

N° 1130.

HONGRIE ET PAYS-BAS

Convention de commerce, avec protocole final, signés à La Haye, le 9 décembre 1924.

**HUNGARY
AND THE NETHERLANDS**

Commercial Convention, with Final Protocol, signed at The Hague, December 9, 1924.

¹ TRADUCTION. — TRANSLATION.No. 1130. — COMMERCIAL CONVENTION ² BETWEEN HUNGARY AND THE NETHERLANDS, SIGNED AT THE HAGUE, DECEMBER 9, 1924.

French official text communicated by the Chargé d'Affaires of the Royal Hungarian Delegation accredited to the League of Nations and by the Netherlands Minister at Berne. The registration of this Convention took place March 23, 1926.

HIS SERENE HIGHNESS THE REGENT OF HUNGARY and HER MAJESTY THE QUEEN OF THE NETHERLANDS, being desirous of promoting economic relations between the two countries, have resolved to conclude a Commercial Agreement and for this purpose have appointed as their Plenipotentiaries :

HIS SERENE HIGHNESS THE REGENT OF HUNGARY :

Baron Paul FORSTER, His Chargé d'Affaires at The Hague;

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

His Excellency Jonkheer H. A. VAN KARNEBEEK, Her Minister for Foreign Affairs,

Who, being duly authorised for this purpose, have agreed upon the following provisions :

I.

(1) In all respects, and particularly as regards the establishment and exercise of trade, industry and shipping, as regards their movable and immovable property, and their rights and interests, the nationals of each of the High Contracting Parties shall, in the territory of the other Party, enjoy treatment as favourable as that accorded to nationals of the most favoured nation.

(2) They shall be free to conduct their affairs in the territory of the other Party either personally or by proxy of their own choosing, without being subjected in this respect to restrictions other than those provided by the laws and regulations in force in the territory concerned. Provided they conform to the laws of the country, they shall have the right to appear before the Courts and shall have free access to the authorities.

(3) In respect of the exercise of their trade, industry or shipping within the territory of the other Party, they shall not be required to pay any duties, taxes or rates other or higher than those levied on that Party's own nationals.

II.

(1) Incorporated companies and other commercial, industrial or financial companies, including shipping companies, which have their registered head offices in the territory of one of the High

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Budapest, February 12, 1926.

Contracting Parties and are legally constituted in conformity with that Party's laws, shall also be entitled within the territory of the other Party to defend all their rights, and particularly to appear in Court, provided they submit to the laws and corresponding ordinances in force in the territory of that Party.

(2) The admission to the territory of the other Party of the companies referred to above which have been legally constituted in the territory of one of the High Contracting Parties shall be governed by the laws and ordinances in force in the territory of the latter State.

(3) All companies, once they have been legally established, shall enjoy in every respect the same treatment as that accorded to the most favoured nation.

III.

(1) Each of the High Contracting Parties shall undertake to grant to the other the most favourable treatment it has granted or hereafter may grant to any third State as regards exportation, importation, warehousing and the transit of goods, the payment of duties or taxes and compliance with Customs formalities.

(2) Natural products or manufactured articles originating in Hungary shall be admitted into the Netherlands, the Dutch East Indies, Surinam and Curaçao, and the natural products or manufactured articles originating in the Netherlands, the Dutch East Indies, Surinam and Curaçao shall be admitted into Hungary at the most favourable rates which either of the High Contracting Parties has granted, or may hereafter grant, to any third State, both as regards all charges and taxes, and all co-efficients, additional charges or increases to which such duties are or may hereafter be subject.

IV.

(1) Articles liable to Customs duty and imported as samples — with the exception of goods the import of which is prohibited — shall temporarily be admitted by both Parties duty free, subject to the observance of the Customs formalities required to ensure that these articles will be re-exported exactly as they entered the country.

(2) The recognition marks affixed to the samples by the authorities of one of the High Contracting Parties shall, for the purpose of establishing their identity, be recognised by the authorities of the other Party, though the latter shall be entitled, whenever they think necessary, to add their own national recognition marks.

(3) This privilege of exemption from Customs duties may be withdrawn in the case of commercial travellers and firms which do not conform to the established regulations.

V.

In addition, in cases not provided for in the preceding Articles, the High Contracting Parties shall grant each other the same treatment as that accorded to the most-favoured nation in all matters connected with trade, industry, shipping and the consular service.

