

N° 2222.

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**HONGRIE  
ET ROYAUME DES SERBES,  
CROATES ET SLOVÈNES**

Traité de commerce, avec protocole final et protocole additionnel, signés à Belgrade, le 24 juillet 1926, ainsi qu'un deuxième protocole additionnel, signé à Belgrade, le 19 novembre 1928.

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**HUNGARY AND  
KINGDOM OF THE SERBS,  
CROATS AND SLOVENES**

Treaty of Commerce, with Final Protocol and Additional Protocol, signed at Belgrade, July 24, 1926, and a Second Additional Protocol, signed at Belgrade, November 19, 1928.

<sup>1</sup> TRADUCTION — TRANSLATION.No. 2222. — TREATY OF COMMERCE<sup>2</sup> BETWEEN THE KINGDOM OF HUNGARY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES. SIGNED AT BELGRADE, JULY 24, 1926.

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*French official text communicated by the Chargé d'Affaires a. i. of the Royal Hungarian Delegation accredited to the League of Nations and the Permanent Delegate of the Kingdom of Yugoslavia accredited to the League of Nations. The registration of this Treaty took place December 14, 1929.*

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HIS SERENE HIGHNESS THE GOVERNOR OF HUNGARY and HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES, being equally desirous of developing trade between the two countries, have resolved to conclude a Commercial Treaty and for that purpose have appointed as their Plenipotentiaries :

HIS SERENE HIGHNESS THE GOVERNOR OF HUNGARY :

M. András DE HORY, Hungarian Envoy Extraordinary and Minister Plenipotentiary at Belgrade ; and

M. Alfred NICKL OPPAVÁR, Counsellor of Legation, Director of the Economic Section at the Royal Hungarian Ministry of Foreign Affairs ;

HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES :

M. Momtchilo NINTCHITCH, Minister for Foreign Affairs ;

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

*Article 1.*

There shall be full and complete freedom of commerce between the Kingdom of Hungary and the Kingdom of the Serbs, Croats and Slovenes.

In accordance with this principle the nationals of either Contracting Party shall be free to enter the territories of the other, to transact commercial business therein and to regulate and liquidate the relations resulting from such business. In the conduct of their business they shall enjoy the same rights as nationals of the country or nationals of the nation most favoured in this respect, and they shall not be subject to any taxes or other charges other or higher than those imposed on nationals of the country or nationals of the most favoured nation.

*Article 2.*

The Contracting Parties undertake not to impede trade between the two countries by any import or export prohibitions whatsoever.

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

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

<sup>2</sup> The exchange of ratifications took place at Budapest, November 8, 1929.

Exceptions to this rule, provided they apply to all countries in which the same conditions prevail, may only be made in the following cases :

- (1) In exceptional circumstances as regards war supplies ;
- (2) For reasons of national safety and public security ;
- (3) In regard to health supervision and the protection of useful animals or plants against disease and noxious insects and parasites, provided always that any measures taken are in conformity with the international principles adopted on this matter ;
- (4) In regard to Government monopolies which are at present in force or may hereafter be established ;
- (5) With a view to extending to foreign goods prohibitions or restrictions established by national legislation in regard to the production, sale, consumption or transport within the country of like native goods ;
- (6) In other cases, when this is necessitated by an exceptional economic situation, in so far as the proposed prohibitions are not prevented by special agreements concluded on the matter.

As regards frontier traffic, the provisions of Annex *A* shall apply.

As regards traffic in animals and in raw animal products and articles liable to carry infection, the provisions of Annex *B* shall apply.

#### *Article 3.*

Goods of either Contracting Party imported into the territories of the other for consumption, warehousing, re-export or transit, shall receive the same treatment as, and shall not be liable to Customs duties, surtaxes, taxes, dues or other charges other or higher than those levied on the goods of the nation most favoured in this respect.

Most-favoured-nation treatment relates to the amount, guaranteeing and collection of import and other duties, to Customs formalities and their application, to the procedure for checking and analysing goods, to the conditions concerning the payment of Customs and other duties, to the classification of goods, to the interpretation of Customs tariffs and to the treatment of goods subject to a monopoly.

Accordingly, any privilege, immunity or facility which has been granted or which may hereafter be granted to the goods of any third State whatsoever shall be extended immediately and without compensation to the goods of the other Contracting Party.

#### *Article 4.*

Most-favoured-nation treatment does not apply :

- (1) To special privileges which have been or may in future be granted to contiguous States for the purpose of facilitating frontier traffic ;
- (2) To special privileges which have been or may in future be granted to any third State under the terms of a Customs union.

#### *Article 5.*

The following shall be admitted free of all import and export duties :

(a) Samples which cannot be used for any purpose other than samples, with the exception, however, of articles subject to a monopoly and articles intended for consumption ;

(b) The provisions and articles which passengers, boatmen and carters carry with them for their own use and in quantities appropriate to the circumstances.

*Article 6.*

The Contracting Parties undertake to admit the undermentioned articles temporarily free of any import and export Customs duty, in accordance with the procedure laid down in their respective Customs laws concerning temporary importation provided the said articles are returned within a period laid down in advance :

(a) Vehicles of every kind, pack animals and draught animals crossing the frontier for the sole purpose of conveying persons and goods, and also accessories of the said vehicles for ordinary use during transport ;

(b) Sacks, cans, cases, barrels, baskets and other similar receptacles, not new, when they are imported full or imported empty to be re-exported full ;

(c) Tarpaulins or other covers for railway wagons, carts and baskets, not new, and bearing marks, when they are imported to be used in the exportation of goods or when they are re-imported after being legitimately used in the exportation of goods ;

(d) Goods imported into the territory of the other Contracting Party for testing and trial, with the exception, however, of articles subject to a monopoly and articles of consumption ;

(e) Machinery forwarded provisionally for repair.

The identity of packings and covers exported and imported shall be established by means of a description of these articles and by verifying the number.

The Contracting Parties may require that the re-exportation of the same articles shall be guaranteed, according to their national regulations, by the deposit of the amount of the Customs duty applicable thereto, or by giving security.

*Article 7.*

The Contracting Parties undertake to refund Customs duties collected on goods, with the exception of articles of consumption, sent to their respective territories for exhibitions and shows, for markets and fairs, or for sale or return provided that these goods, if not sold, are re-exported within a period fixed in advance and that their identity is fully established. To enable the identity of imported and re-exported goods to be established, the Customs authorities shall, at the time of importation, apply the national regulations regarding temporary admission.

Cattle sent from the territories of either Contracting Party to the markets of the other shall be similarly treated, provided they are re-exported within a period determined in advance.

*Article 8.*

Goods of every description exported from the territories of either Contracting Party to the territories of the other shall not be subject on exportation to Customs duties, dues, taxes or other charges other or higher than those imposed on identical goods consigned to any third State whatsoever.

Further, any privilege, immunity or facility which either Contracting Party has granted or may in future grant to goods consigned to any third State whatsoever shall be granted immediately and without compensation to goods consigned to the other Contracting Party.

*Article 9.*

The Contracting Parties reserve the right to control dealings in foreign exchange and foreign currency by means of autonomous measures. Nevertheless, they undertake to control these dealings in such a way that their mutual trade is hindered as little as possible, and in no case to impose

regulations by which the purchase of exchange and currency of the other Contracting Party shall be subjected to conditions more burdensome than those applied to the purchase of exchange and currency of any other country.

*Article 10.*

Internal taxes and other charges which are or may hereafter be imposed on the production, manufacture, movement or consumption of goods in the territories of either Contracting Party, whether on behalf of the State or of municipal authorities or corporations, may not on any pretext be levied on the goods of the other Contracting Party either at a higher rate or in a more burdensome manner than on like native goods or goods of the most favoured nation.

The Contracting Parties agree to grant each other most-favoured-nation treatment as regards the imposition of internal taxes on goods.

*Article 11.*

The Contracting Parties undertake to grant each other freedom of transit through their territories by rail or by navigable waterways, whether natural or artificial, or by roads and routes open to international transit, both as regards goods in direct transit and as regards goods which during transit have to be transhipped or warehoused in the territory of the State through which they pass.

Freedom of transit shall include the transport of passengers and their baggage, goods, wagons and railway carriages, vessels and other means of transport by water, and mails.

Exceptions to freedom of transit, provided they apply to all countries in which the same conditions prevail, may be made only in the following cases :

- (1) In exceptional circumstances, as regards war supplies ;
- (2) For reasons of national safety and public security ;
- (3) In regard to health supervision and the protection of useful animals or plants against disease and noxious insects and parasites, provided always that any measures taken are in conformity with the international principles adopted on this matter.

Transit shall be free from all Customs duties and internal taxes and shall not be hindered by any unnecessary restriction or delay. Moreover, consignments in transit shall not be subject to any special duties or taxes by reason of their being in transit (including entry and exit). Nevertheless, each Contracting Party is authorised to collect on goods in transit the statistical tax and the expenses arising from Customs supervision and handling. Commercial dealings in goods during their transit may also give rise to the payment of the corresponding taxes and duties.

Each Contracting Party shall also receive most-favoured-nation treatment as regards transit, and consequently any privilege, immunity or favour accorded to goods in transit coming from any country in which the same conditions prevail, shall be extended immediately and without compensation to goods in transit coming from the other Contracting Party.

