

No. 7242

**CZECHOSLOVAKIA
and
AUSTRIA**

**Agreement concerning the working of common deposits
of natural gas and petroleum. Signed at Prague, on
23 January 1960**

Official texts: Czech and German.

Registered by Czechoslovakia on 13 May 1964.

**TCHÉCOSLOVAQUIE
et
AUTRICHE**

**Accord relatif à l'exploitation de gisements communs de
gaz naturel et de pétrole. Signé à Prague, le 23 jan-
vier 1960**

Textes officiels tchèque et allemand.

Enregistré par la Tchécoslovaquie le 13 mai 1964.

[TRANSLATION — TRADUCTION]

No. 7242. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC AND THE AUSTRIAN FEDERAL GOVERNMENT CONCERNING THE WORKING OF COMMON DEPOSITS OF NATURAL GAS AND PETROLEUM. SIGNED AT PRAGUE, ON 23 JANUARY 1960

The Government of the Czechoslovak Republic and the Austrian Federal Government,

Having regard to the fact that in the frontier sector of Vysoká-Zwerndorf there is a natural gas deposit which extends into both Czechoslovak and Austrian State territory,

Being aware of the economic significance of this deposit and similar common deposits, and

Recognizing the utility and necessity of co-operation and co-ordination in working this deposit and similar common deposits,

Have decided to conclude this Agreement in order to settle the conditions for working the common deposit of natural gas referred to above and similar common deposits of natural gas or petroleum.

Article 1

(1) As soon as the Contracting Parties discover a common workable deposit to which the provisions of this Agreement will apply under article 6 of the Agreement signed this day² concerning the principles of geological co-operation between the Czechoslovak Republic and the Republic of Austria, they shall endeavour to have the said common deposit outlined within a period to be fixed by agreement.

(2) The Contracting Parties shall make arrangements for outlining the existing natural gas deposit in the Vysoká-Zwerndorf area immediately after the entry into force of this Agreement.

Article 2

(1) A Mixed Commission composed of representatives of both Contracting Parties shall be established and shall meet alternately at Prague and at Vienna in

¹ Came into force on 23 January 1960, upon signature, in accordance with article 9 (1).

² See p. 99 of this volume.

September of each year or, at the request of either Contracting Party, at any time not later than one month after such request is submitted by one of the two Contracting Parties.

(2) The task of the Mixed Commission shall be to calculate the reserves in each individual deposit and determine the share therein accruing to each Contracting Party; to lay down the conditions for working the deposits and, in particular, to prepare long-term extraction programmes; and to remove any difficulties that may arise in giving effect to this Agreement.

(3) If no objection is raised by either Contracting Party, within one month after the conclusion of a session of the Mixed Commission, to the application of the decisions reached at that session, the consent of both Contracting Parties shall be deemed *ipso facto* to have been given.

Article 3

(1) With a view to calculating the reserves in each individual deposit, the Mixed Commission shall determine at its meeting the method to be used and the scope of the necessary documentation. On the basis of such method, the Mixed Commission shall calculate the reserves in each individual common deposit. The reserves determined in this manner shall be verified or revised annually at the regular meetings of the Mixed Commission.

(2) In order to determine the method of calculating the reserves in the natural gas deposit in the Vysoká-Zwerndorf area, to calculate the reserves in that deposit and to determine the share accruing to each Contracting Party, the Mixed Commission shall meet not later than one month after the entry into force of this Agreement.

Article 4

(1) For the purpose of calculating the reserves in each individual deposit, the Contracting Parties shall provide the Mixed Commission with the necessary geological and technical documentation within a period to be fixed by the said Commission.

(2) The Contracting Parties shall keep each other informed of newly acquired data concerning each individual deposit and shall, in particular, immediately inform each other of the emergence of any special circumstances requiring instant action, for example abnormal water encroachment in places or throughout the deposit, or of circumstances which may affect the calculation of the reserves in the deposit.

Article 5

(1) The Contracting Parties shall work their proportionate shares of the total reserves in each individual common deposit. Current conditions in the deposit must be taken into account for this purpose.

(2) The details of the working of each individual deposit and, in particular, the preparation of extraction plans shall be agreed upon by the Mixed Commission. Work on the details of the extraction operations shall begin not later than six months from the date on which the consent of both Contracting Parties is deemed to have been given under article 2, paragraph (3), of this Agreement.

(3) With respect to the Vysoká-Zwerndorf natural gas deposit, the Mixed Committee shall perform the tasks prescribed in paragraph (2) of this article at the meeting to be held pursuant to article 3, paragraph (2).

Article 6

After the extraction operations thus agreed upon have begun, the two Contracting Parties shall exchange regularly, not later than the end of each month, particulars of the previous month's output and of conditions in the deposit.

Article 7

If, in a particular year, either Contracting Party's output falls short of the quantity provided for in the extraction plan, it shall be entitled, after agreement has been reached, to make up the shortfall in the succeeding years. If, in a particular year, either Contracting Party's output exceeds the quantity provided for in the extraction plan, it must reduce its aggregate output over the next three years by the quantity over-extracted.

Article 8

(1) If, in giving effect to this Agreement, any difference of opinion arises as to the interpretation or application of its provisions and such difference of opinion cannot be settled by the Mixed Commission, the Contracting Parties shall endeavour to settle it through the diplomatic channel.

(2) If their efforts are not successful within six months from the date on which one Contracting Party requests the other Party to deal with the matter through the diplomatic channel, the difference of opinion shall be referred for settlement to an arbitration board which shall be appointed by agreement between the two Contracting Parties.

Article 9

(1) This Agreement shall enter into force on the date of signature and shall remain in force until denounced by one of the Contracting Parties.

(2) If either Contracting Party exercises the option of denunciation under paragraph (1) of this article at a time when extraction is in progress at any common

deposit pursuant to this Agreement, the provision of this Agreement shall apply to such deposit until its reserves are completely worked out.

IN WITNESS WHEREOF the undersigned, being duly authorized for the purpose by their Governments, have signed this Agreement and have thereto affixed their seals.

DONE at Prague on 23 January 1960 in two original copies, each in the Czech and German languages, both texts being equally authentic.

For the Government
of the Czechoslovak Republic :

V. DAVID

For the Austrian
Federal Government :

Rudolf ENDER
