

N° 2994.

AUTRICHE ET POLOGNE

Convention concernant l'établissement d'assurances contre les accidents des mineurs, avec annexe.
Signée à Vienne, le 18 juin 1924.

AUSTRIA AND POLAND

Convention regarding Miners' Accidents Insurance Organisation, with Annex. Signed at Vienna, June 18, 1924.

¹ TRADUCTION. — TRANSLATION.

No. 2994. — CONVENTION² BETWEEN AUSTRIA AND POLAND
REGARDING THE MINERS' ACCIDENT INSURANCE ORGANI-
SATION. SIGNED AT VIENNA, JUNE 18, 1924.

French official text communicated by the Chargé d'Affaires a. i. of the Polish Delegation accredited to the League of Nations. The registration of this Convention took place July 11, 1932.

THE POLISH REPUBLIC and THE REPUBLIC OF AUSTRIA, being desirous of concluding, in execution of Article 275 of the Treaty of Saint-Germain, a Convention regarding the Miners' Accident Insurance Organisation, have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE POLISH REPUBLIC :

Dr. Zbigniew SMOLKA, Head of the Liquidation Section of the Polish Legation at Vienna ;
and

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA :

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

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

Article I.

The insurance liabilities and the funds of the Miners' Accident Insurance Organisation shall be distributed in accordance with the following principles :

A. DISTRIBUTION OF INSURANCE LIABILITIES.

1. Each of the two Contracting Parties shall assume the portion of insurance liabilities resulting from accidents within the meaning of the Austrian law of December 30, 1917, Imperial Law Gazette No. 523, which occurred up to the end of December 1918 in undertakings situated in its territory.

2. The insurance liabilities to be borne in virtue of the foregoing provisions shall, as from January 1, 1919, and in conformity with the internal regulations of the State concerned, devolve on the office in the State accepting these liabilities which is responsible for insurance against accidents to miners of the undertakings in which the accidents have occurred, or the office which has been selected as competent in respect of these liabilities by the Government of that country.

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

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

² The exchange of ratifications took place at Vienna, January 26, 1932.

3. All the activities of the Miners' Accident Insurance Organisation shall cease with the entry into force of the present Convention.

4. The Republic of Austria shall hand over to the Polish Republic the files of the Miners' Accident Insurance Organisation which relate to the insurance liabilities to be accepted by the latter State and undertakes to preserve for ten years from the coming into force of the present Convention those files and accessory documents which are not distributed, to permit their inspection by authorised organs of the Polish Republic or of the office in that country which, in accordance with No. 2, has accepted the insurance liabilities, and, if necessary, to hand over to them those files and accessory documents which it does not itself require. The Contracting States shall ensure that all information relating to the execution of the present Convention is furnished by the offices concerned, and agree that correspondence on this matter shall be exchanged direct between the respective offices without recourse to the diplomatic or consular authorities.

B. DISTRIBUTION OF FUNDS.

1. Insurance payments made by the Miners' Accident Insurance Organisation between January 1, 1919, and the termination of its activities, which payments, according to the distribution of insurance liabilities provided for under A, devolve on one of the Contracting Parties, and the premiums paid to the above-mentioned Organisation for a period subsequent to January 1, 1919, shall be settled in accordance with the registers of the above-mentioned Organisation, as follows:

(a) Debited to the Czechoslovak Republic	1,113,588.42 crowns
Debited to the Polish Republic	97,515.76 crowns
Debited to the Kingdom of the Serbs, Croats and Slovenes	57,632.42 crowns
Debited to the Kingdom of Italy	40,302.90 crowns
(b) Credited to the Republic of Austria	471,918.70 crowns
Credited to the Kingdom of Roumania	2,020.08 crowns

The first-mentioned sum is fixed with due regard to the amount of 695,756.91 crowns standing to the credit of the Ministry of Social Insurance at Prague with the Miners' Accident Insurance Organisation, which sum represents payments by the said Ministry amounting to 1,950,000 crowns, less fiduciary payments of pensions and monies returned, and it also takes account of the amount of 165,283.76 crowns standing to the credit of the above-mentioned Organisation at the Postal Cheque Office at Prague.

