Inspectors in their presence and in accordance with their instructions.

4. The Polish Inspectors of Customs shall be authorised in the course of their duty to state their objections immediately in regard to any action taken by the Danzig officials. If the Customs clearance officials do not immediately take account of these observations, reference shall be made to the competent higher authority. If no agreement is reached between the competent higher authority and the Polish Inspectors of Customs, the divergence of views shall be committed to writing. The Polish Inspectors shall in such case be free to refer the matter further to their own official superiors.

Article 202.

1. The Polish Central Customs Administration shall transmit to the Danzig Customs Administration for its opinion any observations of which it thinks account should be taken in performance of the duty of supervision in accordance with Article 14 of the Convention. Should the Danzig Customs Administration not comply with this request, the Polish Central Customs Administration shall decide. If, pursuant to the decision, a sum of money has to be collected, the Danzig Customs Administration shall be responsible for the collection of the amount in dispute.

2. The observations of the Polish Inspectors of Customs concerning disregard of Customs laws, regulations and ordinances of every kind shall be similarly dealt with, and any defects in the official performance of duty shall be made good.

3. Where an offence is committed by a Danzig official against the Customs regulations, a statement of the facts shall be drawn up in writing on the request of the Polish Inspector of Customs, and further steps shall be taken to bring the official to account.

Article 203.

1. The accounts to be kept shall be a yearly account for the period of one financial year, to be submitted to the Polish Central Customs Administration not less than three months from
the close of such period. The yearly account shall give the current quarterly receipts of Customs revenue by each Customs Office as entered in the ledgers kept by each Customs Office. The figures of the receipts must be certified correct by the competent cashier.

2. In the case of non-recurrent revenue receipts, the relevant orders or certified copies of the same, or, in the case of audited accounts, extracts from the auditor’s reports, shall be attached. The same shall apply to refunds and deductions of every kind. The yearly account shall be certified correct by the accounting official and by the Book-Keeper of the Chief Customs Revenue Office, and its conformity with the books of the Chief Customs Revenue Office shall be certified by a Chief Accountant of the Danzig Customs Administration.

3. The Chief Customs Revenue Office shall make up quarterly returns in accordance with the foregoing principles, showing revenue and refunds and deductions of every kind in the previous quarter, and shall forward the same to the Polish Central Customs Administration before the twentieth of the following month.

4. The Polish Central Customs Administration shall be required to draw up a final account of the total gross revenue within a month of receipt of the quarterly or yearly accounts, and to communicate the same to the Danzig Customs Administration.

5. Each of the two Customs Administrations shall be required to inform the other of the estimates of gross Customs revenue required for the establishment of their respective budgets.

Article 204.

1. The Danzig Customs Administration shall be under obligation at the close of each week to make the Polish Central Customs Administration a payment on account in respect of the Polish Republic’s share in the gross receipts. The amount of this payment on account shall be calculated on the basis of the sums received by the Polish Republic during the previous fiscal year at the rate of one fifty-second part of such sums. The payments on account shall be made in the currency in which the revenue in question was actually received, and in proportion to the amounts actually received, provided that the gross takings are sufficient for the purpose, or to the extent of the gross takings, if the latter are not sufficient for the purpose.

2. During the first year, from January 1, 1922, the Danzig Customs Administration may deduct from the weekly payments on account the share of the gross receipts due to the Free City of Danzig under Article 206.

3. The difference between the payments on account actually effected and the total payment due shall be adjusted each quarter on the basis of the quarterly return transmitted to the Polish Central Customs Administration, allowance being made for the percentage of the gross receipts due to the Free City of Danzig.

Article 205.

1. Customs duties shall be levied as provided in the Polish Customs laws and Customs Tariff.

2. Where payment is made in Danzig currency, the rate of conversion officially quoted on the preceding working day in Danzig (Part V, Article 190) shall be applied. If payment is made after the date of its falling due, the rate of exchange of the day of falling due shall be applied.

3. Customs duties shall be paid at latest three days after they are declared payable. The Danzig Customs authorities may charge interest at ten per centum on overdue payments. Nothing in this provision shall prevent the subsequent issue of regulations concerning payments.
4. Refunds of Customs duties shall be made in the currency in which they can be shown to have been paid. If proof of this is not forthcoming, the Customs Administration, which orders the refund, shall decide in what currency repayment shall be made.

Article 206.

1. The fixed percentage of Customs receipts to be paid to the Free City of Danzig in accordance with Articles 15 and 17 (c) of the Convention between Poland and Danzig of November 9, 1920, shall be reckoned as follows:

The Polish Republic and the Free City of Danzig shall receive from the total gross Customs receipts collected in the territories of both Parties, a share based on the relation between the number of the population at the last census and the average consumption of goods cleared from Customs by the inhabitants of each of the two territories. For the first three years from January 1, 1922, the average consumption per head in the Free City of Danzig shall be deemed to be six times that of an inhabitant of the territory of the Polish Republic. After the expiration of this and each subsequent three yearly period, the Polish Republic and the Free City of Danzig shall be entitled to propose a fresh estimate of the average consumption, having regard to changed economic conditions.

2. Each of the two Customs Administrations shall bear the cost of its own Customs Service.

3. Should the Polish Republic require the installation of special premises for its Customs Service in the territory of the Free City of Danzig, or the Free City of Danzig require the installation of special premises for its Customs Service in the territory of the Polish Republic, an agreement shall be come to in each particular case as regards the payment of the cost.

Article 207.

Until such time as the laws of the Free City of Danzig in regard to monopolies and indirect taxes are brought into harmony with those of the Polish Republic, the following provisions shall apply:

(1) Where goods subject to a monopoly or indirect tax in the territory of their destination are imported from a country other than Danzig or Poland through a Danzig Customs Office and destined for Poland, or are imported through a Polish Customs Office and destined for Danzig, they shall be transferred on entry to the Customs or Revenue Office competent for the place of destination for collection of the Customs Duty or Monopoly duty or indirect tax.

(2) Where goods produced or put into free circulation in the territory of one of the two Parties are consigned to the territory of the other Party, they must be declared to the competent Revenue authority before consignment, and shall be transferred by the latter to the competent Customs or Revenue Office of the place of destination for collection of the duty or tax in accordance with the provisions in force in the place of destination.

(3) The transfer of goods subject to a Government Monopoly may not take place without proof of the issue by the Monopoly Administration of the necessary import or export licence.

(4) In the case of goods subject to a Government Monopoly, the Parties shall fix each year, by mutual agreement, the maximum quantities manufactured in each other's territory that may be imported into, or exported from, the Monopoly area of the other
without special permits from the Monopoly Administration. The Monopoly duty must be paid on import. A reduced Monopoly price shall be agreed on between the Parties for goods exported.

(5) Where goods subject to an indirect tax in the territory of one Party are transferred under official supervision from the territory of that Party to the territory of the other Party, they shall not be liable to the tax in the territory from which they are exported, and, if the tax has already been paid thereon, it shall be refunded.

Article 208.

