

N° 2787.

POLOGNE ET ROUMANIE

Accord sur le trafic par chemin de fer entre les deux pays, avec procès-verbal final et annexes. Signés à Bucarest, le 30 octobre 1929.

POLAND AND ROUMANIA

Agreement regarding Railway Traffic between the two Countries, with Final Procès-Verbal and Annexes. Signed at Bucharest, October 30, 1929.

¹ TRADUCTION. — TRANSLATION.No. 2787. — AGREEMENT ² REGARDING RAILWAY TRAFFIC BETWEEN THE POLISH REPUBLIC AND THE KINGDOM OF ROUMANIA. SIGNED AT BUCHAREST, OCTOBER 30, 1929.

French, Polish and Roumanian official texts communicated by the Chargé d'Affaires a. i. of the Polish Delegation accredited to the League of Nations. The registration of this Agreement took place August 24, 1931.

THE POLISH REPUBLIC, of the one part and THE KINGDOM OF ROUMANIA, of the other part, desiring to regulate communications by rail between the two countries, have resolved to conclude an agreement.

The Plenipotentiaries appointed for this purpose, namely :

M. François MOSKWA, Vice-Director at the Ministry of Communications, on behalf of the Polish Republic ;

M. César MEREUȚĂ, Sub-Director General of Roumanian Railways, on behalf of the Kingdom of Roumania ;

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

Article 1.

RULES AND REGULATIONS.

1. Passenger, baggage, postal packet and goods traffic by rail between Poland, on the one hand and Roumania, on the other, carried over the lines situated between the frontier of the country and the exchange stations, shall be regulated by the provisions of the present Agreement. Furthermore, unless otherwise provided in the present Agreement, the provisions of the agreements and tariffs concluded between the Contracting Parties or between the Polish and Roumanian Railway Administrations and the provisions of the international conventions to which the Contracting Parties have acceded and the laws and regulations in force in the territories of each of the two individual States ³ shall remain valid.

2. Third parties shall not be allowed to benefit by the present Agreement.

Article 2.

PROVISIONS FOR THE SMOOTH OPERATION OF TRAFFIC.

The Contracting Parties shall take measures to ensure that railway communications between their territories shall operate smoothly, so as to meet the requirements of frontier and transit

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

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

² The exchange of ratifications took place at Warsaw, July 3, 1931.

³ See Final Procès-Verb.l.

traffic. The railway service, postal, Customs, police and other services shall, in particular, be so regulated that the transport of passengers, baggage, postal packets and goods is effected as speedily as possible.

EXECUTIVE REGULATION.

1. On the occasion of the periodical time-table conferences, the administrations shall have due regard to the interests of frontier and transit traffic. They shall, in particular, co-ordinate the times of departure and arrival and the connections of trains at exchange stations, bearing in mind also the exigences of Customs examination and passport control.

2. The time-tables and any changes in them shall be communicated in good time to the postal, Customs and police authorities.

3. The movement of sleeping cars, dining cars and postal waggons shall be regulated by a special agreement.

Article 3.

EXCHANGE STATIONS.

1. Traffic by rail between Poland, on the one hand and Roumania, on the other, shall pass through the points on the frontier enumerated below, the exchange stations being those specified¹:

Frontier Points	Exchange Stations
Śniatyn Załucze—Grigore Gh. Vodă	Śniatyn Załucze
Jasienów Polny—Stefănești	Stefănești
Zaleszczyki—Schit	Zaleszczyki
Kuty—Vijnița	Kuty

2. The Governments of the two Contracting Parties may, by joint agreement, designate other exchange stations nearer the frontier in lieu of the above-mentioned stations.

Article 4.

SOVEREIGN RIGHTS.

Unless otherwise provided in the present Agreement or in other international conventions, each of the Contracting States on whose territory the exchange stations and the lines thence to the frontier of the country are situated shall exercise sovereign rights there.

Article 5.

USE AND UPKEEP OF BUILDINGS AND INSTALLATIONS.

1. The Polish and Roumanian Railway Administrations shall allow each other the use of the buildings and installations necessary for railway traffic, in accordance with the present Agreement.

2. Each administration shall be responsible in its own district for the upkeep, in accordance with the regulations in force, of all buildings and installations at the exchange station and along the line between the said station and the frontier of the country.

¹ See Final Procès-Verbal.

3. Detailed provisions, and particularly any changes that may be necessary in regard to buildings and installations lying athwart the frontier lines, shall be laid down by mutual consent in an additional agreement.

EXECUTIVE REGULATION.

1. The railway bridges and viaducts which lie across the frontier line, including abutments and piers, shall be inspected and kept in repair in every way by one only of the administrations concerned, in accordance with its regulations, without prejudice to the rights of ownership of the neighbouring administration.

2. The Railway Directorates concerned shall agree together as to work other than current upkeep and as to any rebuilding of bridges that may be necessary. In case of urgency or danger, the administration responsible for upkeep shall carry out the work required and immediately notify the neighbouring administration.

3. The administration responsible for upkeep shall be compensated by the neighbouring administration in proportion to the length of the bridge up to the frontier; the cost of upkeep shall be increased by an administrative supplement of 10 %.

4. The list of the bridges lying athwart the frontier line is given in Annex A.

Article 6.

RIGHTS OF OWNERSHIP.

All the buildings and installations referred to in Article 5 are the property of the Polish administration if on Polish territory and the property of the Roumanian administration if on Roumanian territory.

Article 7.

ADDITIONAL AGREEMENT.

The administrations shall conclude an additional agreement for each frontier point for the purpose of settling local conditions (Local additional agreement, hereinafter referred to as : "The Additional Agreement").

EXECUTIVE REGULATION.

A map of the line between the frontier of the country and the exchange station and a plan of the latter station showing in colours the buildings and installations, both those used jointly and those reserved for the exclusive use of the neighbouring administration, shall be annexed to each additional agreement. This plan shall be completed by a schedule of the buildings and installations used as stated above.

