

No. 16859

**POLAND
and
HUNGARY**

**Consular Convention (with protocol). Signed at Warsaw on
5 June 1973**

Authentic texts: Polish and Hungarian.

Registered by Poland on 13 July 1978.

**POLOGNE
et
HONGRIE**

**Convention consulaire (avec protocole). Signée à Varsovie
le 5 juin 1973**

Textes authentiques : polonais et hongrois.

Enregistrée par la Pologne le 13 juillet 1978.

[TRANSLATION — TRADUCTION]

CONSULAR CONVENTION¹ BETWEEN THE POLISH PEOPLE'S REPUBLIC AND THE HUNGARIAN PEOPLE'S REPUBLIC

The Council of State of the Polish People's Republic and the Presidential Council of the Hungarian People's Republic,

Desiring to develop further the friendly relations between them in accordance with the Treaty of friendship, co-operation and mutual assistance between the Polish People's Republic and the Hungarian People's Republic, signed at Budapest on 16 May 1968,²

Considering that the Consular Convention between the Polish People's Republic and the Hungarian People's Republic signed at Warsaw on 20 May 1959³ is in need of renewal,

Have decided to conclude this Consular Convention and for that purpose have appointed as their plenipotentiaries:

The Council of State of the Polish People's Republic: Wiesław Adamski, Under-Secretary of State in the Ministry of Foreign Affairs,

The Presidential Council of the Hungarian People's Republic: István Roska, Deputy Minister for Foreign Affairs,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

Part I. DEFINITIONS

Article 1. For the purposes of this Convention, the following expressions have the meanings hereunder assigned to them:

(a) "Consular post" means a consulate-general, consulate, vice-consulate or consular agency.

(b) "Consular district" means the territory assigned to the consular post for the exercise of consular functions.

(c) "Head of the consular post" means a consul-general, a consul, a vice-consul or a consular agent who has been placed in charge of the consular post.

(d) "Consular officer" means any person, including the head of the consular post, who is authorized to exercise consular functions. This term also includes persons assigned to the consular post for training in consular functions (trainees).

(e) "Consular employee" means any person, not a consular officer, performing administrative, technical or service duties at the consular post.

(f) "Members of the consular post" means consular officers and consular employees.

¹ Came into force on 7 January 1974, i.e., 30 days after the date of the exchange of the instruments of ratification, which took place at Budapest, in accordance with article 47 (1).

² United Nations, *Treaty Series*, vol. 649, p. 153.

³ *Ibid.*, vol. 432, p. 115.

(g) “Consular premises” means the buildings or parts of buildings, and also the grounds ancillary thereto, irrespective of ownership, used exclusively for the purpose of the consular post.

(h) “Consular archives” means all the papers, documents, correspondence, books, films, recording tapes and registers of the consular post, together with the ciphers and codes, the card-indexes and any article of furniture intended for their protection and safekeeping.

(i) “Vessel of the sending State” means any vessel authorized to fly the flag of that State.

Part II. ESTABLISHMENT OF CONSULAR POSTS
AND APPOINTMENT OF CONSULAR OFFICERS

Article 2. 1. A consular post may be established in the receiving State only with that State’s consent.

2. The sending and receiving States shall determine by agreement the seat of the consular post, its classification and the consular district, as well as any changes pertaining thereto.

Article 3. 1. Prior to the appointment of the head of the consular post, the sending State shall ascertain through the diplomatic channel that the receiving State will accept him in the capacity of head of the consular post.

2. The sending State shall transmit through its diplomatic mission to the Ministry of Foreign Affairs of the receiving State the consular commission or other document of appointment of the head of the consular post. The consular commission or other document shall specify the full name of the head of the consular post, his rank, the consular district in which he will perform his functions, and the seat of the consular post.

3. On presentation of the consular commission or other document of appointment of the head of the consular post, the receiving State shall grant him the exequatur or other authorization as soon as possible.

4. The head of the consular post may begin to perform his functions as soon as the receiving State has granted him the exequatur or other authorization.

