

No. 17962

**GREECE
and
HUNGARY**

**Consular Convention (with exchange of notes). Signed at
Athens on 18 March 1977**

Authentic texts of the Convention: Greek, Hungarian and French.

Authentic text of the Exchange of notes: Hungarian.

Registered by Greece on 17 September 1979.

**GRÈCE
et
HONGRIE**

**Convention consulaire (avec échange de notes). Signée à
Athènes le 18 mars 1977**

Textes authentiques de la Convention : grec, hongrois et français.

Texte authentique de l'Échange de notes : hongrois.

Enregistrée par la Grèce le 17 septembre 1979.

[TRANSLATION — TRADUCTION]

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

The President of the Hellenic Republic and the Presidential Council of the Hungarian People's Republic,

Animated by the desire to strengthen the ties of friendship between the two States,
And to regulate and develop the consular relations between the two countries,

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

The President of the Hellenic Republic: His Excellency Dimitri S. Bitsios, Minister for Foreign Affairs;

The Presidential Council of the Hungarian People's Republic: His Excellency Frigyes Puja, Minister for Foreign Affairs,

who, having communicated to each other their respective full powers, which were found in good and due form, have agreed to the following provisions:

CHAPTER I. DEFINITIONS

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

1. "Consular post" shall mean any consulate-general, consulate, vice-consulate or consular agency;
2. "Head of consular post" shall mean a consul-general, consul, vice-consul or consular agent in charge of a consulate;
3. "Consular officer" shall mean any person, including the head of a consular post, who is authorized to exercise consular functions;
4. "Consular employee" shall mean any person who is not a consular officer and who is employed in the administrative or technical services of a consular post. The expression "consular employee" shall also include members of the auxiliary staff of a consular post;
5. "Members of the consular post" shall mean consular officers and consular employees;
6. "Consular district" shall mean the area assigned to a consular post in which the consular officer exercises his functions;
7. "Consular premises" shall mean the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;
8. "Consular archives" shall mean all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes and the furniture used for their protection and safekeeping;

¹ Came into force on 26 May 1979, i.e., the thirtieth day after the date of the exchange of the instruments of ratification, which took place at Budapest on 26 April 1979, in accordance with article 45 (1).

9. "Vessel" or "aircraft" shall mean a vessel which has the right to fly the flag of the sending State or an aircraft which is registered in that State, except for warships and military aircraft.

CHAPTER II. ESTABLISHMENT OF CONSULAR POSTS. APPOINTMENT OF MEMBERS
OF THE CONSULAR POST

Article 2. 1. The sending State may establish a consular post in the territory of the receiving State only with that State's consent.

2. The sending State and the receiving State shall determine by agreement the seat of the consular post, its classification and the boundaries of its district. Subsequent changes may be made by the sending State only with the consent of the receiving State.

Article 3. 1. Prior to the appointment of the head of a consular post, the sending State shall seek the consent of the receiving State to the appointment through the diplomatic channel.

2. After obtaining such consent, the sending State shall transmit 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 commission or other similar document shall specify the full name of the head of the consular post, his nationality, his rank, the consular district in which he will perform his duties, and the seat of the consular post.

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

4. The head of a consular post may take up his duties only after the receiving State has granted the exequatur or other authorization.

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

6. When the exequatur or other authorization or consent to the exercise of 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. The sending State shall notify the Ministry of Foreign Affairs of the receiving State of the full name, nationality, rank and functions of a consular officer appointed in a capacity other than that of head of the consular post.

Article 5. Only nationals of the sending State may be consular officers, provided that they are not permanently resident in the receiving State.

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 consent or other authorization of the head of a consular post is being withdrawn or that another member of the consular post is unacceptable. In that event, the sending State shall recall the head or the member of the consular post. If the sending State fails to carry out this obligation within a reasonable time, the receiving

State may decline to recognize the person concerned as head or member of the consular post.

CHAPTER III. FACILITIES, PRIVILEGES AND IMMUNITIES

Article 7. 1. The receiving State shall grant the consular post all facilities for the performance of consular functions and shall make the necessary arrangements to enable members of the consular post to perform their official duties and to enjoy the privileges and immunities provided for in this Convention.