The sum of 695,756.91 crowns includes 250,000 crowns transferred by the Ministry of Social Insurance at Prague on September 1, 1919, to the cheque account of the Miners' Accident Insurance Organisation and deposited at the Postal Cheque Office at Prague, which amount the Banking Department of the Ministry of Finance at Prague has entered as a pledged debt of the above-mentioned Organisation contracted on the basis of redeemed war loan bonds, third issue, nominal value 500,000 crowns. It does not include the interest on this amount for the period between September 12, 1919, and September 5, 1923, amounting to 62,953.93 Czechoslovak crowns.

2. In addition to the claims and debts mentioned in No. 1, the Miners' Accident Insurance Organisation possessed on June 30, 1923, the following funds:

I. Assets.

Cash	53,444 crowns
Assets in the hands of credit institutions:	
(a) Austrian Postal Savings Bank	9,234 crowns
(b) Banks	5,262,339 crowns

Bonds and securities :

(a) War Loan Bonds, Third Issue, nominal value	7,000,000 crowns
War Loan Bonds, fourth Issue, nominal value	10,000,000 crowns
War Loan Bonds, fifth Issue, nominal value	15,220,000 crowns
War Loan Bonds, sixth Issue, nominal value	10,000,000 crowns
War Loan Bonds, seventh Issue, nominal value	10,000,000 crowns
War Loan Bonds, eighth Issue, nominal value	3,000,000 crowns
War Loan Bonds, eighth Issue, Treasury Bonds, nominal value	7,000,000 crowns
(b) Other securities :	
Converted crown bonds (<i>4prozentige konvertierte steuerfreie Kronenrente, Mai-November</i>), nominal value	240,000 crowns
Converted crown bonds (<i>4prozentige konvertierte steuerfreie Kronenrente, Jänner-Juli</i>), nominal value	1,000 crowns
Paper bonds (<i>4.2prozentige Notenrente</i>), nominal value	55,200 crowns
Silver bonds (<i>4.2prozentige Silberrente</i>), nominal value	200 crowns
Austrian crown bonds (<i>4prozentige österreichische Kronenrente, März-September</i>), nominal value	3,151,000 crowns
Austrian crown bonds (<i>4prozentige österreichische Kronenrente, Juni-Dezember</i>), nominal value	440,000 crowns
Loan debentures of Vienna transport undertakings (<i>4prozentige Wiener-Verkehrsanlagenanleihe</i>), nominal value	114,000 crowns
Bonds of Austro-Hungarian Bank (<i>4prozentige verlosbare Pfandbriefe der Oesterreichisch-ungarischen Bank</i>), nominal value	34,000 crowns
Bonds of the Lower-Austrian Land Bank (<i>4prozentige Pfandbriefe der Niederösterreichischen Landes-Hypothekenanstalt</i>), nominal value	54,000 crowns

II. Liabilities.

- (a) Pledged debt 14,566,527 crowns
- (b) Various unpaid debts dating from the period before December 31, 1918, and presented to the Miners' Accident Insurance Organisation up to March 15, 1924, amounting in all to 40,883.15 crowns.

The debts mentioned under 1 (a) shall be assigned in advance to the respective States ; the debts mentioned under 1 (b) shall be accepted by the respective States to which are assigned in compensation and in advance the following securities at their present value :

To Austria :

Loan debentures of Vienna transport undertakings (<i>4prozentige Wiener Verkehrsanlagenanleihe</i>), nominal value	114,000 crowns
Bonds of the Austro-Hungarian Bank (<i>4prozentige Pfandbriefe der Oesterreichisch-ungarischen Bank</i>), nominal value	34,000 crowns
Bonds of the Lower Austrian Land Bank (<i>4prozentige Pfandbriefe der Niederösterreichischen Landes-Hypothekenanstalt</i>), nominal value	54,000 crowns

To Roumania :

Converted crown bonds (<i>4prozentige konvertierte steuerfreie Kronenrente, Jänner-Juli</i>), nominal value	1,000 crowns
Silver Bonds (<i>4.2prozentige Silberrente</i>), nominal value	200 crowns

3. The cash balance and the assets with the banks shall accrue to Austria, which in return undertakes to pay the debts of the Miners' Accident Insurance Organisation mentioned under No. 2, II (b) at their nominal value in Austrian crowns : the pledged debts not yet paid (No. 2, II (a)) shall be paid by Austria.

