

No. 12484

**CANADA
and
POLAND**

**Agreement relating to the settlement of financial matters. Signed at
Ottawa on 15 October 1971**

Authentic texts : English, French and Polish.

Registered by Canada on 3 May 1973.

**CANADA
et
POLOGNE**

**Accord concernant le règlement de questions financières. Signé à
Ottawa le 15 octobre 1971**

Textes authentiques : anglais, français et polonais.

Enregistré par le Canada le 3 mai 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC RELATING TO THE SETTLEMENT OF FINANCIAL MATTERS

The Government of Canada and the Government of the Polish People's Republic, hereinafter referred to as the Government of Poland, have agreed as follows :

Article I

The Government of Poland shall pay to the Government of Canada the sum of \$1,225,000 (one million two hundred and twenty-five thousand) Canadian dollars in full and final settlement of Canadian claims arising before the date of the coming into force of this Agreement against the Government of Poland and Polish natural and juridical persons in respect of :

- (1) property, rights or other interests nationalized or otherwise taken by the application of Polish legislation or administrative decisions;
- (2) debts owed by enterprises nationalized, or otherwise taken by the application of Polish legislation or administrative decisions.

Article II

For the purpose of this Agreement " Canadian claims " shall mean :

- (1) claims of natural persons who were Canadian citizens on the date of the coming into force of this Agreement and who were or whose legal predecessors were Canadian citizens on the date of the coming into force of the legislation or of the other similar measures referred to in Article I or on the date on which the relevant measures were first applied to their property, rights or interests;
- (2) claims of juridical persons which on the date of the coming into force of this Agreement were incorporated or constituted pursuant to the laws of Canada and who were, or whose legal predecessors were Canadian natural or juridical persons on the date of the coming into force of the legislation or of the other similar measures referred to in article I or on the date on which the relevant measures were first applied to the property, rights or interests.

Article III

Payment of the sum set out in article I shall be made in seven equal annual installments. The first installment is to be made by the Government of Poland within eight months from the date of coming into force of this Agreement and the remaining six equal installments at intervals of twelve months from the date of the first payment.

Article IV

- (1) Payment in full of the sum set out in article I shall discharge the Government of Poland and Polish natural and juridical persons from obligations in respect of all

¹ Came into force on 15 October 1971 by signature, in accordance with article VIII.

matters for which provision for settlement is made in that article; the Government of Canada will then consider as completely settled, all claims covered by this Agreement whether they have been brought to the attention of the Government of Poland.

(2) The Government of Canada shall not in future present to the Government of Poland on behalf of Canadian natural or juridical persons any claims for which provision for settlement is made in this Agreement, nor will it support such claims.

Article V

The distribution of the sum mentioned in article I shall be within the exclusive competence of the Government of Canada and does not involve any responsibility of the Government of Poland.

Article VI

In order to facilitate the adjudication of particular claims, the Government of Poland shall provide without charge, at the request of the Government of Canada such information as may be available to it concerning these claims.

Article VII

(1) The Government of Canada will furnish to the Government of Poland copies of relevant decisions with respect to the validity and amounts of claims.

(2) The Government of Canada will, with respect to each claim it finds valid, furnish to the Government of Poland such original documents of title pertaining to the property nationalized or otherwise taken by Poland as were used to establish the claim, including certificates of shares or stocks of Polish juridical persons owned by the claimant, if all the property of such juridical persons has been nationalized or taken by Poland. In the event that a claim is not based on such documents, the Government of Canada will furnish to the Government of Poland suitable certificates of release signed by the claimant.

(3) All documents referred to in this article for delivery to the Government of Poland shall be transmitted as soon as practicable after the last installment provided for in article III has been made.

Article VIII

This Agreement shall come into force on the date of signature.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE in two copies at Ottawa, this fifteenth day of October 1971, in the English, French and Polish languages, each version being equally authentic.

[Signed]

MITCHELL SHARP
For the Government
of Canada

[Signed]

MARIAN KRZAK
For the Government
of the Polish People's Republic