2. The receiving State shall treat consular officers with due respect and shall take all appropriate steps to prevent any attack on their person, freedom or dignity.

Article 8. 1. If the head of a consular post is unable for any reason to carry out his functions or if the position of head of consular post is temporarily vacant, the sending State may authorize a consular officer belonging to the same or another consular post in the receiving State, or one of the members 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 to the Ministry of Foreign Affairs of the receiving State.

2. The temporary head of a consular post shall perform the functions of the head of the consular post. He shall have the same duties and shall enjoy the same privileges and immunities as if he had been appointed in accordance with article 3 of this Convention.

3. When a member of the diplomatic staff of the diplomatic mission of the sending State in the receiving State is appointed temporary head by the sending State under the terms stipulated in paragraph 1 of this article, he shall continue to enjoy diplomatic privileges and immunities.

Article 9. 1. The provisions of this Convention relating to the rights and duties of consular officers shall also apply to members of the diplomatic staff of the diplomatic mission of the sending State who are entrusted with the performance of consular functions in the receiving State.

2. The consular activities of the persons referred to in paragraph 1 shall not affect their diplomatic privileges and immunities.

Article 10. 1. The sending State may, in accordance with the laws of the receiving State, acquire or rent in the receiving State plots of land, buildings or parts of buildings for the purposes of establishing the premises of the consular post and living quarters for the members of the consular post.

2. The receiving State shall if necessary assist the sending State in acquiring or renting plots of land, buildings or parts of buildings required for the purposes indicated in paragraph 1.

Article 11. 1. A shield bearing the coat of arms and the designation of the consular post in the language of the sending State and the language of the receiving State may be affixed to the building occupied by the consular post.

2. The national flag of the sending State may be flown from the building of the consular post and from the residence of the head of the consular post.

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

4. The rights stipulated in paragraphs 2 and 3 shall be exercised with due regard for the laws, regulations and customs of the receiving State.

Article 12. 1. The consular premises shall be inviolable.

2. The authorities of the receiving State may not enter the consular premises without the authorization of the head of the consular post, the head of the diplomatic mission of the sending State, or persons designated by them.

3. The provisions of paragraphs 1 and 2 of this article shall also apply to the residence of the head of the consular post.

4. The consular premises shall not be used in a manner incompatible with the exercise of consular functions.

5. The receiving State shall take the appropriate measures to protect the premises of the consular post and the residence of the head of the consular post.

Article 13. The consular archives shall be inviolable at all times and wherever they may be. Unofficial papers may not be kept in the consular archives.

Article 14. 1. The receiving State shall permit and protect freedom of communication on the part of the consular post for all official purposes. In communicating with the Government, the diplomatic missions and other consular posts, wherever situated, of the sending State, the consular post may employ all appropriate means of communication, as well as diplomatic or consular couriers, and messages in code or in cipher. However, the consular bag may be used only for communication between the consular post and the Government of the sending State and its diplomatic mission and consular posts in the receiving State. The consular post may install and use a radio transmitter only with the consent of the receiving State.

2. The official correspondence of a consular post shall be inviolable.

3. The consular bag must bear visible external marks of its character and may contain only official correspondence and documents and objects intended for official use.

4. The consular bag cannot be opened or detained. However, if the competent authorities of the receiving State have serious reason to believe that the consular bag contains objects other than those mentioned above, they may ask for the bag to be sent back to its point of origin.

5. The consular courier shall be provided with an official document indicating his status and the number of packages constituting the consular bag. Only a national of the sending State who is not a resident of the receiving State can be a consular courier. The consular courier shall be protected by the receiving State in the performance of his duties, shall enjoy personal inviolability and shall not be liable to any form of arrest or detention or restriction on his personal freedom.

6. A consular bag may be entrusted to the captain of a vessel or aircraft. He shall be provided with an official document indicating the number of packages constituting the consular bag, but he shall not be considered a consular courier. A member of the consular post may take possession of a consular bag directly and freely from the captain of a vessel or aircraft or deliver it to him in the same manner.