Article 8.

LANGUAGE QUESTIONS.

1. Official relations, both verbal and in writing, at the exchange station and on the lines between the said station and the frontier, shall be conducted in the official language of the country (see, however, Article 26).

2. The officials of the neighbouring State may, however, use their own language among themselves in the territory of the other State, even in their official duties.

3. Official correspondence in writing and by telegraph between the administrations of the Contracting Parties shall be carried on in French.

EXECUTIVE REGULATION.

1. Correspondence in writing and by telegraph between the stations and offices of the two Contracting Parties shall be carried on in the official language of the country sending the message ; messages shall be handed over by one railway to the other. If a translation is required, it shall be made by the railway to which the correspondence is addressed.

2. The administrations concerned shall agree together on forms drawn up in the two languages in order to facilitate current standard correspondence in connection with the traffic.

3. The official premises reserved in the exchange stations for the exclusive use of the neighbouring administration shall be provided with notice-boards drawn up in two languages ; the notices in the official language of the local administration shall come first.

4. Exchange stations and frontier stations shall post up in suitable places those time-tables and official publications of practical importance for the traffic through the frontier point in question, which the neighbouring administration shall transmit to it in its official language.

Article 9.

EMPLOYEES BELONGING TO THE NEIGHBOURING STATE ON DUTY IN THE EXCHANGE STATION AND ON THE LINE BETWEEN THAT STATION AND THE FRONTIER OF THE COUNTRY.

1. The neighbouring administration shall be entitled to use its own personnel in the exchange station and on the line between that station and the frontier of the country so far as the special duties to be performed there are of such a kind that they must be carried out by the personnel of each separate administration. The said personnel shall be obliged to carry out its official duties in accordance with the laws and regulations of the administration for which they work.

2. Neither administration concerned may despatch to the territory of the neighbouring State more than the number of employees strictly needed.

3. The personnel employed on the frontier and exchange stations and on the lines between the frontier of the country and the exchange stations must be acquainted with the service rules and regulations on the lines and in the stations above mentioned. When carrying out official duties in the exchange stations of the neighbouring administration, the above personnel must be able to make themselves understood, in service matters, in the language of the neighbouring State.

EXECUTIVE REGULATION.

1. The regulations and the proficiency certificates issued by the administration to which the personnel belongs, shall be valid as standards for determining whether the personnel employed on the territory of the neighbouring State are duly qualified for that purpose.

2. The personnel of one of the administrations on duty in the territory of the neighbouring State must, in service matters, comply with such orders from the competent authorities of the neighbouring administration as the latter are empowered to give under the Additional Agreement.

3. Whilst on duty in the territory of the neighbouring State, the personnel of the administration of the other State may, in exceptional cases, be called upon for services connected

with the other administration, so far as their duties under their own administration permit. (Article 34).

4. The Additional Agreement shall designate separately in the case of each frontier point the classes of employees who should, if necessary, reside in the neighbouring State.

Article 10.

PROTECTION TO BE GIVEN TO EMPLOYEES BELONGING TO THE NEIGHBOURING STATE.

1. Employees on duty in the territory of the neighbouring State who are nationals of the State which has sent them there, shall retain their own nationality. The same shall apply to members of their families and to their servants residing in their household in the territory of the neighbouring State. In such cases neither domicile nor residence nor birth shall involve acquisition of the nationality of the neighbouring State.

2. Adequate protection shall be afforded to the persons specified under (1) whilst residing in the territory of the neighbouring State (See Articles 16 and 17). Employees residing in the neighbouring State shall also be regarded in that State as officials for purposes of the Penal Code. In cases of insult or injury, the public authorities shall also lay a charge apart from the complaint made by the victim, provided that the complaint is well founded. The Contracting Parties shall avail themselves of the same facilities as much in support of the employees of the neighbouring administration on duty in their territory as in support of their own employees.

3. The persons referred to in paragraph 1 residing in the territory of the neighbouring State shall be exempt :

a) From all liabilities under public law in respect either of personal services or supplies in kind ;

b) From all public charges which would not be applicable in the neighbouring State to the above persons should they have neither a domicile nor a residence there.

4. The children of the persons mentioned under (1) shall be exempt from compulsory school attendance in the territory of the neighbouring State.

5. Only the authorities of the State which has despatched them can take disciplinary action for breach of service regulations against officials on duty in the territory of the neighbouring State. The right to judge offences committed by them in the exercise of their duties in the neighbouring State shall be exclusively reserved to the national authorities, if they so request, and provided the persons concerned are not citizens of the said State. Should such a request be made, the neighbouring State must immediately hand over the accused to the above-mentioned authorities. Such requests should be made by the authorities concerned with criminal affairs to the corresponding judicial authorities of the neighbouring State.¹

Article 11.

ASSISTANCE TO PERSONNEL ON DUTY.

1. The employees and offices of the Contracting Parties working in the exchange station and on the line between that station and the frontier of the country shall give each other mutual assistance in the discharge of their duties, particularly for the purpose of preventing or detecting breaches of the regulations.

2. The employees and the offices of one Contracting Party shall give all needful assistance to the offices and employees of the other Party on duty in the territory mentioned in paragraph (1); they shall respond to requests from them in the same way as to requests from their own offices or their own employees.

¹ See Final Procès-Verbal.

3. On direct application from the offices of one Contracting Party, the competent offices of the administrations participating in the traffic shall institute in a suitable manner an enquiry for the purpose of bringing to light breaches of the Party by railway, post office, Customs and police regulations committed on the territory mentioned under (1) of the present Article. The said offices shall communicate to the persons concerned the notifications required by the opening and conduct of the disciplinary enquiry.

4. The expenditure entailed by the enquiries shall be repaid direct to the office which has had to carry them out by the office applying for the enquiry.