5. Pending delivery of the exequatur or other authorization, the receiving State may permit the head of the consular post to perform his functions on a provisional basis.

6. As soon as the exequatur or other authorization or the permission to exercise consular functions on a provisional basis has been granted, the authorities of the receiving State shall make the necessary arrangements to enable the head of the consular post to perform his functions.

Article 4. 1. The sending State shall communicate to the Ministry of Foreign Affairs of the receiving State through the diplomatic channel:

- (a) The full names and ranks of the consular officers not performing the functions of head of the consular post;
- (b) The full names and functions of the consular employees;
- (c) The dates of arrival and final departure of the persons referred to in subparagraphs *a* and *b*.

2. The competent authorities of the receiving State shall issue appropriate identify documents to the persons referred to in paragraph 1 and to the members of their families residing with them.

Article 5. Only a national of the sending State may be a consular officer.

Article 6. The receiving State may at any time, and without having to explain the reason for its decision, notify the sending State through the diplomatic channel that the exequatur or other authorization granted to the head of the consular post has been revoked or that some other member of the consular post is unacceptable. The sending State shall thereupon recall the consular officer or consular employee, or shall dismiss the consular employee if he is a national or permanent resident of the receiving State. If the sending State fails to carry out within a reasonable period its obligation to do so, the receiving State may cease to recognize the person concerned as a member of the consular post.

Part III. FACILITIES, PRIVILEGES AND IMMUNITIES

Article 7. The receiving State shall afford protection to consular officers and shall make the necessary arrangements to enable them to perform their functions and to enjoy the facilities, privileges and immunities to which they are entitled under this Convention. The receiving State shall make the necessary arrangements to ensure the protection of the consular post and the living quarters of consular officers.

Article 8. 1. If the head of the consular post is unable for any reason to perform his functions or if the position of head of the consular post is temporarily vacant, the sending State may authorize a consular officer belonging to the same consular post or another consular post in the receiving State or a member of the diplomatic staff of its diplomatic mission in that State to act as temporary head of the consular post. The full name of the person concerned shall be notified in advance through the diplomatic channel to the Ministry of Foreign Affairs of the receiving State.

2. A person authorized to act as temporary head of the consular post shall perform the functions of the head of the consular post. He shall have the same duties and enjoy the same facilities, privileges and immunities as if he had been appointed in accordance with the provisions of article 3.

3. The appointment of a member of the diplomatic staff of the diplomatic mission of the sending State to exercise the functions referred to in paragraph 1 shall not affect his diplomatic privileges and immunities.

Article 9. 1. The provisions of this Convention shall apply, *mutatis mutandis*, to a member of the diplomatic staff of the diplomatic mission who has been appointed to exercise consular functions in the receiving State. The full name of the person concerned shall be notified through the diplomatic channel to the Ministry of Foreign Affairs of the receiving State.

2. The exercise of consular functions by the person referred to in paragraph 1 shall not affect his diplomatic privileges and immunities.

Article 10. 1. The sending State may, in accordance with the conditions provided for in the laws and regulations of the receiving State, acquire as property, lease, use, build on or adapt any land or buildings or parts of buildings in order to set up the consular post and living quarters for members of the consular post.

2. Where necessary, the receiving State shall assist the sending State in carrying out the provisions of paragraph 1.

3. Nothing in the provisions of paragraph 1 shall be deemed to exempt the sending State from the obligation to comply with any building or town-planning laws or regulations in force in the receiving State.

Article 11. 1. The coat of arms of the sending State and a plate bearing the designation of the consular post in the languages of the sending State and the receiving State may be affixed to the building occupied by the consular post.

2. The flag of the sending State may be flown on the building occupied by the consular post and also on the residence of the head of the consular post.

3. The head of the consular post may fly the flag of the sending State on his means of transport.

Article 12. 1. The consular premises shall be inviolable. The authorities of the receiving State may not enter such premises except with the consent of the head of the consular post, the head of the diplomatic mission or a person designated by one of them.