4. The remainder of the funds, which are all invested in securities, shall be distributed in proportion to the insurance liabilities assumed by each of the Contracting Parties. The charge of each of the States concerned shall therefore be as follows :

Republic of Austria	9.795 %
Czechoslovak Republic	74.716 %
Kingdom of Italy	1.337 %
Kingdom of the Serbs, Croats and Slovenes	3.820 %
Polish Republic	10.287 %
Kingdom of Roumania	0.045 %

In order, however, to set off the partial payment of the pledged debt by the funds of the Miners' Accident Insurance Organisation, Austria shall waive the half of the converted crown bonds (*Aprozentige konvertierte steuerfreie Kronenrente, Mai-Nov.*) which accrues to her as her share, and out of this a nominal value of 10,000 crowns shall be assigned to the Czechoslovak Republic, 1,200 crowns to the Polish Republic and 500 crowns to the Kingdom of the Serbs, Croats and Slovenes. Further, the Republic of Austria shall hand over to the Czechoslovak Republic out of its share of these securities a nominal value of 3,600 crowns as partial repayment of the interest on the pledged debts to the Banking Department at Prague (Section B, No. 1, paragraph 3).

The detailed distribution of securities is shown in the annex, which shall constitute an integral part of the present Convention.

5. The right of the Miners' Accident Insurance Organisation to claim premiums later shall devolve on the country in whose territory the contributing Organisation has its seat.

6. Any claims which may arise in connection with payments by organisations situated in Poland made, after separation of the funds, to the Miners' Accident Insurance Organisation for the purpose of settling arrears of premiums relating to the period before December 31, 1918, in Austrian or unstamped crowns, shall be transferred to the Polish Republic.

7. The Austrian Government shall place at the disposal of the Polish Legation in Vienna the bonds and securities due to it in conformity with the foregoing provisions, at the place of deposit, within one month from the entry into force of this Convention. The war loan bonds shall be inscribed "*Von der Republik Österreich nicht übernommen*". The other securities shall be handed over without any inscription. The Austrian Government shall grant free of charge authorisation to export the securities (in due order) to be handed over to the other Contracting Party.

8. The transfer to the competent insurance organisation of the funds allocated to each State shall be subject to the internal regulations of the latter.

9. Each of the High Contracting Parties shall abstain from collecting any stamp and other duties which may become leviable in its territory, at the time of the execution of this Convention.

Article II.

After the execution of the present Convention by the Republic of Austria, the Polish Republic shall make no further claim on Austria under Article 275 of the Treaty of Saint-Germain with regard to the Miners' Accident Insurance Organisation.

Article III.

The present Convention shall be ratified as soon as possible and shall enter into force fourteen days after the exchange of the instruments of ratification.

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

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

For the Polish Republic :

Dr. Zbigniew SMOLKA, *m. p.*

For the Republic of Austria :

W. THAA, *m. p.*

ANNEX.

LIST SHOWING DISTRIBUTION OF SECURITIES.

Nominal value in crowns	Description of Securities	Share of					
		9.795 % to the Republic of Austria	74.716 % to the Czechoslovak Republic	1.337 % to the Kingdom of Italy	3.820 % to the Kingdom of the Serbs, Croats and Slovenes	10.287 % to the Polish Republic	0.045 % to the Kingdom of Roumania
240,000	4 % konvertierte steuerfreie Kronrente, Mai-November	8,200	192,900	3,200	9,700	25,900	100
55,200	4.2 % Notenrente	5,400	41,300	700	2,100	5,700	—
3,591,000	4 % österreichische Kronrente	351,800	2,683,000	48,000	137,200	369,400	1,600
7,000,000	III. Steuerfreie österreichische Kriegsanleihe	685,700	5,230,100*	93,600	267,400	720,000	3,200
10,000,000	IV. Österreichische Kriegsanleihe vom Jahre 1915	979,500	7,471,600	133,700	382,000	1,028,700	4,500
15,220,000	V. Österreichische Kriegsanleihe vom Jahre 1916	1,490,900	11,371,800	203,500	581,300	1,565,600	6,900
10,000,000	VI. Österreichische Kriegsanleihe (5 ½ %)	979,500	7,471,600	133,700	382,000	1,028,700	4,500
10,000,000	VII. Österreichische Kriegsanleihe (5 ½ %)	979,500	7,471,600	133,700	382,000	1,028,700	4,500
10,000,000	VIII. Österreichische Kriegsanleihe (5 ½ %)	979,500	7,471,600	133,700	382,000	1,028,700	4,500
66,106,200		6,460,000	49,405,500	883,800	2,525,700	6,801,400	29,800

* Of which 500,000 crowns have already been transferred to Prague.