Article 15. 1. The head of a consular post shall be immune from the criminal jurisdiction of the receiving State. He shall enjoy personal inviolability and therefore may not be arrested, detained or deprived of his freedom in any way.

2. The head of a consular post shall also enjoy immunity from the civil and administrative jurisdiction of the receiving State, except in cases of:

- (a) A real action relating to private immovable property situated in the territory of the receiving State, unless the head of the consular post holds it on behalf of the sending State for the purposes of the consular post;
- (b) An action relating to succession in which the head of the consular post is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;
- (c) An action relating to any professional or commercial activity engaged in by the head of the consular post in the receiving State outside his official functions;
- (d) An action by a third party for damage resulting from an accident in the receiving State caused by a vehicle, vessel or aircraft.

3. No measures of execution may be taken against the head of a consular post, except in the cases provided for in subparagraphs (a), (b), (c) and (d) of paragraph 2 of this article and provided that such measures can be taken without infringing the inviolability of his person or his residence.

4. Consular officers other than the head of the consular post and consular employees shall not be subject to the jurisdiction of the judicial or administrative authorities of the receiving State for acts performed in the exercise of consular functions.

5. However, the provisions of paragraph 4 of this article shall not apply in respect of civil actions:

- (a) Arising out of a contract concluded by a consular officer other than the head of the consular post or by a consular employee in which he did not contract expressly or impliedly as an agent of the sending State; or
- (b) By a third party for damage resulting from an accident in the receiving State caused by a vehicle, vessel or aircraft.

6. Consular officers other than the head of the consular post and consular employees may not be arrested, detained or deprived of their freedom in any way for acts performed outside the course of their duties, except in the case of a serious and wilful offence punishable under the laws of the receiving State by deprivation of liberty for a minimum term of at least five years or a more severe penalty and on the basis of a decision from a judicial authority of that State which is competent in criminal matters.

Except in such cases, they may not be committed to prison or liable to any other form of restriction on their personal freedom, save in execution of a final judgement in a criminal matter.

7. In the event of the institution of criminal proceedings, arrest, detention or deprivation of liberty in any form of a member of a consular post, the competent authorities of the receiving State shall be obliged to inform the head of the consular post without delay.

8. If criminal proceedings are instituted against a member of a consular post, they shall be conducted expeditiously and in such a way as to hamper the exercise of his functions in the consular post as little as possible.

Article 16. 1. Consular officers and employees may be called upon to attend as witnesses at the request of the judicial or administrative authorities of the receiving State. However, no coercive measure or penalty may be applied to such persons.

2. The authority requiring the testimony of a consular officer or employee shall avoid interfering with the performance of his functions or duties and may, where possible, take his testimony at his residence or at the consular post or accept a written statement from him.

3. Members of a consular post are under no obligation to give evidence concerning matters connected with the exercise of their functions or to produce official correspondence and documents relating thereto. They are also entitled to decline to give evidence as expert witnesses with regard to the law of the sending State.

Article 17. 1. The sending State may waive the privileges and immunities provided for in articles 15 and 16. This waiver shall in all cases be express and shall be communicated to the receiving State in writing.

2. The initiation of proceedings by a consular officer or a consular employee in a matter where he might enjoy immunity from jurisdiction shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

3. The waiver of immunity from jurisdiction for the purposes of civil or administrative proceedings shall not be regarded as waiver of immunity from the measures of execution resulting from the judicial decision. In respect of such measures, a separate waiver shall be necessary.

Article 18. Members of a consular post shall be exempt from service in the armed forces and from any other public service in the receiving State.

Article 19. Members of a consular post shall be exempt from all obligations under the laws of the receiving State in regard to the registration and residence of aliens.

Article 20. 1. The sending State shall be exempt in the receiving State from the imposition and collection of dues and taxes on:

- (a) Land, buildings and parts of buildings used exclusively for consular purposes, including the residence of the head of the consular post, which are owned or leased by the sending State or the person acting on its behalf;
- (b) Legal deeds or documents dealing with such immovable property when the sending State purchases them exclusively for consular purposes.