The goods specified in Chapter 1 of Annex I are hereby declared subject to a Government Monopoly or indirect tax in the several territories of the Polish Republic and in the territory of the Free City of Danzig. The said Chapter may be amended in accordance with such provisions as shall be by law determined. The transfer of the goods specified in Chapter 1 of Annex I shall be regulated in conformity with the provisions of Chapter 2 of the said Annex.

Article 209.

The prosecution and punishment of offences against the provisions of Articles 207 and 208 of Chapter 2 of Annex I, shall be governed by legislative regulations to be drawn up separately for each of the territories concerned by mutual agreement.

Article 210.

1. Customs penalties, legal assistance and exceptions to the Customs Tariff shall be dealt with in a separate Agreement.

2. Should the separate Agreement in regard to Customs Penalties not have come into force before January 1, 1922, the existing penal provisions shall continue to hold good in the territory of the Free City of Danzig, until such time as the separate Agreement comes into force.

ANNEX I (CUSTOMS).

CHAPTER I.

Paragraph 1.

The following goods are subject to a Government Monopoly or to indirect taxation in the territory of the two Parties:

I.

In the territory of the Polish Republic:

(1) Monopolies:

(a) In former Russian territory: spirits, sugar, salt, saccharine, tobacco and tobacco preparations, mineral oils.
(b) In former Austrian territory: spirits, sugar, salt, saccharine, tobacco and tobacco preparations, mineral oils.
(c) In former Prussian territory: spirits, sugar.

2. Subject to Indirect Taxation:
   (a) In the whole of the Polish Republic: beer, matches, playing cards.
   (b) In former Russian territory: cigarette wrappers and papers, press yeast and coal.
   (c) In former Austrian territory: wine and sparkling wine.
   (d) In former Prussian territory: saccharine, tobacco, cigarettes, cigarette wrappers and papers, wine and sparkling wine, mineral waters, lighters, acetic acid, and salt.

II.

In the territory of the Free City of Danzig:
(1) There are no Government monopolies.
(2) The following are subject to indirect taxes:
   Tobacco, tobacco substitutes, cigarettes, mineral waters, wine and sparkling wine, beer, matches, lighters, spirits, acetic acid, sugar, salt and playing-cards.

CHAPTER 2.

Paragraph 2.

1. Persons desirous of consigning from the territory of the Polish Republic to the territory of the Free City of Danzig, or contrariwise, any of the goods mentioned in Chapter I and in larger quantities than are prescribed in paragraph 5, must make a previous declaration to the competent Office (that of the place of consignment).

2. The declaration shall be prepared in duplicate in the form given in paragraph 10 and shall specify:
   (a) Date of declaration.
   (b) Name and address of consignor.
   (c) Name of carrier (transport organisation).
   (d) Number and nature of contents, or number of packages.
   (e) Nature of goods.
   (f) Gross and net weight of each article of the contents, or of each package.
   (g) Name and address of consignee.
   (h) Office to which despatch is to be made.

3. If the goods consigned are subject to a Government Monopoly, the necessary import and export licenses must be produced.

4. The goods and the transport documents (bill of lading, invoice, etc.) must be submitted for official examination with the declaration.

5. At the request of the consignor, the Office of declaration may authorise the examination to take place on the premises of the consignor.

6. The Office of declaration shall examine the consignment as regards number of packages, gross and net weight and contents. If the consignment is found to be in order, the Office shall record the fact in the Consignments Register and on the documents of declaration, enter on the latter the proper consecutive number from the Consignment Register, place the official seals on the
consignment, and fix a time-limit for despatch. After signature of the declaration papers, the Office shall pass the consignment to the consignor for despatch together with the original declaration and other accompanying papers, and forward the duplicate declaration to the receiving office mentioned in the declaration (Revenue or Customs Office of the place of destination).

Paragraph 3.

1. By signing and receiving the declaration the consignor undertakes to provide for the delivery of the consignment passed to him for despatch, together with the accompanying documents, to the receiving office of the place of destination specified in the declaration, without change in the contents or quantity, with seals unbroken and within the prescribed time.

2. If the place of destination is changed en route, or the time is exceeded, or the packing has to be changed, or the quantity of the goods is modified en route, the carrier shall immediately inform the nearest Revenue Office of the occurrence and obtain instructions with a view to avoiding any breach of the Customs laws. Any action taken shall be noted on the accompanying documents.

3. A subsequent change of the place of destination or breaking of bulk in the territory of destination shall only be permitted if the whole consignment is brought in its unchanged condition to the nearest Revenue Office and subjected to the required procedure.

Paragraph 4.

1. In the territory of destination the consignment passed for despatch and the accompanying documents shall be produced at the competent receiving office (Revenue or Customs Office) specified in the declaration. The competent receiving office shall compare the original declaration received from the consignor with the duplicate declaration and shall examine the consignment as regards number of packages, gross and nett weight and contents. If the consignment has arrived with official seals unbroken and otherwise corresponds to description, examination of gross and nett weight of contents may be dispensed with.

2. If the examination of the consigned goods gives rise to no objection, the receiving office notes the fact in the "In" register and on the declaration, on which the appropriate number from the "In" register shall be placed; the office collects the required Monopoly duty or tax, notes the date of payment on the declaration and in the "In" register and hands over the consignment to the consignee. The original declaration being thus cancelled shall be returned forthwith to the office of despatch and the duplicate annexed to the "In" register.

3. The Monopoly duty or tax due shall be collected on any portion of the consignment passed for despatch which may be found on examination to be missing, unless it is clearly shown from entries in the original declaration that such loss occurred in the territory of destination without any fault on the part of the consignor or carrier, and that the missing goods have not unlawfully evaded taxation.

Paragraph 5.

1. The following quantities of goods need not be passed for despatch:

(a) 2 litres of beer,
(b) 2 litres of mineral water,
(c) 1 litre of wine,
(d) 25 cigars, or 50 cigarettes, or 50 grammes of tobacco,
(e) 10 boxes of matches,
(f) 2 lighters, both being of the same kind,
(g) 200 grammes of yeast.

2. In local traffic (within a radius of three kilometres from the Polish frontier) between former Prussian territories and the territory of the Free City of Danzig, the following need not be passed for despatch, provided they are not carried or consigned for trade purposes:

(a) 250 grammes of salt,
(b) 25 cigars, or 100 cigarettes, or 100 grammes of tobacco,
(c) 100 cigarettes wrappers or papers.

Paragraph 6.

1. It shall be determined by subsequent Ordinances, to be agreed upon mutually and published in proper and due form, on what land and waterways (not being railways or steamship lines) the transport of goods liable under paragraph 2 to declaration in traffic between the Polish Republic and the Free City of Danzig shall be authorised.

2. Railway, postal and shipping administrations and other carriers of goods shall not accept for forwarding goods liable to indirect taxes or to a Government Monopoly, unless the transport document is accompanied by a declaration serving as a pass for despatch, and further, in the case of goods subject to a Government Monopoly, an import or export licence from the revenue authorities.

3. Railway, postal and shipping administrations shall be under obligation to notify the competent receiving office specified in the declaration of the arrival of any goods accepted for forwarding that appear in the list in Chapter 1 of this Annex, and to do so not later than twenty-four hours after their arrival. The receiving office shall attach this notice to the "In" Register.

