

No. 3671

DENMARK
and
FEDERAL REPUBLIC OF GERMANY

Agreement concerning the crossing of the frontier outside the frontier crossing points designated for the international movement of persons (Frontier Traffic Agreement). Signed at Copenhagen, on 30 June 1956

Official texts: Danish and German.

Registered by Denmark on 24 January 1957.

DANEMARK
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

Accord relatif au passage de la frontière en dehors des points désignés pour le passage des personnes qui franchissent la frontière en trafic international (Accord relatif au trafic frontalier). Signé à Copenhague, le 30 juin 1956

Textes officiels danois et allemand.

Enregistré par le Danemark le 24 janvier 1957.

[TRANSLATION — TRADUCTION]

No. 3671. AGREEMENT¹ BETWEEN THE ROYAL DANISH GOVERNMENT AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING THE CROSSING OF THE FRONTIER OUTSIDE THE FRONTIER CROSSING POINTS DESIGNATED FOR THE INTERNATIONAL MOVEMENT OF PERSONS (FRONTIER TRAFFIC AGREEMENT). SIGNED AT COPENHAGEN, ON 30 JUNE 1956

Article 1

Danish nationals in possession of a Danish passport, and German nationals as defined in the Constitution of the Federal Republic of Germany who are in possession of a passport or a *Kinderausweis* issued by the authorities of the Federal Republic of Germany, shall be permitted to cross the frontier not only at the frontier crossing points designated for international travel but also at the following frontier crossing points :

Pebersmark-Neu Pebersmark, Møllehus-Aventoft, and Rudbøl-Rosenkranz.

Article 2

(1) Subject to the conditions set forth in article 1, persons shall also be permitted to cross the frontier by the following roads :

Frøslev-Ellund, Sofiedal-Jardelund, St. Jynde vad-Weesby, Grøngaard-Westre, and Højer-Rodenaes,

if they live within approximately 5 kilometres of the relevant frontier crossing point.

(2) The passports and *Kinderausweise* of persons wishing to avail themselves of the facilities provided for in paragraph (1) shall bear the following entry :

The holder of this passport is also entitled to cross the Danish-German frontier at the frontier crossing point.

Return journey within forty-eight hours by the same route.

Issuing authority :

Place :

Date :

¹ Came into force on 15 November 1956, in accordance with article 15.

(3) Where special local conditions make it desirable to do so, the competent authorities of the two States may by mutual agreement permit minor deviations from the limitation prescribed by paragraph (1) with regard to distance from the frontier crossing point.

(4) Where special circumstances make it desirable to do so, the competent authority of the place where the holder of the passport is stopping may extend the time-limit for the return journey. The said authority shall issue a certificate to that effect.

Article 3

(1) Subject to the conditions set forth in article 1, persons who from a farm on one side of the frontier also farm land on the other side of the frontier, as well as members of the household and employees of such persons, shall also be permitted to cross the frontier outside the officially designated frontier crossing points on condition that the arrangement was already in existence on 29 October 1934. The said persons shall in such cases be entitled to cross the frontier merely in order to go to and from the land situated in the neighbouring State along the natural means of access from the frontier to such land.

(2) The passports and *Kinderausweise* of persons wishing to avail themselves of the facilities provided for in paragraph (1) shall bear the following entry :

The holder of this passport is entitled to cross the Danish-German frontier at boundary stone for the purpose of going, along the natural means of access from the frontier, to and from the land belonging to , land-register number , in Denmark/the Federal Republic of Germany.

Issuing authority :

Place :

Date :

Article 4

Matters of detail in connexion with articles 1 to 3, and in particular the hours during which the frontier is to be open, shall be decided by the competent authorities of the two States.

Article 5

The passport entries referred to in articles 2 and 3 shall be effected free of charge and shall be made in Denmark by the local police (the chief officers of police), and in the Federal Republic of Germany by the passport authorities. The entries may be given a shorter period of validity than that of the passport.

Article 6

(1) The passport entries referred to in articles 2 and 3 shall be annulled when the conditions subject to which they were made are no longer fulfilled. The competent authorities shall determine whether or not the said conditions continue to be fulfilled.

(2) If the arrangement provided for in articles 2 and 3 is abused, the authorities of the neighbouring State shall be entitled to withdraw the passport. In such cases they shall be obliged to return the passport forthwith to the issuing authority, stating the reason for its withdrawal. The issuing authority shall forthwith notify the authority which withdrew the passport of any action taken under the provisions of paragraph (3).

(3) In the event of abuse, the entries made in pursuance of articles 2 and 3 may be temporarily or permanently annulled by the issuing authority.

Article 7

If the frontier must be crossed in order to give or seek help in the case of an accident, such crossing may, if necessary, take place without regard to the provisions otherwise applicable in this regard.

Article 8

Where extraordinary circumstances arise, the crossing of the frontier as provided for in this Agreement may be wholly or partly stopped as a temporary measure. The frontier authorities of the neighbouring State shall forthwith be notified of such action.

Article 9

(1) The necessity for visas and residence permits and the duty to report shall be determined in accordance with the regulations of each State.

(2) The provisions of this Agreement shall not affect the right of the Contracting Parties to turn persons back at the frontier or to expel persons from their territory.

Article 10

In the application of this Agreement, the administrative authorities of the two States shall, so far as possible, deal with one another directly.

Article 11

If it should prove necessary to bring additional frontier crossing points as referred to in articles 1 and 2 within the scope of the Agreement, this may be done through an exchange of notes.

Article 12

Frontier passes issued in pursuance of the Agreement of 16 August 1950 shall cease to be valid six months after the entry into force of the present Agreement.

Article 13

Upon the entry into force of the present Agreement, the agreements now in force respecting the crossing of the frontier by persons under the regime of minor frontier traffic shall lapse.

Article 14

The regulations in force in the two States concerning the import, export and transit of goods, vehicles and other property, and in particular the customs and currency regulations, shall not be affected by this Agreement.

Article 15

(1) The date of the entry into force of this Agreement shall be determined by an exchange of notes. This shall take place as soon as the constitutional arrangements for the entry into force of the Agreement have been established in both States.

(2) This Agreement shall also apply to the *Land* Berlin unless a statement to the contrary is transmitted by the Government of the Federal Republic of Germany to the Danish Government within three months after the entry into force of the Agreement.

Article 16

The Contracting Parties may terminate this Agreement at any time subject to six months' notice.

Article 17

This Agreement has been drawn up in duplicate in the Danish and German languages. Both texts are equally authentic.

Copenhagen, 30 June 1956.

For the Royal Danish
Government :

(Signed) H. C. HANSEN
[L.S.]

For the Government
of the Federal Republic
of Germany :

(Signed) DUCKWITZ
[L.S.]