

N° 4254.

HONGRIE ET ITALIE

Traité relatif à l'extension aux possessions et colonies italiennes du Traité de commerce et de navigation du 4 juillet 1928 entre les deux pays. Signé à Rome, le 9 mars 1937.

HUNGARY AND ITALY

Treaty regarding the Extension to the Italian Possessions and Colonies of the Treaty of Commerce and Navigation of July 4th, 1928, between the Two Countries. Signed at Rome, March 9th, 1937.

¹ TRADUCTION. — TRANSLATION.

No. 4254. — TREATY ² REGARDING THE EXTENSION TO THE ITALIAN POSSESSIONS AND COLONIES OF THE TREATY OF COMMERCE AND NAVIGATION OF JULY 4TH, 1928, BETWEEN HUNGARY AND ITALY. SIGNED AT ROME, MARCH 9TH, 1937.

French official text communicated by the Head of the Royal Hungarian Delegation to the League of Nations. The registration of this Treaty took place January 6th, 1938.

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY and HIS MAJESTY THE KING OF ITALY, EMPEROR OF ETHIOPIA, being desirous of further developing the commercial and maritime relations between the two countries, have resolved to conclude a Treaty regarding the extension to Italian Possessions and Colonies of the Treaty³ of Commerce and Navigation between Hungary and Italy of July 4th, 1928, and have, for this purpose, appointed as their Plenipotentiaries :

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY :

His Excellency Baron Frigyes VILLANI, Hungarian Envoy Extraordinary and Minister Plenipotentiary at Rome ;

HIS MAJESTY THE KING OF ITALY, EMPEROR OF ETHIOPIA :

His Excellency Count Galeazzo CIANO, Minister, Secretary of State for Foreign Affairs ;

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

Article I.

The Treaty of Commerce and Navigation between Hungary and Italy of July 4th, 1928, and the Final Protocol annexed thereto shall be extended to Italian Possessions and Colonies, subject to the modifications indicated hereunder.

Consequently, the term "Italy" in the said Treaty shall be deemed to include Italian Possessions and Colonies, and, in the case of Italy, "territory" shall be held to include the territory of the Italian Possessions and Colonies.

Furthermore, natural or manufactured products originating in or coming from Italian Possessions and Colonies shall, for the purposes of the above-mentioned Treaty, be regarded as natural or manufactured products originating in or coming from Italy.

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

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

² The exchange of ratifications took place at Rome, November 19th, 1937.

Came into force provisionally on April 1st, 1937, and finally on November 19th, 1937.

³ Vol. XCII, page 117, of this Series.

Article 2.

So far as concerns entry, settlement and the exercise of industry, commerce or professions, the provisions in force for Italian subjects in Italian Possessions or Colonies shall apply in like manner to Hungarian subjects.

Article 3.

The rights granted under Article 7 of the Treaty of Commerce and Navigation to joint-stock companies and other commercial, industrial and financial companies shall be valid in the Italian Possessions and Colonies, subject to restrictions corresponding to the stipulations of Article 2 of the present Treaty in respect of the activities of individuals.

Article 4.

The special Convention¹ signed on November 25th, 1925, between Italy and Hungary for the prevention of double taxation, which is referred to in the Final Protocol (paragraph 1, *ad* Article 6) of the Italo-Hungarian Treaty of Commerce and Navigation, shall not apply as between Italian Possessions and Colonies and Hungary.

Article 5.

The clause "it being understood that frontier zones shall not exceed 15 kilometres in depth on either side of the frontier", in Article 12, paragraph (a), of the Treaty of Commerce and Navigation, shall not apply to Italian Possessions or Colonies.

Article 6.

Article 9 of the Treaty of Commerce and Navigation and Paragraph III of the Final Protocol of the said Treaty shall not apply to commercial traffic between Hungary and Italian Possessions and Colonies.

Article 7.

Article 18 of the Treaty of Commerce and Navigation shall not apply to duties levied within Italian Possessions and Colonies with the object of protecting certain local industries or local trade.

In this respect, Hungarian products shall not be subjected in Italian Possessions and Colonies to treatment less favourable than that applicable to Italian products and products of other Italian Possessions and Colonies.

Article 8.

The exercise of the rights laid down in Article 4 of the Treaty of Commerce and Navigation by traders, manufacturers and industrialists shall, in Italian Possessions and Colonies, be subject to restrictions corresponding to the stipulations of Article 2 of the present Treaty.

Article 9.

The provisions for the entry of Italian vessels into the ports in Italian Possessions and Colonies shall also apply to the entry of Hungarian vessels into the said ports.

Likewise, the provisions concerning the transport by Italian vessels of passengers and cargo proceeding to or from ports in Italian Possessions and Colonies shall also apply to transport by Hungarian vessels.

The provisions concerning the treatment of Italian vessels in ports in Italian Possessions and Colonies shall also apply to the treatment of Hungarian vessels in the said ports.

¹ Vol. LXXIV, page 251, of this Series.

Article 10.

As regards the constitution of joint-stock and other commercial companies and participation therein, the most favourable treatment provided for in sub-paragraph 1 of Paragraph I of the Final Protocol of the Italo-Hungarian Treaty of Commerce and Navigation shall be subject, in Italian Possessions and Colonies, to restrictions equivalent to those in force in the said territories in the case of Italian companies.

Article 11.

The present Treaty shall form an integral part of the Treaty of Commerce and Navigation between Hungary and Italy of July 4th, 1928.

The present Treaty shall be ratified and the instruments of ratification shall be exchanged at Rome as soon as possible. It shall come into force on the date of the exchange of the instruments of ratification.

Nevertheless, the High Contracting Parties agree to put it into force provisionally as from April 1st, 1937.

In faith whereof the respective Plenipotentiaries have signed the present Treaty.

Done at Rome, in duplicate, this 9th day of March, 1937.

VILLANI, *m. p.*

CIANO, *m. p.*