Article 12.

SUPERVISING OFFICIALS.

1. Each of the administrations concerned shall be responsible for supervising its employees in the discharge of their duties in the territory of the neighbouring State.

2. The supervising officials must abstain from any direct interference with the working of the railway.

3. The provisions of Article 16 shall apply to the crossing of the frontier by supervising officials and to their temporary residence in the territory of the neighbouring State.

EXECUTIVE REGULATION.

The neighbouring administration shall communicate the names of the said officials to the other administration.

Article 13.

OFFENCE CONNECTED WITH OFFICIAL DUTIES.

1. In the case of an offence connected with traffic by rail, the administration in whose area the offence has been committed shall conduct an enquiry into the facts, if necessary in agreement with and assisted by the administration of the neighbouring State concerned. The result of the enquiry shall be communicated to the neighbouring administration, which shall take the necessary measures and notify the other administration thereof. Employees insufficiently acquainted with the official language of the neighbouring State may, if they so request, be heard in their own national language.

2. In the case of more serious offences connected with official duties, the employee responsible shall be dismissed on a request made by the competent administration of the neighbouring State.

Article 14.

SOCIAL INSURANCE, INSURANCE AGAINST ACCIDENTS.

1. In the case of the social insurance and insurance against accidents of railway employees, temporarily or permanently posted for duty on the territory of the neighbouring State, only the legal provisions of the State in which the headquarters of the administration to which they belong are situated, shall apply. This shall hold good when the personnel of one administration has official duties entrusted to it by the other administration.

2. The insuring authorities, the administrative authorities or the courts of the State whose legal provisions are applicable in accordance with the previous paragraph, shall be competent in respect of social insurance and insurance against accidents and the settlement of disputes.

3. The benefits served under the above provision in accordance with the legal regulations of the other Contracting State, shall have the same juridical effect in regard to the employers' liability under civil law as benefits granted under its own legal provisions. Appeal may only be made by one of the two railway administrations against the other.

Article 15.

ASSISTANCE IN CASE OF SICKNESS.

1. In case of sickness or other urgent necessity, no distinction shall be made in respect of assistance to be given to employees of the two neighbouring administrations and to members of their families living in their household.

2. The expenditure entailed by such assistance should be repaid to the administration making the advance.

EXECUTIVE REGULATION.

The expenditure referred to in paragraph 2 shall be refunded on production of a certificate issued by the doctor consulted ; such certificate shall clearly show the need for treatment and the treatment given.

Article 16.

CROSSING OF THE FRONTIER AND TEMPORARY RESIDENCE IN THE NEIGHBOURING STATE.

1. Provided they hold a permit issued by a competent office, the employees of each Contracting Party posted for railway service on the frontier points between Poland and Roumania shall be allowed to cross the frontier on duty and to remain within the railway zone on the territory of the neighbouring State both when on duty and in intervals of duty without need for any passports or visas. Such permits shall be issued in accordance with the model agreed upon. Their period of validity shall be adjusted to the requirements of each case and shall in no case exceed one year. Such employees shall only be allowed to move about outside the railway zone if they have a card issued by the station police on the strength of the above-mentioned permit. This card shall only be valid on the territory of the commune in which the exchange station is situated or on the territory of the nearest commune.

2. Personnel on duty in foreign territory shall be obliged to wear uniform or badges so far as they are required to do so by the regulations of their administration and their duties bring them into contact with the public. The carrying of arms outside the railway zone is prohibited.

3. Though not exempt from Customs examination, the personnel may carry over the frontier free of Customs duty articles obviously intended for personal use during the day's duty including the journey both ways.

4. Personnel engaged in duties connected with railway traffic over frontier points shall be carried free of charge over the stretch of line between the exchange station and the frontier ¹.

EXECUTIVE REGULATION.

1. The model of the permit mentioned in the second sentence of (1) of the present Article is shown in Annex B. The administrations shall communicate to each other the names of the offices authorised to issue the said permits.

¹ See Final Procès-Verbal.

2. The above-mentioned permits entitle the holders to travel free of charge on the railways as provided in paragraph 4 of the present Article.

3. In the case of train and engine crews, the mention of their names on the train sheet shall be sufficient warrant for crossing the frontier, without need for a permit.

4. Should telegraph and telephone communications break down, couriers entrusted with the transmission of written messages concerning the movement of trains shall have the right to cross the frontier on condition that they produce such a message.

Article 17.

CROSSING THE FRONTIER AND PERMANENT RESIDENCE IN THE NEIGHBOURING STATE.

1. On production of an identity card issued according to the model agreed on by the higher authorities, employees on duty in the territory of the neighbouring State and residing in that State, the members of their families and servants forming part of their household shall be authorised to cross the frontier in both directions and to reside in the places at which they are stationed, without passports or visas. The place at which they are stationed shall be held to mean the territory of the commune in which the exchange station is situated or that of the nearest commune, subject, however, to the exceptions to this clause specified in the Additional Agreement.

2. The provisions set forth in Sections 2 and 4 of Article 16 shall apply where appropriate, to the above employees, who shall, however, be allowed to carry arms both when proceeding to the place at which they are stationed and when returning.

EXECUTIVE REGULATION.

The models of identity cards mentioned in No. 1 of the present Article are shown in Annexes C and D.

Article 18.

IDENTITY CARDS FOR EMPLOYEES OF SLEEPING CARS AND DINING CARS.

1. Private employees of dining cars and sleeping cars must be provided with identity cards issued by the local police of the place at which they are domiciled. These cards shall show the name, Christian name, domicile and nationality of the employee, bear his signature and his photograph with the official seal, and the stamp and signature of the administration issuing them as well as an attestation of the competent railway directorate indicating the nature of the employee's duties in the service of the dining cars and sleeping cars.

2. The visa of the foreign country shall not be required.

Article 19.