Paragraph 7.

Consignments shall not be delivered to the consignee without proof being shown of the payment of the tax or Monopoly duty. If goods are not removed by the consignee, the carrier may not sell them by public auction until he has paid tax or Monopoly duty due on them.

Paragraph 8.

Communal, police and Government authorities shall, when so requested, render assistance to the full extent of their powers to revenue officials charged with the execution of the provisions of the present Agreement.

Paragraph 9.

1. Every consigning office shall keep a Consignments Register, and every receiving office an "In" Register for consignments passed for despatch. Both registers shall be made up each quarter and submitted, as the case may be, to the Finance Ministry in Warsaw or to the Chief Customs Administration of the Free City of Danzig within four weeks.

2. If the original of a declaration has not been returned by the receiving office within fourteen days of the time specified in the Consignments Register, the despatching office shall make enquiries concerning the delay. The result shall be noted in the Consignments Register.
3. All duplicate declarations shall be entered in the “In” Register, even if the goods have not arrived within the prescribed time. In the latter case, enquiries shall be made as to the delay and, if necessary, a penalty imposed.

4. Where the enquiry shows that the consignment was lost in the territory of destination, the tax or Monopoly duty shall be collected from the consignor, if it cannot be obtained from the person responsible for the loss.

Paragraph 10.

The specimen declarations (paragraph 2) and registers (paragraph 9) shall be subject to the approval of the Finance Administrations of both Parties.

ANNEX II (CUSTOMS).

EXCEPTIONS TO THE CUSTOMS REGULATIONS.

Paragraph 1.

Where in the Customs laws of Poland the words “Poland, Polish, Polish origin”, etc. are used, the words “Danzig, of Danzig, Danzig origin”, etc. shall also be understood.

Paragraph 2.

Inhabitants of the Free City of Danzig, who can show that they have already drawn prizes in German public lotteries, shall be entitled to import such prizes within ten years from January 1, 1922.

Paragraph 3.

The import of bottle labels bearing marks of foreign manufacturers is also permitted, if the goods to which the labels relate are not imported at the same time. It is sufficient if they were previously imported.

Paragraph 4.

The import of fresh fruit from America and Australia is subject to the same restrictions as that of fresh fruit refuse from the same countries.

Paragraph 5.

Works of art and antiquities shall not be exported from the territory of the Free City of Danzig without the approval of the Senate.

Paragraph 6.

The import of loose playing cards is prohibited.
Paragraph 7.

I. The provisions of the two first paragraphs of Article 9, item 2 of the Ordinance of the Finance Minister of December 13, 1920, concerning Customs procedure (Dziennik Ustaw R. P. No. 11, item 64) is hereby amended to read as follows:

"Trousseaux and bridal or wedding presents destined for foreigners or for nationals who, having resided more than two years abroad, are establishing their domicile in Polish Customs territory as the result of marriage with a person domiciled in that territory may be imported free of duty. The applicant must furnish proof of the marriage; a sufficient indication of the objects forming the trousseaux shall be attached. The Finance Ministry of the Polish Republic, and for the territory of the Free City of Danzig the chief Customs authority, may permit the certificate of marriage to be subsequently produced."

2. The provisions of § 9, item 5, of the afore-mentioned Order are hereby amended by the addition of the following passage:

"Goods which were exported to a foreign country from free circulation in Polish Customs territory may, on their return, be exempted from duty by the Polish Central Customs Administration on preponderating grounds of equity, if they were in free circulation in the foreign country."

Paragraph 8.

The chief Customs authority of the Free City of Danzig shall be empowered to grant exemption from duty to goods coming from abroad and entering Polish Customs territory for temporary use, if they cannot be employed for any other purpose than for sampling or inspection.

Paragraph 9.

I. Customs duty shall be collected in accordance with the provisions and tariffs in force on the date on which the goods to be imported are submitted to the competent Customs post for clearance or for registration on export.

2. Goods which are destroyed under official supervision, or perish in bond, shall be free of duty. Goods in bond, whose nature or weight has been modified through natural causes, or which have been transformed under official supervision, shall be cleared under the regulations in force at the moment of clearance. For undeclared goods the relevant time and conditions shall be those of the moment at which the goods should have been declared, or, if these cannot be ascertained, the time and conditions at the moment of discovery.

Paragraph 10.

Article 9 of the Ordinance of the Finance Minister and of the Minister of Industry and Commerce of June 11, 1920, concerning the Customs Tariff (Dziennik Ustaw R. P. No. 51, item 314) as to the special Customs clearance of postal packets shall not apply in the territory of the Free City of Danzig until July 1, 1922. Agreement shall be reached as to the Customs clearance of postal packets before the above date.

Paragraph 11.

Fish proved to have been caught by Polish or Danzig fishermen or crews of Polish or Danzig boats — including seals, whales and other sea animals — and products thereof proved to have
been obtained at sea shall be free of duty. Shellfish and crustaceans caught in foreign coastal waters shall not be free of duty.

Paragraph 12.

1. Materials used for the construction, improvement or equipment of aircraft or river or sea-going vessels in the aircraft and shipping industries of Poland and Danzig, not being cabin or kitchen furniture, shall be free of duty. Pleasure craft for use on lakes or rivers waters shall be excluded from this exemption.

2. The Polish Central Customs Administration shall come to an agreement with the Chief Customs Authority of Danzig as to the preliminary provisions for the further enforcement of this principle. No provisions shall hereafter be laid down which are less favourable to the shipbuilding industry in Danzig than those at present in force in Danzig. Moreover, no provisions shall be laid down that are more favourable or less favourable to the Polish aircraft and shipbuilding industries than to the aircraft and ship-building industries of Danzig.

Paragraph 13.

1. In so far as Danzig concerns are at present entitled to import raw materials or partly manufactured articles from abroad free of Customs duty, with a view to the re-export to foreign countries of the manufactured goods or finished articles produced therefrom, or of an equal quantity of goods of the same kind after having undergone a finishing process in Danzig, they shall continue in the enjoyment of this right under the same conditions as heretofore.

2. In so far as Danzig concerns are at present entitled to export goods to foreign countries for finishing and to re-import them after finishing into the Danzig Customs territory duty-free, they shall continue in enjoyment of this right under the same conditions as heretofore. The Chief Customs Authority in Danzig shall communicate a list of all such privileges (paragraph 2) as are at present in force, to the Polish Central Customs Administration, by December 15, 1921, at the latest and, in the event of the list being incomplete, shall supply the necessary additional information within a period of two months.

3. A committee composed of not more than four representatives each of the Polish Republic and of the Free City of Danzig shall check the aforementioned list and determine whether the trade of this kind which at present takes place is to be regarded as a finishing trade, and eliminate any such trade not entitled to be so regarded.

4. All future applications with regard to the import of raw materials or partly-manufactured articles into Danzig for finishing purposes shall be examined and approved or rejected by the Danzig Chief Customs Authority on its own responsibility.

