

N° 402.

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**AUTRICHE ET HONGRIE**

Convention commerciale signée à  
Budapest le 8 février 1922.

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**AUSTRIA AND HUNGARY**

Commercial Convention signed at  
Budapest, February 8, 1922.

## TEXTE HONGROIS. — HUNGARIAN TEXT.

No. 402. — A MAGYAR KIRÁLYSÁG ÉS AZ OSZTRÁK KÖZTÁRSASÁG  
KÖZÖTT BUDAPESTEN 1922 FEBRUÁR 8-ÁN KÖTÖTT KERES-  
KEDELMI EGYEZMÉNY.<sup>1</sup>

*Official German and Hungarian texts communicated by the Director of the Hungarian Secretariat accredited to the League of Nations. The registration of this Convention took place on April 11, 1923.*

A MAGYAR KIRÁLYI KORMÁNY ÉS AZ OSZTRÁK KÖZTÁRSASÁG SZÖVETSÉGI KORMÁNYA, egyaránt azon óhajtól vezérelve, hogy a Magyarország és Ausztria közötti vonatkozásokat fejlesszék, megegyeztek abban, hogy e célból végleges kereskedelmi szerződés megkötéséig a következő ideiglenes kereskedelmi egyezményt kötik és meghatalmazottaikká kinevezték :

A MAGYAR KIRÁLYSÁG KORMÁNYA :

losonczy gróf BĀNFFY Miklós Ő Excellenciáját, m. kir. külügyminisztert ;

AZ OSZTRÁK KÖZTÁRSASÁG SZÖVETSÉGI KORMÁNYA :

DR. CNOBLOCH János Ő Excellenciáját, rendkívüli követ és meghatalmazott minisztert,

akik jó és kellő alakban talált meghatalmazásaik kölcsönös közlése után a következőkben állapotok meg :

I. cikk.

1. A szerződő felek mindegyikének állampolgárai, hajói, áruai, nyersterményei és ipari készítményei a másik fél területén élvezni fogják mindazon jogokat, kiváltságokat, mentességeket és előnyöket, amelyekben bármely más ország részesül.

2. Az előző rendelkezés nem érinti azokat a különleges törvényeket, rendeleteket és szabályokat, amelyek a szerződő felek területein a kereskedelemre, iparra, rendészetre és a közbiztonságra vonatkozólag fennállanak vagy a jövőben hozatni fognak és az összes idegenekre általában alkalmazást nyernek.

2. cikk.

1. A szerződő felek állampolgárai kölcsönösen a kereskedés és ipar megkezdése és folytatása tekintetében a belföldiekkel egyforma elbánás alá esnek.

<sup>1</sup> The exchange of ratifications took place at Vienna, February, 20, 1923.

## 14. cikk.

Jelen egyezmény a lehető legrövidebb időn belül megerősítendő. A megerősítő okiratok Bécsben fognak kicseréltetni. Az egyezmény a megerősítő okiratok kicserélése utáni tizedik napon lép életbe és addig marad érvényben, amíg azt a szerződő felek egyike fel nem mondja. Ez esetben azon naptól számított három hónap letelte után lép hatályon kívül, amely napon a felmondás a másik szerződő fél tudomására hozatott.

Ha a megerősítő okiratok kicserélése 1922. évi február hó 15-én túl elhúzódna, ugy ezen államszerződés — amennyiben a mindkét államban alkotmányjogilag megkívánt előfeltételek teljesítve vannak — ideiglenes hatállyal, jegyzékváltás útján életbeléptetendő. Ezen jegyzékváltás Bécsben történék meg.

Az egyezmény magyar és német eredeti szövegben állittatik ki. Az egyezmény értelmezésénél kétség esetében a német szöveg irányadó, minthogy a tárgyalások német nyelven folytak.

Minek hitelül a meghatalmazottak a jelen ideiglenes egyezményt aláírták és pecsétjeikkel ellátták.

BUDAPEST, 1922. évi február hó 8-án.

BÁNFFY, m. p.  
CNOBLOCH, m. p.

## A. MELLÉKLET.

(Minta.)

Az illetékes hatóságok előtt való igazolás végett ezennel bizonyittatik, hogy N. N. ur, ak gyártmányaival (terményeivel) a vásárokat és sokadalmakat (Ausztriában, Magyarországon) meglátogatni szándékozik, N.-ben lakik és hogy az iparának megfelelő törvényes adókat és illetékeket megfizetni köteles.

Jelen bizonyítvány... hónapig érvényes.  
(Hely, kelet, a kiállító hatóság aláírása és pecsétje.  
Az iparüző személyleírása és aláírása.

## B. MELLÉKLET.

## MAGYARORSZÁG ÉS AUSZTRIA KÖZÖTT KÖZLEKEDÉSPOLITIKAI KÉRDÉSEK SZABÁLYOZÁSA TÁRGYÁBAN KÖTÖTT EGYEZMÉNY.

I. A szerződő felek vasuti forgalma az 1890.<sup>1</sup>é vi október hó 14-én kelt nemzetközi vasuti árufuvarozási egyezmény és annak pótlékai alapján fog lebonyolittatni.

Az egyezmény egyes rendelkezéseitől ezidőszertint netán szükséges eltérések tekintetében a két kormány közvetlenül megállapodhat.

A két szerződő fél gondoskodni fog arról, hogy a saját területeik közötti, valamint az egyik félnek a másik fél területén át harmadik állam közötti személy- és áruforgalma részére, a fennálló szükséghez képest, amennyiben a valutaviszonyok azt megengedik, közvetlen díjszabások léte-

<sup>1</sup> British and Foreign State Papers, vol. 82, page 771.

## JEGYZŐKÖNYV,

FELVÉTELETT A SZÖVETSÉGI KÜLÜGYMINISZTERIUMBAN BÉCSBEN, 1922. ÉVI JANUÁR HÓ 17-ÉN.

A szerződést kötő két félnek a vasuti bizottságba kiküldött képviselői megegyeztek abban, hogy a forgalompolitikai kérdések rendezésére vonatkozólag 1920. évi december 7-én Magyarország és Ausztria között létrejött egyezmény és a hozzátartozó, a m. kir. külügyminisztériumban felvett jegyzőkönyv a következőleg módosuljon :

## I. EGYZEMÉNY.

Az 1. pont két első bekezdése következő szövegezzel helyettesítettik :

» 1. A két szerződő fél területei között a kölcsönös áruforgalomra nézve a vasuti árufuvarozás tárgyában 1890<sup>1</sup>. évi október hó 14-én létrejött Nemzetközi Egyezmény határozmányai az 1895<sup>2</sup>. évi február hó 16-án létrejött pótmegállapodásban, az 1898<sup>3</sup>. évi június hó 16-án és 1906. évi szeptember hó 19-én létrejött pótegyezményekben foglalt módosításokkal és kiegészítésekkel, továbbá az egységes póthatározmányoknak és a Nemzetközi Szállítványozási Bizottság által már kidolgozott Egységes Egyezményeknek határozmányai alkalmaztassanak.

Mindaddig, míg a fennálló forgalmi nehézségek tartanak, a vasuti igazgatások az előbb jelzett Nemzetközi Egyezmény határozmányait bizonyos mértékben korlátozhatják. A felügyeleti hatóság jóváhagyása elé terjesztendő erre vonatkozó egyezmények azonban csak olyan korlátozásokat tartalmazhatnak, melyek a szükséges időtartamon és mértéken túl nem terjednek. A szerződő felek a kereskedelem érdekében megegyeznek abban, hogy a korlátozások nem érinthetik a vasutakat az áruk elveszéséért, hiányáért és sérüléséért, valamint a fuvarozási határidő túllépéséért terhelő felelősségnek mértékét.«

Az 1. pont utolsó bekezdése töröltetett.

## II. JEGYZŐKÖNYV.

Az » 1. ponthoz« tartozó jegyzőkönyvi határozmányban a két első bekezdés és a 3. bekezdés I. sorában » továbbá« szó törlendő.

Mint új határozmány a jegyzőkönyv végére felveendő :

» Mindkét kormány felette kívánatosnak tartja, hogy a portorosei értekezletnek amaz ajánlatai, melyek a nemzetközi vasuti forgalom számára egységes díjszabási alapelvek rendszerítésére és egy, vagy legfeljebb két pénzürtékben kifejezendő nemzetközi díjszabások felállítására vonatkoznak, nemkülönben ezen értekezletnek a leszámolási viszonyokra vonatkozó ajánlatai életbeléptetessenek.«

BÉCS, 1922. évi január hó 17-én.

WALTER, m. p.

Dr. FINÁ CZY, m. p.

VÖRÖS, m. p.

MÜLLER MARTINI, m. p.

DEMARTIN, m. p.

<sup>1</sup> See footnote, page 34 of this Volume.

<sup>2</sup> British and Foreign State Papers, Vol. 87, page 806.

<sup>3</sup> British and Foreign State Papers, Vol. 92, page 433.

<sup>1</sup> TRANSLATION.

No. 402. — COMMERCIAL CONVENTION BETWEEN THE KINGDOM OF HUNGARY AND THE REPUBLIC OF AUSTRIA, SIGNED AT BUDAPEST, FEBRUARY 8, 1922.

The GOVERNMENT OF THE KINGDOM OF HUNGARY and the FEDERAL GOVERNMENT OF THE REPUBLIC OF AUSTRIA, being mutually desirous of encouraging the development of relations between Hungary and Austria, have decided for this purpose and until the conclusion of a regular commercial Treaty, to conclude the following preliminary Commercial Convention, and have appointed as their plenipotentiaries :

The GOVERNMENT OF THE KINGDOM OF HUNGARY :

His Excellency Count Nicholas BÀNFFY VON LOSONCZ, Royal Hungarian Minister for Foreign Affairs ;

The FEDERAL GOVERNMENT OF THE REPUBLIC OF AUSTRIA :

His Excellency Dr. Hans CNOBLOCH, Envoy Extraordinary and Minister Plenipotentiary,

who, after communicating their full powers found in good and due form, have agreed to the following provisions :

*Article 1.*

(1) The nationals, vessels, goods and natural or manufactured products of each Contracting Party shall enjoy within the territory of the other Party all such rights, privileges, immunities and facilities as are granted to any other nation.