*Article 12.*

Goods coming from any country whatsoever and arriving in transit through the territories, free ports or free zones of either Contracting Party shall not, on importation into the territories of the other Contracting Party, be subject to any duties or charges other or higher than those to which goods arriving in transit through the territories, free ports or free zones of any third State would be liable.

The Contracting Parties shall also grant each other most-favoured-nation treatment as regards the importation of goods which have been transhipped, repacked or warehoused during transit.

*Article 13.*

Nationals of either Contracting Party may defend all their rights in the territories of the other Party provided they conform to the laws in force therein ; they may uphold their rights and interests before the Courts and administrative authorities of the country and, in particular, they shall be entitled to appear in the courts as plaintiffs or as defendants. For this purpose they shall be entitled to appoint counsel and agents.

The foregoing provisions shall also apply to incorporated companies and other commercial, industrial and financial companies, including insurance companies, which have their seat in the territories of the other Contracting Party and are lawfully constituted therein.

The said companies may conclude any contract and conduct any transaction necessary to the execution of contracts for purchase or sale in the territories of the other Contracting Party, provided they comply with the laws in force therein. In this respect, they shall enjoy the same rights and privileges as are or may in future be accorded to like companies belonging to any third State. They shall not be liable to any taxes other or higher than those levied on companies belonging to the country or companies of the most favoured nation.

*Article 14.*

Nationals of either Contracting Party shall be entitled to use, under the same conditions and on payment of the same charges as nationals of the country, highways and other roads, canals, locks, ferry-boats, bridges and swing-bridges, maritime and river ports and other landing places, signals and lights marking navigable channels, pilot services, cranes and public weighing machines, warehouses and premises for the salvage and storage of cargoes and vessels — provided such installations and services are intended for the use of the public and whether they are under the administration of the State, communes or other public bodies or under private management.

Subject to the special regulations concerning light-houses, lights and pilotage, no tax shall be levied unless actual use is made of such installations and services.

*Article 15.*

Merchants, manufacturers and other traders of either Contracting Party who prove by the production of an identity card (Annex C) issued by the competent authorities of their country that in the State in which they are domiciled they are authorised to carry on their trade or industry and that they pay therein the taxes and imposts established by law, shall be entitled, in the territories of the other Contracting Party, to make purchases of goods either in person or through travellers employed by them from merchants or from persons producing the goods, or in places of public sale. They may also accept orders, even by means of samples, from merchants or other persons who make use in their trade or business of the goods ordered.

Traders and commercial travellers holding an identity card shall have the right to carry with them samples or patterns, but not goods.

The Contracting Parties guarantee to each other most-favoured-nation treatment with regard to the formalities prescribed for merchants, manufacturers, commercial travellers, etc., so that the said nationals of either Contracting Party shall not be treated in the territories of the other less favourably than the nationals of any third State.

Commercial travellers shall not, in respect of commercial business concluded in the territories of the other Contracting Party, be subject to taxes other or higher than nationals of the country or nationals of the most favoured nation.

Commercial travellers shall not be required to attend in person for the purpose of Customs formalities, but may have their identity card presented by another person.

*Article 16.*

Nationals of either Contracting Party proceeding to cattle fairs in the territories of the other shall be treated in the same manner as nationals of the country; this equality of treatment shall include the right to proceed to fairs and the payment of dues relating to the commercial transactions concluded therein.

*Article 17.*

1. With regard to forwarding transport rates and public charges on transport rates, no difference shall, where the conditions are the same, be made between the nationals of the respective territories of the two Parties in railway passenger and baggage traffic.

2. Goods forwarded from the Kingdom of the Serbs, Croats and Slovenes to the Kingdom of Hungary or through the Kingdom of Hungary to any third State shall not, where the conditions are the same, be treated on the Hungarian railways less favourably, as regards forwarding, transport rates and conditions or public charges on transport rates, than like goods forwarded from Hungary or from any third State in the same direction and on the same line.

The same principle shall be applied on the railways of the Kingdom of the Serbs, Croats and Slovenes to goods forwarded from the Kingdom of Hungary to the Kingdom of the Serbs, Croats and Slovenes or in transit through the Kingdom of the Serbs, Croats and Slovenes to a third State.

3. This principle shall also be applied, subject to reciprocity, to goods conveyed by other means of transport beyond the frontier into the territories of the other Contracting Party and thence redespached by rail.

In this case no distinction shall be made, in particular as regards transshipment charges, between the shipping companies of the Contracting Parties.

4. As regards the application of railway tariffs and reductions on transport rates or other facilities, the following conditions may not be imposed in the case of the transport of like goods coming from the territories of the other Contracting Party :

(a) The condition of native origin of the goods (the stipulation of a description which, in view of the special nature of the goods, cannot be employed by the other Contracting Party, shall be considered as a condition of native origin) ;

(b) The condition that the goods brought to the despatching station shall come from the actual place in which that station is situated and the stipulation that goods must be brought to the despatching station by lorry, by commercial railway, by private connecting line, by light railway or by any specified railway. It may, however, be stipulated that the goods shall be brought to the despatching station by boat, but without taking into consideration whether transshipment takes place direct from the boat to the despatching station, or whether goods are brought from the transshipping station to the despatching station by a commercial railway situated entirely within the territories of the State in which the despatching station is situated.

(c) The stipulation that the raw materials or semi-finished products of the goods which are granted favoured treatment must have been forwarded either wholly or partly over native routes.

5. The preceding provisions of the present Article shall not apply to reductions in rates which are granted to public cultural or charitable organisations, or in the event of an extraordinary and transient crisis, or to persons employed in the public service or in the railway and other similar services, or to the service consignments of national transport undertakings. It is understood

that reductions granted to public cultural and charitable organisations shall be allowed only in individual cases of no economic importance.

*Article 18.*

The vessels of either Contracting Party and their cargoes and crews shall receive the same treatment in the ports of the other Contracting Party as national vessels or vessels of the most favoured nation.

Equality of treatment shall apply even if national vessels or vessels of the most favoured nation are exempted from tonnage and clearance dues, and in the case of shipwreck.

The nationality of the vessels shall be determined in accordance with the laws in force in the State to which the vessels belong.

The tonnage and tonnage measurement certificates of vessels issued by the competent authorities of either Contracting Party shall be recognised by the authorities of the other Contracting Party, in particular as regards the payment of port dues and charges, provided the tonnage and tonnage measurement rules and methods are uniform with or recognised as equivalent to the respective rules and methods of the other Contracting Party.

*Article 19.*

Mutual assistance regarding Customs treatment, the prevention, prosecution and punishment of infringements of the Customs regulations and mutual legal assistance in criminal matters relating to the Customs shall be governed by the provisions of Annex D.

*Article 20.*

Should any dispute arise between the Contracting Parties with regard to the application or interpretation of the provisions of the present Treaty or of the Annexes and Protocols thereof, such dispute shall be settled by means of a court of arbitration.

The court of arbitration shall be constituted for each dispute as follows :

Each of the Contracting Parties shall appoint two competent persons from among its nationals as arbitrators and these persons shall choose as umpire a national of a friendly State.

The Contracting Parties reserve the right to appoint a person beforehand and for a definite period to act as umpire in case of a dispute.

Should the Contracting Parties fail to agree on the choice of an umpire, he shall be appointed by the President of the Permanent Court of International Justice at The Hague.

*Article 21.*

The present Treaty shall extend to the countries which belong at present or may hereafter belong to the Customs territories of the Contracting Parties.

*Article 22.*

The present Treaty shall be ratified and the ratifications shall be exchanged at Budapest as soon as possible.

It shall come into force ten days after the exchange of ratifications and shall remain in force for three years from the date of its coming into force.



Should neither Contracting Party give notice, one year before the expiry of the said period, of its intention to terminate the Treaty, it shall be renewed by tacit agreement for an indefinite period and may be denounced at any time on condition that it remains in force for six months as from the date of its denunciation.

In faith whereof the Plenipotentiaries of the Contracting Parties have signed the present Treaty and have thereto affixed their seals.

Done in duplicate at Belgrade on July the twenty-fourth, one thousand nine hundred and twenty-six.

(L. S.) (Signed) HORY.  
(L. S.) (Signed) NICKL.  
(L. S.) (Signed) M. NINTCHITCH.

## ANNEX A.

### PROVISIONS

#### CONCERNING SPECIAL PRIVILEGES GRANTED TO FRONTIER TRAFFIC.

In order to afford reciprocal traffic between the frontier zones the facilities required for daily needs, the Contracting Parties have agreed on the following Articles :

#### *Article 1.*

Territories extending on either side of the frontier, the exact extent of which shall be determined in conformity with the provisions of Article 17, shall be considered as frontier zones. As far as possible they shall follow administrative boundaries.

In principle, the breadth of the frontier zone shall be ten kilometres on either side. Nevertheless taking account of local needs, it may be extended or restricted by common agreement, but shall not in any case exceed fifteen kilometres in breadth.