2. The tax exemption provided for in paragraph 1 of this article shall not apply to dues and taxes which, under the laws and regulations of the receiving State, are payable by the person who has contracted with the sending State.

3. The provisions of paragraph 1 of this article shall not apply to charges levied for services rendered.

Article 21. The receiving State shall not impose or levy dues or taxes of any kind on movable property owned or used by the sending State for consular purposes, or on the purchase of such property, which the sending State would have to pay under the legislation of the receiving State. However, this exemption shall not apply to dues or taxes which are included in the price of goods and services.

Article 22. 1. Members of the consular post shall be exempt in the receiving State from dues or taxes which the receiving State imposes on wages received for the performance of service obligations.

2. Members of the consular post shall be exempt in the receiving State from all other dues or taxes imposed by the receiving State or its local bodies, except:

- (a) Indirect taxes incorporated in the price of goods or services;
- (b) Dues and taxes on private immovable property situated in the territory of the receiving State, subject to the provisions of article 20;
- (c) Dues and taxes levied by the receiving State on inheritances in that State and on the transfer and acquisition of the right of ownership of property;
- (d) Dues and taxes on private income having its source in the receiving State;
- (e) Registration, court or record fees, mortgage dues and stamp duties, subject to the provisions of article 20;
- (f) Charges levied for services rendered.

Article 23. 1. The receiving State shall, in accordance with its laws and regulations, permit entry and departure of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on:

- (a) Articles for the official use of the consular post;
- (b) Articles for the personal use of a consular officer, including articles intended for his establishment.

2. Consular employees shall enjoy the exemptions specified in paragraph 1(b) of this article in respect of articles imported at the time of first installation.

3. The term "articles" shall also cover means of transport.

4. The personal baggage of consular officers and members of their families shall be exempt from inspection unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1(b) of this article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the consular officer, a member of his family or their authorized representative.

Article 24. All persons to whom privileges and immunities are accorded under this Convention shall, without prejudice to their privileges and immunities, respect the laws and regulations of the receiving State, including road traffic rules and regulations relating to compulsory automobile insurance.

Article 25. Subject to its laws and regulations concerning zones, entry into which is prohibited or regulated for reasons of national security, the receiving State shall ensure freedom of movement and travel in its territory to all members of the consular post.

Article 26. Subject to article 16, paragraph 3, consular employees who are nationals of or permanently resident in the receiving State shall not enjoy the privileges and immunities specified in this Convention.

Article 27. Members of the families of consular officers and consular employees forming part of their household shall enjoy the privileges specified in article 15, paragraph 7; article 16, paragraph 3; articles 18, 19 and 22; article 23, paragraph 1(b) and paragraph 2, and article 25 of this Convention, provided that they are not nationals of or permanently resident in the receiving State.

CHAPTER IV. CONSULAR FUNCTIONS

Article 28. 1. The consular officer exercises the functions listed in this chapter within his consular district. He may also exercise other functions if they are not contrary to the laws and regulations of the receiving State.

2. In the performance of his duties, the consular officer may address the competent authorities of his consular district in person or in writing.

3. A consular officer may, with the consent of the receiving State, exercise consular functions outside his consular district.

4. A consular officer shall be entitled to levy fees and charges for consular acts, in accordance with the legislative provisions of the sending State. The amounts thus levied shall be exempt from all dues and taxes in the receiving State.

Article 29. A consular officer shall be entitled to:

- (a) Protect the rights and interests of the sending State and of its nationals, including juridical persons;
- (b) Further the development of relations between the sending State and the receiving State in the fields of trade, economic matters, maritime affairs, tourism, culture and science, in such a way as to promote co-operation between the two States in those fields as well.

Article 30. 1. A consular officer shall be entitled to:

- (a) Keep a register of nationals of the sending State;
- (b) Draw up, in accordance with the laws and regulations of the sending State, all required declarations, particularly on matters relating to nationality;
- (c) Be kept informed of, and register, the birth and death of nationals of the sending State;
- (d) Draw up declarations concerning the family situation of nationals of the sending State, in accordance with the laws and regulations of that State.