(2) The above provision shall not affect any special laws, decrees or regulations concerning trade, industry, police and public safety which are in existence now in the territories of the Contracting Parties or which may be enacted in the future and which apply equally to all foreigners.

*Article 2.*

(1) The nationals of each of the Contracting Parties shall, as regards the establishment and carrying on of trade and industry, enjoy the same rights as the nationals of the other Party.

(2) When frequenting markets and fairs, the nationals of each Party shall receive the same treatment as the nationals of the other Party, provided that they can produce an identity card, a specimen of which is attached (Annex A) issued by the authorities of the State to which they belong.

(3) The above provisions shall not apply to the pharmaceutical industry, brokerage business and itinerant trading, including hawking.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

(4) The nationals of each of the two Contracting Parties shall, in the territory of the other Party, be treated on an equal footing with the nationals of that Party as regards their personal legal status, their movable and immovable property and their rights and interests. They shall have the same right as the nationals of that Party to carry on their business, either personally or through some agent of their own choice, without being subjected to any restrictions other than those which are imposed by the general laws and decrees in force in the territory in question.

(5) They shall have the same free and unrestricted access to all the Courts and Authorities of the other Party as the nationals of that Party or of any third State and shall be entitled to employ attorneys or agents of their own choice to protect their interests without being subjected to any restrictions other than such general restrictions as are imposed by the laws and decrees in force in the territory in question, and they shall in every respect be treated in the same way as the nationals of that Party or of any other State.

(6) Joint Stock Companies and other commercial, industrial or financial companies including insurance companies, which have their headquarters in the territory of either of the Contracting Parties and are legally established in accordance with the laws of that country, shall also be entitled to exercise all their rights in the territory of the other Party, subject to compliance with the laws and decrees applicable to that matter in that territory, and in particular they shall be entitled to maintain actions in the Courts either as plaintiffs or as defendants. Permission to carry on their trade in the territory of the other Party shall be granted to them in accordance with the laws and decrees in force in the territory of that Party; these companies shall, in this as in all other respects, enjoy the same rights as those accorded to similar companies of any third State which are recognised as being legally established.

(7) The nationals of one of the two Parties, including trading companies, co-operative societies and similar associations, shall not be subjected, in connection with the carrying on of trade or industry in the territory of the other Party, to any taxes, duties or charges different from or higher than those levied on nationals of the country concerned.

(8) In the assessment of charges of every kind on trade and industry the origin of the goods employed in such undertakings shall not in itself render them liable to less favourable assessment.

### *Article 3.*

(1) The goods and natural or manufactured products of one Party shall not, on being imported into the territory of the other Party, receive different or less favourable treatment than is accorded to any other State; in particular, they shall not be subjected to Customs duties or charges, including all incidental and additional fees, higher than, or different from those which are levied on the products or goods of any other country.

(2) Articles manufactured from foreign raw materials used in the finishing trade within the territory of one of the Contracting Parties shall be regarded as industrial products of that country.

(3) In the case of exportation to the territory of the other Party, export duties or charges may not be imposed different from or higher than those levied in the case of the exportation of similar goods to any other State.

(4) Goods of whatever origin which are conveyed in transit through the territory of one of the Contracting Parties or imported into free ports or Custom-free zones shall not, on their entrance into the territory of the other Party, be subjected to duties or charges different from, or higher than those which would have been levied if the goods in question had been imported direct from their country of origin. This provision shall apply both to goods which are transhipped repacked or warehoused in the course of transit and to goods in direct transit.

(5) Each of the Contracting Parties further undertakes not to subject importation and exportation in the course of trade with the other Party to different or less favourable treatment in any other respect than that accorded to any other State.

(6) The foregoing provision applies in particular to the manner in which the Customs regulations are applied, the way in which goods are passed through the Customs, the procedure in connection with the examination and analysing of goods forwarded for importation, the conditions for the payment of Customs duties and charges, the classification and interpretation of tariffs and the application of monopolies.

(7) The provisions of this article shall not apply to any special privileges which neighbouring States may grant for facilitating traffic on certain sections of the frontier and among the inhabitants of certain districts.

#### Article 4.

Internal taxes levied within the territory of one of the Contracting Parties, for whosoever advantage they may be levied, and which affect, or which may affect in the future, the manufacture, preparation or employment of any goods shall not under any pretext be higher or more burdensome in respect of the products of the other Party than in respect of similar native products.

#### Article 5.

(1) The Contracting Parties shall grant to each other freedom of transit through their respective territories by road and rail and also by navigable watercourses and canals for persons, goods, railway wagons and vessels.

(2) Transit traffic shall be exempt from all Customs duties and charges and shall not be subjected to any unnecessary delays or restrictions.

(3) The Contracting Parties reserve the right to subject transit traffic to prohibitions or restrictions :

(a) for reasons of public safety ;

(b) in connection with sanitary or veterinary police measures, especially for the prevention of the spread of animal diseases and for the protection of useful plants ; *e. g.*, against insects and other vermin, in accordance with the recognised principles of international law and any special agreements between the two Parties existing at the time ;

(c) in exceptional circumstances, in connection with war requirements.

(4) In no case shall transit traffic be prohibited or subjected to restrictions which do not simultaneously and in the same manner apply to the transit traffic of all other countries where similar conditions obtain.

(5) The prohibitions or restrictions shall not hinder the traffic to a greater extent than is absolutely necessary to achieve the object of the prohibition.

(6) The provisions concerning freedom of transit shall also apply to transit consignments subject to transshipment, in so far as the carrying out of the measures necessary to ensure that the goods shall not remain in the country is guaranteed.

(7) The obligation to comply with the provisions contained in the Customs regulations regarding the treatment of transit consignments, and with the legal restrictions regarding the exchange of goods which are subject to an internal duty, or which are the object of a State monopoly, remains unaffected. The transit of such goods may, however, only be made more difficult or restricted in so far as is necessary for ensuring the collection of the internal duty on goods which remain in the country or for the purposes ensuring the execution of the provisions regarding monopolies.

(8) The Railway Administrations of the two Contracting Parties shall enter into negotiations to decide whether and under what conditions the goods, when being forwarded, may be accompanied by non-official persons. The general regulations in force in each of the two States in respect of passenger traffic shall apply to persons accompanying goods.

*Article 6.*

(1) Trade between the territories of the Contracting Parties shall not be restricted by import or export prohibitions except :

- (a) for reasons of public safety ;
- (b) in connection with sanitary or veterinary police measures, especially for the prevention of the spread of animal diseases and for the protection of useful plants, *e. g.*, against insects and other vermin, in accordance with the recognised principles of international law and any special agreements between the two Parties existing at the time ;
- (c) in exceptional circumstances, in connection with war requirements ;
- (d) in respect of goods under State monopoly, or for the purpose of putting into effect such prohibitions or restrictions with regard to foreign goods as are or may subsequently be imposed by internal legislation on the production, sale, carriage or consumption within the country of home-produced goods of the same nature ;
- (e) in other cases, only if such restriction is considered necessary owing to prevailing abnormal conditions.

(2) Import and export prohibitions shall not apply to traffic declared exempt from import and export duties in sub-paragraphs (a) and (b) of paragraph 1 and paragraphs 2 and 3 of Article 10 of this Agreement, without prejudice however to the Customs regulations governing re-importation and re-exportation.

(3) Similarly, samples carried personally by commercial travellers in accordance with Article 9 of this Agreement may be imported and exported regardless of existing prohibitions, provided that an adequate deposit is paid as a guarantee that such samples will not be left in the country into which they are imported, but will be re-exported upon the conclusion of the journey.

(4) Luggage and articles carried with them by travellers for personal use shall, when imported or exported, be passed through the Customs without special permits being required, but without prejudice to the existing Customs regulations in this respect.

(5) The Contracting Parties shall not issue or maintain in force in regard to the exchange of imports and exports between the two countries prohibitions or restrictions of any kind which are not equally applicable to the importation and exportation of the same goods under the same conditions from or to any other country. It is, however, agreed that this clause shall not apply to the granting of special exemptions in respect of the existing import and export prohibitions, or to Agreements under which either of the two Contracting Parties is bound to deliver to a third State, in the form of compensation, or to allow it to import, fixed supplies of goods.

*Article 7.*

Matters concerning railway traffic shall be regulated by the Agreement concluded at Budapest on December 7, 1920, and the Protocol of Signature in connection therewith and by the Protocol drawn up at Vienna on January 17, 1922, which form an integral part of the present Agreement and are attached to it as Annex B.



*Article 8.*

(1) The nationals of each Contracting Party and their vessels and property shall enjoy the same treatment in all respects in all ports and on all inland navigation routes in the territory of the other Contracting Party as the nationals of the latter, their vessels and property.

(2) In particular, the vessels of each of the Contracting Parties shall be entitled to transport passengers and goods of any description, to and from all places and ports in the territory of the other Party generally used for navigation under conditions which shall not be more onerous than those applied in the case of national vessels. They shall be treated on a footing of equality with national vessels as regards port and harbour facilities of which vessels may generally avail themselves as regards charges of every description, including facilities for stationing, loading and unloading, and duties and charges of tonnage, harbour, pilotage, lighthouse, quarantine and other duties and charges of whatsoever nature, levied in the name and for the profit of the Government, communes, private individuals, corporations or establishments, of any kind.