5. The export of goods from Danzig to foreign countries for finishing purposes shall in future be governed by the current regulations in force. In the application of the latter, due regard shall be had to the economic interests of the Free City of Danzig, and in particular to the costs of labour, working time required, transport difficulties and quality of products.

6. The Danzig Chief Customs Authority shall be empowered to grant applications in connection with the repairing trade, and in the more simple cases may delegate such powers to the Customs Offices subordinate to itself.

Paragraph 14.

1. The existing warehousing trade in Danzig and the provision of storage accommodation for goods against a credit (Kreditlager) or account (Kontenlager) or running account in the case of wine (eiserne Weinkredite) shall be maintained under the same conditions as heretofore.
2. In the event of changes in the Danzig warehousing trade, the existing conditions of the trade shall be allowed to continue, unless more favourable provisions for the conduct of it are laid down in the meanwhile.

**Paragraph 15.**

Persons and firms which have hitherto been permitted to defer the payment of Customs duties may continue to be granted similar facilities in the future if the Free City of Danzig takes responsibility for the correct collection of the Customs revenue. Similarly permission to defer payment may again be extended to persons and firms which formerly enjoyed such facilities in Danzig. The extent to which permission to defer payment may in future be granted to persons and firms which have never yet enjoyed such privilege shall form the subject of a separate arrangement to be subsequently concluded in agreement with the Danzig Customs Administration.

**Paragraph 16.**

With reference to the clause in the Finance Minister's Ordinance on Customs Procedure of December 13, 1920, (Dziennik Ustaw R. P. No. 11, item 64), providing that on declaration of goods for clearance through the Customs the foreign price must be stated and all the relevant commercial documents supplied, it is hereby understood that it will be sufficient if the value of the goods is certified by the foreign consignor on the invoice or freight bill.

**Paragraph 17.**

In cases where goods, the export of which from the common Customs territory is not restricted by regulations regarding Customs procedure, export prohibitions or for reasons of internal taxation, have to be declared for purposes of the export statistics only, the procedure of declaration shall be simplified for the purpose of the frontier traffic.

**Paragraph 18.**

The transfer of goods liable to duty or under Customs control from the frontier Customs Office to the Customs Office at the consignee's place of residence, or for re-export, may take place in lock-up barges, provided the barge proprietor gives security for the payment of the duty or the re-export of the goods.

**Paragraph 19.**

The transfer of goods liable to duty or otherwise under Customs control which have been placed in special bond (Einzelverschluss) may take place freely, provided security is given for the transport.

**Paragraph 20.**

Complaints regarding Customs clearance procedure or the tariff classification of goods may be lodged within thirty days of clearance. It shall be incumbent upon the complainant to produce proof of the identity of the goods, which must be officially established, to the competent Customs authorities.
Paragraph 21.

1. An official bureau shall be set up in Danzig to supply information relative to the tariff classification of goods for import.

2. Information shall only be supplied in the case of goods, where the tariff classification does not give rise to doubt, or where the question at issue has already been settled in principle by the Central Customs Administration. When such a ruling is not available, application must first be made to the Central Customs Administration for its decision. Information once given shall be binding upon all Customs Offices through which the goods may be imported.

3. If, after information has been supplied, the decision is altered in such a way as to make the goods liable to a higher duty, there shall be no subsequent collection of the difference between the two rates on goods finally cleared by the party applying for the information before the announcement of the change. In special cases the continued application of the original decision for a period of three months may be authorised in the case of goods which the party applying for the information can prove were imported in virtue of contracts concluded in good faith prior to the change.

4. Other details of procedure shall be settled by the two Customs Administrations.

Paragraph 22.

The special powers vested under the Ordinance relative to the Customs Tariff issued on June 11, 1920, by the Minister of Finance and the Minister of Industry and Commerce (Dziennik Ustaw R. P. No. 57, item 34) and the Minister of Finance's Ordinance of December 13, 1920, on Customs Procedure (Dziennik Ustaw R. P. No. 11, item 64), in the Polish Central Customs Administration are hereby transferred in respect of the territory of the Free City of Danzig to the Danzig Chief Customs Authority in respect of the following matters:

(a) Exemption from import duties of goods intended for experiment or exhibition.

(b) Exemption from import duties of goods belonging to the minor frontier district traffic.

(c) Fixing storage fees in official warehouses.

(d) Construction of Customs roads, loading-places, ferries, crossing places, bridges and landing-stages in the territory of the Free City of Danzig.

(e) Exemption from import duties of agricultural or farm produce raised on holdings extending beyond the Customs line and managed from a place situate within the Polish Customs area.

(f) Permission, in cases where trousseaux are admitted free, to defer production of the marriage certificate until a later date.

Paragraph 23.

Where for reasons of equity or public policy an exception is made under Polish law exempting dutiable goods from payment of Customs dues, such exemption shall be exclusively at the expense of the Party in whose territory the goods are used.
PART VII.

IMPORT AND EXPORT OF GOODS.

(Articles 211-219.)

SECTION I.

TRADE IN GOODS WITH FOREIGN COUNTRIES.

(Articles 211-214.)

Article 211.

1. The Free City of Danzig shall on April 1, 1922, apply to the trade in goods between its own territory and that of third States all economic restrictions on imports and exports of a general character (prohibitions and duties) at present in force in the Polish Republic. Danzig shall introduce the legislation necessary for the purpose.

2. For the purposes of paragraph 1, "restrictions" shall not be deemed to include sanitary ordinances in the interests of the health of persons or animals or police ordinance for the maintenance of the public peace.

Article 212.

1. The Polish Republic shall communicate to the Free City of Danzig for its information:

   (a) Two months before the date specified in Article 211, paragraph 1, the regulations at that time in force in its territory.

   (b) All such restrictions on imports and exports as shall hereafter be enacted or amended, prior to their promulgation.

2. Should the Free City of Danzig not protest within twenty days of receipt of the communication, it shall be deemed to be in agreement with the restrictions on imports and exports.

3. Should it protest, and should agreement with regard to existing or prospective restrictions on exports and imports prove impossible, the Free City of Danzig shall inform the Polish Republic of the maximum quantities of goods, the import or export of which to or from the territory of the Free City is required to provide for the consumption of the home population and to meet the requirements of Danzig industry, agriculture and artisan trades within the limits of their productive capacity. Poland shall recognise the maximum quantities so specified as binding.

Article 213.

The Free City of Danzig shall be entitled to export the products of its own industry, agriculture and artisan trades to foreign countries, all general export prohibitions notwithstanding, save in so far as otherwise provided in Part VIII, Articles 220 to 223.
Article 214.

In the case of transit trade interrupted in Danzig territory, the nature of which may be established through examination by Customs officials, the Free City of Danzig shall be entitled to import and export goods subject to import or export restrictions.

SECTION II.

TRADE BETWEEN POLAND AND DANZIG.

(Articles 215-217.)

Article 215.

All restrictions upon trade between the Polish Republic and the Free City of Danzig shall be abrogated as from April 1, 1922.

Article 216.

1. Even before that date the import and export restrictions (Article 211, paragraph 1) on certain goods or categories of goods shall be discarded or entirely abolished, as soon as the position of the economic interests affected shall permit.