2. In complying with paragraph 1(c), the consular officer shall inform the competent authorities of the receiving State of registrations made at the consular post in so far as the laws and regulations of the receiving State require it.

3. The provision contained in paragraph 1(c) shall not exempt the persons concerned from their obligations under the law of the receiving State.

Article 31. A consular officer shall be entitled to:

- (a) Prepare, renew, alter as necessary, or cancel passports of nationals of the sending State;
- (b) Issue, and alter as necessary, travel documents authorizing entry into the sending State;
- (c) Issue visas authorizing entry, departure and transit.

Article 32. The competent authorities of the receiving State shall without delay inform the consular officer of any traffic accident involving nationals of the sending State.

Article 33. A consular officer shall be entitled to perform the following acts:

- (a) Receive, draw up in writing or authenticate declarations by nationals of the sending State;

- (b) Draw up in writing or authenticate and receive for safekeeping testaments of nationals of the sending State;
- (c) Draw up in writing or authenticate legal deeds concluded between nationals of the sending State and deeds concluded unilaterally by such nationals, in so far as they are not contrary to the laws and regulations of the receiving State. The consular officer may not draw up in writing or authenticate a deed designed to establish or transfer a right relating to immovable property in the receiving State;
- (d) Draw up in writing or authenticate legal deeds concluded between nationals of the sending State and the receiving State when they relate solely to interests in the territory of the sending State or are to be executed in the territory of that State, provided that they are not contrary to the laws and regulations of the receiving State;
- (e) Authenticate documents emanating from the authorities of the sending State or of the receiving State, as well as copies of, excerpts from and translations of such documents;
- (f) Certify the signature affixed to any document by nationals of the sending State, provided that the content of the document is not contrary to the laws and regulations of the receiving State;
- (g) Receive property and documents for safekeeping, from or for nationals of the sending State, provided that this is permitted by the laws and regulations of the receiving State;
- (h) Translate documents and certify that the translation corresponds to the original;
- (i) Issue certificates of origin for goods;
- (j) Perform any other act which is part of his functions, provided that it is not contrary to the laws and regulations of the receiving State.

Article 34. Documents drawn up, authenticated or translated by a consular officer in accordance with article 33 shall have the same legal effect and evidential value as if they had been drawn up, authenticated or translated by the competent authorities or institutions of the receiving State.

Article 35. Where necessary, the consular officer may submit a proposal to a court or other competent authority of the receiving State concerning an administrator or trustee for a national of the sending State or safeguard the property of such a national that has been left without an administrator.

Article 36. 1. In the event of the death of a national of the sending State in the receiving State, the competent authority shall, without delay, inform the consular officer of the sending State thereof and transmit to him, free of charge, the death certificate or any other document recording the death.

2. Where the authority of the receiving State has learned of the existence in that State of an inheritance left by a person of any nationality to a national of the sending State, the above-mentioned authority shall notify the consular officer of the sending State thereof without delay.

3. With a view to safeguarding the inheritance referred to in paragraph 2, the competent authority of the receiving State shall take the necessary measures, in accordance with the laws and regulations of that State, to safeguard the property, shall transmit a copy of the will, if there is a will, to the consular officer, shall provide him with information on the heirs and on the condition and value of the inheritance,

and shall notify him of the date on which probate action begins and of the stage reached in the proceedings.

4. The consular officer may assist the competent authorities of the receiving State in safeguarding the inheritance referred to in paragraph 2 and may, for example:

- (a) Take steps to prevent prejudicial acts, including the sale of moveable property;
- (b) Appoint a trustee for the estate and settle any other questions concerning the conservation of the inheritance.

5. Where a national of the sending State has an interest in a probate action in the territory of the receiving State but does not reside in that State and is not represented there, the consular officer shall be entitled to represent him directly or by proxy before the courts or other authorities of the receiving State.