(3) In the event of one of the two Contracting Parties granting a preferential régime to any third State, this régime shall be extended immediately and unconditionally to the other Party.

(4) The transport of persons and goods on internal waterways shall not be subject to any impediments other than those arising from prescriptions concerning customs, police, sanitation, emigration and immigration, and those relating to the import and export of prohibited goods.

*Article 9.*

(1) Merchants, manufacturers and other traders, who submit a trading certificate duly signed by the competent authorities in their own country, proving that they are entitled to carry on trade or business in the State in which they are domiciled and that they pay the lawful taxes and duties in that State, shall be authorised to purchase goods in the territory of the other Contracting Party either personally or through travellers in their service, from merchants or in open markets, or from such persons as produce the goods, or to take orders from merchants or other persons who utilise in their trade, goods of the kind offered without being obliged to pay a further tax or duty therefor.

(2) Merchants or traders possessing a trade certificate and commercial travellers in their service may take samples of goods with them, but not goods.

(3) Trading certificates shall be drawn up in accordance with the specimen contained in Annex C.

(4) The Contracting Parties shall give information to each other as to which authorities shall be competent to issue the trading certificates. Both Contracting Parties reserve the right, if they think fit, to charge a moderate fee for issuing the certificates.

(5) Merchants or traders (or commercial travellers) possessing a trade certificate must not transact business or act as agents for other merchants or traders than those named in the certificate. When travelling they may only solicit orders and make purchases.

(6) With regard to formalities of all kinds with which such merchants or traders (or commercial travellers) may be required to comply in the territory of either Contracting Party, both Contracting Parties undertake to accord to one another treatment which shall not be less favourable than that accorded to any other nation.

(7) Both Contracting Parties shall accord freedom from import and export duties in respect of such samples as are carried by commercial travellers or forwarded in advance, or sent after them, which may be dutiable in themselves, provided that the identity of such samples is established at the time of import and again at the time of re-export within a period of one year through the Custom House of entry or any other Custom House; in this case certificates of identity issued in the home country shall be accepted in the territory of the other Contracting Party.

(8) In each country, the re-export of samples must be guaranteed by a deposit amounting to the Customs duty or by some other deposit to be made at the time of import.

(9) Commercial travellers need not be present in person at the Customs examinations, but may cause their trading certificates to be produced by another person.

#### Article 10.

(1) The following articles shall be temporarily exempt from import and export duties, subject to the procedure laid down in the Customs Regulations of either Contracting Party for goods under temporary Customs control (Vormerkverkehr) :

- (a) Articles which are intended to be repaired without any substantial alteration of their nature or trade designation ;
- (b) Marked returned empties and new wooden casks, which are imported from the territory of the other Contracting Party, in order to be filled and re-exported, and packing cases and outer wrappings exported into the territory of the other Contracting Party for packing purposes, which would be liable to a separate duty on being re-imported when filled or packed ;
- (c) Goods (with the exception of commodities for consumption) which are conveyed to markets or fairs or are sent on approval on occasions other than markets or fairs, and cattle taken to market in the territory of the other Contracting Party ; provided that all these goods are re-exported unsold within a period agreed upon in advance.

(2) The following articles shall be exempt from duty :

packing cases normally used in trade for packing goods, provided that they are not liable to a joint duty with the goods contained in them or subject to any other special treatment under the existing Customs Regulations ; packing cases returned empty, which are certified to have been used for exporting goods ; marked used wooden casks, provided that they are declared to be imported for the purpose of being filled and re-exported when full, and that there is no doubt as to the purpose for which they are imported.

(3) Goods (with the exception of monopoly articles and commodities for consumption) which are not adapted for use otherwise than as samples or specimens shall be imported and exported free of duty.

(4) It is agreed that in the exchanges effected between the two States neither Contracting Party shall accord less favourable treatment to the other, as regards the matters referred to above, than it accords under the same circumstances to any other nation.

#### Article 11.

(1) The Contracting Parties undertake immediately to engage in negotiations with regard to the conclusion of special Agreements concerning the following matters :

- (a) Increased facilities for small traffic on the frontier ;
- (b) Co-operation as regards Customs procedure, prevention of prosecution in respect of and punishment of infringements of the Customs Regulations, and legal assistance in matters connected with Customs offences ;

- (c) An Agreement concerning epizootic diseases ;
- (d) Mutual recognition of goods identity marks and certificates ;
- (e) The protection of industrial rights and copyright ;
- (f) The placing of goods under Customs seal on vessels which ply on the Danube.

(2) These Agreements, as soon as they have been concluded, shall be regarded as integral parts of the present Commercial Convention and unless explicit provisions to the contrary be inserted in these Agreements shall remain in force for the same period.

#### Article 12.

(1) The Contracting Parties shall be reciprocally entitled to appoint Consuls in all commercial centres in each other's territories in which any third State is permitted to maintain Consuls. The term " Consuls " shall include all agents commissioned to carry on Consular business.

(2) The Consuls of each of the Contracting Parties shall, upon conditions of reciprocity, enjoy all privileges, powers and exemptions in the territory of the other Party, which are or may be conferred upon the Consuls of any third State.

(3) It is agreed that, in regard to these conditions of reciprocity, the rights, powers and privileges conferred upon Consuls of the one Party in the territory of the other, in accordance with the most favoured nation clause, shall not exceed those conferred upon the Consular representatives of the latter Party in the territory of the former.

(4) It is agreed that exemption in matters of direct taxation shall only be granted to professional Consuls of either Party, provided that they are not nationals of the State in which they exercise their functions. In no case shall such exemption exceed that granted to the diplomatic representatives of the Contracting Parties.

#### Article 13.

(1) Any difference of opinion between the Contracting Parties with regard to the interpretation or application of the provisions of this Agreement shall, upon application by either of the Contracting Parties, be decided by arbitration.

(2) The Court of Arbitration shall in all cases of dispute consist of two suitable persons appointed as arbitrators by each of the Contracting Parties from amongst its own nationals, and a national of a third State who shall be chosen as Chairman (umpire) by the Contracting Parties. The Contracting Parties undertake to agree to appoint a person beforehand for a definite period to act as Chairman in the event of a dispute.

(3) In the first dispute, the Court of Arbitration shall sit in the territory of the defendant Contracting Party, in the second it shall sit in that of the other Party and so on, alternatively in the territory of either Party. The place in which the Court shall sit shall be determined by the Party in whose territory the Court meets. The latter Party shall make all arrangements for providing the premises and the secretarial and other staff required by the Court of Arbitration. The Chairman shall preside over the Court of Arbitration. Decisions shall be taken by a majority.

(4) The Contracting Parties shall settle the procedure of the Court of Arbitration by agreement, either as each case arises or once for all. In default of an agreement, the Court of Arbitration shall at once determine its procedure. The proceedings may be conducted by correspondence unless one of the Contracting Parties objects thereto.

(5) With regard to the summoning and hearing of witnesses and experts, the authorities of either of the Contracting Parties shall, upon application from the Court of Arbitration to the Government concerned, give legal assistance in the same manner as if it had been applied for by their own Civil Courts.

*Article 14.*

The present Agreement shall be ratified as soon as possible. The instruments of ratification shall be exchanged at Vienna. The Agreement shall come into force on the tenth day following the exchange of the instruments of ratification and shall remain in force until denounced by one of the two Contracting Parties. In that case it shall expire three months after the day on which notice of denunciation was given to the other Contracting Party.

Should the exchange of the instruments of ratification be delayed until after February 15, 1922, this Agreement shall — provided that the conditions laid down by the Constitutions of the two Contracting Parties have been fulfilled — be put into force provisionally by means of an exchange of Notes. Such exchange of Notes shall take place in Vienna.

The Agreement shall be drawn up in the Hungarian and German languages, both texts being authentic. In the event of any doubt arising regarding the interpretation thereof, the German text shall prevail, inasmuch as the negotiations have been conducted in the German language.

In faith whereof, the Plenipotentiaries have signed the foregoing provisional Agreement and have affixed their seals thereto.

BUDAPEST, *February 8, 1922.*

CNOBLOCH.  
BÁNFFY.

ANNEX A.

(Specimen.)

It is hereby certified that Mr. ....  
who proposes to exhibit his manufactures (or products) in fairs and markets in Austria,  
and who has applied to the competent authorities for a certificate of identity, is domiciled in in Hungary  
.....  
and is liable to pay the special taxes and duties levied on his business.

The present certificate is valid for ..... months.

(Place, date, signature and official stamp of the issuing authority.)

Description and signature of trader.

ANNEX B.

AGREEMENT REGARDING THE DETERMINATION OF QUESTIONS OF TRAFFIC POLICY  
BETWEEN HUNGARY AND AUSTRIA.

(1) The International Convention on the transport of goods by rail of October 14th, 1890, together with all the relevant acts, shall serve as a basis for the regulation of the traffic between the Contracting Parties.

The Contracting Parties shall arrive at a decision by direct negotiation in respect of any modifications of individual provisions of the Agreement which may be necessary from time to time.

The two Contracting Parties shall arrange that through tariff-rates be established, according to the requirements of the case and in so far as currency conditions render it possible, in respect of passenger and goods traffic between their respective territories and between the territories of one Party and third States across the territory of the other Party. The question whether circumstances require the establishment of through tariff-rates for passenger and goods traffic shall in principle be determined in accordance with the views of the administration which makes the proposal to this effect. The two Governments shall, in consideration of the labour and expense necessitated thereby, be governed by the principle that such proposals should only be made in cases of absolute necessity. In the event of any differences of opinion arising in this connection between the two railway administrations, the two Governments shall decide the matter by mutual agreement.

