

N° 2513.

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**ALLEMAGNE ET POLOGNE**

Accord relatif au transfert des registres d'état civil. Signé à Berlin, le 27 octobre 1926.

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**GERMANY AND POLAND**

Agreement regarding the Transfer of Civil Status Registers. Signed at Berlin, October 27, 1926.

## TEXTE ALLEMAND. — GERMAN TEXT.

N<sup>o</sup> 2513. — DEUTSCH-POLNISCHES<sup>1</sup> ÜBERLEITUNGSABKOMMEN  
ÜBER PERSONENSTANDSREGISTER. GEZEICHNET IN BERLIN,  
AM 27. OKTOBER 1926.

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*German and Polish official texts communicated by the Polish Delegate accredited to the League of Nations and the German Consul-General at Geneva. The registration of this Agreement took place November 4, 1930.*

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DAS DEUTSCHE REICH und DIE REPUBLIK POLEN sind übereingekommen, im Interesse der Angehörigen der beiden Staaten die Überleitung der Personenstandsregister zu regeln. Zu diesem Zwecke haben zu Bevollmächtigten ernannt :

DER DEUTSCHE REICHSPRÄSIDENT :

Den Vortragenden Legationsrat im Auswärtigen Amte Dr. jur. Carl GOES ;

DER PRÄSIDENT DER REPUBLIK POLEN :

Dr. Witold PRADZYNSKI, Mitglied der Kodifikationskommission der Republik Polen ;

die ihre Vollmachten vorgelegt, in guter und gehöriger Form befunden und folgende Bestimmungen vereinbart haben :

*Artikel 1.*

1. Die Haupt- und Nebenregister von Standesamtsbezirken, die ungeteilt bei dem Deutschen Reich verblieben oder an Polen gefallen sind, werden nebst den dazugehörenden Akten an den Staat abgegeben, zu dessen Gebiet der Bezirk beim Inkrafttreten des Abkommens gehört.

2. Als ungeteilt im Sinne dieses Abkommens gelten auch die Standesamtsbezirke, die von der deutsch-polnischen Grenze so durchschnitten worden sind, dass nur ein unbewohnter Teil abgetrennt ist.

*Artikel 2.*

Die Register von Standesamtsbezirken, die durch die deutsch-polnische Grenze geteilt worden sind, werden gemäss den folgenden Bestimmungen behandelt.

§ 1.

1. Befindet sich in dem einen Staate das Hauptregister, in dem andern Staate das Nebenregister, so behält es hierbei sein Bewenden.

2. Befinden sich das Hauptregister und das Nebenregister in dem gleichen Staate, so gibt dieser eines der Register an den andern Staat ab. Die Abgabe erstreckt sich auf alle Registerjahrgänge bis zum Schluss des Jahres, in dem der Bezirk geteilt worden ist.

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<sup>1</sup> The exchange of ratifications took place at Warsaw, June 20, 1930.

<sup>1</sup> TRANSLATION.

No. 2513. — AGREEMENT BETWEEN GERMANY AND POLAND  
REGARDING THE TRANSFER OF CIVIL STATUS REGISTERS.  
SIGNED AT BERLIN, OCTOBER 27, 1926.

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THE POLISH REPUBLIC and THE GERMAN REICH have, in the interests of the population of the two States, resolved to settle the question of the transfer of the civil status registers. They have for this purpose appointed as their Plenipotentiaries :

THE PRESIDENT OF THE POLISH REPUBLIC :

Dr. Witold PRĄDZYŃSKI, Member of the Codification Commission of the Polish Republic ;

THE PRESIDENT OF THE GERMAN REICH :

Dr. Carl GOES, Councillor of Legation at the Ministry for Foreign Affairs ;

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

*Article 1.*

1. The main and subsidiary registers of the registration districts which have been integrally attributed to Poland or which have remained integrally in the possession of the German Reich, shall be handed over, together with the relevant files, to that State within whose territory the district is situated at the time of the coming into force of the present Agreement.

2. For the purposes of the present Agreement those registration districts shall also be deemed to be integrally attributed to one country which are intersected by the Polish-German frontier in such a manner that only an uninhabited area remains in the other country.

*Article 2.*

The following provisions shall be applicable to the registers of registration districts divided by the Polish-German frontier.

§ 1.

1. If the main register is in one State and the subsidiary register in another, each State shall retain the register in its possession.