2. The discard of the above-mentioned restrictions shall take place immediately in the case of those branches of economic activity, in regard to which both Parties are agreed that trade in the goods or classes of goods in question can proceed between them without prejudice to the Party supplying the goods.

Article 217.

1. For fifteen years from the coming into force of the present Treaty neither the Polish Republic nor the Free City of Danzig shall introduce import or export restrictions (Article 211, paragraph 1) affecting its trade relations with the other Party.

2. The introduction of such restrictions shall remain prohibited even after the expiry of the above-mentioned period, unless within ten years of the coming into force of the present Treaty either of the Parties declares that it cannot permanently forego the right to impose import or export restrictions.

SECTION III.

STATUS OF THE POLISH NOMINEE.

Article 218.

1. During time such as import or export restrictions affecting third States remain in force, the Diplomatic Representative of the Polish Government in Danzig shall appoint a nominee on the Foreign Trade Board set up by the Senate of the Free City of Danzig.
2. The provisions relative to the Polish Inspectors of Customs (Article 200 and following) shall apply to this appointment mutatis mutandis.

3. It shall be the duty of the Polish nominee to ensure uniformity in the application of the import and export restrictions; for which purpose he shall be entitled to demand the necessary information.

SECTION IV.

IMPORT AND EXPORT DUES.

Article 219.

Where import or export dues or handling charges are levied, they shall be collected by the authority competent to issue import and export permits for its own account.

PART VIII.

SUPPLY OF FOOD, FUEL, AND RAW MATERIALS FOR THE FREE CITY OF DANZIG.

(Articles 220-224.)

Article 220.

1. The facilities to be granted by the Polish Republic for the supply of food, fuel, and raw materials to the Free City of Danzig (Article 37 of the Convention of November 9, 1920), shall only apply to such goods as are produced by the Polish Republic in its own territory.

2. Should such goods not be available in quantities sufficient to supply the population of the Polish Republic, the Free City of Danzig shall only be entitled to claim facilities in respect of the supply of such goods to such an extent as will not leave the inhabitants of the Free City at a disadvantage in comparison with the inhabitants of the Polish Republic, and more especially the inhabitants of that part of Polish territory which is adjacent to the territory of the Free City.

Article 221.

On uniting with Poland to form a single economic territory, the Free City of Danzig shall enjoy the right to draw its supplies of food, fuel and raw materials from the territory of the Polish Republic under conditions identical with those under which the population of the Polish Republic obtains its supplies.

Article 222.

1. Pending the abolition of the economic frontier between Danzig and Poland, the Diplomatic Representative of the Polish Government in Danzig shall, at the suggestion and with the approval of the Government of the Free City, fix the maximum quantities of food, fuel and raw materials which the Free City shall have the right to import from the territory of the Polish Republic.
2. These quantities shall be determined by subtracting the home production of the Free City of Danzig from its actual requirements of all kinds of food, fuel, and raw materials.

Article 223.

1. The Free City of Danzig hereby undertakes to ensure that such food, fuel, and raw materials, and the finished and half-finished goods manufactured therefrom, obtained from the Polish Republic shall not be re-exported from the territory of the Free City to foreign countries. In so far, however, as the Polish Republic permits the export to foreign countries of food, fuel and raw materials or the finished or half-finished articles manufactured therefrom, the Free City shall likewise be entitled to export such goods.

2. Should the Free City of Danzig procure such food, fuel, and raw materials from third countries, it shall have the right to re-export like quantities thereof in an unmanufactured, and corresponding quantities in a manufactured state. The import or export of such goods shall be notified to the Diplomatic Representative of the Polish Government.

3. Both Parties are agreed that under paragraph 2 the Free City of Danzig shall be entitled to import or export brood cattle and seed, on condition that a like quantity of the same class of cattle for slaughtering and agricultural produce is exported or imported.

Article 224.

The supply of the Free City of Danzig with grain from March 1 to August 31, 1921, is dealt with in the Annex to this Part of the present Agreement.

ANNEX.

to Article 224.

Paragraph 1.

1. In addition to the facilities to be granted to the Free City of Danzig in respect of its food supply under Article 37 of the Convention concluded between Poland and Danzig on November 9, 1920, the Polish Republic shall assume full responsibility for the foreign purchases (c. i. f. Danzig) made by the Free City of Danzig in the period following March 1, 1921, to cover its requirements in breadstuffs for the economic year 1920/21 (September 1, 1920 – August 31, 1921) and shall debit the Free City of Danzig therewith at the average price of 3,000 (three thousand) German marks per ton of grain.

2. As regards the calculation of the above-mentioned requirements of the Free City of Danzig in breadstuffs, the quantities thereof already delivered by the Polish Republic shall be computed at 7,005 (seven thousand and five) tons of grain and the quantity of breadstuffs remaining available for the provisioning of those entitled thereto out of the home production of the Free City of Danzig at 10,000 (ten thousand) tons for the economic year 1920/21 (September 1 to August 31, 1921), with the proviso that if the quantity actually made available should be larger, this last figure shall be increased accordingly. The population entitled to be supplied with provisions shall be deemed to number 317,000 souls, this estimate being subject to revision on the basis of official evidence. The calculation shall be based on a ration of 220 gr. of flour, 80 % (eighty per cent) bolted, per head, per day.

No. 2690
3. The Polish Republic shall only recognise and take over foreign purchases of breadstuffs as were effected at a price in keeping with that current on the world market at the time of the transaction.

4. From September 1, 1921, interest at the rate of five per centum shall be charged by both Parties on the sums owing between them in virtue of the foregoing provisions.

Paragraph 2.

The Free City of Danzig hereby expressly waives its claim, contested by the Polish Republic, to the delivery of a further quantity of 2,671.9 tons of flour under the Economic Agreement between Poland and Danzig concluded on September 8, 1920, and the extension of the said Agreement through the Arrangements of November 26, 1920 and January 8, 1921.

PART IX.

FINAL DISPOSITIONS.

(Articles 225-244.)

SECTION I.

SPECIAL PROVISIONS.

(Articles 225-233.)

I. LANGUAGE TO BE USED WHEN DEALING WITH THE AUTHORITIES.

Article 225.

The Free City of Danzig undertakes to issue, within three months of the coming into force of the present Treaty, regulations authorising the use of the Polish language in the ordinary courts of law to the same extent as the use of the German language is authorised in the Polish courts in that part of Polish territory which formerly belonged to Prussia.

Article 226.

Within three months of the coming into force of the present Treaty, the Government of the Free City of Danzig shall inform the Government of the Polish Republic whether it intends to take a decision upon the question of the use of the Polish language in dealings with the administrative authorities and, if so, what decision.

II. SCHOOL MATTERS.

Article 227.

I. In respect of school matters, the Polish Republic and the Free City of Danzig hereby confirm the declarations set forth in the notes, appended to this Part of the Treaty as Annexes
A and B, exchanged by the delegations negotiating on behalf of each of the two Parties, on July 9, 1921 and July 23, 1921.

2. The Polish Republic declares that it reserves its right, in the event of agreement not being reached, to press the more extensive claims specified in the note of July 9, 1921.