The Contracting Parties shall arrange at the earliest possible moment for the conclusion of agreements between the two railway administrations with regard to the settlement of accounts in connection with passenger and goods traffic.

(2) The Contracting Parties agree that no distinction shall be made on the railways between the inhabitants of the territories of the Contracting Parties as regards passenger or goods traffic, particularly in the matter of conditions of despatch, fares, and freight rates and State charges connected therewith.

(3) Goods consigned in Austria for conveyance to Hungary or through Hungary to a third State shall not, subject to the observance of identical conditions in each case, be subjected to less favourable treatment on the Hungarian railways, either in regard to the conditions of despatch or to freight rates or to State charge connected therewith, than goods of a similar nature, belonging to Hungary or to a third State, consigned by the same route and in the same direction. The same provision shall apply to goods consigned in Hungary for conveyance to Austria or through Austria to a third State and carried on the Austrian railways.

This rule shall be applicable on terms of reciprocity to goods which are conveyed by other methods of transport across the frontier of one Party into the territory of the other and are there consigned for transport by rail. No distinction shall be made in this connection, in particular as regards transshipment charges, between the navigation companies of the Contracting Parties.

The following conditions respecting the application of railway tariffs, rebates on freight rates or other facilities shall not apply to consignments of goods of the same nature exported from the territory of one of the Contracting Parties into that of the other :

- (a) The condition that the goods should be produced in the territory of the Party granting the facilities ; the requirement that goods should bear a designation which could not apply to similar goods produced in the country of the other Contracting Party shall be regarded as analogous to this condition.
- (b) The condition regarding delivery on the spot, except in the case of goods conveyed by ship or in the case of measures taken for the relief of any special emergency. The condition regarding " delivery on the spot " shall be assimilated to the condition regarding the conveyance of goods to the place of despatch by means of carts, trolleys (on private connection lines), light railways or specified railway lines.
- (c) The condition that the raw materials or the unfinished articles required for the manufacture of goods in respect of which facilities are granted should be forwarded wholly or partly across the lines of the Party granting the facilities.

The foregoing provisions shall not apply to tariff rebates granted for charitable or educational purposes or for purposes of social welfare, for the relief of special transitory emergencies, for journeys undertaken for private reasons by persons employed in the public service, or for articles used by transport undertaking in the home country. It is also agreed that on any secondary rail-

ways (light railways, local railways, tramways) traffic on which is preponderatingly foreign, rebates on fares may be granted only to persons resident in the adjacent communes.

(4) All tariffs and alterations thereof including any rebates on local and ordinary tariffs shall be duly published before they are introduced. No secret freight reductions or rebates ("Re-faktien") or other secret facilities, whereby an attempt is made to undercut freight rates established by tariff, shall be allowed.

The Contracting Parties shall mutually communicate to each other their regulations on the publication of tariffs and alterations thereof.

The two Governments shall cause their respective railway administrations to conclude agreements with regard to the mutual exchange of railway tariffs.

(5) Passenger fares and freight rates in respect of traffic between despatching stations situated near the frontiers in either State shall be paid in the legal currency of the State in which payment has to be made, even if the tariff is fixed in the legal currency of the other State.

The foregoing regulations regarding the acceptance of currencies shall in no way affect the agreements of the railway administrations concerned with regard to the settlement of accounts.

(6) As regards traffic, no discrimination shall as a rule be made in the conveyance of goods consigned in the one State and goods consigned in the territory of the other. In particular, in the event of traffic restrictions, no further limitations shall be made in respect of traffic from the territory of the one Party to the territory of the other Party or in respect of the transit traffic of the one Party over the territory of the other Party than in respect of the internal traffic of the State making the restrictions or of the transit State.

(7) The Contracting Parties shall endeavour to establish as unrestricted a traffic as possible of passengers and goods between their respective territories and between the territories of the one Party and third States across the territory of the other Party. In particular, these traffic relations shall be guaranteed to the greatest possible extent by means of good train connections, by establishing suitable timetables for passenger and goods traffic and by means of co-operation in respect of traffic and transport service.

(8) In making up trains the requirements of inland traffic and those of export traffic to the territory of the other State shall receive equal consideration.

(9) The present Agreement shall form an integral part of the economic agreement to be concluded between Hungary and Austria and shall come into force simultaneously with the latter.

(10) This Agreement shall be drawn up in the Hungarian and German languages both of which shall be authentic. In the event of any doubt arising regarding the interpretation of the Agreement, the German text shall prevail, inasmuch as the negotiations have been conducted in German.

BUDAPEST, *December 7, 1920.*

WODIANER.  
DEZSEŐFFY AURÉL.  
DR. MAX PICHLER.

## PROTOCOL

DRAWN UP IN THE ROYAL HUNGARIAN MINISTRY FOR FOREIGN AFFAIRS ON DECEMBER 7, 1920.

In connection with the signing of the foregoing " Agreement regarding the regulation of questions of traffic policy between Hungary and Austria ", the two Contracting Parties have agreed as follows :

*With regard to Point 1.*

It is agreed that the second paragraph shall be read merely as meaning that the two Governments shall have the right, in view of the existing special circumstances which will probably continue to prevail for a certain time, to agree upon modifications of the International Convention in individual cases in the matter of the traffic between their countries. If agreement cannot be reached between the two Governments in this respect, the provisions of the International Convention shall remain in force.

It is also agreed that the wording of the second paragraph shall not be deemed to affect the right of the respective railway administrations to negotiate with each other with regard to alterations of individual provisions of the International Convention and to lay agreed proposals before their managing committees for their assent.

It has further been agreed that, in addition to the principles for determining freightage conditions in railway traffic, the provisions of Section A of Part I of the Railway Goods Tariff in respect of traffic between the Hungarian, Austrian and Bosno-Herzegovinian railways on the one hand and the German Luxemburg, Belgian and Dutch railways on the other, which came into force on September 1, 1914, shall be applicable until further notice. These provisions shall, however, still be subject to examination by a commission of railways officials to be summoned as soon as possible and the result of their examination shall be laid before the respective managing committee for approval.

The two Governments are agreed that they will shortly enter into negotiations, in accordance with the provisions contained in Section I (3) of the regulations for the application of the International Convention on the transport of goods by rail, in respect of the establishment of less onerous conditions for articles, the transport of which may be authorised.

The two Governments are agreed that until the introduction of the through tariff-rates proposed in the third paragraph, the method of reckoning freight rates shall be supplemented by the establishment of suitable auxiliary tariffs.

It is finally agreed that the provisions contained in the third paragraph with regard to third States can only be applied when the necessary agreements have been concluded with the third States in question.

*With regard to Point 3*

It is agreed that the term tariff rebates for charitable or educational purposes or for purposes of social welfare applies such tariff reductions as are granted, for example, on account of poverty or for the purpose of facilitating the working of educational establishments or the building and maintenance of churches, schools and hospitals. The tariff rebates referred to are only granted in exceptional cases and are therefore of no economic importance.

*With regard to Point 7.*

It is agreed that the transit tariff referred to in Point 7 can only be put into operation when and in so far as the necessary agreements are concluded between the two States concerned in such traffic.

In connection with the provisions contained in the Agreement and in the present Protocol, the Contracting Parties declare that, in consequence of the insufficient quantity of rolling-stock on their railways and in consequence of the lack of engine fuel, they can only undertake to arrange for the traffic in question to the extent which the quantity of rolling-stock and fuel available at any given time permit.

BUDAPEST, *December 7, 1920.*

WODIANER.  
DEZSEÖFFY AURÉL.  
Dr. MAX PICHLER.

### PROTOCOL

DRAWN UP IN THE FEDERAL MINISTRY FOR FOREIGN AFFAIRS AT VIENNA, ON JANUARY 17, 1922.

The representatives of the Contracting Parties on the Railway Commission have agreed to amend as follows the Agreement regarding the regulation of questions of traffic policy between Hungary and Austria of December 7, 1920, and the Protocol thereto signed on the same day in the Royal Hungarian Ministry for Foreign Affairs :

#### I. CONVENTION.

The two first paragraphs under figure I shall be replaced by the following words :

(1) As regards the goods traffic in both directions between the territories of the two Contracting Parties, the provisions of the following Agreement shall apply : The International Convention on the transport of goods by rail of October 14th, 1890, together with the amendments and additions contained in the supplementary Agreement of July 16th, 1895, and the supplementary Agreements of June 16th, 1898, and September 19th, 1906, and the uniform supplementary provisions and the uniform Agreements already prepared by the International Transport Committee.

As long as the present traffic difficulties exist, the railway administration may provide for certain modifications of the provisions of the International Convention referred to. The Agreements in connection therewith which are to be laid before the Managing Committee for their assent shall not, however, contain any other restrictions than such as are absolutely necessary for the period and to the extent provided. The Contracting Parties agree, in the interests of trade, that the modifications shall not affect the degree of responsibility of the railways for total or partial loss or damage of goods or for exceeding the time limit fixed for delivery.

The last paragraph under figure I shall be deleted.

#### II. PROTOCOL.

In the provision of the Protocol headed " with regard to Point I " , the two first paragraphs and the word " further " ( *ferner* ) in the first line of the third paragraph shall be deleted.

The following new provision shall be inserted at the end of the Protocol :

" The two Governments regard it as extremely desirable that the recommendations of the Porto-Rosa Conference with regard to the introduction of uniform tariff bases for



international railway traffic and the establishment of international tariffs in one, or at most two currencies, and the recommendations of that Conference in respect of the conditions for the settlement of accounts should be carried out."

VIENNA, January 17th, 1922.

WALTER.  
Dr. FINÁ CZY.  
VÖRÖS.  
MÜLLER MARTINI.  
DEMARTIN.

ANNEX C.

Specimen.

TRADING CERTIFICATE FOR COMMERCIAL TRAVELLERS.