#### *Article 2.*

In frontier traffic, the articles and products enumerated below coming from the frontier zone of either Contracting Party and brought into the frontier zone of the other Party to meet the ordinary daily needs of the inhabitants of that zone shall, if conveyed in quantities corresponding to the requirements of such inhabitants, be free of all Customs duties and all import and export charges :

- (1) Hay, straw, grass for cattle, dried leaves, moss and reeds ;
- (2) Fresh vegetables ;
- (3) Fresh milk and curdled milk ;
- (4) Firewood, wood charcoal, peat, peat charcoal ;
- (5) Building stone, slag, gravel, sand, plaster, marl, clay, earth for pottery and all other kinds of common earth ;
- (6) Ground ashes, natural fertilisers, yeast cake, grape marc, emery in pieces, residue of pressed oleaginous fruits and oil-seeds ;

(7) Cereal flour, bread and ordinary pastry in quantities not exceeding 10 kg., butter, cream and cheese in quantities not exceeding 2 kg., meat and fresh fish in quantities not exceeding 5 kg., live and slaughtered poultry, namely : 4 hens, 4 ducks, 1 goose, 1 turkey, 50 eggs, 20 kg. of fresh fruit ;

(8) Prepared medicaments purchased by the inhabitants of the frontier zone of either Contracting Party in the pharmacies of the frontier zone of the other Party on production of medical prescriptions, and ordinary medicaments the sale of which is freely allowed in pharmacies, in quantities necessary for personal requirements.

Exemption from Customs duties and other Customs charges shall not apply to the above-mentioned articles when they are imported by post.

#### *Article 3.*

In frontier traffic, the articles enumerated below may be temporarily imported and re-exported free of Customs duties and import and export charges, without previous authorisation on the part of the central authorities, and without any cash deposit being required :

(1) Vehicles of all kinds with their teams, draught animals and pack animals with their equipment, when used for conveying persons and goods into the frontier zones, and animals for weighing or for temporary work ;

(2) Machines and tools transported from either frontier zone into the other for temporary use ;

(3) Tools for agricultural work and work in forests and other articles for the daily use of the inhabitants of the frontier zone of either Contracting Party imported into the frontier zone of the other to be repaired therein, and also when re-imported after being repaired ;

(4) Cereals and oleaginous fruit imported by the inhabitants of the frontier zone of either Contracting Party into the zone of the other to be ground or pressed for their own requirements, and the products obtained from these raw materials ;

(5) Sacks, barrels, tins, baskets and other packings already used for the transport or packing of goods, whether exported full and imported empty, or exported empty and re-imported full.

As regards receptacles which require to bear an official stamp, the Contracting Parties have agreed to recognise reciprocally in frontier traffic the stamp affixed by the authority of the other Contracting Party.

No special registration is required in the case of the above-mentioned articles with the exception, however, of steam or motor agricultural machinery (locomobiles, ploughs, harrows, threshers, mowing machines and others), which must be registered by the Customs offices.

#### *Article 4.*

Livestock (oxen, sheep, goats, horses, pigs) driven from the frontier zone of either Contracting Party into the territories of the other for pasturage shall be admitted free of all Customs duties and all charges on import and export on condition that they are returned within a previously fixed period, which shall not exceed six months.

Exemption from import and export Customs duties shall likewise extend to the young dropped by animals and to the products of livestock driven to pasture, namely :

(1) Calves, kids, lambs, colts and pigs born while the animals are in the other territory for pasturage, in proportion to the number of full grown animals declared at the time of departure ;

(2) Cheese and butter in quantities not exceeding for each day : butter, per cow, 1.16 kg. ; per goat, 0.032 kg. ; cheese, per cow, 0.29 kg. ; per goat, 0.058 kg. ; per sheep 0.029 kg.

Provided they are not in excess of the said quantities, the cheese and butter produced while the livestock is in the territory of the other Contracting Party, whether this produce is imported or exported while the animals are in the said territory for pasturage, or afterwards, within a period of one month, shall be exempted from Customs duty.

The Contracting Parties reserve the right to require security for Customs duties, but they agree that the deposit of the amount of such duties shall not be required in money.

#### *Article 5.*

Physical persons (landowners and tenants) or juristic persons (churches, autonomous corporations) habitually resident in the frontier zone of either Contracting Party and possessing land in the frontier zone of the other Contracting Party (extra-frontier landowners) and the members of their families and their assistants (servants, employees, workmen), shall have the right to transport from their dwellings to their land and vice-versa, free of all Customs duties and all import and export charges, the following objects, namely :

(a) Pack and draught animals and livestock driven to pasture.

The livestock driven to pasture must be driven back each day. The special provisions contained in Article 9 of the Provisions concerning epizootic diseases shall apply to livestock which are not driven back each day.

(b) Agricultural implements, tools and ploughing machines ; forestry tools and implements for the production and transport of wood ;

Vine poles, dressing, pumps and pulverisers, including piping ;

Cellar utensils, namely : pails, vats, barrels, barrel-taps, wooden and cork bungs, barrel brushes, oenometers, racking pipes and pumps, coopers' hammers and mallets, coopers' knives, wooden and iron hoops, levers, and sulphur for the sulphurisation of barrels ;

All kinds of appliances for destroying insects harmful to agriculture, provided such appliances are allowed into the territory of the Contracting Party concerned.

All the above-mentioned articles, including the necessary means of transport, may be transported in quantities sufficient for the purpose ;

(c) Provisions necessary for agricultural workers ;

(d) Seeds necessary for sowing the land in question ;

(e) Agricultural produce harvested on the land, including wine, and the products of livestock-rearing.

Extra-frontier land-owners whose lands are not intersected by the frontier line may, however, benefit by this privilege only until December 31, 1928.

Cereals may be transported in a winnowed state, and maize may also be shelled.

(f) Necessary means of transport.

Agricultural produce must be transported into the zone of habitual residence by March 31 of the following working year ; wine by November 30 of the harvest year ; implements and non-consumable articles must be brought back into the frontier zone from which they were taken by December 31 of each working year. After that date only articles which have been declared as stock at the time of issue of the extra-frontier landowner's certificate, and provided they are entered therein, may remain within the other frontier zone.

#### *Article 6.*

Inhabitants of either frontier zone who wish to avail themselves of the privileges granted to them under the present Provisions must be supplied with a " frontier permit ".

Frontier permits shall be drawn up in the languages of the two countries and shall contain an accurate description of the holder in accordance with the regulations in force for passports. They shall indicate the routes and roads by which the bearer may cross the frontier. Frontier permits shall be valid for six months.

Children under fourteen years of age accompanied by adults in possession of frontier permits are not required to show a frontier permit.

Frontier permits shall be issued in the Kingdom of Hungary by the administrative authorities of first instance or by the competent police authorities and in the Kingdom of the Serbs, Croats and Slovenes by the police authorities of the district or by the State frontier commissariat in whose area the person is habitually resident.

Frontier permits shall be issued only to nationals of the Contracting Parties who are habitually resident in the frontier zone, to whom no objection is raised by the police, who do not constitute a danger to national or public security and who are not guilty of offences against the fiscal regulations.

#### Article 7.

Extra-frontier landowners and tenants shall be provided with special frontier permits in booklet form. These special frontier permits shall contain the information necessary for the Customs supervision of the working of their lands.

They may be valid for one year and shall be issued by the same authorities and under the same conditions as ordinary frontier permits, but they shall be based on a certificate establishing their status as extra-frontier landowners and issued by the competent authority of the other State in which the lands of such persons are situated. These certificates shall be issued free of charge.

Special frontier permits may be issued only to physical persons and the representatives of juristic persons who are at present landowners or tenants or who acquire lands either *inter vivos* or by succession to persons whose legal successors they may be, in conformity with the laws of the State in whose territory the headquarters of the extra frontier landowner's undertaking are situated.

Tenants of lands may avail themselves of the privileges granted to extra-frontier landowners only if their lease was signed before the entry into force of the present provisions and only until the expiry of their present lease, which may not however exceed three years as from the entry into force of the present Provisions.

#### Article 8.

In cases of emergency, especially in the event of an accident, physicians, veterinary surgeons and certificated midwives authorised to practise their profession and in possession of a frontier permit may pursue their calling in the neighbouring frontier zone of the other country, provided they have received special authorisation. Whilst practising their profession, they shall be subject to the laws and regulations in force in that zone. They shall be entitled to cross the frontier for the purposes of their profession, by all roads at any hour of the day or night, even on bicycles or motor-bicycles or in motor cars, accompanied by the drivers of such vehicles (coachmen or chauffeurs) without being required to stop at a Customs Office.

They may carry with them, free of Customs duties, the articles necessary for the exercise of their profession (instruments, bandages, medicaments), in quantities corresponding on each occasion to the needs of the persons requiring their assistance.

The Customs authorities of both Parties shall be required to draw up by common agreement detailed regulations concerning these facilities.

*Article 9.*

In urgent and important cases the frontier control officials may, by a summary procedure, issue to inhabitants of the frontier zones "frontier passes" authorising them to cross the frontier and remain three days in the frontier zone of the other Contracting Party. Such "passes" shall be valid for a single crossing of the frontier and must state the purpose of the urgent journey.

As an exception, the validity of frontier passes may be extended for a further period of three days by the competent authorities, mentioned in Article 6, of the Contracting Party in whose frontier zone the holder is temporarily staying.

*Article 10.*

The "frontier permits" must be *visés* by the competent authorities of the other Contracting Party. No charge shall be made for visas.

Frontier permits transmitted officially to the competent authority of the other Contracting Party for the purpose of receiving the necessary visa shall be returned to the issuing authority within eight days at most. Should the visa not be granted, the issuing authority shall be informed of the reasons for the refusal.

The "frontier passes" shall be provided with the visa at the moment of entry into the other State by the frontier control office of that State.