VI.

Any dispute in regard to the interpretation, application or execution of the present Treaty which cannot be settled between the High Contracting Parties by the diplomatic channel, shall be submitted to the Permanent Court of International Justice.

VII.

The provisions of this Agreement shall apply to the Netherlands, the Dutch East Indies, Surinam and Curaçao.

VIII.

The present Agreement shall be ratified and the ratifications shall be exchanged at Budapest as soon as possible. It shall come into force fifteen days after the exchange of ratifications and it shall remain binding for one year as from the date of its coming into force and shall be regarded as tacitly renewed for every subsequent year unless it is denounced by one of the High Contracting Parties not later than six months before the expiration of this term.

In faith whereof the Plenipotentiaries have signed the present Agreement.

Done in duplicate at The Hague on the ninth of December one thousand nine hundred and twenty-four.

KARNEBEEK.

FORSTER.

PROTOCOL.

On signing the Commercial Agreement concluded this day, the undersigned Plenipotentiaries made the following declaration :

It shall be understood that the present Agreement shall not in any way detract from the advantages reserved exclusively for the Allied and Associated Powers in virtue of certain clauses of the Treaty of Trianon.

THE HAGUE, *December 9, 1924.*

FORSTER.

KARNEBEEK.

EXCHANGE OF NOTES.

Communicated by the Netherlands Minister at Berne, April 13, 1926.

I.

THE HAGUE, *December 9, 1924.*

YOUR EXCELLENCY,

I have the honour to inform Your Excellency that it is fully understood that the provisions of the Treaties on International Private Law and in particular those of the Hague Treaties concerning this matter, cannot be invoked in connection with the application of the Commercial Convention which has been concluded on this day between the Royal Hungarian Government and Her Majesty's Government.

I have the honour to be, etc.

FORSTER.

H. E. Jonkheer H. A. VAN KARNEBEEK,
Minister for Foreign Affairs,
The Hague.

II.

THE HAGUE, *December 9, 1924.*

MONSIEUR LE BARON,

I have the honour to inform you that it is fully understood that the provisions of the Treaties on International Private Law and in particular those of the Hague Treaties concerning this matter cannot be invoked in connection with the application of the Commercial Convention which has been concluded on this day between the Royal Hungarian Government and Her Majesty's Government.

I have the honour to be, etc.,

VAN KARNEBEEK.

Monsieur le Baron FORSTER,
Hungarian Chargé d'Affaires,
The Hague.

III.

MINISTRY OF FOREIGN AFFAIRS,
Economic Bureau.
No. 38809.

THE HAGUE, *January 12, 1925.*

MONSIEUR LE BARON,

During the negotiations which took place between you and the Head of the Directorate of Economic Affairs of my Department with regard to the Treaty of Commerce concluded between us on December 9, 1924, the question of detailed specifications in the Customs tariffs was the subject of an exchange of views.

In accordance with the conclusions which resulted from those conversations, I now beg to inform you that Her Majesty's Government, being desirous of encouraging commercial relations between our two countries in every possible way, will take steps to ensure that the practical value and meaning of the most-favoured-nation clause shall not be placed in jeopardy by the use of excessively detailed specifications in the Customs tariffs or by a differentiation in the duties imposed on articles of the same nature corresponding to such specifications.

I have the honour to be, etc.,

VAN KARNEBEEK.

Monsieur le Baron FORSTER DE PUSZTAKÉR,
Hungarian Chargé d'Affaires.

IV.

MAGYAR KIR. KÖVETSEG
Royal Hungarian Legation.
No. 48/A.
1925.

THE HAGUE, *January 13, 1925.*

YOUR EXCELLENCY.

In reply to Your Excellency's letter, No. 38809, of the 12th inst., I have the honour to inform you that the Hungarian Government, being desirous of encouraging commercial relations between

our two countries in every possible way, will take steps to ensure that the practical value and meaning of the most-favoured-nation clause shall not be placed in jeopardy by the use of excessively detailed specifications in the Customs tariffs or by a differentiation in duties imposed on articles of the same nature corresponding to such specifications.

I have the honour, etc.,

FORSTER,
Hungarian Chargé d'Affaires.

His Excellency
Jonkheer H. A. VAN KARNEBEEK,
Netherlands' Minister for Foreign Affairs,
The Hague.