Year .....

No. ....

Valid for travelling abroad.

Bearer (Christian names and surname) .....

(Name of place) ..... Day, month, year) .....

(Seal)

(Authority)

(Signature)

It is hereby certified that the bearer possesses a (description of factory or business) in ..... trading under the name of ..... is a commercial traveller in the service of the firm of ..... and ..... which possesses a (description of factory or business) in the same place.

It is further declared, since the bearer proposes to solicit custom and to make purchases on behalf of this firm and likewise of the following firm(s) (description of factory or business) in ..... that the legally established taxes must be paid in respect of the business activities of the aforementioned firm(s) in this country.

Description of Bearer :

Age : .....  
General appearance : .....  
Hair : .....  
Special characteristics : .....  
Signature : .....

*N. B.* — The bearer is only entitled to solicit custom and to make purchases as a commercial traveller and on behalf of the afore-mentioned firm(s). He may take with him samples of goods but no goods. Further, he must comply with the regulations in force in each State.

## FINAL PROTOCOL

TO THE COMMERCIAL CONVENTION BETWEEN THE KINGDOM OF HUNGARY AND  
THE REPUBLIC OF AUSTRIA.

On the occasion of the signing of the present Commercial Convention which was concluded this day between the Kingdom of Hungary and the Republic of Austria, the undersigned Plenipotentiaries have made the following declarations, which are to be regarded as forming an integral part of the Convention itself.

*With regard to Article 2.*

(1) The two Contracting Parties shall inform each other as to which authorities shall be competent to issue the certificates required according to the provisions of paragraph 2.

(2) The provisions of paragraph 7 do not exclude the levying of fees for granting authorisation to trading companies, co-operative societies and similar associations in one of the two Contracting States to carry on business in the territory of the other, provided that fees of proportionately similar amount are levied in respect of similar national companies on the occasion of their establishment or of their receiving the grant of a concession or authority to carry on business.

(3) The question as to how nationals of the Contracting Parties who carry on a transport or shipping business between places situated in different States are to be treated in respect of the taxing of these undertakings will be settled by a special agreement with regard to the cognate question of double taxation which is to be concluded at a later date. Pending the conclusion of such an agreement each of the Contracting Parties shall have full freedom in this respect.

*With regard to Article 3.*

(1) It is agreed that, so long as either of the Contracting Parties maintains in force export duties or charges, the Contracting Parties shall, from time to time, exchange observations on the effect of these duties or charges upon trade relations between the two States, and shall inform one another, should the occasion arise, of their desires as to the revision of the export duties, which shall then be made the subject of negotiation.

(2) The reciprocal application of the most favoured nation clause with regard to the administration of the monopolies shall not affect any separate agreement which may be concluded regarding the delivery of goods which are the object of State monopolies.

*With regard to Article 5.*

(1) The exemption from all Customs duties and charges granted to transit trade under paragraph 2 of article 5 shall also apply to transit trade in goods which are the object of a State monopoly in the transit State.

(2) It is agreed that transit consignments which, before the coming into force of any prohibition issued in accordance with paragraph 3 of Article 5, have already entered the territory of the State which issued the prohibition, shall not be affected by such prohibition, but shall be forwarded to the place of destination. Upon the expiration of the validity of this Agreement goods delivered to public transport agencies for conveyance before the date of expiration shall be conveyed to the places of destination, even in cases in which the actual transit only began after the date of expiration of the Convention.

(3) Very perishable goods which are transported from the territory of one of the Contracting Parties and are unloaded or transhipped in transit (in gebrochenen Verkehr) shall only be treated as transit consignments if they are re-exported within a period to be determined in accordance with the degree of perishability of the goods, but not exceeding two months from the day on which the goods were warehoused. If it is impossible, through no fault of the person entitled to dispose of the goods, to export them within the period of two months, this period may be extended.

(4) Petroleum and petroleum products originating in a country which has conceded a fixed supply (Kontingent) of these goods to one of the Contracting Parties shall not be accepted as transit consignments and permitted to be unloaded or transhipped in transit of the country of origin has previously notified its acceptance of the condition that, subject to proof of re-export, such consignments as are unloaded and warehoused in transit shall not be reckoned as part of the fixed supply conceded to the country of transit.

(5) In connection with paragraph 7 of Article 5, the Austrian Government declares that the immediate delivery of the authorisation by the monopoly authorities for the transit of orthotoluol sulphamate through Austria for use by the Royal Hungarian Monopoly Administration will meet with no obstacle, through this provision.

*With regard to Article 6.*

(1) Being equally desirous to return as soon as possible to complete freedom of commercial intercourse between the two countries, and for this purpose to reduce, and, so far as possible, gradually to abolish the restrictions which must meanwhile be maintained in view of the prevailing abnormal conditions, the Contracting Parties are agreed to take into consideration, so far as possible, the requirements of trade in the application of any import and export prohibitions existing in their countries by granting licenses for the import and export of goods subject to prohibitions, and to do everything in their power to promote and facilitate by a liberal policy the revival of normal commercial relations and of an active exchange of goods between the two countries.

(2) With a view to ensuring the application of this principle and the observation by both Parties of a mode of procedure compatible with the terms of reciprocity, the two Contracting Parties shall from time to time inform one another of their desires with regard to the granting of import and export licences, and shall enter into negotiations regarding the extent to which these desires can be satisfied, whether by granting export and import licences for fixed quantities ("Kontingente") of given articles, or by granting individual licenses.

(3) The Governments of the two Contracting Parties declare themselves prepared to grant, in so far as the national economic situation permits, exemptions from their existing import and export prohibitions with the object of permitting raw materials and half finished manufactures to be transported from the territory of the one Party into that of the other, to be finished or refined there and, upon completion of such finishing or refining process, to be re-exported to the country in which the raw materials or half finished manufactures originated. They reserve to themselves the right, however, to impose such conditions as may be necessary to ensure the re-export or re-import of the finished goods, and to prevent the articles subject to an export prohibition being used as raw materials or auxiliary material in the production of finished goods and exported therewith while benefitting by the facilities granted to the finishing trade. The provisions of the Customs regulations of either side regarding the granting of exemptions from Customs duties to the finishing trade shall not be affected hereby.

(4) The provisions of Paragraphs 2 and 3 of Article 6 shall not apply to commodities under State monopoly.

(5) New import and export prohibitions shall not apply to goods which were delivered for despatch on the day when the prohibitions were published.

(6) The respective Governments are prepared to make import and export licenses granted in accordance with the existing regulations operative in all respects throughout the period of validity, even if the aforesaid import and export regulations are subsequently modified.

(7) A license which has been issued may be withdrawn :

- (a) if it endangers important public interests ;
- (b) if it was obtained by means of false statements or by other corrupt means.

(8) Any new export duties introduced, or any increase of existing export duties shall not, for a period of six weeks following their coming into force affect export licenses granted previously and still valid. After the expiration of six weeks any export license issued shall only be valid if in each separate case the tax, or the difference between the new tax and the old one, be paid subsequently in respect of the value of any goods which have not been exported within the above-mentioned period.

(9) Both Parties shall give a mutual undertaking that, if for reasons which are admittedly beyond the control of the persons concerned, export licenses already issued cannot be utilised, either entirely or in part, in the given time, the license may upon application be extended, provided that the conditions upon which the license was first issued still exist, and that no circumstances which would justify the withdrawal of the license have arisen. In no case shall extension be refused merely on account of new export regulations which have been introduced meanwhile.

(10) In so far as the question of the issue of export licenses is determined by the fluctuations in the prices of the goods exported, contracts concluded before the introduction of regulations regarding prices or of new regulations of that kind shall not as a rule be affected thereby if the regulations regarding prices in force at the time when the contract was concluded were taken into consideration and :

- (a) If the purchaser has already made payments ;
- (b) If the purveyor has already made deliveries under the contract ;
- (c) If the purchaser has already agreed to a proportionate increase in prices.

*With regard to Article 9.*

Goods made of precious metals which were imported subject to the regulations regarding imports under Customs control (Eingangsvormerkverfahren) by commercial travellers, solely as samples for exhibition purpose against deposit of the Customs duties, and accordingly may not be released from Custom control, need not, upon application, be hall-marked if a suitable deposit is paid which shall be forfeited in case of failure to re-export the sample within the appointed period.

*With regard to Article 10.*

All possible facilities shall be granted by the respective Contracting Parties as regards the clearance through the Customs of live stock which is driven to markets in the territory of the other Contracting Party and is exported thence unsold. Description of the live stock, giving particulars of breed, number of head and colour, together with any special characteristics, shall be regarded as sufficient for purposes of identification.

This Final Protocol shall be drawn up in the Hungarian and German languages both texts being authentic. In the event of any doubt arising regarding the interpretation thereof, the German text shall prevail inasmuch as the negotiations have been conducted in the German language.

In faith whereof the Plenipotentiaries of the two Contracting Parties have apposed their signature hereto.

BUDAPEST, February 8, 1922.

CNOBLOCH.  
BÁNFFY.

## PROTOCOL

DRAWN UP AT THE FINAL SITTING OF THE TRADE POLICY COMMISSION.

In the course of the negotiations conducted by the Trade Policy Commission during the period January 12-16, 1922, the representatives of the Royal Hungarian Government and of the Austrian Federal Government agreed to make the following declarations :

(1) The draft Trade Agreement between the Kingdom of Hungary and the Republic of Austria which was initialled on December 18, 1920, was subjected to a fresh reading, as a result of which certain additions and amendments were made in it.

The draft which was re-examined in this way was then initialled in duplicate by both Parties and is attached to this Protocol. It is to be signed in Budapest between January 25 and 31, 1922, and is to be laid before the two Parliaments at the earliest possible moment with a request that they should deal with it without delay.