2. The provisions of paragraph 1 shall also apply to the living quarters of members of the consular post.

Article 13. 1. The consular archives shall be inviolable at all times and wherever they may be.

2. Only documents and objects related to the activities of the consular post may be kept in the consular archives.

Article 14. 1. The consular post shall have the right to communicate with the Government, the diplomatic missions and the consular posts of the sending State. For that purpose the consular post may use all ordinary means of communication, cipher, diplomatic and consular couriers and diplomatic and consular bags. The same rates shall apply to the consular post in the use of ordinary means of communication as to the diplomatic mission. The consular post may install or use a radio transmitter only with the consent of the receiving State.

2. The official correspondence of the consular post, regardless of the means of communication used, and consular bags bearing visible external marks of their official character shall be inviolable and shall not be subject to examination or detention by the authorities of the receiving State.

3. The receiving State shall accord consular couriers the same rights, privileges and immunities as are accorded to diplomatic couriers of the sending State.

4. A consular bag may be entrusted to the master of a vessel or the captain of an aircraft. He must be provided with an official document indicating the number of packages constituting the consular bag but shall not be considered a consular courier. The consular officer may directly and freely take possession of the consular bag from the master of the vessel or the captain of the aircraft or deliver the consular bag to him.

Article 15. The members of the consular post and members of their families residing with them shall enjoy personal inviolability. They shall not be subject to arrest or detention in any form. The receiving State shall treat them with due respect and shall take all appropriate steps to prevent any attack on their persons, freedom or dignity.

Article 16. The members of the consular post and members of their families residing with them shall be immune from the jurisdiction of the receiving State, except in the case of civil actions:

- (a) Relating to private immovable property situated in the territory of the receiving State, unless they hold it on behalf of the sending State for the purposes of the consular post;
- (b) Relating to successions in which they are involved in the capacity of executor, administrator, heir or legatee as private persons and not on behalf of the sending State;
- (c) Relating to professional or commercial activity exercised by them in the receiving State outside their official functions;
- (d) Instituted by a third party for damage arising in the receiving State from an accident caused by a motor vehicle.

Article 17. 1. Consular officers shall not be required to give evidence as witnesses before the courts or other competent authorities of the receiving State.

2. Consular employees may be requested to give evidence before the courts or other competent authorities of the receiving State. They may refuse to give evidence concerning matters connected with their official functions. However, in no case may any coercive measures be applied against consular employees, nor may such employees be prosecuted for refusing to give evidence.

3. In obtaining evidence from a member of the consular post, the authorities of the receiving State shall take all appropriate steps to avoid disrupting his performance of official duties. At the request of the head of the consular post, evidence may, if possible, be given, orally or in writing, at the consular post or in the living quarters of the member of the consular post.

4. The provisions of this article shall apply, *mutatis mutandis*, to members of the family of the member of the consular post who reside with him.

Article 18. 1. The sending State may waive the privileges and immunities provided for in articles 16 and 17. Such waivers must always be express and must be notified in writing to the receiving State.

2. If a member of the consular post or a member of his family residing with him institutes legal proceedings, he shall not be entitled to invoke immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

3. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of execution of the judgements, for which a separate waiver shall be required.

Article 19. Members of the consular post and members of their families residing with them shall be exempt in the receiving State from military service and all other compulsory service.

Article 20. Members of the consular post and members of their families residing with them shall be exempt from all requirements under the laws and regulations of the receiving State relative to the registration of aliens, residence and work permits and other similar requirements relating to aliens.

Article 21. 1. The consular premises and the living quarters of members of the consular post which are owned or leased by the sending State shall be exempt in the receiving State from all taxes and charges, with the exception of charges levied for specific services rendered.

2. Transactions and documents relating to the acquisition of immovable property for consular premises and for living quarters for members of the consular post shall also be exempt from taxes and other similar charges.

3. The exemptions from taxes and other charges provided for in this article shall not apply to taxes and charges which under the laws and regulations of the receiving State are to be paid by persons concluding contracts with the sending State.