SPECIAL CUSTOMS CLAUSES.

1. Without prejudice to the legal provisions in force in their State, and unless there is presumptive evidence of fraud, the Customs authorities of each Contracting Party shall recognise as valid and leave intact the lead and other seals affixed by the Customs offices of the other Party on goods carried under Customs supervision. They may, however, affix additional lead and other seals.

2. Articles used for official purposes by the offices situated on foreign territory and by employees on duty there may be imported or exported free of Customs duty and without any charges being

levied thereon, provided a certificate from the competent authority is produced. The same shall apply to household articles no longer new, reserved for the use of officials who are moved to a different station and of members of their family and servants forming part of their household.

3. Spare parts for damaged rolling stock which are applied for from the foreign administration under international conventions on the reciprocal use of wagons, and damaged parts, shall be carried free of Customs duties and without any duties being levied provided that an official certificate is produced from the administration despatching them certifying the purpose for which the said parts are intended¹.

Article 20.

RESPONSIBILITY FOR DAMAGE.

1. Responsibility for damage and accidents occurring in the railway traffic between the frontier of the country and the exchange station, with the exception of damage to or total or partial loss of goods and baggage (see Section 7) shall be determined according to the rules and regulations in force in the place in which the damage or accident took place.

2. Responsibility for damage caused through a breach of the law or through the fault of the personnel on duty in connection with traffic over frontier points shall rest with the administration to whom the personnel at fault belongs. Should one administration have made use of the personnel of the other administration the former shall be responsible. When the damage has been caused by employees of both Parties or should it be impossible to ascertain which employees are at fault, the two administrations shall share the responsibility equally.

3. Responsibility for accidents due to defective upkeep of stations, lines, operating engines, and rail motors shall rest with the administration responsible for their upkeep.

4. Responsibility for accidents due to the bad condition of wagons or other rolling stock not enumerated under 3, shall rest with the administration which last received the vehicle, after having accepted it from the technical standpoint.

5. The Administrations shall have no reciprocal responsibility for damage in cases of "force majeure". Should the damage be due to an occurrence which cannot be attributed to "force majeure", but which was caused by circumstances which the railway could neither prevent nor remedy, responsibility shall rest with the administration on whose lines the damage took place. Nevertheless, each administration shall be exclusively responsible for damage affecting its own personnel or for damage to its rolling stock arising as a result of some event taking place during the passage of the trains over the line between the frontier of the country and the exchange station.

6. Each administration shall have the right of appeal against the other, if by judgment of the court which has become executory, it is required to pay compensation for damage, the total or partial responsibility for which devolves, under the above provisions, upon the other administration. The right of appeal may also be exercised when the administrations have agreed that one of them should have to settle all claims even though responsibility may rest wholly or partly with the other administration. Friendly agreements, acceptance of liability or judgments by default only bind the other administration by its own consent or if after being reminded it fails to send in a necessary declaration in sufficient time.

7. The above clauses shall in no way affect the enforcement of the provisions concerning compensation for damage arising out of the transport contract as provided for by the regulations concerning transport by rail.

¹ See Final Procès-Verbal.

EXECUTIVE REGULATION.

The enquiry into damage and accidents referred to in Sections 1 to 6 of this Article shall be instituted by the administration on whose line or in whose station the accident or damage took place. When, after a summary investigation, it appears that the other administration may be wholly or partly involved, it must be immediately advised. In such cases the further enquiry into the cause of the accident or damage shall be carried out jointly by the representatives of the two administrations. If the enquiry bears on damage to postal consignments carried either in postal wagons or in goods wagons, the postal administration shall be requested to take part in the enquiry without prejudice to the final assessment of the damage.

Article 21.

STATIONS DESIGNATED FOR CUSTOMS EXAMINATION AND PASSPORT CONTROL.

1. Customs examination and passport control shall take place at the stations enumerated below.

Frontier Point	Station at which examination and control by the authorities will take place :	
	Polish	Roumanian
Śniatyn Załucze—Gr. Gh. Vodă	Śniatyn Załucze	Gr. Gh. Vodă
Jasienów Polny—Stefănești :	Jasienów Polny	Stefănești
Zaleszczyki—Schit :	Zaleszczyki	Schit
Kuty—Vijnița	Kuty	Vijnița

2. By an agreement between the Governments concerned, other stations may be designated for Customs examination and passport control in the place of the stations mentioned above (see Article 3, paragraph 2).

3. Should local conditions make it necessary, the Governments of the two Contracting Parties shall conclude a special agreement in order that the Customs examination and passport control may be carried out jointly at the exchange station.

4. The Contracting Parties grant each other the right to transport their officials, in trains crossing the frontier, as far as the nearest station at which the train stops, and vice versa, for the purpose of exercising Customs and police supervision over the territory in the neighbourhood of the frontier. The provisions of Article 16 shall apply to such officials.

*Article 22.*WORKING OF TRAINS BETWEEN THE FRONTIER OF THE COUNTRY
AND THE EXCHANGE STATION AND IN THE LATTER.

1. The neighbouring administration shall be responsible, subject to repayment of expenses involved, for the haulage of trains carrying frontier traffic between the frontier of the country and the exchange station (see Article 31).

2. Furthermore, in principle, the local administration shall be responsible for services on the line between the frontier of the country and the exchange station and for the whole working of that station. An exception to this shall be made in respect of the service for exchange of rolling stock and goods (see Article 9).

EXECUTIVE REGULATION.

1. The marshalling, cleaning, lighting and heating of passenger trains shall be dealt with by the administrations concerned.

2. Marshalling operations shall be governed by the rules adopted by the administration responsible for haulage of the trains.

3. The Additional Agreement shall settle questions of detail concerning the use of the exchange station and running of trains and the exchange of wagons, baggage, and goods, shunting, the use of foreign staff as well as the detailed provisions with regard to the train service on the line between the frontier of the country and the exchange station and in the latter. The drawing up and use of the documents connected with the exchange (train sheets, waybills, exchange sheets for baggage and goods) can also be settled by a special agreement.