III. Certificates.

Article 228.

The Contracting Parties shall forthwith conclude an agreement to decide how far and in what manner certificates issued by schools and institutions of higher education, together with all other certificates and diplomas, of the one Party shall be recognised as conferring rights in the territory of the other Party.

IV. Reservations concerning Article 33 of the Convention.

Article 229.

1. In view of the fact that the Polish Republic deduces from the provisions of Article 104, No. 5, of the Treaty of Peace of Versailles and of Article 33, paragraph 1, of the Polish-Danzig Convention of November 9, 1920, more extensive rights than the rights stipulated in the present Agreement, and that the Free City of Danzig does not recognise them, the Polish Government expressly reserves to itself these more extensive rights, more particularly as regards the measure of the minority rights of Polish nationals in the Free City of Danzig and the prohibition of residence.

2. It is understood between the two Parties that should occasion arise each of them is entitled to call for a decision with regard to the points in question, as provided for in Article 39 of the Convention.

V. Allocation of Property, etc.

Article 230.

1. No agreement has been reached in regard to the allocation of property.

2. The Parties are not agreed as to whether allocation is in principle necessary in respect of the property of the various self-governing bodies under public law whose former sphere of competence has been intersected by the frontier laid down in the Treaty of Versailles.

3. Differences of opinion exist more especially:

(a) In regard to the preliminary question of whether the property of the former West Prussian (Provincial) Fire Insurance Society, Danzig, and of the former Chamber of Agriculture for the Province of West Prussia, Danzig, is or is not liable to allocation.

(b) In regard to the preliminary question of whether, to what extent and in what manner the two Governments should place at each other's disposal the documentary material (deeds, books, documents, records and statements having or having had an official character) belonging to the two institutions referred to in sub-paragraph (a) above.
Article 231.

1. The Polish Republic reserves its right to take steps with a view to a decision with regard to the preliminary questions to which Article 230, paragraph 3, relates, as provided in Article 39 of the Convention.

2. It is further agreed that questions relating to the allocation of property shall be settled in a separate Agreement.

VI. Fisheries.

Article 232.

1. The present Agreement shall not constitute a definitive settlement of fishery questions.

2. It is hereby provided that the Government of the Polish Republic and the Government of the Free City of Danzig shall summon a commission of experts in connection with fishery questions with a view to elaborating the principles of a fisheries law for submission to the legislatures of the Polish Republic and of the Free City respectively for approval.

3. Pending the coming into force of these laws, Danzig fishermen shall be permitted to fish in Polish territorial waters and Polish fishermen shall be permitted to fish in Danzig territorial waters.

4. Detailed regulations for this transitional period shall be laid down by the two respective Governments after hearing of the experts.

VII. Liquidation.

Article 233.

The Polish Republic declares that it will not proceed to a liquidation of the property of any persons who have become Danzig nationals under the Treaty of Versailles. This provision shall have retroactive effect.

ANNEXES TO PART IX, SECTION I.

(Article 227.)

Annex A.

Communication of the Polish delegation of July 9, 1921, concerning school questions:

The Polish delegation finds that the draft law submitted to the Volkstät by the Senate of the Free City of Danzig on April 22, 1921, concerning the teaching of the Polish Minority, is inconsistent with the provisions of Article No. 2699.

Annex B.

Communication of the Danzig delegation of July 23, 1921, in reply to the communication of the Polish delegation of July 9, 1921, concerning school questions:

The Free City of Danzig will in regard to persons enjoying minority rights under Article 33 apply provisions similar to those applied by Poland under the Minority Treaty to German minorities in the former Prussian territory.
104 of the Treaty of Peace of Versailles and of Article 33 of the Polish-Danzig Convention of November 9, 1920.

In order to avoid further protests by the Polish Government under Article 39 of the Convention, the Polish delegation proposes that during the course of the present Polish-Danzig negotiations a discussion should be held on the principles for the solution of questions arising out of the aforesaid treaty obligations.

In discussing the relevant questions, the Polish delegation, subject to the more extensive rights provided under Article 104 of the Treaty of Peace of Versailles and Article 33 of the Convention for persons of Polish origin or speech and Polish nationals, will start from the principle that the Free City of Danzig, which is bound, in the case of persons enjoying minority rights under Article 33 of the Convention, to grant such rights as the Polish Republic has granted or may in future grant to the German national minority in the former Prussian part of Poland, is bound to accord such minority rights to the extent to which the Polish Republic accords them on her own account in virtue of the Treaty concluded between Poland and the Allied and Associated Powers at Versailles on June 28, 1919, or over and above the obligations of that Treaty.

In determining the rights of the Polish population in the matter of schools, the following provisions shall apply:

I. For public schools, Article 9.

II. For private schools, Article 8 of the Treaty concluded between Poland and the Allied and Associated Powers on June 28, 1919, at Versailles.

\textit{Ad I.} Under Article 33 the rights of the Polish national minority in the public schools of the Free City of Danzig are governed by the laws and decrees enacted by the Polish Republic under Article 9 of the Minority Treaty for the German minority in the former Prussian portion of Poland.

Poland has complied with her obligations under Article 9 of the said Treaty (see Decree of March 10, 1920, No. 3/4 \textit{Urzędsowa Gazeta Powszechna} No. 2699).

\textit{Ad I.} In application of this principle, the Senate communicated to the Danzig Volkstag on April 22, 1921, a draft law on the teaching of the Polish minority, in order to ensure Polish teaching for Polish children, as prescribed in Article 4 of the Danzig Constitution and in accordance with Article 33 of the Convention. In this connection, as regards the rights of Polish minorities in the public schools under Article 9 of the Minority Treaty, the provisions applied by Poland to the German minority in the former Prussian territory shall apply.
Szkolna dla Województwa Poznańskiego i Pomorskiego). The scope of the execution of this decree may be seen most clearly from the school statistics, published in No. 23 of the Urzędowa Gazeta Szkolna for the year 1920.

While reserving the right to re-examine the draft of a school law concerning the Polish national minority in Danzig, the Polish delegation considers the following rights of the Polish national minority in school matters as established:

(a) As regards the child's rights to attend Polish schools (classes), the decisive criterion shall be the Polish speech or Polish origin of the child (Article 33 of the Convention), and not the speech and Polish origin as proposed in paragraph 1 of the Danzig draft law concerning the teaching of the Polish minority, contrary to the provisions of Article 33 of the Convention.

(b) The question whether the child employs the Polish tongue or is of Polish origin shall be decided exclusively by the verbal or written statement of the legal representative. The school authorities shall not have the right to examine the statement in the declaration.

Ad (a) The Polish delegation for nationality having pointed out that in the Polish regulations German origin and mother-tongue do not constitute preliminary conditions for German teaching in Poland, the necessary amendment will be made by the competent authorities in paragraph 1 of the Danzig draft law concerning the teaching of the Polish minorities.