(2) The negotiations in respect of the special Agreements recommended in the Commercial Convention with regard to facilitating frontier traffic, affording mutual assistance in matters connected with Customs inspection, preventing, prosecuting in respect of and punishing infringements of the Customs regulations and rendering legal assistance in respect of Customs offences, and making regulations for placing goods under seal on vessels plying on the Danube, shall be opened at Budapest in the week from January 23-28, 1922.

As regards the question of veterinary inspection in connection with the traffic in animals and animal raw products, the draft of an exchange of Notes was presented by the Austrian Government and was accepted for examination by the Hungarian Government. Negotiations are to take place shortly.

(3) The question of an Agreement for the mutual exchange of goods proposed by Austria was also discussed. Hungary expressed her willingness to conclude such an Agreement and promised to adopt as liberal a policy as possible in this respect within the limits set by her own economic needs. It is also agreed that an attempt should be made in these negotiations to mitigate certain economic hardships which might arise on both sides in connection with the transfer of West Hungarian territory. On this occasion, the question should also be discussed as to what extent a modification of Customs duties in respect of certain categories of goods might be taken into consideration. The lists of claims in connection therewith shall be presented by both Parties within 14 days and the negotiations in the matter shall be taken in hand at Vienna within a further period of 14 days.

(4) The two Governments approve the Porto-Rosa Resolutions and intend to give effect to them.

VIENNA, *January 17, 1922.*

WODIANER.  
SCITOVSKY.  
Dr. PÉTER.  
BODNÁR.  
WILDNER.  
CANISIUS.  
BREZA.  
BOLLER.  
CONRAD.

## PROTOCOL

DRAWN UP ON THE OCCASION OF THE SIGNING OF THE PROVISIONAL COMMERCIAL CONVENTION  
BETWEEN THE KINGDOM OF HUNGARY AND THE REPUBLIC OF AUSTRIA.

The undersigned Plenipotentiaries of the two Governments have agreed that the provisions of paragraph 5 of Article 2, according to which the nationals of each of the Contracting Parties shall be treated by the Courts and Authorities of the other Party in the same way as the nationals of the latter Party or of any other country, shall not apply to the granting of legal assistance, the exemption from the liability to provide security for the costs of actions at law, the procedure regarding bequests of movable property and the position of creditors in bankruptcy proceedings, these matters being regulated by internal legislation as before on the basis of reciprocity or by a special Legal Assistance Treaty. It is agreed that such a Legal Assistance Treaty shall be concluded as soon as possible.

It is further agreed that as regards the transit traffic mentioned in paragraph 8 of Article 5, in so far as sealed trains are concerned, no obstacle will be placed by the transit State, in the way of the goods being accompanied by non-military officials duly authorised by a third State. The number of persons accompanying any train shall not exceed ten. In the case of consignments of animals, three attendants may also, if necessary, travel in the train.

BUDAPEST, *February 8, 1922.*

CNOBLOCH.  
BÁNFFY.

## AGREEMENT

REGARDING INCREASED TRAFFIC FACILITIES ON THE FRONTIERS.

*Article 1.*

The following arrangements have been agreed upon for facilitating traffic in the frontier zones :

(1) The districts situated on both sides of the common Customs frontier shall be regarded as frontier zones. The respective Governments shall be free to issue further orders specifying these districts. No frontier zone shall, however, exceed 15 kilometres in width.

(2) The following articles shall be imported into either country free of import and export duties, subject to any restriction or withdrawal of this concession which may be ordered by the local authorities in case of abuse :

Butcher's meat (whether fresh or simply prepared) in quantities not exceeding 2 kilograms ;

Milling products of cereals or root crop : in quantities not exceeding 3 kilos ;

Household bread and bakers' wares in quantities not exceeding 3 kilos ;

Milk in quantities of not more than 2 litres ;

provided that these goods are taken with them by inhabitants of the frontier districts for the requirements of their own households and by recognised Customs routes.

(3) Sacks and other packing cases and wrappings in which goods exchanged in trade between the frontier zones are transported by recognised Customs routes from one frontier zone to the opposite zone and which are thence re-exported empty by the same route shall be exempt from import and export duties.

(4) Prepared medicines fetched by residents in the frontier zones from chemists' shops in the vicinity on production of prescriptions by duly certified doctors and veterinary surgeons, in small quantities corresponding to the actual requirements of the case, may also be imported on by-roads free of import and export duties without special authorisation. Further, a prescription will not be required in the case of simple drugs used for medicinal purposes and simple pharmaceutical and chemical preparations which have an accurate and clear pharmaceutical description on the wrapper and which may be retailed under the regulations in force in the country in question.

(5) For purposes of trade between the respective frontier zones the following goods may, with the consent of the Customs administration and in certain frontier districts be transported free of import and export duties across the frontiers on by-roads in quantities which do not exceed the requirements of the household of the frontier inhabitants, provided that local conditions make this measure desirable and feasible, and if necessary, subject to suitable precautions :

Natural and artificial fertilisers, flax and hemp on the stalk, green and dry fodder (feeding herbs, hay, straw, chopped straw), forest litter, moss, rushes, common sand for mortar, flints and pebbles, broken emery, common clay and potters' earth, firewood, peat, bog earth and raw timber.

(6) In the case of landed estates or other properties which are intersected by the frontier line, farm live stock and agricultural implements belonging to such properties, the necessary supplies of seed for the cultivation of the fields and the agricultural produce derived from such properties, may be taken at any point over the intersecting frontier line free of import and export duties from the places where they were produced to the houses and agricultural buildings in the opposite territory.

(7) Residents who live on this side of the frontier and who have to carry on agricultural labour in the other frontier zone in their own, or in leased fields or meadows, etc., but only in the neighbourhood of their domicile — shall be entitled to take over the frontier free of import and export duties all live stock and tools required for such work, the necessary supplies of seed and the field produce derived from the lands under cultivation on the other side. The abovementioned articles may be taken across the frontier on by-roads if the local conditions or the kind of labour to be carried out appear to require it, if the Customs control regulations are observed and if the resident on the frontier in question returns home from the opposite frontier zone on the day on which he entered it. The transport of live stock is, however, only permissible on such routes as are recognised as cattle driving roads by mutual agreement between the competent administrative authorities.

(8) Live stock which is driven to grazing grounds in the neighbourhood and which is brought back on the same day is exempt from import and export duties, provided that notice is given to the competent authorities by the frontier residents in question, and provided that the hours for driving the cattle there and back are duly observed, and it shall not be subject to the system in force for goods under temporary Customs control (Vormerkverkehr). The agreements contained in the second and third sentences, point 7, shall apply in this case.

(9) The following goods shall be exempt from import and export duties subject to the Customs regulations for goods imported under Customs control (Vormerkverkehr) :

Live stock driven across the frontier, in order to be fattened and for temporary work, provided that they move by the roads specified in line 3 of Point 7, and agricultural machinery and implements for temporary use.

(10) Cereals, oilseed, hemp, flax, wood, tanners' bark and similar agricultural products which are taken into the opposite frontier zone by residents on the frontier to be ground, crushed, cut

up, powdered or subjected to similar treatment and are re-exported as finished articles, shall be subject to the conditions regulating the finishing trade, or if any specially noteworthy local considerations so require, may be imported and exported free of duty, without reference to the regulations regarding the finishing trade, but subject to suitable Customs safeguards.

The quantities of such products which may be re-imported or which must be re-exported in place of the raw materials shall be fixed as required by agreement between the respective Customs administrations.

(11) With a view to enabling frontier residents to cross the frontier with articles required for their personal use which are taken from one frontier zone into the opposite frontier zone for repair or for technical treatment (" *handwerksmäßige Bearbeitung* ") and re-exported, the respective frontier Customs officer shall be authorised to permit improvement and finishing trade traffic in either direction. Domestic service shall be regarded as being governed by the provisions relating to technical treatment. The dyeing of yarn and textiles shall be considered as analogous to technical treatment. In addition to stuffs used for making up articles of clothing and transported under the terms relating to technical treatment, trimmings used for the same purpose shall also be free of Customs duty.

(12) Residents on the frontier, who perform temporary manual labour in the fields or other agricultural or forestry work in agricultural or forestry undertakings situated in the opposite frontier zone — but only in the neighbourhood of their domiciles — on the bases of duly concluded contracts, may, provided that they regularly return home from the opposite frontier zone, not later than 6 days after entering the place of work, and observe the official Customs regulations issued for cases of this kind, cross the Customs frontiers without hindrance, on by-roads as well as main roads, and may take over the frontier, free of Customs or other duties any implements or tools required for their work and also any wages, whether in money or in kind (allowance in kind) earned as a result of such work, as well as any articles for their personal use which can be shown to have been supplied to them by their employers as part of their earnings (*e.g.*, shoes and articles of clothing).

Food prepared at home for such workers may also be taken over the frontier free of duty, provided that the person taking the food returns home on the day on which he entered the opposite frontier zone.

(13) Doctors, veterinary surgeons and midwives domiciled in one frontier zone may practice in the opposite frontier zone also. They may, for the purpose of their practice, provided that they possess special Customs identity certificates, cross the frontier at any time of the day or night, by by-roads on bicycles or motor bicycles, without reporting on every occasion to a Customs house. Specific orders regarding these privileges will be issued by agreement between the respective Customs administrations.

(14) The regulations established by the foregoing provisions in respect of the frontier traffic shall not affect any import, export, or transit traffic prohibitions police regulations regarding the crossing of the frontier, police regulations regarding epizootic diseases or regulations regarding the State control of certain products which may at any time be in force in the two countries.

Both Parties, however, declare their willingness to apply the existing import, export and transit traffic prohibitions in such a manner as to take into account so far as possible the interests of frontier residents.