*Article 11.*

As soon as any change occurs in the conditions under which the frontier permit was issued and in particular, should the holder of the permit no longer be regarded as a thoroughly trustworthy person, the permit shall be withdrawn and the competent authorities of the other Contracting Party shall be notified thereof without delay.

*Article 12.*

In frontier traffic, the frontier may be crossed at all crossing places appointed in accordance with the terms of Article 17 of the present Provisions.

Persons provided with "frontier permits" or "frontier passes" shall be entitled to cross the frontier only at the places indicated in their permits or passes and to move about in the part of the neighbouring frontier zone adjacent to their domicile.

The frontier may be crossed between sunrise and sunset. Permission to cross the frontier shall be granted on all days and in all seasons. Extra-frontier landowners may cross the frontier on several occasions in the same day.

The frontier may be crossed on foot, on horseback, in a carriage, by rail, by boat or by any other vehicles, subject to compliance with the Customs regulations of the country concerned.

Holders of frontier permits and passes shall be entitled to stay in the zone of the other Contracting Party for a continuous period not exceeding three days. Holders of frontier permits regularly proceeding to lands or industrial establishments situated in the frontier zone may be authorised to stay in the zone of the other Contracting Party for a period not exceeding six days. The length of stay shall be indicated in the frontier permit.

When the frontier is crossed, the permit and all articles carried must be submitted to the frontier officials.

*Article 13.*

Persons provided with frontier permits may use all routes intersecting the frontier, whether land routes, or the river routes of the Drave and the Mure, if crossing by these routes is essential

for the carrying out of their work. The frontier may be crossed in a carriage or by any other means of locomotion except boats propelled by steam or other power.

The Commission provided for under Article 17 shall, by mutual agreement, designate the land and river routes intersecting the frontier by which crossing shall be authorised and lay down conditions governing the use of these routes.

*Article 14.*

In case of floods or other natural calamities and in case of accidents, the inhabitants of the frontier zones shall be authorised to cross the frontier by all routes by day or by night ; the same shall apply to fire brigades, with their necessary appliances, in case of fire.

*Article 15.*

The privileges granted under the preceding Articles shall in no way affect the autonomous regulations in force with regard to health measures and prophylactic measures against epizootic diseases and epiphytic diseases, nor shall they affect the regulations in force with regard to the exercise of any State monopoly.

Traffic in livestock shall be governed by the special provisions concerning epizootic diseases.

*Article 16.*

The Contracting Parties reserve the right, in exceptional cases and for reasons connected with the safety of the State or public security, temporarily to suspend frontier traffic either in whole or in part.

The Contracting Party so suspending frontier traffic either in whole or in part, shall notify the other Contracting Party of this measure if possible eight days in advance but at latest at the same time as the measure is adopted.

*Article 17.*

Within fifteen days of the entry into force of the present Provisions, the Contracting Parties shall appoint delegates authorised to fix the exact boundaries of the two frontier zones with due regard for the nature of the ground. It shall also be the duty of the said delegates to fix, on the spot and by mutual agreement, the points at which the inhabitants of the frontier zones may cross the frontier and to agree upon detailed regulations.

They shall also determine the type and detailed wording of the " frontier permits ", " special frontier permits " for extra-frontier landowners, and " frontier passes " in accordance with the provisions of Articles 6, 7 and 9.

Within three months at most from the entry into force of the present provisions the Contracting Parties shall exchange :

An exact description of the internal boundary of their frontier zone ;

A list of all places situated in their frontier zone ;

A list of crossing places which, by mutual agreement, shall be open to frontier traffic.

*Article 18.*

With a view to ensuring mutual assistance to the frontier authorities in the performance of their duties and with the object of creating between the frontier authorities on both sides the atmos-

phere of good neighbourliness which is necessary to the satisfactory working of frontier traffic, the Contracting Parties undertake to authorise the chief officers of their frontier authorities to meet the chief officers of the neighbouring frontier authorities of the other Contracting Party at places in the vicinity of the frontier to be chosen by mutual agreement.

At such meetings the chief officers of the authorities shall endeavour to reach agreement on all details which may arise during the execution of the present Provisions. They shall endeavour to remove any difficulties arising from incidents of slight importance and redress any grievances of the inhabitants of the frontier zones.

Such meetings shall take place regularly every three months and, in addition, whenever the chief officer of any frontier authority deems necessary.

## ANNEX B.

### PROVISIONS

#### CONCERNING EPIZOOTIC DISEASES.

In order to facilitate by appropriate measures the traffic in livestock and animal products between their territories by eliminating as far as possible the danger that epizootic diseases may be introduced therein as a result of this traffic, the Contracting Parties have agreed upon the following provisions :

#### *Article 1.*

In the traffic in animals (equines, ruminants and pigs), including poultry, raw animal products and commodities which might carry infection, the entry of consignments from the territories of either Contracting Party into the territories of the other may be restricted to specially designated stations of entry where they shall be subjected to veterinary inspection by the State into which they are imported.

#### *Article 2.*

1. The animals and commodities mentioned in Article 1 may not be imported from the territories of either Contracting Party into the territories of the other, or transported across the latter, unless accompanied by a certificate of origin and health.

In the case of living animals, this certificate shall be issued by the communal authority ; in the case of poultry, raw animal products and commodities which might carry infection, it may be issued either by the communal authority or by veterinary surgeons in the service of the Government or specially authorised for this purpose by the Government.

The certificate shall show clearly the place of origin of the animals and commodities and, in the case of living animals, the number, exact description and any distinguishing marks of the animals and their place of destination. Further, the certificate of origin must be accompanied by a certificate issued by a veterinary surgeon in the service of the Government or specially authorised for this purpose by the Government, testifying to the healthy condition of the animal in question and to the fact that, at the time of departure, there was no notifiable epizootic disease communicable to that species of animal, with the exception of tuberculosis, in the commune of origin or the neighbouring communes.

2. The issue of the certificate of origin and health provided for in the first sub-paragraph of the present Article shall not be prevented for other domestic animals by the outbreak of rabies in dogs and cats ; for equines, by the outbreak of scab in sheep and goats ; for sheep and goats, by the outbreak of mange in equines ; for oxen and geldings, by the outbreak of vesicular exanthema.

Similarly, the issue of the certificate of origin and health shall not be prevented by sporadic outbreaks in neighbouring communes of vesicular exanthema, rabies in general, or swine-fever ; in the case of anthrax, symptomatic anthrax and hæmorrhagic septicæmia in large domestic ruminants, it shall be sufficient if the village of origin is free of these diseases. This circumstance must, however, be certified by a Government veterinary surgeon or by a veterinary surgeon specially authorised for that purpose by the Government.

3. In the case of the export of animals liable to be infected by cattle plague or contagious pleuro-pneumonia, a certificate must be issued attesting that in the commune of origin and neighbouring communes, no cases of these diseases had occurred within the six months preceding departure ; in the case of the export of pigs, it shall be sufficient to certify that the diseases had not occurred during the last forty days preceding departure ; in the case of the export of animals liable to foot-and-mouth disease, dourine, glanders, swine-plague (infectious pneumo-enteritis of pigs) or sheep-pox the certificate must show that no case of these diseases had occurred in the commune of origin or in neighbouring communes during the forty days preceding departure.

4. The certificate for living poultry shall state the species and number of the birds and must testify that the poultry was found in healthy condition and that no infectious disease of poultry had occurred during the fourteen days before departure in the commune of origin.

5. Certificates for horses, asses, mules and horned cattle must be issued for each animal individually ; sheep, goats, pigs and poultry may be included in a single collective certificate of origin and health.

6. Certificates of health shall be valid for ten days. If this period expires during the journey, then, in order that the certificates may be valid for a further period of ten days, the animals must be re-examined by a veterinary surgeon appointed by the Government or specially authorised for this purpose by the Government. The result of this examination shall be noted on the certificates.

7. In the case of transport by rail or by water, the animals shall, before loading, be specially examined by a veterinary surgeon in the service of the Government or specially authorised for this purpose by the Government.

The result of this examination shall be recorded on the certificate.

8. Certificates of origin and health for parts of animals, animal products and raw animal products, and for commodities which may carry infection, must contain an exact description of the commodities, an indication of the place of origin and place of destination and an attestation by a veterinary surgeon in the service of the Government or specially authorised for this purpose by the Government, that the district from which they come is not infected.

Certificates for slaughtered animals and poultry, for fresh and prepared meat (salted, dried, smoked in brine, or cooked), and for meat products, must also show that the animals, when examined, according to the regulations, before and after slaughter by an authorised veterinary surgeon, were found to be in a healthy condition.

9. Traffic in meat and meat products in air-tight boxes ; wool washed by industrial processes and packed in closed sacks ; dried or salted guts, gullets, stomachs and bladders in closed cases or barrels ; melted tallow and grease ; dried or salted skins of all kinds, dried horns, feet, hoofs and bones ; eggs, milk and dairy produce (cheese, butter, etc.) shall not be subjected to any veterinary restrictions and shall be allowed without any health certificate.

### *Article 3.*

1. Consignments which do not satisfy the foregoing requirements, or animals which the frontier veterinary surgeon discovers to be suffering, or has reason to suspect are suffering, from an infectious disease, or animals conveyed along with animals suffering or suspected to be suffering from an infectious disease, or which have been in direct or indirect contact with such animals, may be sent



back at the station of entry. The frontier veterinary surgeon shall note on the certificate the reason for the return, and shall testify thereto by his signature.

