

N° 272.

---

**ALLEMAGNE ET POLOGNE**

Convention concernant la circulation des chèques postaux, signée à Genève le 15 mai 1922.

---

**GERMANY AND POLAND**

Agreement with regard to the Postal cheque Service, signed at Geneva, May 15, 1922.

## TEXTE POLONAIS. — POLISH TEXT.

No. 272. — UKŁAD<sup>1</sup> MIĘDZY POLSKĄ I NIEMCAMI W PRZEDMIOCIE  
POCZTOWEGO OBROTU CZEKOWEGO, PODPISANY W GENEWIE, DNIA  
15-GO MAJA 1922.

*Official German and Polish texts communicated by the Polish representative accredited to the League of Nations. The registration of this Agreement took place June 21, 1922.*

POLSKA z jednej strony, NIEMCY z drugiej strony w celu zapewnienia pocztowego obrotu czekowego pomiędzy Górnym Śląskiem polskim, a Rzeszą Niemiecką, zamianowały na swych pełnomocników :

POLSKA :

pana Kazimierza OLSZOWSKIEGO, Ministra Pełnomocnego,

NIEMCY :

pana Eugenjusza SCHIFFERA, b. Ministra Rzeszy.

Pełnomocnicy ci, po wymianie swych pełnomocnictw, uznanych za sporządzone w dobrej i należytej formie, zawarli Układ następujący :

*Artykuł I.*

ZASADY OBROTU.

- i. W obrocie między Rzeszą Niemiecką a Górnym Śląskiem polskim dopuszcza się :
  - a) Wpłaty za pomocą kart płatniczych z Górnego Śląska polskiego na pocztowe konta czekowe w Rzeszy Niemieckiej ;
  - b) Wypłaty z pocztowych kont czekowych w Rzeszy Niemieckiej, dokonane na Górnym Śląsku polskim za pomocą przekazów płatniczych.

Zlecenia mogą być skutecznie także telegraficznie.

W postępowaniu pocztowo-czekowym mają zastosowanie przepisy Pocztovej Ustawy Czekowej i Pocztovej Ordynacji Czekowej dla Rzeszy Niemieckiej.

2. Administracja poczt Rzeszy ma prawo ograniczyć dla przekazów płatniczych kwotę maksymalną, którą wolno przekazać w jednym dniu lub w pewnym okresie czasu. W taki sam sposób administracja poczt polskich może ograniczyć kwotę maksymalną dla kart płatniczych.

3. Administracja poczt polskich sporządzi formularze kart płatniczych według urzędowych formularzy, używanych w wewnętrznym ruchu niemieckim. Na życzenie administracji poczt polskich, administracja poczt niemieckich pośredniczyć będzie w dostarczaniu formularzy.

<sup>1</sup> The exchange of ratifications took place at Oppeln, June 3, 1922.

<sup>1</sup> TRANSLATION

## No. 272. — GERMAN-POLISH AGREEMENT WITH REGARD TO THE POSTAL CHEQUE SERVICE, SIGNED AT GENEVA, MAY 15, 1922.

GERMANY, for the one part, and POLAND, for the other part, have appointed as their plenipotentiaries for the purpose of assuring the Postal Cheque Service between Polish Upper Silesia and the German Empire.

GERMANY :

Herr Eugen SCHIFFER, Minister of the Empire (retired) ;

POLAND :

M. Casimir OLSZOWSKI, Minister Plenipotentiary,

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

*Article 1.*

## GENERAL PROVISIONS.

(1) The following transactions shall be permitted in the intercourse between the German Empire and the part of Upper Silesia ceded to Poland :

(a) Payments made by means of postal cheques in the part of Upper Silesia ceded to Poland in favour of Postal Cheque accounts in the German Empire ;

(b) Payments made in the part of Upper Silesia ceded to Poland by means of drafts upon Postal Cheque accounts in the German Empire.

Orders may also be executed by telegram.

The provisions of the Postal Cheque Law and of the Postal Cheque Regulations of the German Empire shall apply to the Postal Cheque service.

