

No. 5299

**CZECHOSLOVAKIA
and
POLAND**

**Agreement concerning co-operation and mutual assistance
in customs matters. Signed at Warsaw, on 25 November
1958**

Official texts: Czech and Polish.

Registered by Czechoslovakia on 11 August 1960.

**TCHÉCOSLOVAQUIE
et
POLOGNE**

**Accord relatif à la coopération et à l'aide mutuelle en matière
douanière. Signé à Varsovie, le 25 novembre 1958**

Textes officiels tchèque et polonais.

Enregistré par la Tchécoslovaquie le 11 août 1960.

[TRANSLATION — TRADUCTION]

No. 5299. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCERNING CO-OPERATION AND MUTUAL ASSISTANCE IN CUSTOMS MATTERS. SIGNED AT WARSAW, ON 25 NOVEMBER 1958

The Government of the Czechoslovak Republic and the Government of the Polish People's Republic, in an effort further to strengthen the close and lasting friendly relations between the two States also through an intensification and improvement of co-operation between the customs authorities, have agreed on the following provisions :

Article 1

The customs administrations of the two Contracting Parties shall assist each other in giving effect to customs and exchange control along the common frontier of the two States.

Article 2

(1) The passage of persons and goods across the common frontier shall be permitted only at the frontier crossings established by mutual agreement.

(2) The customs administrations of the two Contracting Parties shall jointly determine the office hours of the customs authorities assigned to the frontier crossings.

Article 3

Goods transported across the common frontier shall be accompanied by the documents needed for customs clearance and the documents required under international agreements.

Article 4

Goods in transit shall ordinarily be subject only to an external customs inspection unless an internal inspection is required for security, health or other serious reasons.

¹ Came into force on 27 April 1959, the thirtieth day after the exchange of notes confirming its approval by the two Governments, in accordance with article 16.

Article 5

The customs authorities of each Contracting Party shall recognize the customs seals, documents and impressed seals and stamps of the customs authorities of the other Party.

Article 6

(1) The customs authorities of one Contracting Party shall subject goods imported under the plan for the exchange of goods to customs clearance only if the customs authorities of the other Party have cleared such goods outwards.

(2) The customs authorities of one Contracting Party shall detain goods which under the plan for the exchange of goods have been reported to them as subject to inward customs clearance but have not been cleared outwards by the customs authorities of the other Party. Such cases shall be notified to the customs authorities which did not carry out the outward customs clearance, and the goods shall be dealt with according to the instructions of those authorities.

Article 7

(1) If the customs authorities of one Contracting Party refuse to clear goods because the necessary documents were not presented or for any other serious reason, they shall enter the reason for such refusal on the transport document and, at the request of the customs authorities of the other Party, shall issue a certificate concerning the refusal.

(2) In the cases referred to in paragraph (1), the customs authorities which refused customs clearance may ask the customs authorities of the other Contracting Party to certify that the goods were returned to that Party's territory. The customs authorities of the other Contracting Party shall be obliged to give such certification.

Article 8

(1) The customs administrations of the two Contracting Parties shall employ all means available under the laws in force to expedite the passage of persons, goods and transport equipment across the common frontier; in particular, they may, with the agreement of the competent authorities, establish joint customs facilities within the territory of one of the Contracting Parties at points on frontier crossings where this is necessary and possible.

(2) The principles governing the establishment and operation of joint customs facilities at railway frontier crossings are set out in the Agreement of 31 January 1958, between the Czechoslovak Republic and the Polish People's

Republic, concerning rail transport between the two countries, and in the arrangements concluded to give effect to that Agreement.

(3) The procedure for the operation of joint customs facilities at frontier crossings other than railway frontier crossings shall be agreed upon between the customs administrations of the two Contracting Parties on the basis of the principles for the operation of joint customs facilities at railway crossings as set out in the Agreement referred to in paragraph (2) concerning rail transport between the two countries.

Article 9

The customs administrations of the two Contracting Parties shall assist each other in the prevention of offences against the customs and exchange regulations.

Article 10

(1) Where goods or foreign currency are unlawfully transported or taken from the territory of one Contracting Party to the territory of the other Party, the matter shall be dealt with under the law of the State in whose territory such goods or foreign currency are situated.

(2) Goods or foreign currency referred to in paragraph (1) which were the object of an offence against property in the territory of the other Contracting Party shall, at the request of the competent authorities of that Party, be returned when the criminal proceedings have been concluded.

Article 11

The customs administration of each Contracting Party shall inform the customs administration of the other Party of offences against customs or exchange regulations committed by persons who are resident in the territory of the other Party.

Article 12

(1) The customs administrations of the two Contracting Parties shall negotiate with each other directly concerning questions of co-operation and mutual assistance arising out of this Agreement.

(2) The customs administrations of the two Contracting Parties shall, when the need arises, confer with each other with a view to the exchange of experience acquired in giving effect to this Agreement so that closer co-operation between the customs authorities of the two Parties may be ensured.

Article 13

(1) The customs administrations of the two Contracting Parties shall ensure that the staff on duty at the common frontier have an adequate knowledge of those laws and service regulations of the other Party with which they must be conversant in order to carry out the provisions of this Agreement. For this purpose, the customs administrations of the two Parties shall exchange the said laws and regulations of their respective countries.

(2) The customs administrations of the two Contracting Parties shall forthwith inform each other of any amendments or additions to the laws and service regulations referred to in paragraph (1).

Article 14

The customs administrations of the two Contracting Parties may, by mutual agreement, use uniform bilingual customs forms drawn up in the Czech (Slovak) and Polish languages except where the use of other forms is required under other international agreements.

Article 15

(1) In correspondence relating to the execution of this Agreement, the customs administrations of each Contracting Party shall use their national language.

(2) Correspondence relating to the execution of this Agreement shall be signed by and stamped with the official stamp of the sender.

Article 16

(1) This Agreement shall be subject to approval by the two Governments and shall come into force thirty days after the exchange of notes confirming such approval.

(2) This Agreement is concluded for a period of five years from the date on which it comes into force. It shall continue in force for additional periods of five years unless either Party, not later than one year before the expiry of the current period, gives notice of its intention to terminate the Agreement.

DONE at Warsaw on 25 November 1958 in duplicate, in the Czech and Polish languages, both texts being equally authentic.

For the Government
of the Czechoslovak Republic :
(Signed) Stanislav SAUR

For the Government
of the Polish People's Republic :
(Signed) Józef KONARZEWSKI