2. Should the presence of an infectious disease among the animals imported be detected only after their importation into the country of destination, a statement to this effect shall be drawn up in the presence of a veterinary surgeon in the service of the Government. A copy of this statement shall immediately be forwarded to the other Contracting Party.

3. In the cases mentioned in this Article, notice shall be given without delay through the most direct channel to the representative of the other Contracting Party, if such an official has been appointed in accordance with Article 6.

#### Article 4.

In the event of an outbreak of cattle plague in the territories of either Contracting Party, the other Party shall be entitled to prohibit or restrict, during the period in which there is a danger of infection, the importation and transit of ruminants and pigs, parts of animals, animal products and raw animal products, and articles which might carry infection.

#### Article 5.

If, in consequence of the traffic in animals, an infectious disease which is compulsorily notifiable has been introduced from the territories of either Contracting Party into those of the other, or if such a disease is so prevalent in the territories of either Party as to constitute a source of danger, the other Party shall, during the period of danger, be entitled to restrict or prohibit the importation, and transit of all kinds of animals to which the disease is communicable, and also raw animal products and articles liable to carry infection.

In the case of foot-and-mouth disease, swine plague (infectious pneumo-enteritis of pigs), sheep-pox and glanders, such restrictions and prohibitions may be extended to the infected districts (*járás, srez*) and the neighbouring districts.

Should the infectious disease tend to be widespread or to assume a particularly malignant form, these measures may be applied even to the districts surrounding the infested districts and the neighbouring districts.

The same measures may be adopted with regard to the importation and transit of cattle in the case of an outbreak of contagious pleuro-pneumonia and with regard to the importation and transit of equines in the case of an outbreak of dourine even if these diseases are not so prevalent as to constitute a source of danger.

Importation and transit may not be prohibited on account of anthrax, symptomatic anthrax, septicæmia in large domestic ruminants and wild animals, rabies, mange in equines, sheep and goats, vesicular exanthema in equines and cattle, swine erysipelas, chicken cholera and chicken plague, or tuberculosis.

The restrictions and prohibitions applied to importation and transit shall be removed on the expiry of the periods provided for in Article 2, as from the date of the complete disappearance of the disease. Should the periods after which the disease is officially declared to be extinct differ in the case of the two Contracting Parties, the longer period shall be adopted.

The foregoing provisions shall not affect the laws of the Contracting Parties relating to epizootic diseases which provide that, when a contagious disease appears at or near the frontier, frontier traffic and transit across a threatened frontier district (*járás, srez*) may be subjected to special restrictions or prohibitions designed to prevent and remove such contagious disease. Nevertheless, such measures may not be applied to transit by rail in sealed and covered wagons, or by boat in closed and isolated parts of boats. All reloading, transshipment and delay in the infected frontier zone shall be prohibited.

Should certain temporary restrictions be necessary owing to the state of health of the livestock, the competent authorities of the frontier zones shall by mutual agreement adopt the necessary precautionary measures and shall report thereon to their superior authorities.

*Article 6.*

1. The Contracting Parties shall grant each other the right to attach permanent or temporary veterinary representatives to their legations for the purpose of collecting information regarding the rearing of livestock, the state of health of livestock, the installations of cattle markets, places of boarding and unboarding, slaughter-houses, fattening establishments, quarantine stations, etc., and regarding the application of the veterinary regulations in force and the present Provisions.

2. Both Contracting Parties undertake to supply these representatives with full information and to give them the assistance necessary for carrying out their duties.

*Article 7.*

1. Each Contracting Party shall provide for the periodic publication once a fortnight of bulletins recording the position in regard to epizootic diseases. These bulletins shall be forwarded direct to the other Contracting Party. They shall contain information regarding the departments, districts, communes, (localities) and the number of farms or undertakings affected. The names of epizootic diseases shall be accompanied by the Latin names.

2. The administrative authorities of frontier districts (*járás, srez*) shall also give each other immediate and direct notice in the event of an outbreak of epizootic disease in such districts.

3. If cattle plague, contagious pleuro-pneumonia or dourine should make its appearance in the territories of either Contracting Party, the Ministry of Agriculture of the other Party shall be informed direct by telegram of the appearance of the disease and of the area affected.

*Article 8.*

Railway wagons, and boats or parts of boats with all their accessories, which have been used for the transport of equines, cloven-footed animals, poultry, raw animal products and articles capable of carrying infection shall, after unloading, be subjected to a process of cleansing and disinfection such as will completely destroy any germs of infection which may still exist therein.

Loading platforms and quays must be cleansed and, if necessary, disinfected each time after use.

*Article 9.*

The traffic in animals between the frontier zones of the Contracting Parties in accordance with the terms of the "Provisions concerning frontier traffic", shall be regulated as follows:

(1) Each team of draught animals or plough animals and each pack animal and saddle animal shall be accompanied by a certificate or, in the case of several animals, by a collective certificate issued by the authority of the commune of origin. Such certificates must bear the owner's name and a description of the animal. They must certify that the animal comes from the frontier zone of one of the Contracting Parties and must show that the traffic may be carried on only in the frontier zone of the other Contracting Party.

If the frontier is to be crossed by cloven-footed animals, these certificates must further bear an attestation by the communal authority to the effect that the commune in question is free from notifiable diseases communicable to cloven-footed animals; if

it is to be crossed by equines, the communal authority's attestation shall certify that the farm of origin is free from notifiable diseases communicable to equines.

On return, the authority of the commune of destination situated in the frontier zone of the other Contracting Party shall state on the certificates that the commune or farm in question is also free from the above-mentioned diseases.

Certificates testifying to freedom from epizootic diseases are valid, in the case of animals employed in agricultural work, for thirty days and in the case of draught or pack equines, for fifteen days. Upon the expiry of these periods the certificates must be renewed.

(2) Livestock driven to pasture must be accompanied by a collective certificate issued by the authority of the commune from which the animals come. This certificate must contain the owner's name, the name of the drover (shepherd), the species and number of the animals with their sex and age, and also any special external marks on the animals.

(a) If the livestock is driven into the frontier zone of the other Contracting Party for daily pasture or for a period not exceeding seven days, the authorities of the commune of origin and those of communes through which the livestock would pass must state in this certificate that their territory is free from notifiable diseases communicable to the species of animal concerned. Such attestation shall be valid for thirty days and upon the expiry of that period it must be renewed.

(b) If animals are driven to pasture for a period exceeding seven days, the certificate must contain an attestation by a veterinary surgeon in the service of the Government or specially authorised for this purpose by the Government to the effect that the animals were examined immediately before their departure and found to be in a healthy condition at the time of that examination, and that no notifiable infectious disease communicable to such animals exists either in the commune from which they come or in the communes through which they will pass.

Immediately before the return of the animals from pasture, they shall be examined by a veterinary surgeon in the service of the Government or specially authorised for this purpose by the Government and responsible for the supervision of the pasturage. The result of this examination shall be noted on the certificate together with an attestation that no notifiable disease communicable to the species of animals concerned exists either in the commune in whose territory the animals were at pasture or in the communes through which they will have to pass.

The appearance of anthrax, symptomatic anthrax, swine erysipelas or rabies in the communes of origin shall not preclude the issue of the certificates mentioned in paragraphs 1 and 2, provided the animal's farm of origin is free from the above-mentioned diseases.

(3) If, however, while the animals are at pasture or are working beyond the frontier, a notifiable contagious disease communicable to that particular species should occur among them, either in the commune where they have been grazing or working or on the road to be taken by the herd or the other animals on their return, they shall not be allowed to return to the territory of the other Contracting Party except for urgent reasons such as want of forage, bad weather conditions, etc. In this latter case the return from pasture shall only take place after the precautionary measures agreed upon by the competent local authorities to prevent the spread of epizootic diseases have been carried out.

(4) Draught animals, plough animals, saddle animals, pack animals and animals for pasture, when accompanied by the prescribed certificates, shall no longer be subjected to veterinary supervision at the frontier when crossing the frontier. In order, however, to establish the identity of the animals, they must return by the same frontier station by which they left.

ANNEX C.

(Model)

Name of State.  
(Issuing authority)

COMMERCIAL TRAVELLER'S IDENTITY CARD.

Valid for twelve months from the date of issue.

Valid for.....

No. of card.....

It is hereby certified that the holder of this card :

M..... born at ..... resident  
at ..... Street No. .... possesses a<sup>1</sup> .....  
at .....  
under the name of .....  
(or) is a commercial traveller in the employ of the firm(s) of .....  
at .....  
which possess (es)<sup>1</sup> a .....  
under the name of .....

As the holder of this card intends to solicit orders in the above-mentioned country and to make purchases for the above firm(s), it is hereby certified that the said firm(s) is (are) authorised to carry on its (their) trade and industry in ..... and pay(s) the taxes imposed by law for this purpose.

..... the ..... 19.....

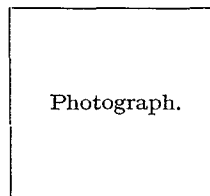
(Signature of head(s) of the firm(s)) :

.....

Description of holder : \_

(L. S.)

Age .....  
Height.....  
Hair.....  
Special characteristics .....



Signature of holder :

.....

<sup>1</sup> State nature of factory or business.

N. B. — In the case of the head of a commercial (or industrial) concern, only the first part of the form should be filled in.