Ad (b) Paragraph 3 of the Danzig draft law is not intended to restrict the wishes of the parents or guardians or to leave the decision as to the material validity of an application for Polish school teaching to the school authorities. The authorities of the Free City of Danzig must be allowed, however, to examine the formal aspect of such applications. The decision of the Divisional school board (Kreisschulrat) provided for in Section 3 of the draft law also refers to this formal aspect of the question. The board has to see that there is no abuse of the right of Polish children to Polish teaching. These precautions correspond to the prohibition of the Polish authorities, issued in respect of the Prussian territory, to the effect that children whose mother-tongue is Polish shall not be accepted in public or private German schools, and the provision that non-compliance with this prohibition shall render the parties concerned liable to disciplinary proceedings. (Urzędowa Gazeta Szkolna Nos. 5 and 6, year 1920). The existence of the Polish provisions explains how it is that paragraph 1 of the Danzig draft law contains the following provision:

"Children of German origin whose mother-tongue is German shall not be accepted in schools or classes in which Polish is the language employed for teaching."
(c) In communes in which there are at least 40 children of Polish origin or speech of school age whose parents or legal representatives are resident in the territory of the Free City of Danzig and are Danzig citizens, a special elementary school or a special school class with teaching in the Polish language shall be instituted for them at the public cost or shall be made over to them.

Ad (c) The Danzig delegation declares itself in agreement with this principle.

(d) In accordance with the same principles as are applied towards German schools, the Free City of Danzig will also institute and maintain public Polish schools or school classes in communes in which, within a radius of three and a half kilometres, at least 40 children of school age who fulfil the requirements set forth in (c) apply for admission.

Ad (d) The Danzig delegation declares itself in agreement with this principle.

(e) In the Polish preparatory schools (classes) the whole of the teaching without exception shall be given in the Polish tongue. The German tongue shall not be taught as a subject until the middle and upper grades of such schools, and not before the end of the third school year (see figure 4 (b) of the Decree of March 10, 1920 No. 34 of the Urzedowa Gazeta Szkolna, with which paragraph 7 of the Danzig draft law providing for compulsory teaching in the German language is at variance.

Ad (e) This is a question not so much of constitutional as of pedagogic or theoretical import. The Danzig delegation doubts whether a decision in the matter comes within the scope of the questions covered by the Convention, but is prepared to follow the suggestion and to issue a decree to the effect that the German language shall not be taught in the Polish elementary schools before the end of the second school year.

(f) In schools providing teaching in the German language which are attended by fewer than forty children, religious instruction and instruction in the Polish language must be given if there are as many as twelve Polish children, for four to six hours weekly, at the public expense.

Ad (f) The Danzig delegation is not acquainted with any Polish provisions for the giving of religious or language instruction when twelve German children are present. If such provisions exist and are applied, the delegation will make representations with a view to similar provisions being applied in the Free City.

(g) In schools (classes) in which teaching is given in the Polish language, only Danzig or Polish citizens may be appointed as teachers and only persons of Polish origin will be appointed who not only satisfy the general requirements but can also give proof of a perfect mastery of spoken and written Polish and who are not hostile to Poland.

Ad (g) The Danzig delegation notes that Poland undertakes from among persons who have qualified as teachers under the regulations applicable in the former Prussian part of Poland, to place the necessary number of candidates each year at the disposal of the Free City. For the moment there is no need in the Free City of such teachers, as excellent Polish teachers are available here. In the
Preference will be given to persons who have attended special schools for elementary school teachers with teaching in the Polish tongue.

Poland undertakes, from among persons who have qualified as teachers under the regulations applicable in the former Prussian part of Poland, to place the necessary number of candidates each year at the disposal of the Free City.

(h) The Free City of Danzig will, in accordance with the regulations of the school authorities in the former Prussian part of Poland, satisfy the requirements of its Polish population in regard to the establishment and maintenance of secondary schools, technical schools, continuation schools, grammar schools, colleges, modern schools, by the establishment of complete schools of this kind or of parallel classes with instruction in the Polish language, if the necessary number of boys or girls of Polish speech or origin present themselves.

(i) Children of parents (see (c)) who are Danzig citizens will be assimilated to children of Polish citizens if they are permanently domiciled in the territory of the Free City of Danzig. This applies to the establishment and maintenance of elementary schools or of special classes in such schools.

Polish scholars who are children of Polish citizens can attend higher elementary schools (Burgerschulen), continuation schools and secondary schools without restriction. The provision of the second paragraph does not, however, entitle children of Polish citizens to free education.

(k) Supervision over Polish schools or Polish classes in elementary schools will be carried out on the part of the Free City of Danzig by a special school inspector for Polish schools; the appointment of this school inspector must satisfy the requirements named in (g). He will be appointed after hearing and taking into consideration the wishes of the Polish national minority, which is represented by the Polish Deputies in the Volkstag.

Ad (h) The Danzig delegation cannot admit any obligation, in virtue of the Convention, corresponding to the regulations of the Polish authorities in the former Prussian part of Poland, to organise other Polish schools as public elementary schools. It will, however, make representations, in order that Polish applications submitted by Danzig citizens for the institution of such schools may receive favourable consideration, if the necessary number of boys or girls present themselves.

Ad (i) The Free City of Danzig is under no obligation to assimilate the children of Polish citizens to children of Danzig citizens in regard to public and private school matters. It is noted, however, that in the Free City of Danzig every facility has hitherto been offered for the admission of children of Polish nationality, so far as there is room in the Danzig schools, without there being any compulsion on either the State or the communes. It may be observed that in the Danzig higher schools alone 138 children of Polish citizens are receiving instruction.

Ad (k) In view of the small number of Polish classes or schools already in existence or still to be instituted, there is not sufficient work for a special school inspector for Polish schools. There are at present 13 classes, whereas a town school inspector has to supervise 250. Care is taken to see that the school inspector appointed to supervise the Polish classes knows the Polish language and shows the necessary consideration for the rights of the minority. It is proposed, when it becomes necessary later to appoint a school inspector for the Polish schools, that the Polish governing bodies of the schools should be heard.
Ad. II. The Polish delegation notes that Article 104 of the draft Danzig Convention is at variance with Article 33 of the Convention and Article 8 of the Minority Treaty, in that it makes the establishment of private schools and educational institutions conditional on the granting of authority which, according to the text of Article 104 of the aforesaid draft, may be granted in certain circumstances, but need not be granted.

Moreover, Article 104 of the draft Convention does away with private preparatory schools, which is not consistent with the provisions of Article 33 of the Convention or of Article 8 of the Treaty of Versailles concerning minorities. Again, the second paragraph of the Danzig draft law concerning the teaching of the Polish minority is at variance in paragraphs 12 and 13 with the treaty obligations of the Free City of Danzig.

On the assumption that the Polish-Danzig Convention lays down the constitutional basis for the Free City of Danzig, and that no law, not even a constitutional law of the Free City of Danzig, may be at variance with that principle, the Polish Delegation considers it necessary to bring to the notice of the Danzig delegation the above-mentioned contradictions, which should be eliminated.

The Polish Delegation considers the following principles concerning private schools to be in agreement with Article 33 of the Convention:

(a) Danzig citizens of Polish origin or speech have the right to establish and maintain at their own expense, institutions for public welfare, education and religion and institutions of general utility and also private schools of every kind including secondary and advanced schools in which instruction is given exclusively in the Polish tongue. This applies also to preparatory schools of every kind, children's homes, preparatory institutions, training courses, lectures, etc.