Article 22. The sending State shall be exempt in the receiving State from all taxes and other charges of any kind in respect of movable property which the sending State owns, holds or uses for consular purposes and in respect of the acquisition of such property.

Article 23. The salaries or wages received by members of the consular post from the sending State as compensation for their official duties shall be exempt in the receiving State from all taxes or other charges of any kind.

Article 24. 1. The members of the consular post and members of their families residing with them shall be exempt in the receiving State from all State and local taxes and charges.

2. The exemption referred to in paragraph 1 shall not apply to:

- (a) Indirect taxes which are normally included in the price of goods or services;
- (b) Taxes and other charges on immovable personal property situated in the receiving State;
- (c) Taxes and other charges on the inheritance or acquisition of property which are levied by the receiving State, subject to the provisions of article 26;
- (d) Taxes and other charges on private income derived from sources which are in the receiving State;
- (e) Taxes and other charges on transactions or on documents recording or relating to transactions, including State duties of any kind levied in connection therewith;
- (f) Charges levied for specific services rendered.

3. Members of the consular post who employ persons whose salaries or wages are not exempt from income tax in the receiving State must comply with the obligations imposed on employees by that State's laws and regulations relative to the collection of income tax.

Article 25. 1. All articles, including motor vehicles, which are intended for the official use of the consular post shall be exempt from customs duties and other charges to the same extent as articles intended for the official use of the diplomatic mission.

2. The personal baggage and motor vehicles of consular officers and members of their families residing with them shall be exempt from customs inspection.

3. Members of the consular post and members of their families residing with them shall be exempt from customs duties and other charges to the same extent as members of the corresponding categories of personnel of the diplomatic mission.

4. The term “corresponding categories of personnel of the diplomatic mission” used in paragraph 3 refers, in relation to consular officers, to members of the diplomatic staff and, in relation to consular employees, to members of the administrative and technical staff.

Article 26. In the event of the death of a member of the consular post or a member of his family residing with him, the receiving State:

- (a) Shall permit the export of the movable property of the deceased, with the exception of property acquired by the deceased in the receiving State whose export was prohibited at the time of his death;
- (b) Shall not levy taxes on the inheritance or acquisition of movable property, provided that the presence of the property in the receiving State was due solely to the presence in that State of the deceased in his capacity as a member of the consular post or a member of his family.

Article 27. Subject to the laws and regulations of the receiving State concerning areas entry into which is prohibited or restricted for reasons of national security, all members of the consular post and members of their families residing with them shall be permitted to travel freely in the territory of the receiving State.

Article 28. All persons to whom facilities, privileges and immunities are accorded under this Convention shall, without prejudice to the said facilities, privileges and immunities, be under an obligation to respect the laws and regulations of the receiving State, including those relative to road traffic and to the insurance of motor vehicles.

Article 29. The facilities, privileges and immunities provided for in this Convention, with the exception of article 17, paragraphs 2 and 4, shall not apply to members of the consular post and members of their families residing with them if such persons are nationals or permanent residents of the receiving State.

Part IV. CONSULAR FUNCTIONS

Article 30. 1. The functions of the consular officer shall be:

- (a) To promote the development of friendly relations between the sending State and the receiving State and to help develop economic, commercial, cultural and scientific relations and tourism;
- (b) To protect the rights and interests of the sending State and of its nationals and bodies corporate.

2. The consular officer may also perform other functions entrusted to him by the sending State, provided that such functions are not contrary to the laws, regulations and customs of the receiving State.

Article 31. 1. In the performance of his functions, the consular officer may apply to:

- (a) The competent authorities of his consular district;
- (b) The competent central authorities of the receiving State, provided that such action is permitted by the laws, regulations and customs of the receiving State.

2. The consular officer may, with the consent of the receiving State, also perform his functions outside his consular district.

Article 32. 1. The consular officer shall be entitled to represent the sending State's nationals before the courts and other authorities of the receiving State and bodies corporate where such nationals and bodies corporate are unable, owing to absence or for other valid reasons, to protect their own rights and interests at the proper time.