## ANNEX D

## PROVISIONS

REGARDING MUTUAL ASSISTANCE IN THE MATTER OF CUSTOMS TREATMENT, THE PREVENTION, PROSECUTION AND PUNISHMENT OF INFRINGEMENTS OF THE CUSTOMS REGULATIONS AND MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS RELATING TO THE CUSTOMS.

In order to regulate the Customs treatment of consignments by rail between the Contracting Parties and to provide a form of co-operation for the prevention, prosecution and punishment of the Customs laws of the two countries, the Contracting Parties have agreed on the following Articles :

*Article 1.*

1. In accordance with the following provisions, the Contracting Parties agree to assist each other in the matter of Customs treatment and the prevention, prosecution and punishment of infringements of the Customs regulations, and to render legal assistance to each other in connection with criminal proceedings in Customs matters.

2. Each of the Contracting Parties undertakes to instruct its Customs officials and Customs agents at the common frontier to make themselves acquainted as far as possible with the laws and regulations of the other Party relating to Customs treatment, import, export and transit prohibitions and the regulations concerning trade returns, and to have due regard therefor.

## I. MUTUAL ASSISTANCE IN REGARD TO CUSTOMS TREATMENT.

*Article 2.*

The Customs offices of either Contracting Party established at the frontier shall give the officials responsible for the direction of the corresponding Customs offices of the other Party full service information regarding the movement of goods and shall do everything possible to assist the corresponding Customs offices of the other Party.

*Article 3.*

1. Each of the Contracting Parties undertakes to allow goods to leave for the territory of the other Party only by Customs roads leading to a duly authorised inward Customs office of the other Contracting Party, and only at such hours as shall enable the goods to arrive at that office during working hours.

2. The Customs roads and the working hours of the Customs offices on such roads shall be fixed by mutual agreement ; these offices shall communicate to each other all facilities granted for crossing the frontier.

*Article 4.*

1. Passengers, goods and baggage conveyed by railways open to public traffic may cross the Customs frontier by day and night at any time, including Sundays and holidays.

The Customs formalities concerning the entry and exit of such passengers, goods and baggage, shall be effected simultaneously.

2. The railways must communicate to the Customs offices and Customs posts in railway stations (Customs stations) the time-tables of all trains crossing the frontier and any alterations in these time-tables, not less than eight days before they come into force. Customs stations must be informed as soon as possible of any considerable delays, of the cancellation of trains and of the running of special trains and single locomotives.

*Article 5.*

Each goods train arriving from abroad shall, in accordance with the Customs regulations, be notified to the frontier Customs offices, where the documents mentioned in the Customs regulations must be presented at the same time.

*Article 6.*

1. In order to ensure reciprocally the payment of Customs duties, the Contracting Parties undertake to instruct their Customs offices to indicate, when necessary, in the documents to be handed to the Customs office of the other Party the fact that goods do not come from the free traffic to their own Customs territories, and in this case to note on the documents the country in which the goods originate and from which they are forwarded.

2. Goods loaded in a regularly sealed waggon and despatched without transshipment to an inland station where there is a duly authorised Customs office shall be exempted from unloading and examination at the frontier and from the sealing of the packets, provided such goods are declared for entry in accordance with the regulations.

3. Goods loaded in regularly sealed waggons and passing through the territory of either Contracting Party without transshipment shall be exempted both at the frontier, on entry and on exit, and inland from unloading and Customs examination and from the sealing of the packets, provided such goods are declared for transit in accordance with the regulations.

4. The provisions of sub-paragraphs 2 and 3 shall, however, only apply provided the administrations of the railways concerned are materially responsible for ensuring the arrival of the wagons, within the prescribed time-limits and with the seals unbroken, at the competent Customs offices within the country or at the Customs offices of exit, and that existing transit prohibitions do not prevent the granting of such facilities.

5. Goods exempted from Customs duties arriving at Customs frontier stations to be subjected there to Customs formalities shall also be exempted from unloading and weighing, provided such formalities can be effected without unloading. In determining the weight of goods, the Customs authorities shall as a rule accept as the weight of the wagon the weight which is written thereon.

6. As an exception, the exemption from Customs inspection and sealing of packets mentioned in sub-paragraphs 2 and 3 shall be granted, without the need for proceeding to the regular Customs formalities, even in the case of transshipment of the goods from one waggon to another when effected under Customs supervision, provided such transshipment of the goods is unavoidable on technical railway grounds.

7. The facilities provided under sub-paragraphs 2 to 6 of the present Article shall not be applicable where it is known or where there is good reason to suspect that fraud has been committed.

8. Each of the Contracting Parties shall always be entitled to affix its own Customs seals in addition to the existing seals.

9. Any more extensive facilities which either Contracting Party has agreed to give to third States in regard to Customs treatment, shall also, subject to reciprocity, apply to traffic with the other Party.

*Article 7.*

1. Goods which do not completely fill a wagon may also enjoy the foregoing facilities, provided they are loaded in compartments, capable of being securely fastened, of covered waggons conforming to the requirements for Customs fastening, or in movable cases or in baskets approved by the Customs authorities, and being therefore conveyed under a Customs fastening. The Contracting Parties shall, however, be entitled to affix their own Customs seals in addition to the existing seals.

2. In order to ensure more effectively the safety of waggons forming parts of trains, the parties concerned shall, subject to the consent of the railway, be entitled to attach padlocks or other fastenings to the waggons, provided they do not in any way damage the rotting stock.

*Article 8.*

1. When the Customs frontier is crossed, passengers' hand baggage only shall be allowed in passenger carriages.

2. The examination of hand baggage and registered baggage at the frontier station must be speedily effected so as to allow baggage assigned to another Customs office to go forward by the connecting train as far as this is possible.

3. Passengers' registered baggage and hand-baggage shall as a rule be examined at the frontier Customs office. Nevertheless, at the request of passengers, registered baggage may be sent for Customs examination to another station within the country provided that there is a Customs office at such station and that the frontier Customs office has no reason to suspect fraud. In such a case, the baggage must be duly sealed.

*Article 9.*

Goods sent by *grande vitesse* or by *petite vitesse* and express consignments, conveyed in passenger trains, are subject to the same conditions and formalities as apply to similar articles conveyed by goods train.

Perishable goods sent by *grande vitesse* and express consignments conveyed by passenger train must, however, be examined by the frontier Customs officials with the rapidity prescribed for baggage, excluding final clearance.

*Article 10.*

The provisions of Final Protocol II of May 15, 1886, of the Berne International Conference concerning the fastening of waggons subject to Customs examination and all modifications of and additions to those regulations shall apply to the Customs fastening of waggons crossing the frontier.

*Article 11.*

1. Should the importation of any goods be allowed only under a special permit, the consignment may be refused if the frontier Customs office notes the absence of such permit. In such

case the Customs office shall indicate the reason for the refusal in the way-bill and traffic report, together with the date and the signature of the agent who refused the consignment.

2. In order to facilitate the refund of security deposited with a view to ensuring the re-exportation of goods temporarily imported free of Customs duties and charges, and the drawback and refund of Customs duties and charges collected on re-exported goods, the Customs offices of each of the Contracting Parties shall, upon request, certify to the offices of the other that the goods have entered the country across the common frontier.

*Article 12.*

Customs certificates, imprints, seals, stamps and other Customs marks affixed to guarantee the identity of goods, samples or patterns exported from the territories of either Contracting Party and intended for re-export, the measurement marks and stamps on barrels and other receptacles, and the weights indicated on waggons shall be mutually recognised by the Customs authorities of the Parties.

II. MEASURES TO PREVENT THE INFRINGEMENT OF CUSTOMS REGULATIONS.

*Article 13.*

1. There shall be full and ready co-operation between the Customs agents of the Contracting Parties at the common frontier with a view to the prevention and detection of smuggling on both sides. The said agents shall communicate information to each other as rapidly as possible and maintain friendly official relations.

2. In order that effective co-operation may be obtained for this purpose, the heads of Customs offices and frontier posts of the Customs guard on either side shall meet together from time to time on special occasions.

*Article 14.*

The Customs officials of the Contracting Parties who are responsible for the prevention and prosecution of infringements of the Customs regulations shall also prevent, by all the legal means available, infringements of the Customs regulations of the other Party and shall act in the same manner in regard thereto as in the case of infringements of the Customs regulations of their own country.

*Article 15.*

The competent authorities of either Contracting Party shall communicate to the competent authorities of the other Party any infringements of the Customs regulations of that Party as soon as they come to their knowledge, and shall forward to them, on being requested to do so the relevant papers and evidence.

*Article 16.*

1. Each of the Contracting Parties shall, on being requested to do so by the other, cause all persons suspected of smuggling goods regularly or habitually to the prejudice of the other Party to be kept under observation.

2. Where it is suspected that stocks of goods have been accumulated in excess of requirements in the frontier zone of either Contracting Party in order to be smuggled into the territory of the other, such stocks shall, at the request of the Party concerned, be placed under special supervision.



## III. PROSECUTION AND PUNISHMENT OF INFRINGEMENTS OF THE CUSTOMS REGULATIONS.

*Article 17.*

1. Each of the Contracting Parties shall, at the request of a competent authority of the other Party, cause those guilty of infringements of the Customs regulations of such other Party to be prosecuted and punished with the penalties laid down by its own laws for similar or analogous offences, and under its own procedure, in the following cases :

(a) Where the accused person is a national of the State which is to prosecute and punish him ;

(b) Where the accused, though not a national of that State, is resident therein, even temporarily, or where the offence was committed in the territory of the State applied to and the offender is found therein on or after receipt of the application for prosecution.