2. If the main and the subsidiary register are in the same State, the latter shall hand over one of the registers to the other State. This provision shall apply to the registers for all years preceding the partition, including the registers for the entire year in which the district was divided.

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

## § 2.

1. Each State shall employ the register of births and deaths attributed to it under § 1 in the following manner :

(a) It shall continue to use the said register as its main register in so far as the births and deaths inscribed therein occurred in places which, at the time of the coming into force of the present Agreement, constituted part of its territory.

(b) In the case of other births and deaths it shall retain the said register as a subsidiary register of the other State.

2. When supplementary indications and corrections are entered in the main register of one State, the entries in question shall, at the request of the registration official who has made the entries, be transcribed and authenticated in the subsidiary register (paragraph 1 b) in the wording furnished by the said official ; such transcription shall not constitute a recognition of the accuracy of the particulars given therein. Certified copies shall be handed over to the registration official in charge of the main register in the other State should he so request

3. The registration official of the State which retains the subsidiary register may only issue extracts, copies and attestations from the subsidiary register for use in cases brought before the authorities of his State

## § 3.

1. If, in the cases specified in § 2, it is impossible to locate the precise place in which the registered birth or death occurred and if it is also impossible to ascertain on which side of the frontier the event that has been registered occurred, the main register (§ 2, paragraph 1, a)) shall continue to be kept by the registration official of the State within whose territory the place where the official who made the entry exercised his functions is situated at the time of the coming into force of the present Agreement.

2. The same rule shall apply in the event of a difference of opinion as to which State is responsible for keeping the main register in respect of any given birth or death in accordance with § 2, where such difference cannot be settled by reference to higher authorities.

## § 4.

1. Each State shall continue to keep the marriage register remaining in its possession or attributed to it in accordance with § 1, and such register shall be its main register.

2. Supplementary indications and corrections entered in the register of the one State shall be communicated to the registration official of the other State ; the said official shall preserve such communications

## § 5.

1. Collective files and lists of names shall remain in the State in whose possession they are at the time of the coming into force of the present Agreement.

2. Separate documents from the collective files shall, if a request is made to this effect, be handed over to the other State or communicated to it in the form of certified copies.

3. Either State shall obtain from the other State, if it so requests, a certified copy of the lists of names on payment of the costs.

## § 6.

If the register remaining in the possession of or attributed to one State in accordance with § 1 is wholly or partially destroyed or unfit for further use, the other State shall take steps to ensure that the registration official issue, where necessary and on payment of the costs, a certified copy of the register in its keeping, or permit a copy to be made.

*Article 3.*

## § 1.

1. The registers shall be exchanged direct between the Polish and Prussian Ministries of Justice or between the authorities designated by them.

2. With regard to all other questions settled by the present Agreement the registration authorities of the two States shall communicate with each other direct.

3. The Polish and Prussian Ministries of the Interior shall agree upon the necessary measures for the reconstitution of a destroyed register or a register unfit for further use (Article 2, § 6).

## § 2.

On completion of the exchange of the registers, the Polish and Prussian Ministries of the Interior shall communicate to each other a list of the offices in which the registers of the divided districts may henceforth be found ; they shall notify to each other any subsequent alterations.

## § 3.

1. The provisions of the Judicial Convention between Poland and Germany shall apply *mutatis mutandis* to the form in which the official correspondence will be drawn up.

2. Services shall be rendered by the administrations free of charge unless otherwise provided for in the present Agreement

*Article 4.*

1. The present Agreement may be denounced by either State ; it shall, however, remain in force for three months after the date of denunciation.

2. Even after the present Agreement has ceased to be in force, the Polish and Prussian Ministries of the Interior shall be entitled to request or take copies as provided for in Article 2, § 6. Applications for this purpose may only be made during a period of two years after the date on which the present Agreement ceases to be in force.

*Article 5.*

1. The present Agreement shall be ratified and the instruments of ratification shall be exchanged as soon as possible at Warsaw.

2. The present Agreement shall come into force two months after the exchange of the instruments of ratification.

In faith whereof the Plenipotentiaries have signed the present Agreement, drawn up in duplicate in the Polish and German languages, and have thereto affixed their seals.

BERLIN, *October 27, 1926.*

(L. S.) Dr. Witold PRĄDZYŃSKI.

(L. S.) Dr. Carl GOES.