(b) The right to establish the above-mentioned institutions and schools cannot be made conditional on the arbitrary granting of authority. The law can only prescribe the general conditions determining the right to establish the above-mentioned institutions and schools, indicating that the fulfilment of these conditions

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gives the right to establish and conduct such schools and institutions. These legal conditions may not be at variance with Article 8 of the Minority Treaty.

(c) Children of persons enjoying rights under Article 33 of the Convention shall not be liable to compulsory attendance at a public elementary school, if they are attending a Polish private school.

(d) Polish nationals shall enjoy the above-mentioned rights to the same extent as Danzig nationals.

(e) Special general provisions shall govern the conditions for the recognition of certificates of private educational establishments in the Free City of Danzig.

(f) The Polish Government shall have the right within the territory of the Free City of Danzig to establish and conduct, at its own expense, schools of all kinds and also educational and training establishments for the children of Polish Government officials permanently employed in the territory of the Free City of Danzig.

Ad (c) The Danzig Delegation agrees that children attending Polish private schools approved by the authorities of the Free City shall not be liable to compulsory attendance at a public school.

Ad (d) The Danzig Delegation refers to its statement under I. (i).

Ad (e) The provisions for the recognition of certificates of private schools have already been settled. The provisions issued in the matter will be applied to any Polish private schools that may be established.

Ad (f) The Polish Government cannot be given the right to establish in the territory of the Free City of Danzig Polish Government schools for the children of Polish Government officials who are permanently employed in the territory of the Free City. With a view to facilitating the schooling of such children it is agreed, however, in a spirit of conciliation, without the Free City of Danzig being so compelled under the Convention, that for the schooling of these children, schools shall be set up in accordance with the Polish system (Auslandsschulen) by a school union, which may be subsidised by the Polish Government.

Section II.

GENERAL PROVISIONS.

(Articles 234-244.)

Article 234.

Where either Party or both Parties have reserved further rights in respect of particular provisions of the present Agreement, both Parties agree that each is at any time entitled, but not bound, to take steps with a view to a decision in the matter under Article 39 of the Convention between Poland and Danzig of November 9, 1920.
Article 235.

Where one Party has formally declared in the Agreement or in its Annexes that it will take, or refrain from taking, any particular action, such declaration shall be regarded as an undertaking given, accepted as such by the other Party, and constituting accordingly an understanding within the meaning of the Convention of November 9, 1920.

Article 236.

1. The Polish Republic declares that it has acknowledged the rights, exercisable in Polish territory, which have been granted, over and above the provisions of the Convention, by the present Agreement in:

(a) Part I, Section IV, (Permission to engage in trade or manufactures within the territory of the other Party, Articles 39-42).
(b) Part I, Section V (Acquisition and alienation of movable and immovable property in the territory of the other Party, Articles 43 and 44).
(c) Part IV, Section I (Maritime navigation, Articles 160-173).
(d) Part IV, Section II (Inland navigation, Articles 174-183).
(e) Part IX, Section I (Fisheries, Article 232),

on the understanding that differences of opinion with regard to these rights are not subject to decision under Article 39 of the Convention.

2. If in the event of a difference of opinion in regard to one of the aforesaid rights the Free City of Danzig should take steps with a view to a decision under Article 39 of the Convention, and if as a result of such decision the above understanding of the Polish Government should be declared not to hold good, the Polish Republic shall be entitled to denounce the Section of the present Agreement to which the difference of opinion relates, or in the case of fishery questions Article 232, by giving notice of one year. On the expiry of the said notice the Section in question, or in the case of fishery questions Article 232, shall cease to be in force. The provisions of the Convention shall in such case continue to apply.

Article 237.

Where in the provisions of the Agreement the expressions "as soon as possible," "at the earliest possible date," and the like are employed in connection with the execution of the said provisions, they shall be understood as a general rule to mean a period of six months.

Article 238.

The conclusion of the present Agreement shall not affect the question in how far there may be points in the Convention between Poland and Danzig of November 9, 1920, which are not dealt with by the present Agreement and require further agreements for their execution.

Article 239.

The provisions of the present Agreement shall not affect the rights of the Harbour Board.
Article 240.

Steps shall be taken with a view to a decision under Article 39 of the Convention on the following points:

(a) Matters arising out of Articles 21 and 22 of the Convention.
(b) The question of the legal position of the Polish Treasury, and of the Polish authorities, offices and officials, and of the Polish mercantile marine.
(c) The question whether foreigners require Polish visas to enter the territory of the Free City of Danzig, where such visas are required to enter Poland.

(d) The interpretation of the expression "unmittelbar", "directement", "directly", in Article 29 of the Convention.
(e) The question of the extent to which the Polish postal system is entitled to establish itself outside the Port of Danzig (Article 29 of the Convention).
(f) The question whether the obligation on the part of Danzig to provide buildings and land applies only to the harbour, or whether Poland is entitled to ask for buildings and land outside the harbour (Article 30 of the Convention).

Article 241.

1. The provisions of the present Agreement may be amended only with the consent of both Parties.

2. In default of such consent, either Party shall be entitled to apply for a decision under Article 39 of the Convention of November 9, 1920; but such application shall not be made before October 1, 1931. Before October 1, 1931, recourse to the procedure with a view to amendments of the Agreement under Article 39 of the Convention shall require the consent of both Parties.

3. Pending amendment of the provisions of the present Agreement, whether by mutual consent or by decision under Article 39 of the Convention in the sense of paragraph 2, the provisions of the present Agreement shall remain in force.

Article 242.

1. Where particular provisions of the Agreement stipulate for a shorter or longer time-limit for amendment of the provisions in question, the said shorter or longer time-limit shall be taken into account in applying the provisions of Article 241.

2. Where particular provisions of the Agreement provide that either Party or both Parties shall be entitled at any time to raise the question of the said provisions, steps may be taken by the Party concerned or by both Parties at any time with a view to a decision under Article 39 of the Convention.

Article 243.

1. Where particular provisions of the Agreement provide for a time-limit to run from the date of the conclusion of the present Agreement, the said time-limit shall be reckoned as from October 1, 1921.

2. Where the time at which an obligation or right comes into force is not specified in the present Agreement, the said time shall be the date on which the Agreement comes into force.
Article 244.

1. The present Agreement shall come into force ten days after the exchange of Notes between the Government of the Polish Republic and the Senate of the Free City of Danzig, to the effect that the Agreement has been duly approved in Poland and in the Free City — in the latter, by the Senate and the Volkstag — and may be published at any time.

2. The exchange of the said Notes shall take place as soon as possible.

In faith whereof the Plenipotentiaries hereinbefore named at the beginning of the present Agreement have signed the same and appended their seals.

Given at Warsaw, this twenty-fourth day of October in the year one thousand nine hundred and twenty-one, in two identical copies, whereof one shall be retained by each Party.

(Seal) Leon PLUCIŃSKI.
(Seal) Julius JEWELOWSKI.