2. If the fine must be fixed according to the amount of which the Customs was defrauded, the tariff of the Contracting Party whose Customs regulations have been infringed shall be taken as a basis.

3. The present Provisions shall in no way affect the prosecution of other offences committed at the same time as an infringement of the Customs regulations of the other Contracting Party.

*Article 18.*

In proceedings instituted in accordance with Article 17, the official reports of the authorities or officials of the other Contracting Party shall have the same force for purposes of evidence as the official reports of the authorities or officials of the country itself in similar cases.

*Article 19.*

1. The costs and expenses arising from proceedings instituted in connection with infringements of the Customs regulations of the other Party and from the enforcement of the penalty shall be determined and imposed according to the principles applied in similar proceedings instituted in connection with infringements of the country's own regulations.

2. These expenses shall be borne provisionally by the State in which the proceedings take place.

3. The expenses arising from proceedings instituted in accordance with Article 17 shall, unless they are covered by the value of the articles confiscated or are paid by the offenders, be refunded by the Contracting Party in whose interest the proceedings are instituted.

*Article 20.*

1. In addition to the fine, the Customs duties evaded must also be paid.

2. Sums paid by the accused person or obtained from the sale of the articles in respect of which the infringement was committed, shall be employed to cover, first, the legal costs and expenses ; secondly, the Customs duties of which the other Contracting Party was defrauded, and, thirdly, the fines.

3. Fines paid and articles confiscated shall remain at the disposal of the Contracting Party in whose territory the proceedings took place.

4. Persons reporting infringements and persons effecting seizures shall, in the above-mentioned cases, only be rewarded subject to reciprocity.

*Article 21.*

The State whose Courts or administrative authorities have imposed the sentence shall have the right to remit or modify the penalties.

## IV. LEGAL ASSISTANCE IN CRIMINAL MATTERS RELATING TO THE CUSTOMS.

*Article 22.*

1. As regards proceedings instituted in the territories of the other Contracting Party, whether for infringements to the Customs regulations of that Party or, in accordance with Article 17, at the request of the authorities or the competent judge, the administrative and judicial authorities of either Contracting Party shall interrogate their witnesses and experts, if necessary on oath, carry out searches on their own initiative, and notify the results thereof, and serve summonses and orders on accused persons who are not nationals of the State to which application is made. Such summonses shall be served on these persons, without any reference to the possible consequences of non-appearance.

2. Costs arising from the above-named procedure for legal assistance shall be refunded by the State making the application.

## FINAL PROTOCOL.

On proceeding to sign the Commercial Treaty concluded this day between the Kingdom of Hungary and the Kingdom of the Serbs, Croats and Slovenes, the undersigned Plenipotentiaries have made the following reservations and declarations, which shall form an integral part of that Treaty :

*Ad Article 1.*

The provisions of Article 1 do not include the right of establishment.

Internal laws concerning the issue of passports and the granting of visas therefor are in no way modified or restricted by the provisions of Article 1 ; nevertheless, the Contracting Parties undertake to issue passports and to supply them with the necessary visas without delay, unless there are any special reasons to the contrary.

*Ad Article 3.*

Products which, through the finishing trade, are manufactured in the territories of either Contracting Party from raw materials imported from abroad, and goods manufactured from foreign products, shall also be considered as goods originating in and coming from the territories of that Contracting Party.

Importers belonging to the Contracting Parties shall in general be mutually exempted from the obligation to produce certificates of origin. Nevertheless, either Contracting Party may require the production of certificates of origin if that Party has established duties differing according to the origin of the goods, and if it seems probable that products subject to the payment of differential duties may be imported in transit through the territories of the other Contracting Party.

Certificates of origin shall be issued by Chambers of Commerce having their offices in the country of origin or by despatching Customs offices.

Either Contracting Party may require certificates of origin to be translated into its official language or into French, and may, if it deems this necessary, require them to be accompanied by the invoice and *visés* by its diplomatic or consular agents. Such visa shall be granted free of charge.

In general, the Contracting Parties shall, in everything relating to certificates of origin, grant each other the privileges granted to the most favoured nation.

The Contracting Parties agree to supplement the present Treaty as soon as possible by an additional Convention concerning reciprocal tariff concessions.

*Ad Article 4.*

By the privileges granted for the purpose of facilitating frontier traffic are understood the special privileges granted to the inhabitants of adjacent districts up to a maximum breadth of fifteen kilometres on either side of the frontier, and including only traffic in foodstuffs and fodder in such quantities as are necessary for the needs of the persons resident in the frontier zones.

*Ad Article 6.*

1. Used sacks shall be admitted temporarily free of duty only if marked and imported in order to be filled with cereals, malt, dried vegetables or seeds, and re-exported full within four weeks.

The amount of the Customs duty deposited or the security guaranteeing the re-exportation of the above-mentioned sacks shall also be refunded, on request, if the sacks are re-exported empty.

2. Steel tubes and bottles, when full and, in general, iron or metal receptacles, when full, if capable of being used several times, and those not usually employed in trade, may not be admitted temporarily free of duty, but must pay the Customs duty applicable. Nevertheless, the amount of the Customs duty thus collected shall be refunded if the above-mentioned receptacles are re-exported within six months, provided their identity is proved.

3. If it is necessary that packings imported temporarily free of duty should bear an official mark, the marks affixed by the competent authorities of either Contracting Party shall be recognised by the authorities of the other.

4. Motor-cars, motor-cycles, aeroplanes and their engines (motors) shall not be considered as machines for the purposes of paragraph (e).

It is understood that on the re-importation of repaired machines all parts added shall be subject to Customs duties.

*Ad Article 7.*

The amount of Customs duties payable in cash shall be deposited at the Customs office through which temporary admission took place.

The amounts of the Customs duties deposited shall be refunded, on request, by the same Customs office within one month at most from the date of the re-exportation of the goods in accordance with the relevant regulations.

*Ad Article II.*

As regards articles subject to a monopoly, the Contracting Parties grant each other freedom of transit subject to adequate guarantees that such products shall not be clandestinely introduced into the country.

The provisions of the autonomous laws concerning trade in and the movement and transit of articles subject to a monopoly and products subject to a tax on consumption shall remain in force.

*Ad Article 13.*

Nationals of either Contracting Party who possess a business or carry on professions and industrial trades in the territories of the other shall not pay any taxes, charges or dues other or higher than those levied on nationals of the country or nationals of the most favoured nation.

*Ad Article 15.*

1. It is understood that privileges granted by either Contracting Party to a third State with regard to the taxation of commercial travellers may only be claimed by the other Contracting Party subject to reciprocity.

2. The Contracting Parties shall communicate to each other the names of the authorities competent to issue identity cards and the regulations with which commercial travellers must comply in the exercise of their business.

3. Articles liable to Customs duty which are imported as samples or patterns by commercial travellers or which are sent to them either before or after their departure, shall be admitted free of import and export duties by both Parties, on condition that they are not sold, that they are re-exported within six months, and that the identity of the articles imported and re-exported can be adequately established, irrespective of the Customs office through which they pass on leaving the country. Marks intended to guarantee identity which have been affixed in the country of origin shall be recognised in the territories of the country of destination. Nevertheless, the Customs authorities may also affix their own marks if they deem it necessary to do so in order to guarantee identity. Each of the Contracting Parties may stipulate that the re-exportation or re-importation of the above-mentioned articles shall be guaranteed by the deposit of the amount of the Customs duties payable or by a security.

4. The provisions of Article 15 shall not apply to itinerant trades or to hawking and the soliciting of orders from persons not engaged in trade or industry.

*Ad Article 18.*

The provisions of Article 18 relate only to maritime navigation.

*Ad Article 20.*

As regards arbitration procedure in the case mentioned in Article 20, the Contracting Parties have agreed as follows :

As regards the first case submitted to arbitration, the court of arbitration shall sit in the territories of the defendant Contracting Party ; as regards the second case, in the territories of the other Party, and so on alternately in the territories of each of the Contracting Parties. The Party in whose territory the court is to sit shall select the seat of the court. It shall be responsible for providing the premises, clerks and service personnel required for the business of the court. The umpire shall preside over the court, whose decisions shall be taken by a majority vote.

The Contracting Parties shall jointly agree upon the procedure to be followed by the court, either in each individual case submitted to arbitration or for all cases. Failing such an agreement the court shall fix its own procedure. Proceedings may take place by correspondence, if neither Party raises any objections. In this case the provisions of the paragraph may be modified.

At the request of the court of arbitration addressed to the Government of either Contracting Party, the authorities of the latter shall transmit summonses to appear before that court and " commissions rogatoires " emanating from the court in the same way as they transmit summonses and " commissions rogatoires " of request when application is made by the civil courts of the country.

*Ad Annex B.*

## PROVISIONS CONCERNING EPIZOOTIC DISEASES.

1. The provisions concerning epizootic diseases shall apply only to animals and products coming from either Contracting Party. The admission of animals, raw animal products and articles liable to carry infection which come from other countries and pass through the territory of either Party in order to reach the territory of the other, to be imported or for transit, does not come within the scope of the provisions of Annex B.