4. The use, as an exceptional measure, of the engines of trains belonging to the neighbouring administration for the purpose of shunting of wagons in the exchange station shall be settled by the Additional Agreement.

5. The engines running on the lines of the neighbouring administration shall be adapted to the technical conditions existing there.

6. The railway administrations shall communicate to each other free of charge, and in good time, all regulations, circulars and handbooks concerning services connected with traffic through the frontier station. In urgent cases, the stationmaster of the exchange station may deal direct in this matter with the neighbouring stationmaster of the other administration.

7. The neighbouring administration shall be informed in good time of all alterations made in connection with the working of traffic through the frontier point, so that it may be able to give the necessary instructions to its employees. More particularly, the administrations shall notify to each other all changes in the regulations concerning the running of trains and in the installations at the exchange station and on the line between that station and the frontier of the country where such changes are of some importance to the running of the service.

Article 23.

HEATING, CLEANING AND LIGHTING OF BUILDINGS AND INSTALLATIONS.

The local administration shall be responsible for the heating, cleaning, lighting, etc. of the buildings, installations or other layout used for traffic through the frontier points provided for.

EXECUTIVE REGULATION.

Any exception to this clause shall be provided for in the Additional Agreements.

Article 24.

STOPPAGES OF TRAFFIC AND OF TRANSPORT.

The administrations concerned shall keep themselves informed of any hindrances to traffic transport through the frontier points. They shall come to an agreement, where needful, as to the means of removing them.

EXECUTIVE REGULATION.

1. The offices of the neighbouring administration, responsible for sending the required notification if the traffic is held up, shall be designated in the Additional Agreement.

2. Whenever a new time-table comes into force, the administrations concerned shall agree together on measures to be taken in order to avoid congestion on their lines, should the running of trains be prevented or interrupted.

Article 25.

ASSISTANCE IN THE CASE OF ACCIDENTS OR OF AN INTERRUPTION OF TRAFFIC.

1. The two railway administrations shall assist each other on request in the case of a railway accident or of an interruption of traffic on their respective lines or at their respective stations.
2. Breakdown trains and their craws shall be allowed to cross the frontier without Customs or passport inspection ; they shall return as soon as their assistance has been given.

EXECUTIVE REGULATION.

1. The administrations concerned shall specify in each Additional Agreement the zone within which they shall render each other assistance and shall settle with each other the matters of detail connected therewith.
2. The breakdown train shall, as a rule be accompanied to the place of the accident by an employee of the administration in whose area the accident has taken place. In order to avoid any delay which might cause danger, the train may be accompanied by an employee of the administration providing the assistance. The said employee shall be responsible for strict compliance with the traffic safety regulations. The crew of the breakdown train shall obey such orders connected with the railway service as they may receive from the said employee.
3. The head of the breakdown gang shall act in compliance with any instructions which he may receive from the employee in charge of work at the place of the accident, particularly in respect of assistance to injured persons and repairs to the track.
4. The local administration shall as a rule not be entitled to make use of a locomotive of the neighbouring administration for the purpose of giving such assistance unless it is possible to do so without interfering with the train traffic of the neighbouring administration.

Article 26.

SIGNALLING OF TRAINS.

The signalling of trains between signal cabins situated on different sides of the frontier, such signal cabins to be specified in the Additional Agreements, shall be carried out in accordance with the regulations of the administration working the said trains and in the official language of the said administration. The same shall apply to the transmission in writing of orders and instructions for train crews.

EXECUTIVE REGULATION.

Exceptions to the above provisions shall be provided for in the Additional Agreements.

Article 27.

TELEGRAPH AND TELEPHONE LINES.

1. All telegraph, telephone and similar lines shall be connected only with the frontier station or with the exchange station.

2. The personnel of the neighbouring administration on duty at the exchange station shall have the right to use for official purposes, free of charge, the telegraph and telephone installations allocated for the purposes of railway traffic between the exchange stations and the frontier stations of the neighbouring State.

EXECUTIVE REGULATION.

1. In principle, there shall be established between the frontier stations of the Contracting Parties :

- (a) A telegraph line to be used in general for the exchange of official telegrams ;
- (b) A line reserved for the signalling of trains ;
- (c) If necessary, a telephone line connecting stations, an electric bell line, and, where a block system is in use, a line for block system messages.

Exceptions to this provision may be prescribed in the Additional Agreements.

2. The Additional Agreement shall lay down detailed rules as regards the hours when the telegraph and telephone apparatus will be in operation, the transmission of official telegrams and the method of procedure for notifying any disturbance in the working of the lines and the resumption of communications.

Article 28.

PREMISES FOR OFFICIALS ON DUTY. LOCOMOTIVE SHEDS.

The local administration shall provide the offices of the neighbouring State with premises for carrying out official work and with sleeping quarters for the latter's personnel, and also with the necessary locomotive sheds. The provisions of Article 35 shall apply to housing accommodation to be provided for the personnel.

EXECUTIVE REGULATION.

Premises used for official duties and sleeping quarters shall be suitably lighted, heated and equipped in accordance with hygienic requirements. The personnel shall have at its disposal, either within the said premises or near them, the necessary lavatory accommodation and kitchens, and water-closets shall be installed. Other details concerning these premises and their equipment shall be contained in the local Additional Agreements.

Article 29.

OFFICIAL HOURS FOR EXCHANGE OF TRAFFIC.

The hours for the transfer of goods trains at exchange stations shall be fixed by mutual agreement, with due reference to traffic interests and the capacity of the railway installations and in accordance with the time-table.

EXECUTIVE REGULATION.