(15) As long as the restrictions exist in respect of taking currency across the frontier, the Customs officers shall, as regards frontier traffic, allow farmers of the neighbouring country who bring with them in Hungarian or Austrian currency the proceeds of the sale of their own products to cross the frontier freely, without reference to existing restrictions, provided that the persons crossing the frontier prove by a certificate issued by the police authorities (the Police Market Office) of the territory where the sale took place that the money in fact represents such proceeds.



(16) The provisions of Points, 2, 3 and 5 set out above are not applicable to traffic effected by the intermediary of public traffic agencies.

*Article 2.*

Each of the two Parties reserves the right to abolish wholly or partially the facilities agreed upon in Article 1 at any time by giving 3 months' notice.

This Agreement shall be drawn up in the German and Hungarian languages both texts being authentic; in the event of any doubt arising regarding the interpretation thereof, the German text shall prevail inasmuch as the negotiations have been conducted in the German language.

BUDAPEST, *February 1, 1922.*

CANISIUS.  
KÖNIG.

AGREEMENT

REGARDING MUTUAL ASSISTANCE IN MATTERS CONNECTED WITH CUSTOMS INSPECTION, REGARDING THE PREVENTION OF, PROSECUTION IN RESPECT OF AND PUNISHMENT OF INFRINGEMENTS OF CUSTOMS REGULATIONS AND REGARDING THE MUTUAL RENDERING OF LEGAL ASSISTANCE IN CONNECTION WITH SUCH INFRINGEMENTS.

*Paragraph 1.*

(1) The Contracting Parties shall, in accordance with the following regulations, afford each other legal assistance in matters connected with Customs inspection, with the prevention, prosecution in respect of and punishment of infringements of Customs regulations and with criminal proceedings for offences against such regulations.

(2) Each of the Contracting Parties shall instruct its Customs officials and employees on the common frontier to acquaint themselves as far as possible with, and to respect the Customs laws and regulations of the other Party which may be applicable in the circumstances, including import and export and transit traffic prohibitions and the regulations regarding the statistics of goods traffic.

I.

MUTUAL ASSISTANCE TO BE AFFORDED IN MATTERS CONNECTED WITH CUSTOMS INSPECTION.

*Paragraph 2.*

The Customs authorities on the common frontier shall give to the senior officials of the corresponding Customs offices of the other Party the fullest official information regarding goods traffic and shall endeavour in every way to assist so far as possible the frontier Customs authorities of the other Party in the exercise of their duty.

*Paragraph 3.*

(1) Each of the Contracting Parties shall only allow goods to be sent into the territory of the other Party by Customs routes which lead to competent Customs entry offices, and only at

times when such goods may be reasonably expected to reach the Customs office on the other side of the frontier during office hours.

(2) Customs routes and the office hours of Customs houses on common frontiers shall be determined by mutual agreement; each Party shall inform the other of the facilities provided for crossing the frontier.

*Paragraph 4.*

(1) On railways used for public traffic, passengers baggage and goods may be conveyed across the frontier both by day and by night.

(2) The railways shall be bound to communicate to the Customs offices and branch offices (railway Customs offices) the time-table of all trains crossing the frontier, and to notify them of any alterations therein at least eight days before such time-table or alterations come into operation. The railway Customs offices shall further be notified if any trains are running exceptionally late or have been cancelled, and also if any special trains or light engines are expected.

*Paragraph 5.*

(1) Both Parties shall take steps to provide that in railway traffic between their territories declarations of origin are given for consignments of goods which are to be handed over to the Customs office of the other Party; in the case of transit traffic conveyed for short distances both Parties reserve the right to allow the production of declarations of origin to be dispensed with by mutual agreement.

(2) On the arrival of every train of loaded wagons (except service wagons), the officials of the railway conveying the wagons over the common frontier shall hand to the Customs office of the other Party a train schedule modelled on Form (a).

(3) A train-docket modelled on form (b) shall be handed to the Customs offices situated on the territory of the other Party before the departure of every train of loaded wagons (except service wagons) proceeding to the neighbouring country.

(4) No other Customs forms need be filled up by the railway for the purpose of the neighbouring country.

*Paragraph 6.*

(1) In order to safeguard the Customs revenue, each Party shall arrange that any goods which do not originate from free traffic (freier Verkehr) within their territories shall be noted as such by the Customs authorities in the accompanying papers handed over to the other Party, and that their country of origin and dispatch shall be stated therein.

In this connection any existing Customs house fastenings or seals shall be recognised by each Party as equivalent to that Party's own Customs house fastenings or seals (paragraph 11). In the case of goods forwarded direct, the Customs houses of both Parties at the frontier station need only stamp the accompanying papers. In such cases, the way-bills shall be dealt with by the office to which the goods are forwarded.

(2) The Contracting Parties shall, at those places on their frontiers where through rail connections exist and where rolling stock crosses the frontier, exempt from unloading and inspection at the frontier or from separate sealing, goods conveyed in wagons provided with the regulation fastenings and carried in the same wagons to a place within the country at which there is a Customs house empowered to inspect the goods, provided that due notice has been given of their dispatch.

(3) Goods carried without transshipment in railway wagons provided with the regulation fastenings, and transported from the territory of one Contracting Party through the territory

of the other, or conveyed in transit from the territory of a third State through the territory of one Contracting Party to the territory of the other Party, need not be unloaded or inspected or subjected to separate sealing either within the country or at the frontier, provided that due notice has been given of their passage in transit.

(4) The above provisions (see paragraphs 2 and 3) shall only take effect provided that the railway administrations concerned are responsible for the due arrival of the wagons with their fastenings intact at the Custom office within the country or at the export office, and that these facilities in the treatment of transit traffic facilities are not subject to restrictions under the existing transit traffic prohibitions.

(5) Goods which are duty-free need not as a rule be unloaded or weighed at the frontier Customs office even for final Customs clearance if they can be inspected without unloading.

(6) As an exceptional measure, the facilities provided in paragraphs 2 and 3 shall also be granted and the regular Customs inspection need not take place, in cases where goods are transshipped (from one railway to another) under Customs supervision, and where this transshipment is necessitated by a change of gauge or is unavoidable for other reasons.

(7) The exemption from Customs inspection agreed upon in paragraph 3 in the case of goods in transit by rail shall not apply if information has been received, or if there is good reason to suspect that an infringement of the Customs regulations is intended.

(8) Any wider facilities regarding Customs inspection granted by one of the two Contracting Parties to third States shall also, on condition of reciprocity, apply to traffic with the other Party.

#### *Paragraph 7.*

(1) Only passengers' hand baggage may be conveyed over the frontier in passenger coaches.

(2) The Customs inspection of hand and registered baggage shall be expedited at the frontier station so that baggage which is to be inspected by another Customs office may also, if possible be carried on by the connecting train.

(3) Articles sent express or at goods rates which are carried on passenger trains shall be subject to the same conditions and formalities as those in force for articles of the same kind carried by goods train.

(4) Live stock, however, and very perishable goods sent express by passenger train shall be passed through the Customs as rapidly as passengers' baggage.

#### *Paragraph 8.*

(1) In order to facilitate passenger and goods traffic, the Contracting Parties shall as soon as possible establish their corresponding Customs offices and frontier Passport offices at one and the same place. The provisions agreed upon for this purpose under pledge of complete reciprocity are contained in the attached Annex.

(2) Further, both Governments shall take steps to remove as far as possible any hindrance to traffic due to Customs inspection at frontier stations and also to facilitate through traffic by allowing baggage to be forwarded direct to a Customs office within the territory of the other Party.

#### *Paragraph 9.*

As regards the regulations with which wagons for traffic under Customs seal must comply, those laid down at the Conference of Berne on May 15, 1886, regarding the Sealing of Railway Trucks subject to Customs inspection, together with any modifications or supplementary regulations thereto, shall apply.

*Paragraph 10.*

(1) The requisite Custom certificates must accompany the goods at the time of crossing the common frontier.

(2) In order to allow the immunities granted in the case of goods intended for re-export which have not passed through the Customs and also in order to enable re-exported goods to be exempted from duty or to have duty refunded, each of the Contracting Parties shall upon application from the other Party confirm the passage of goods for the common frontier into the territory of the other Party. If the certificates have received the official stamp of the frontier entry office, this shall be deemed sufficient proof that they have crossed the frontier.

*Paragraph 11.*

Customs house certificates, fastenings, seals, stamps and any other marks affixed by the Customs house authorities, stamps and any other marks affixed to casks and other outer coverings by gauging offices, the gauging stamps and tonnage certificates of river craft in regard to which special agreements are to be concluded between the two Contracting Parties, as well as the official indication of weight on railway wagons shall be mutually recognised for Customs purposes.

*Paragraph 12.*

Re-entry free of duty shall be granted by the Customs authorities in the case of goods which were consigned for transport by rail in the territory of one of the Contracting Parties and were forwarded through the territory of the other Party to the territory of origin, if the carriage of such goods (*a*) was provided for by agreements between the railway authorities of both Parties regarding the allocation and management of traffic, or (*b*) if it is a case of traffic to and from stations of one Contracting Party situated in the territory of the other Party.

II.

PREVENTION OF INFRINGEMENTS OF CUSTOMS REGULATIONS.

*Paragraph 13.*

(1) The Customs officials of both Parties stationed on the common frontier shall afford each other every assistance for the prevention and detection of smuggling into the territory of either Party, shall communicate their observations to each other without delay and shall maintain friendly relations with each other.

(2) From time to time, and as occasion may require, the senior Customs officials and the Custom-house and revenue officials of both Parties shall meet with a view to discussing the most effective methods of cooperating in this respect.