6. Where, once the formalities relating to the succession have been carried out in the territory of the receiving State, movable property under the succession or the proceeds of the sale of movable and immovable property are due to an heir or a legatee who is a national of the sending State, does not reside in the territory of the receiving State and has not appointed a proxy, the consular post of the sending State may receive such property or the proceeds of its sale, provided that:

- (a) The capacity of heir or legatee is proved;
- (b) Where appropriate, the consent of the competent authorities to the transfer of the property or of the proceeds of its sale has been obtained;
- (c) Settlement of all liabilities of the succession declared within the time-limits specified by the laws of the receiving State has been effected or guaranteed;
- (d) Payment of inheritance taxes has been effected or guaranteed.

Article 37. 1. Where a national of the sending State who has no domicile in the receiving State has died during a stay in the territory of that State, his movable property shall be transferred, without any particular procedure being followed, to the consular officer of the sending State, provided that the claims of the creditors of the deceased in the receiving State have been satisfied or guaranteed.

2. Subject to the laws and regulations of the receiving State, the consular officer shall be entitled to send out of the country the property referred to in paragraph 1 of this article and paragraph 6 of article 36.

Article 38. The consular officer shall be entitled to represent nationals of the sending State before the courts of the receiving State where, owing to their absence or for any other reason, such nationals are unable when the time comes to defend their rights and interests. Such representation shall cease when the person represented appoints his own proxy or defends his rights and interests himself.

Article 39. 1. The consular officer shall have the right to communicate and converse with nationals of the sending State, advise them and, where necessary, provide them with all forms of assistance, including legal assistance. The receiving State shall not interfere in any way with the right of nationals of the sending State to communicate with or visit the consular post.

2. The competent authorities of the receiving State shall notify without delay, at the latest within three days, the consular officer of the sending State of the arrest, or of any restriction whatsoever on the personal freedom, of a national of the sending State.

3. The consular officer shall be authorized without delay, at the latest within four days of the arrest, to visit and establish contact with a national of the sending State who has been arrested or whose personal freedom has been restricted in any other way, with a view to his legal defence.

4. The consular officer may, at reasonable intervals, visit and communicate with a national of the sending State who has been arrested, whose personal freedom has been restricted in any other way or who is serving a sentence involving personal restraint.

5. The rights referred to in paragraphs 3 and 4 may be exercised only in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations may not make those rights inoperative.

Article 40. 1. The consular officer shall be entitled to provide any form of assistance to vessels of the sending State in the ports, territorial sea and inland waters of the receiving State.

2. The consular officer may proceed on board vessels of the sending State. The master and crew of the vessel may contact the consular officer as soon as the vessel has received pratique.

3. The consular officer may request assistance from the authorities of the receiving State in connection with any matter relating to his duties concerning the vessels of the sending State and their masters and crews.

Article 41. The consular officer shall be entitled to:

- (a) Investigate any incident occurring on board a vessel of the sending State during the voyage or in port, hear statements by the master and the members of the crew, certify the vessel's papers, receive information on the vessel's itinerary and destination, facilitate the vessel's entry into, and departure from port, without prejudice to the rights of the authorities of the receiving State;
- (b) Settle disputes of any kind between the master and members of the crew, including disputes as to wages and labour contracts, to the extent that this is permitted under the laws and regulations of the sending State and without prejudice to the rights of the authorities of the receiving State;
- (c) Make arrangements for the treatment in hospital and the repatriation of the master and members of the crew;
- (d) Receive, draw up or authenticate, in accordance with the laws of the sending State, any document or declaration concerning the vessel.

Article 42. 1. Where a court or other competent authority of the receiving State intends to take coercive measures on board a vessel of the sending State or wishes to institute an investigation, the competent authorities of the receiving State shall so notify the consular officer. Such notification must reach the consular officer before such measures are taken so as to enable him or his representative to be present at the proceedings. If the consular officer or his representative was not present, he shall, upon request, be provided with a full report by the competent authorities of the receiving State.

2. The provisions of paragraph 1 shall also apply where the master or a member of the crew is questioned ashore.

3. The provisions of this article shall not apply to any regular customs examinations, passport control or public health inspection, or to any action taken at the request, or with the consent, of the master of the vessel.