2. The representation referred to in paragraph 1 shall cease as soon as the persons represented appoint their own agents or themselves assume responsibility for the protection of their rights and interests.

Article 33. The consular officer shall be entitled:

- (a) To issue passports or other travel documents to nationals of the sending State and to extend the validity of, amend or revoke such passports or documents;
- (b) To issue visas.

Article 34. 1. The consular officer shall be entitled:

- (a) To keep a register of nationals of the sending State;
- (b) To receive declarations in matters relating to nationality;
- (c) To register the births and deaths of nationals of the sending State on the basis of notifications provided by the competent authorities of the receiving State, or to keep civil registers, in so far as permitted by the laws and regulations of the sending State;
- (d) To solemnize marriages, under the law of the sending State, provided that both parties are nationals of the sending State.

2. The consular officer shall notify the competent authorities of the receiving State of the acts referred to in paragraph 1 (c) and (d) if such notification is required under the laws and regulations of the receiving State.

3. The provisions of paragraph 1 (c) and (d) shall not exempt the persons concerned from the obligation to comply with the relevant laws and regulations of the receiving State.

Article 35. 1. The consular officer shall be entitled to perform the following acts:

- (a) To receive, draw up and authenticate declarations of nationals of the sending State and to issue the relevant documents to them;
- (b) To draw up, authenticate and accept for safekeeping the wills of nationals of the sending State;
- (c) To draw up or authenticate contracts between nationals of the sending State and to authenticate their unilateral instruments, provided that such contracts or instruments are not contrary to the law of the receiving State; the consular officer may not, however, draw up or authenticate such contracts or instruments if they establish, alienate or limit rights to immovable property situated in the receiving State;
- (d) To draw up or authenticate contracts between nationals of the sending State and nationals of the receiving State if such contracts relate exclusively to interests in the territory of the sending State or are subject to execution in the territory of that State, provided that such contracts are not contrary to the law of the receiving State;

- (e) To authenticate documents issued by authorities or officials of the sending State or the receiving State, copies and translations of such documents and extracts therefrom;
- (f) To translate documents and certify the accuracy of the translation;
- (g) To authenticate the signatures of nationals of the sending State on documents of any kind, provided that the contents of such documents are not contrary to the law of the receiving State;
- (h) To accept for safekeeping property and documents from or for nationals of the sending State, provided that such action is not contrary to the law of the receiving State.

2. Documents drawn up, authenticated or translated by consular officers in accordance with the provisions of paragraph 1 shall be regarded in the receiving State as having the same legal significance and evidentiary value as if they had been drawn up, authenticated or translated by the competent authorities or officials of the receiving State.

Article 36. The consular officer may serve documents on nationals of the sending State and may question them in the capacity of parties, witnesses or experts. No coercive measures may be applied in performing such actions.

Article 37. 1. Where the need arises to arrange for guardianship or curatorship in the interests of a national of the sending State whose domicile, residence or property is situated in the territory of the receiving State, the competent authorities of the receiving State shall so notify the consular officer in writing without delay.

2. With regard to the matters referred to in paragraph 1, the consular officer may communicate with the competent authorities of the receiving State and propose a suitable person to act as guardian or curator.

Article 38. 1. The consular officer shall be entitled to meet and communicate with any national of the sending State and to advise and render any kind of aid to such nationals, including arrangements for providing them with legal assistance. The receiving State shall do nothing to restrict communication between nationals of the sending State and the consular post or the access of such nationals to the consular post.

2. Where a national of the sending State is arrested or otherwise detained, the competent authorities of the receiving State shall so notify the consular officer of the sending State without delay.

3. Where a national of the sending State has been arrested or otherwise detained or is serving a term of deprivation of freedom, the consular officer shall be entitled to visit and communicate with him without delay. Such rights shall be exercised in accordance with the laws and regulations of the receiving State, subject to the condition that the said laws and regulations shall in no case nullify those rights.

Article 39. 1. The competent authorities of the receiving State shall without delay notify the consular officer of the death of a national of the sending State and shall convey to him all information concerning the heirs and legatees, the nature and value of the estate and the existence of a will.