1. Goods trains shall not be handed over or accepted on the following holidays : in Poland. — New Year's Day, Easter Sunday, Whit Sunday and Christmas Day ; in Roumania — the first two days of the Easter and Christmas festivals.

2. The neighbouring administrations shall, with due reference to traffic interests, settle by mutual agreement in respect of each frontier point any exceptions that may be allowed in this respect, and also goods train traffic on Sundays and other holidays. No exception shall, however, be made to the provisions of No. 3 of paragraph 3 of the Convention on the reciprocal use of goods wagons in international traffic (R. I. V.).

Article 30.

OFFICIAL TELEGRAPHIC CORRESPONDENCE, ETC.

In so far as railway installations alone are employed, the exchange of official railway correspondence in writing, by telegraph or by telephone and the carriage of printed matter such as tickets, tariff lists, etc. shall be effected free of charge. The same shall apply to cash receipts paid in at the exchange station and carried to the neighbouring administrations.

EXECUTIVE REGULATION.

Official correspondence of the two administrations shall be handed over at the exchange station by means of a delivery and acceptance sheet.

Article 31.

SUMS TO BE PAID FOR SERVICES RENDERED IN CONNECTION WITH THE WORKING OF TRAINS.

The local administration shall pay compensation to the neighbouring administration on a train-kilometre basis for services rendered in connection with the working of trains.

EXECUTIVE REGULATION.

1. The central administrations shall fix by agreement the charges per train-kilometre for passenger and goods trains and the charges for light engines applied for by the neighbouring administration or in cases in which the time-tables provide for engines running light ; such charges shall if necessary be revised every six months.

2. The calculation of the number of train-kilometres shall be based on the length of line between the frontier of the country and the centre of the exchange station.

3. The number of train-kilometres for all exchange stations of one railway shall be deducted from the number of train-kilometres of the other railway and the excess credited to the administration which worked the excess. Train-kilometres relating to breakdown trains, pilot and banking engines and snow-ploughs shall not be included in this balance (see Article 25).

4. Services rendered by breakdown trains shall be chargeable to the administration whose employees applied for them. The sum to be paid shall comprise the actual expenditure, including material used for assistance and also allowances due to the train crew for the period from the time of departure of the train from the home station until its return to that station. The total shall be increased by an administrative supplement calculated at 10 %. The same shall apply to pilot and banking engines and snow-ploughs.

Article 32.

CHARGE FOR PREMISES USED FOR OFFICIAL PURPOSES AND SPECIAL SERVICES RENDERED BY THE NEIGHBOURING ADMINISTRATION.

1. The neighbouring administration shall not be required to pay compensation for the use of official premises or for the use of engine sheds or sleeping accommodation or other installations at the exchange station unless such installations are reserved for its exclusive use (see Articles 7 and 35).
2. The same shall apply to compensation for personal services.

EXECUTIVE REGULATION.

1. The compensation provided for under paragraph 1 of the present Article shall be paid in the form of rent. The rate of such rent shall be fixed by mutual agreement between the central administrations of the two Contracting Parties and if necessary revised yearly.
2. The expenses of lighting, heating and cleaning the premises exclusively used by the neighbouring administration shall be increased by an administrative supplement calculated at 10 %.
3. The current upkeep of locomotives and of the equipment of the neighbouring administration shall be carried out if necessary by the administration to which the exchange station belongs. Expenditure for repairs shall comprise only the price of the materials used and the cost of labour, the latter being increased by 100 %.
4. The question of the supply to the neighbouring administration at the exchange station of material for railway working (fuel, lighting material, lubricants, etc.) and the conditions under which such material is to be supplied shall be settled in the Additional Agreements. Any expenditure for these purposes shall be increased by an administrative supplement calculated at 10 %.
5. The sums due under paragraph 2 of the present Article shall also be fixed in the Additional Agreements.

Article 33.

COMPENSATION IN THE CASE OF INTERRUPTION OF TRAFFIC.

The interruption of traffic at the frontier point shall in no way affect the payment of expenditure arising during the period of the interruption.

Article 34.

COMPENSATION FOR OTHER SERVICES.

1. The local administration shall be compensated at cost price by the neighbouring administration for services not specified in the present Agreement.
2. In all cases in which the payment of the administrative supplement is not expressly provided for in the present Agreement, the two Contracting Parties hereby renounce their right to such payment.

Article 35.

NEW BUILDINGS AND INSTALLATIONS.

1. The administrations of the Contracting Parties shall decide by agreement in each individual case on such new buildings and installations, and likewise on such rebuilding, alterations and

enlargements of those already existing, including their equipment, as the neighbouring administration may need for its exclusive use.

2. An agreement shall be concluded at the same time as regards the rent. The costs of construction shall be chargeable to the local administration.

3. The right of ownership shall be settled in accordance with Article 6.

Article 36.

SETTLEMENT OF DEBTS.

1. The sums due under the present Agreement shall be paid on the basis of the accounts which the administrations shall communicate to each other quarterly at latest during the first half of the quarter following that for which the account is rendered. Payment shall be made within thirty days from the date on which the account is received. The compensation for delay in payment shall be 6 % per year.

2. The above provision shall not apply to the payment of sums due in connection with rolling-stock, transport or any other liabilities which have been provided for or may hereafter be provided for separately.

3. Payment may not be delayed by reason of any dispute as to the accounts submitted. The amounts debited and credited in the disputed accounts shall be settled in later accounts. Accounts already settled may be disputed. The right shall be reserved to verify documents annexed to accounts and to lodge claims. A Procès-Verbal signed by the representatives of both administrations shall be drawn up after the accounts have been examined.

4. The right to verify an account shall lapse at the end of six months from the date on which the debtor administration receives the account. The higher authorities of the two administrations shall nevertheless have the right to dispute accounts even after that period.

5. The debtor administration shall pay not later than the 15th of the first month of each quarter a certain sum on account in respect of the sums due for the previous quarter such payment on account to be fixed at approximately 70 % of the amount of the previous settlement. The central administrations may however agree to a temporary suspension of such payments on account.