Article 43. 1. Where a vessel of the sending State is wrecked, runs aground or is damaged in the receiving State and where an article that is the property of a national of the sending State, including parts of the cargo of a damaged vessel of a third State, is found on or near the coast of the receiving State or is unloaded in the port of that State, the competent authorities of the receiving State shall so notify the consular officer as soon as possible. Likewise, the competent authorities of the receiving State shall notify the consular officer of measures already taken to save human lives, the vessel, the cargo of the vessel and other property on board, or articles belonging to the vessel or forming part of its cargo that have become separated from the vessel.

2. The consular officer may provide any form of assistance to such vessels as are referred to in paragraph 1 to their passengers and to the members of their crews; to that end, he may request the assistance of the competent authorities of the receiving State. The consular officer may take the measures referred to in paragraph 1 and the necessary steps for the repair of the vessel, or turn to the competent authorities and request them to take such measures themselves.

3. Where a damaged vessel of the sending State or any article belonging to the vessel is found on or near the coast of the receiving State and reaches the port of the receiving State, and the master, the owner, the agent and the underwriter of the vessel are not in a position to make the necessary arrangements for the custody or disposal of the vessel or the article in question, the consular officer shall be considered authorized to make such necessary arrangements as the owner of the vessel himself would make for such purposes. The provisions of this paragraph shall also apply to any article forming part of the cargo of the vessel and belonging to a national or body corporate of the sending State.

4. Where any article which forms part of the cargo of a damaged vessel of a third State but which is the property of a national or body corporate of the sending State is found on or near the coast of the port of the receiving State, provided that the master of the vessel, the owner of the article, his agent and the underwriters concerned are not in a position to make arrangements for the custody or disposal of the article, the consular officer shall be considered authorized to make, on behalf of the owner, such arrangements as the owner himself would make for such purposes.

Article 44. The provisions of articles 40 to 43 shall also apply to aircraft of the sending State to the extent that they are applicable.

CHAPTER V. FINAL PROVISIONS

Article 45. 1. This Convention shall be ratified and shall enter into force on the thirtieth day after the date of the exchange of the instruments of ratification. The instruments of ratification shall be exchanged at Budapest as soon as possible.

2. This Convention shall remain in force for an additional period of six months from the date on which one Contracting Party notifies the other Contracting Party in writing of its intention to terminate the Convention.

IN WITNESS WHEREOF the Plenipotentiaries of the Contracting Parties have signed this Convention and have thereto affixed their seals.

DONE at Athens on 18 March 1977, in duplicate in the Greek, Hungarian and French languages, all three texts being equally authentic. In case of discrepancy, the French text shall prevail.

For the President
of the Hellenic Republic:

[Signed]

DIMITRI S. BITSIOS
Minister for Foreign Affairs

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

[Signed]

FRIGYES PUJA
Minister for Foreign Affairs

EXCHANGE OF NOTES

I

Athens, 18 March 1977

Sir,

With reference to article 2, paragraph 2, of the Consular Convention between the Hellenic Republic and the Hungarian People's Republic, signed this day, I respectfully state that during the negotiations it has been agreed that the number of consular officers and consular employees shall be decided by the Contracting Parties on the basis of mutual understanding between them, in accordance with the conditions necessary for the functioning of the consular post.

If the Hungarian Party agrees hereto, I propose that this letter and your reply should be regarded as an agreement between the Contracting Parties in the matter.

This Agreement shall enter into force at the same time as the Consular Convention and shall remain in force for the same period.

Accept, Sir, etc.

[Signed]

DIMITRI S. BITSIOS
Minister for Foreign Affairs
of the Hellenic Republic

His Excellency Frigyes Puja
Minister for Foreign Affairs
of the Hungarian People's Republic

II

Athens, 18 March 1977

Sir,

I have the honour to refer to your letter of today's date, the content of which is as follows:

[See note I]

I have the honour to inform you that the Presidential Council of the Hungarian People's Republic agrees to the foregoing.

Accept, Sir, etc.

[Signed]

FRIGYES PUJA
Minister for Foreign Affairs
of the Hungarian People's Republic

His Excellency Dimitri S. Bitsios
Minister for Foreign Affairs
of the Hellenic Republic