2. The competent authorities of the receiving State shall without delay notify the consular officer of the opening in the territory of the receiving State of a succession in which a national of the sending State may be an heir or legatee. The same

obligation shall exist in cases in which the competent authorities of the receiving State learn of the opening in the territory of a third State of a succession in favour of a national of the sending State.

3. The functions of consular officers with regard to matters of succession shall be governed by the provisions of the existing Treaty between the Polish People's Republic and the Hungarian People's Republic concerning legal relations in civil, family and criminal cases.

Article 40. 1. The consular officer shall be entitled to provide aid of any kind to vessels of the sending State and their crews while the vessels are in the ports or the territorial or inland waters of the receiving State. He shall have the rights of supervision and inspection in respect of vessels of the sending State and their crews and may take all measures to apply the laws and regulations of the sending State concerning maritime navigation. For that purpose, the consular officer may also visit a vessel of the sending State and may receive visits from its master or any member of its crew.

2. The competent authorities of the receiving State shall respect all measures taken by the consular officer in accordance with the laws and regulations of the sending State in respect of vessels of the sending State and their crews. In performing his functions, the consular officer may request assistance from the competent authorities of the receiving State.

Article 41. The consular officer shall be entitled:

- (a) To question the master or any member of the crew of a vessel of the sending State, examine, receive and certify the vessel's papers, take statements with regard to its voyage and take measures to facilitate its entry, stay and departure;
- (b) To settle disputes of any kind between the master and members of the crew, including disputes relating to contracts of service and to salaries;
- (c) To take measures related to the engagement or discharge of the master or any member of the crew, provided that such measures are permitted by the laws and regulations of the sending State;
- (d) To make all arrangements to provide for the hospital treatment or repatriation of the master or any member of the crew;
- (e) To receive, draw up, sign or authenticate any declaration or other document prescribed by the laws and regulations of the sending State in connection with maritime navigation.

Article 42. 1. The courts and other competent authorities of the receiving State may not exercise their jurisdiction in connection with offences committed on board a vessel of the sending State, unless:

- (a) The offence was committed by or against a national of the receiving State, or by or against any other person if that person is not the master or a member of the crew of the vessel;
- (b) The offence disturbs the peace or security of the port or of the territorial or inland waters of the receiving State;
- (c) The offence violates the laws and regulations of the receiving State relative to public health, the safety of life at sea, immigration, customs matters or marine pollution;
- (d) The offence is punishable, under the law of the receiving State, by deprivation of freedom for at least three years, or by a more severe penalty.

2. In the case of offences other than those referred to in paragraph 1, the courts or other competent authorities of the receiving State may act only at the request or with the consent of the consular officer.

Article 43. 1. Where a court or other authority of the receiving State intends to arrest or detain on board a vessel of the sending State the master or a member of the crew of that vessel, or any person who is not a national of the receiving State, or intends to seize any property situated on board the vessel or to conduct a formal inquiry on board the vessel, the competent authorities of the receiving State shall so notify the consular officer in good time in order to enable him to be present on board the vessel before such action is initiated. If it is not possible to give advance notice to the consular officer, the competent authorities of the receiving State shall notify him not later than the time when the aforementioned action is initiated. If the consular officer has not been present or represented, the competent authorities shall, upon his request, provide him with full information concerning the actions taken.

2. The provisions of paragraph 1 shall also apply to the questioning of the master or any member of the crew ashore.

3. The provisions of this article shall not apply to any routine examination of a vessel with regard to immigration, customs, public health or safety of life at sea or to any action taken at the request, or with the consent, of the master of the vessel.

Article 44. 1. Where a vessel of the sending State is wrecked, runs aground, is stranded or is otherwise damaged in the ports or the territorial or inland waters of the receiving State, or where any article forming part of the cargo of a damaged vessel and being the property of the sending State or of a national of the sending State is found on or near the coast of the receiving State or is brought into a port of the receiving State, the competent authorities of the receiving State shall notify the consular officer of the occurrence without delay. The competent authorities of the receiving State shall take all necessary measures for the preservation of the vessel, its crew, its passengers and its cargo. They shall also notify the consular officer of the sending State of the measures taken. The measures in question shall, where practicable, be taken in collaboration with the consular officer and the master of the vessel.