6. The railway administrations guarantee each other the payment of sums due by other offices carrying out services in connection with traffic through the frontier point, and will act as intermediaries in respect of the payment of such sums.

Article 37.

SETTLEMENT OF ACCOUNTS FOR TRAFFIC RECEIPTS.

Traffic receipt accounts shall be settled on the basis of special agreements between the administrations concerned.

Article 38.

PAYMENT OF BALANCES.

1. All sums payable under the present Agreement, when not fixed in U. S. A. dollars, shall be calculated in the currency of the country in which the administration authorised to present the account is domiciled. Payments shall be made only in respect of balances.

2. The conversion of the sums due by the respective parties shall be effected in accordance with principles to be laid down by the central railway administrations of the two Contracting Parties, who shall if necessary concert measures to be taken with a view to avoiding loss from variations in the rate of exchange.

Article 39.

DUTIES AND TAXES.

Duties and taxes chargeable on the installations reserved for the exclusive use of the foreign administration shall be repaid in full to the local administration with an administrative supplement amounting to 10 %.

Article 40.

REVISION AND MODIFICATION OF THE AGREEMENT AND OF THE EXECUTIVE REGULATIONS.

1. The Polish or the Roumanian Government shall notify the other Party in every calendar year of any request for the revision of the present Agreement.
2. The Polish and Roumanian Governments shall have the right to demand at any time a revision of the executive regulations in the present Agreement.
3. The Party notifying a request for a modification of the Agreement shall submit a draft proposal for that purpose. The other Party shall take its decision at latest during the next two months with regard to the request which has been made and may if necessary submit a counter-proposal. Negotiations on the matter shall then be set up.
4. The executive regulations in respect of railways may also be modified by joint agreement between the central administrations of the Polish and Roumanian railways.

Article 41.

ARBITRAL TRIBUNAL.

1. An Arbitral Tribunal shall be competent to decide disputes connected with the present Agreement or with the Additional Agreements. The Arbitral Tribunal shall consist of a chairman appointed by the Governments of the two Parties and two judges, one nominated by each of the Contracting Parties.
2. The Arbitral Tribunal shall be set up only as occasion arises. Should the Governments not agree as to the appointment of the chairman, the President of the Swiss Federal Railways shall be requested to nominate a competent chairman, who shall be a national of a third State.
3. Each of the Contracting Parties shall pay the sums due to the judge whom it has appointed. The sums due to the chairman in view of his duties and the general expenses of the Tribunal shall be paid by the two Parties, each paying half.
4. The procedure of the Arbitral Tribunal shall be prescribed by the chairman, who shall also designate the place at which it shall meet.

Article 42.

LANGUAGE OF THE AGREEMENT.

The present Agreement is drawn up in the French language, in duplicate, each Contracting Party receiving an authentic copy.

Article 43.

ENTRY INTO FORCE AND DURATION OF VALIDITY OF THE PRESENT AGREEMENT.

The present Agreement shall be ratified. The exchange of the instruments of ratification shall take place at Warsaw as soon as possible. The Agreement shall enter into force on the thirtieth day after the exchange of the instruments of ratification ; it shall remain valid unless denounced at six months' notice. As soon as the present Agreement is put into force, the Convention of September 23, 1921, concerning through railway traffic between Poland and Roumania shall cease to be valid.

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

Done at Bucharest on the thirtieth day of October, one thousand nine hundred and twenty-nine.

(L. S.) (—) C. MEREUȚĂ.

(L. S.) (—) F. MOSKWA.

FINAL PROCÈS-VERBAL.

On proceeding to the signature of the present Agreement, the Plenipotentiaries of the two Contracting Parties have agreed as follows :

A. *Ad Article 1, paragraph (1).*

The provisions of Articles 8, 19, 20, 24, 25, 30, 31 Executive Regulations, paragraph 4 and of Article 36 shall also apply if necessary outside the line mentioned in Article 1, paragraph 1 ; and those of Articles 9, paragraph 3, and of Articles 15, 16, 21, 26 and 27 shall also be applicable to the frontier station and to the line between that station and the frontier.

B. *Ad Article 1, paragraph (2).*

(a) The authorities of each Contracting Party shall ensure that the present Agreement is carried out by the private railway administrations participating in the railway traffic between Poland and Roumania.

The above-mentioned administrations shall be entitled to claim from each other directly the rights granted to railways by the present Agreement.

(b) The present Agreement shall in no way affect the rights which either of the two Parties may derive from the concession documents relating to local railways which participate in the traffic in question.

C. *Ad Article 3.*

(a) Railway traffic through the frontier points which are to be opened under Article 3 of the present Agreement shall be started as soon as an Additional Agreement has been concluded in respect of each of these points regulating special local conditions (see Article 7), which in the case of the exchange station of Śniatyn-Zalucze should not be later than October 1st, 1931 and in the case of the stations of Stefănești and Zaleszczyki not later than January 1st, 1930 and in the case of Kutny not later than July 1st, 1930.

(b) Negotiations with a view to the conclusion of Additional Agreements shall be begun immediately after the signature of the present Agreement.

(c) Since Zaleszczyki and Stefănești are provided as frontier points, it is necessary to rebuild the bridge over the Dniestr. The two Parties shall conclude a special Agreement for the rebuilding of that bridge.

(d) In order to establish railway traffic between Kutu and Vijnîța, it will be necessary to build a bridge and railway lines. The two Parties shall arrange this by special agreement.

(e) In addition to the frontier points provided for in Article 3, paragraph 1, other frontier points may be opened in the future when an agreement has been concluded between the Governments of the two Contracting Parties and in accordance with the requirements of traffic.

D. *Ad Article 10.*

The two Parties agree that :

(a) Exemption from public taxation shall not extend to Customs duties (see however Article 19), monopoly dues, or taxes on consumption.