*Paragraph 14.*

The Customs officials of both Parties, whose duty it is to prevent infringements of the Customs regulations and to institute prosecutions in respect thereof, shall also take all lawful measures in order to prevent the infringement of the Customs regulations of the other Party. In such cases, the officials concerned shall proceed in the same manner as they would do in the case of any infringement of their own Customs regulations.

*Paragraph 15.*

The Customs officials of the one Party shall immediately inform the competent Customs officials of the other Party of any infringements of that Party's Customs regulations which may come to their knowledge and on request shall forward the relevant documents and evidence.

*Paragraph 16.*

(1) Each of the Contracting Parties shall, at the request of the other Party, place persons under supervision who have given grounds for suspecting that they are professionally or habitually smuggling goods into the territory of that Party.

(2) Should the suspicion arise that stocks of goods exceeding normal requirements are being accumulated within the frontier districts of either Party for the obvious purpose of smuggling them into the territory of the other Party, such depots shall upon application be placed under special supervision.

III.

PROSECUTION IN RESPECT OF AND PUNISHMENT OF INFRINGEMENTS OF CUSTOMS REGULATIONS.

*Paragraph 17.*

(1) Each Contracting Party shall upon application from a competent authority of the other Party have infringements of the Customs regulations of that Party, prosecuted and punished in accordance with the same laws, by the same Courts and Authorities and according to the same procedure as offences against its own Customs regulations, provided :

(a) that the accused person is a national of the State which is to prosecute and punish him, or

(b) that without being a national of that State he was not only domiciled (even if merely temporarily) in the territory of that State at the time when the offence was committed or used that territory as a starting point when committing the offence, but also that he is present in that territory at the time when application for prosecution is received or after that date.

(2) If the amount of the fine is fixed in accordance with the amount of the Customs duties of which either Party has been defrauded, such fine shall be fixed in accordance with the tariff of the State whose fiscal laws have been infringed.

(3) This provision shall in no way affect the prosecution of any other punishable offence which may have been committed at the same time as the offence against the Customs regulations.

*Paragraph 18.*

Official evidence given by the authorities or officials of either Party shall be recognised by the other Party as possessing the same force as official evidence given by its own authorities or officials.

*Paragraph 19.*

(1) In the case of prosecutions for offences against the Customs regulations of the other Party, the costs and charges arising out of the prosecution and the execution of the sentence shall be determined and allocated according to the principles which apply in the case of prosecutions for similar offences against the prosecuting Party's own Customs regulations.

(2) Pending settlement, the expenditure arising out of the case shall be borne by the State in whose territory the prosecution takes place.

(3) Costs and charges arising out of the proceedings and the execution of the sentence which, in the case of offences against a State's own Customs regulations, would be borne by that State, either because they cannot be recovered from the accused, or covered by means of sums paid in by third persons or by the sale of articles which form the object of the offences and which have been seized as security, shall be paid by the State whose authorities demanded the prosecution.

*Paragraph 20.*

(1) Payment of the Customs duties of which the State was defrauded shall be imposed in addition to the fine.

(2) Any sums recovered from the accused, or obtained by the sale of the objects of the offence against the Customs regulations, shall be applied in the first place to the payment of the costs and charges, in the second place to that of the Customs duties of which the other Party had been defrauded and lastly to the payment of the fines.

(3) The amount of the fines and the object seized shall be the property of the State in which the case was tried.

(4) A reward shall only be given to the person giving information or capturing the accused in cases of infringement of Customs regulations on the basis of reciprocity.

*Paragraph 21.*

The right to limit or mitigate a sentence belongs to the State in which the sentence was passed.

IV.

LEGAL ASSISTANCE.

*Paragraph 22.*

(1) The courts and Customs authorities of the Contracting Parties shall afford each other legal assistance within the limits of their competence in all matters concerning the prosecution of offences against the Customs regulations. They shall, if requested to do so, take the dispositions on oath of witnesses and experts, carry out official investigations, and serve judgments and summonses upon accused persons who are not nationals of the State so requested, the serving of summonses, however, being effected without responsibility for the possible legal results of non-appearance.

(2) The charges and costs arising out of these official transactions shall be borne by the State which made the application.

This Agreement shall be drawn up in the German and Hungarian languages both texts being authentic and, in the event of any doubt arising regarding the interpretation of the Agreement, the German text shall prevail inasmuch as the negotiations have been conducted in the German language.

BUDAPEST, *February 1, 1922.*

CANISIUS.  
KÖNIG.

Form (a).

Railway .....

## TRAIN SCHEDULE.

In respect of train No. .... which arrived at the frontier station of .....  
 ..... on .....

Entry Nos.	Mark	Numbers of the loaded wagons	Description of goods	Observations regarding Customs-house inspection (to be filled in by Customs-house authorities).

.....  
 Railway official in charge.

*Note.* — Only the entries at the top and those framed in thick black lines are to be filled in by the Railway authorities.

Date stamp.  
 Customs-house.

Form (b).

Railway .....

## TRAIN-DOCKET.

Train No. ....

Mark	Wagon Nos.	Observations

## ANNEX TO PARAGRAPH 8.

PROVISIONS REGARDING THE TEMPORARY ESTABLISHMENT OF JOINT HUNGARIAN AND AUSTRIAN  
 CUSTOMS-HOUSES AND OF JOINT FRONTIER STATIONS FOR THE EXAMINATION OF PASSPORTS.

(1) In order to expedite the examination of passengers luggage and passports in traffic across the frontier by road or rail between the Kingdom of Hungary and the Republic of Austria, the Customs-houses and passport examination stations of both States shall, as far as local conditions permit, be united in a single place wherever this has not already been done.

The establishment of common frontier stations shall be carried out in the first place in respect of railway traffic and as far as possible at the stations where the railway staff is changed. The competent authorities of the two States concerned shall determine in the case of each individual station the

date on which the arrangement is to be put into effect and, for this purpose, shall reach an agreement with the least possible delay. The control of traffic in the intermediate stations between the frontier station and the actual frontier shall be regulated by special arrangements in the case of each individual line.

The establishment of common frontier stations specially do deal with traffic by road will, if required, be considered subsequently.

(2) In order to assure unity of action when establishing new Customs-houses and frontier stations and when opening Customs-routes, and in order also to avoid delay in establishing common Customs and frontier stations to deal with traffic by road or rail, both Parties shall communicate to each other beforehand and in good time their intention of establishing new Customs and frontier stations or of opening new Customs-routes.

(3) It is expressly recognised that the object of the establishment of joint Customs-houses and frontier stations is to ensure that the Customs formalities should as far as possible be carried out simultaneously by both Parties and that the examination of passports should be carried out at the same time as the examination of passengers and their hand luggage, if possible on board the train. The official duties and business hours in the joint stations must as far as possible correspond.

(4) In order to avoid friction, the officials of both Parties shall consider it their duty to maintain friendly relations with one another in the simultaneous performance of their official duties and to behave with tact and courtesy both on and off duty. Officials who do not comply with these rules may be recalled at the request of the other Party.

(5) The State in whose territory the joint Customs houses and frontier stations are situated undertakes in so far as it is unable itself to make provision in these respects, to give every assistance to the neighbouring State as regards obtaining official quarters for the latter's Customs-houses and frontier stations and suitable living accommodation for the officials employed at these stations and for the members of their families.

In railway stations, the establishment of common frontier stations depends upon the provision of the necessary office accommodation by the railway administration.

The amount of compensation to be paid by the neighbouring State for the cost of providing accommodation in buildings belonging to the fiscal or railway authorities, as well as of providing for the up-keep, cleaning, heating and lighting of the premises provided, shall be fixed in each individual case by the conclusion of special agreements.

(6) Articles and material for the equipment of frontier stations to be established in foreign territory, and furniture and household goods of the officials employed in these stations, as well as any of their effects which may be sent to their own country for purposes of repair, cleaning, etc. and returned from there, their uniforms and articles of equipment, may be imported and exported duty-free on production of a certificate from the authorities. Officials employed at these stations may also obtain free of duty and without special permission from their home country, food-stuffs to the extent required for their households.

(7) The officials employed at frontier stations and the higher officials entrusted with their supervision shall at any time be permitted to cross the frontier in either direction on production of an official permit, issued with the sanction of the frontier police authorities, stating their official status and the nature of their duties. The State in whose territory the frontier station is situated shall on request provide the inspecting staff with individual free service tickets as far as the frontier station.

(8) All necessary measures shall be taken to facilitate the collection of Customs duties and the despatch and receipt of official funds and documents at the frontier stations. At the frontier station situated in the territory of either Party, the other Party shall have unrestricted right of disposal of any articles seized by its officials in the exercise of their duties and the Party in whose territory the frontier station is situated shall be responsible for their safe storage.

(9) Customs-houses and frontier stations shall be authorised to use their national language for notices and directions and to use their national colours. The officials of the Customs-houses



and frontier stations shall be entitled to wear their regulation uniform and arms also in the territory of the other Party.

Customs-house officials, revenue authorities, and the officials employed by them as well as members of the state police force shall be considered members of the Customs-house and frontier station staff.

In the event of resistance to the authorities of one Party in a frontier station situated in the territory of the other Party or to any of their decrees, the State in whose territory the station is situated shall provide the necessary means of compulsion to overcome resistance and enforce the execution of official orders.

(10) The nationality, domicile and conditions of service of the officials of either Party shall not be affected in any way by their residence and service in the territory of the other Party. These officials shall remain exclusively subject to the authorities and laws of their own country in the matter of discipline or any offences in connection with their duties or their service.

As regards taxes and imposts these officials shall be liable to pay all indirect government taxes and imposts levied in the place where they are employed ; they shall, however, be exempt from all direct taxation and imposts levied by the State in whose territory they are exercising their duties unless they would be liable to such taxation even though they lived in their own country or elsewhere.

CANISIUS.  
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