2. In the absence of any other person authorized so to act, the consular officer shall be deemed to be authorized to make the same arrangements as the owner himself could have made if he had been present in relation to:

- (a) A vessel of the sending State, its cargo or any article belonging to the vessel, or forming part of its cargo, which has become separated from the vessel; or
- (b) The cargo or any article forming part of the cargo of a wrecked vessel, where the said cargo or article is the property of the sending State or of a national of that State and has been found in a port of the territorial or inland waters of the receiving State or brought into a port of the receiving State.

3. The competent authorities of the receiving State shall extend the necessary assistance to the consular officer, at his request, in the measures taken by him in connection with the damage to the vessel.

4. The damaged vessel and its cargo and stores shall not be liable, in the territory of the receiving State to customs or other similar duties, unless they are made available for use or consumption in that State.

Article 45. The provisions of articles 40, 41, 42, 43 and 44 shall also apply, *mutatis mutandis*, to civilian aircraft, provided that such provisions are not contrary to international agreements in force between the High Contracting Parties.

Article 46. 1. The consular post may levy such charges and other fees in the territory of the receiving State for consular activities as are established by the laws and regulations of the sending State.

2. The charges and fees referred to in paragraph 1 shall be exempt from all taxes or other charges levied by the receiving State.

Part V. FINAL PROVISIONS

Article 47. 1. This Convention is subject to ratification and shall enter into force on the thirtieth day after the exchange of the instruments of ratification, which shall take place at Budapest.

2. This Convention is concluded by the High Contracting Parties for an indefinite period. It may be denounced in writing by either High Contracting Party. In such case, it shall cease to have effect on the expiry of six months from the date of denunciation.

3. Upon the entry into force of this Convention, the Consular Convention between the Polish People's Republic and the Hungarian People's Republic signed at Warsaw on 20 May 1959 shall cease to have effect.

IN WITNESS WHEREOF, the plenipotentiaries of the High Contracting Parties, being duly authorized thereto, have signed this Convention and have thereto affixed their seals.

DONE at Warsaw on 5 June 1973, in duplicate in the Polish and Hungarian languages, both texts being equally authentic.

For the Council of State
of the Polish People's Republic:

[WIESŁAW ADAMSKI]

For the Presidential Council
of the Hungarian People's Republic:

[ISTVÁN ROSKA]

PROTOCOL TO THE CONSULAR CONVENTION BETWEEN THE POLISH PEOPLE'S REPUBLIC AND THE HUNGARIAN PEOPLE'S REPUBLIC

At the time of signature of the Consular Convention signed today between the Polish People's Republic and the Hungarian People's Republic, hereinafter referred to as "the Convention", the plenipotentiaries of the High Contracting Parties have agreed as follows:

1. The notification to the consular officer provided for in article 38, paragraph 2, of the Convention shall take place within three days from the time at which the national of the sending State is arrested or otherwise detained.

2. The right of the consular officer, as provided in article 38, paragraph 3, of the Convention, to visit and communicate with a national of the sending State who has been arrested or otherwise detained shall be accorded within four days from the time of arrest or detention.

3. The right of the consular officer, as provided in article 38, paragraph 3, of the Convention, to visit and communicate with a national of the sending State who has been arrested or otherwise detained or who is serving a term of deprivation of freedom shall be accorded periodically.

This Protocol shall form an integral part of the Convention.

IN WITNESS WHEREOF, the plenipotentiaries of the High Contracting Parties have signed this Protocol and have thereto affixed their seals.

DONE at Warsaw on 5 June 1973, in duplicate in the Polish and Hungarian languages, both texts being equally authentic.

For the Council of State
of the Polish People's Republic:

[WIESŁAW ADAMSKI]

For the Presidential Council
of the Hungarian People's Republic:

[ISTVÁN ROSKA]