(b) Breaches of the regulations concerning passports, Customs formalities and taxation and import or export prohibitions or restrictions shall in no circumstances be deemed to have been committed in the exercise of official duties.

(c) The right of asylum shall be granted in accordance with the general regulations provided by law.

(d) Legal proceedings for a breach of the law against an official who is carrying out his duties in the territory of the neighbouring country shall be immediately notified to his superior authority.

(e) The settlement of the question as to which authority should take a decision concerning a request for and the handing over of an accused person to the national authorities is reserved for decision by each of the Contracting Parties.

E. *Ad Article 16.*

The provisions of Article 16 shall apply to the execution of maintenance work on bridges so that such work may be done without hindrance on the territory of the neighbouring State. The material and appliances necessary for such work may be taken over the frontier free of Customs duties, provided, however, that the said appliances are taken back again after the work has been finished. Before the work is begun the control offices on the frontier must be notified of the dates on which work will be carried out and of the material and appliances to be taken over the frontier.

F. *Ad Article 19.*

Each administration shall ensure that goods consignments are accompanied by the Customs documents to be handed over to the Customs of the neighbouring country. Unless other arrangements regarding such documents are made by the Customs administrations of the two Contracting Parties, all goods consignments must be accompanied by a declaration made by the consignor in duplicate. Further, the railway carrying the goods over the frontier shall, after the arrival of each train containing at least one loaded wagon, hand to the Customs authority at the station of entry two copies of an exchange sheet, one waybill and two copies in the case of each wagon containing consignments consisting of a number of packages.

Two copies of a special exchange sheet shall be sent to notify the Customs in the case of baggage.

G. *Ad Articles 36 and 38.*

The railway administrations of the two Contracting Parties shall arrange that the repayment of sums due as the result of the balancing of accounts shall be effected through the Central Clearing House at Brussels, as the B. C. C. and maintained by the Belgian State Railways.

Done at Bucharest on the thirtieth day of October, one thousand nine hundred and twenty-nine.

(L. S.) (—) C. MEREUȚĂ.

(L. S.) (—) F. MOSKWA.

ANNEX A.

to Article 5.

LISTE OF BRIDGES CROSSED BY THE FRONTIER LINE

No.	Section of line	Waterway	Construction	Administration responsible for upkeep
1.	Zaleszczyki—Schit	Dniester	—	Roumanian *
2.	Kuty—Vijnița	Czeremosz	—	Polish
3.	Śniatyn—Zalucze—Grig. Ghica Vodă	Prut	—	Polish

* After the rebuilding of the Rot-Wagner bays, the two railway administrations shall jointly decide which administration shall be responsible for maintenance of the whole bridge.

¹ TRANSLATIONANNEX B
to Article 16.

Face.

National colours	IDENTITY CARD No.....
	Valid until19.....
..... (name) (official duties)
is officially employed in Polish-Roumanian traffic on the line	
..... and at the station of19.....	
<div style="border: 1px solid black; padding: 5px; width: 80px; margin: 0 auto;">Office Stamp</div> (date)19.....
	Office
..... Signature of holder Signature of official issuing identity card.

Back.

NOTE.

This identity card must be returned to the Office which issued it when the holder ceases to be officially employed in Polish-Roumanian traffic and whenever the duration of validity of the card expires.

Note : The identity card must be of cardboard and of a bronze colour (Polish card).
The identity card must be of cardboard and of a green colour (Roumanian card).

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

ANNEX C
to Article 17.
Face.

IDENTITY CARD No.....

Valid until..... 19.....

.....
(official duties) (Name)

residing at

is officially employed as

at the station of

..... (date) 19.....

Office.....

.....

Signature of holder

Signature of official issuing identity card.

Office Stamp

Office Stamp

Photograph

National colours

Back.

Date of birth

Place of birth

Height

Hair

Eyes

Face

Distinctive characteristics

.....

NOTE

This identity card must be returned to the Office which issued it when the holder ceases to be officially employed in Polish-Roumanian traffic and whenever the duration of validity of the card expires.

Note : The identity card must be of cardboard and of a green colour.

ANNEX D
to Article 17.

Face.

<p style="transform: rotate(-45deg);">National colours</p>	<p>IDENTITY CARD No.....</p> <p style="text-align: right;">Valid until 19.....</p> <p>For</p> <p>.....</p> <p>(wife, son, daughter, male servant, family servant) *</p> <p>of (official duties) (name)</p> <p>officially employed as</p> <p>at the station of</p> <p>..... (date) 19.....</p> <p>Office</p> <p>.....</p> <p style="text-align: right;">Signature of official issuing identity card.</p>
<div style="border: 1px solid black; width: 100px; height: 100px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; width: 60px; height: 40px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <p style="font-size: 8px;">Office stamp</p> </div> <div style="border: 1px solid black; width: 150px; height: 150px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <p style="font-size: 12px;">Photograph</p> </div> </div>	<div style="border: 1px solid black; width: 100px; height: 80px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> <p style="font-size: 8px;">Office Stamp</p> </div> <p>.....</p> <p style="text-align: center;">Signature of holder.</p>

* Cross out whatever does not apply.

Back.

<p>Date of birth</p> <p>Place of birth</p> <p>Height</p> <p>Hair</p> <p>Eyes</p> <p>Face</p> <p>Distinctive characteristics</p> <p>.....</p> <p>Address</p>	<p style="text-align: center;">NOTE</p> <p>This identity card must be returned immediately to the Office which issued it as soon as the official with whom the holder of the card lives is no longer domiciled in the neighbouring State, or when the holder ceases to live with the said official, and whenever the duration of validity of the card expires.</p>
---	--

Note : The identity card must be of cardboard and of a green colour.

(—) C. MEREUȚĂ

(—) F. MOSKWA