2. Cloven-footed animals and equines imported in conformity with the provisions concerning epizootic diseases from the territories of either Contracting Party into the territories of the other and intended for slaughter, may be taken to any slaughter-houses and public markets for cattle intended for slaughter which are under veterinary police supervision and properly equipped. These markets and slaughter-houses shall be designated later.

Animals intended for slaughter (cattle, sheep and pigs) may, for immediate slaughter, be taken to slaughter-houses directly connected with the railway systems even of districts which are prohibited under the terms of Article 5 of the Provisions of Annex B concerning epizootic diseases, provided they come from non-infected communes.

Traffic in cloven-hoofed animals which are not intended for slaughter shall be allowed in accordance with the provisions of Annex B, Article 2.

Equines not intended for slaughter shall be subjected to malleination at the station of entry and shall not be admitted for importation unless through this test they have been found not to be suspect. The expenses entailed by this procedure shall be borne by the party concerned. Equines intended for transit shall not be subjected to any diagnosis.

3. In frontier traffic, consignments of poultry consisting of less than fifty birds shall be accompanied only by a certificate to the effect that the commune from which they come and the neighbouring communes are free of epizootic diseases.

No certificate shall be required in frontier traffic for fresh and prepared horse-flesh, beef, pork, goat's meat and mutton, dead poultry or manure, provided these products are required for the personal needs of the inhabitants of the frontier zones.

For the purposes of the preceding two sub-paragraphs, the term "frontier traffic" shall be understood to mean traffic in the articles mentioned therein coming from either frontier zone and intended for use in the other frontier zone.

4. No certificate shall be required for prepared meat up to 5 kg. in weight when sent by post or brought in personally by travellers.

5. Imported meat, fresh or prepared, is subject in the places of destination to the same sanitary regulations as native meat ;

Beef and horse-flesh may not be imported in portions smaller than a quarter ;

Pork may not be imported in portions smaller than a half ;

Veal mutton and goat's meat only in whole carcasses.

Slaughtered calves and sheep may also be imported cut in halves lengthwise.

An exception is made in the case of pieces of first-quality meat and pieces customary in trade, such as legs of mutton, breast of mutton, shoulders, tongues, etc., salted pork in large pieces, pork and smoked bacon, and butcher's offal from cattle, pigs, calves, sheep and goats.

Meat may not be imported when cut into small pieces.

Horse-flesh may be imported only if the lungs, heart, kidneys, head, larynx and trachea are attached thereto.

6. If the certificates mentioned in the provisions against epizootic diseases are not drawn up in the official language of the country of destination, they must be accompanied by an authentic

translation in that language or in German, certified correct by a veterinary surgeon in the service of the Government or specially authorised for this purpose by the Government. In the case of transit, the certificates must be accompanied by a translation in French or German.

Nevertheless, in the case of a consignment of animals for which individual certificates are required the translation of such certificates may be collectively certified for each waggon or each boat.

7. The direct transit of live animals, including poultry, by rail or water from the territories of either Contracting Party through the territories of the other shall, in general, provided the animals come from either Contracting Party and from non-prohibited districts, be admitted in accordance with the provisions of Annex B, Article 2, subject to the proviso that importation into the country of destination or, if necessary, transit through the countries to be crossed, is not forbidden.

Should the importation and transit of animals intended for slaughter and coming from non-infected communes situated in districts prohibited in accordance with the provisions of Annex B, Article 5, be allowed by a third State, the transit of such animals through the territories of either Contracting Party shall be authorised in each particular case, provided all precautionary measures are taken to prevent the possible spread of infection.

8. The direct transit of fresh and prepared meat, dead poultry, raw animal products, and articles liable to carry infection from the territories of either Contracting Party through the territories of the other, by rail in covered and sealed wagons or by boat in isolated and closed parts shall, in general, provided the animals or products come from either Contracting Party and provided the goods do not originate in prohibited districts, be allowed subject to the conditions laid down with regard to importation. It is understood that as regards raw animal products and articles liable to carry infection, importation into the country of destination or, if necessary, transit through the countries that have to be crossed, is not forbidden.

9. Animals intended for slaughter admitted, according to the provisions of paragraph 2, to markets for animals intended for slaughter, may be exported from such markets to other countries, provided their importation into the country of destination and, if necessary, their transit through countries that have to be crossed, are not prohibited.

10. The stations of entry for the traffic mentioned in Article 1 of the provisions concerning epizootic diseases are as follows :

In the Kingdom of the Serbs, Croats and Slovenes :

Subotica.  
Virovitica.  
Koprivnica.  
Čakovec.  
Batina Bezdan.  
Banatsko Arandjelovo.

In the Kingdom of Hungary :

Kelebia.  
Barcs.  
Gyékényes.  
Murakeresztúr.  
Mohács.  
Szörög.

New stations of entry in accordance with the provisions of Article 1 may be established only after previous agreement between the Governments of the Contracting Parties.

In the stations of entry the necessary arrangements shall be made for the prompt carrying out of the veterinary police formalities.

11. The direct transit of animals and poultry, raw animal products and articles liable to carry infection coming from the territories of either Contracting Party, passing through the territory

of the other and re-entering the territories of the former, shall be allowed in sealed wagons without any restriction, provided that the animals are healthy and that the consignments are accompanied by the certificates required in accordance with the terms of Article 2 of the provisions against epizootic diseases.

12. Race-horses and trotting horses, and horses for riding competitions and equestrian sports, together with animals accompanying them, may be covered by special certificates in lieu of the certificates of origin and health referred to in Article 2.

The two Governments shall, by mutual agreement, authorise the clubs concerned to issue such certificates.

These certificates shall bear the stamp and endorsement of the clubs concerned. They must show the name and address of the owner of the horse, the exact pedigree of the horse, the name of the place from which it comes and of the place to which it is being sent, as well as the certificate of a Government veterinary surgeon attesting that the animal is healthy and that the establishment from which it comes has been free from disease for the last forty days.

13. The importation of animals intended for circuses, zoological gardens, natural parks and similar institutions, in which traffic is not usual, shall be subject only to the production of a certificate by a Government veterinary surgeon proving that the animals in question are healthy, and to the proviso that they have been transported by rail or boat separately from animals conveyed as ordinary traffic, that they are found to be healthy at the veterinary inspection on unloading and that they are taken direct from the unloading station to the place of destination.

The present Protocol, which shall be considered as approved and sanctioned by the Contracting Parties, without special ratification, solely by virtue of the exchange of the ratifications of the Treaty to which it refers, was drawn up in duplicate at Belgrade on July the twenty-fourth one thousand nine hundred and twenty-six.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) HORY.

(L. S.) (Signed) NICKL.

#### ADDITIONAL PROTOCOL.

On proceeding to sign the Commercial Treaty, the Contracting Parties note that, as regards paragraphs 7 and 8 of the Final Protocol and Annex B, it is agreed that should importation into the country of destination or, if necessary entry into the country of transit, be allowed without special authorisation and should the Contracting Party through whose territories transit is to take place be duly advised thereof, that Contracting Party's stations of entry shall be authorised by a general order to allow such consignments to pass without a special authorisation for each consignment.

Should importation into the country of destination or, if necessary, passage through the countries of transit, be subjected by those countries to special authorisation, passage through the territories of either Contracting Party shall be permitted in accordance with such special authorisation if duly communicated to the competent authority of the country through which transit will take place.

Done at Belgrade in duplicate on July the twenty-fourth one thousand nine hundred and twenty-six.

(Signed) M. NINTCHITCH.

(Signed) HORY.

(Signed) NICKL.

## ADDITIONAL PROTOCOL

TO THE TREATY OF COMMERCE BETWEEN THE KINGDOM OF HUNGARY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, SIGNED AT BELGRADE ON JULY 24, 1926.

The Plenipotentiaries of the two Kingdoms, being duly authorised for this purpose, have made the following modifications in the Commercial Treaty between the Kingdom of Hungary and the Kingdom of the Serbs, Croats and Slovenes, signed at Belgrade on July 24, 1926 :

1. *Ad Article 15.* Notwithstanding the provisions of Article 15, itinerant traders from the district of Ivanec, being nationals of the Kingdom of the Serbs, Croats and Slovenes, may trade in articles of wood and pottery produced in their domestic industry, in the territories of the comitats of Vas, Zala, Somogy and Baranya. They may convey such goods in their own vehicles from one commune to another. The provisions relating to the obtaining of the concession and the carrying on of itinerant trade shall apply to the traders in question in the same way as to native traders. The persons in question shall be furnished with ordinary identity cards issued by the competent police authorities. These cards shall be valid for one year and shall be limited in number to 100 per year. When the holder passes from one commune to another, he must show his card to the communal authority for the purpose of obtaining the visa, for which no charge shall be made.

These privileges are granted to itinerant traders of the district of Ivanec for the duration of the Commercial Treaty. Should the Commercial Treaty be prolonged, the Hungarian Government declares itself prepared, if so requested, to enter into negotiations with the Serb-Croat-Slovene Government with a view to prolonging these privileges.

2. *Ad Annex A, Article 5, paragraph e) : sub paragraph 2.* The date of December 31, 1928, shall be replaced by the fixing of a period of thirty months as from the date of the entry into force of the Commercial Treaty.

The present Additional Protocol shall form an integral part of the Commercial Treaty. It shall be subject to ratification and shall have the same force and value as the Treaty itself.

Done at Belgrade, in duplicate, on November 19, 1928.

(Signed) FORSTER.

(Signed) V. MARINKOVICH.