(2) The German Postal Administration shall have the power to limit the total sum to be received for transmission as drafts either on one day or within a given period ; similarly, the Polish Postal Administration shall have the power to fix the maximum for postal cheques.

(3) Postal Cheque forms shall be prepared by the Polish Postal Administration similar to those used in the German inland service. Upon the request of the Polish Postal Administration, the German Postal Administration shall arrange for the supply of Postal Cheque forms.

(4) Inhabitants of the part of Upper Silesia ceded to Poland shall be entitled to keep an account with a German Postal Cheque office. Free carriage shall be allowed upon remittances by German Postal Cheque and Post Offices to clients of Postal Cheque Offices in the part of Upper Silesia ceded to Poland, upon remittances by the German Postal Cheque and Post Offices made

<sup>1</sup> Translated by the Secretariat of the League of Nations.

to Post Offices in the part of Upper Silesia ceded to Poland. The same shall apply in matters relating to Postal Cheques, upon letters from clients of Postal Cheque Offices in the part of Upper Silesia ceded to Poland addressed to German Postal Cheque Offices. Special envelopes (§ 10 No. 2 of the Imperial German Postal Cheque Law) shall be used for sending letters of clients of Postal Cheque Offices to German Postal Cheque Offices. If other envelopes be used, the remittances shall be subject to the usual Postal charges.

*Article 2.*

CHARGES.

The fees laid down in § 5 of the Imperial German Postal Cheque Law shall be levied on Postal Cheques paid into accounts at Postal Cheque Offices in the German Empire and on drafts from the part of Upper Silesia ceded to Poland.

*Allowances:*

- (a) The Imperial German Postal Administration shall recover from the Polish Postal Administration a fee of 80 pfennigs on every payment into a German office:
- (b) The Polish Postal Administration shall recover from the Imperial German Administration a fee of 75 pfennigs on every payment into a Polish Office.

Should this division of fees prove in certain cases unfair, either party reserves to itself the right to establish other regulations.

Telegraphic and other subsidiary fees shall accrue to the administration which has received them.

*Article 3.*

SETTLEMENT OF ACCOUNTS.

The debit and credit balance arising out of the service of postal cheques and drafts shall be settled monthly. Payment in settlement of the debt resulting from this service shall be effected not later than the end of the month in five instalments at intervals of six days each. The term, upon the expiry of which interest shall be paid on this debt, and likewise, the rate of interest, shall be agreed upon by both administrations. The rate of interest shall not exceed 5 per cent. per annum.

The creditor administration shall have the right at any time to demand payment of sums due to it. In such cases, the date upon which payment must be made shall be fixed after due consideration of delays due to distance. Should the debtor administration not have made payment within the period thus laid down, the rate of interest fixed for the yield of the debt shall be increased by 2 per cent. per annum, reckoned from the third day after the expiry of the term agreed upon.

*Article 4.*

LIABILITY FOR LOSSES.

If the general provisions of Civil Law and the legal regulations require compensation for loss to be paid to a client of a Postal Cheque Office, the liability to pay compensation to the client shall fall upon the administration which keeps the account in question. If the amount of compensation exceeds 10 marks, the administration which keeps the account shall have the right to recover the amount from the other administration, under the following conditions:

- (a) Should the loss have occurred within the jurisdiction of one administration only, the latter shall be exclusively responsible

(b) Should the loss have occurred within the jurisdiction of both administrations, each administration shall be responsible for the loss which had occurred within its own jurisdiction. If the circumstances of the case make such discrimination impossible, the loss shall be made good by both administrations in equal parts.

The regulations applying to Post Office Orders shall govern the liability to compensation for losses on Postal Cheques. They shall also govern the procedure in respect of this compensation.

The administration, from which compensation is claimed shall be heard, before the compensation is paid.

*Article 5.*

POSTAL CHEQUE CLEARING OFFICE.

The Postal Cheque Office in Breslau shall act as clearing office for the Postal Cheque Service between the part of Upper Silesia ceded to Poland and Germany.

*Article 6.*

CURRENCY.

The present agreement rests upon the presumption that the German currency will be maintained in the part of Upper Silesia ceded to Poland.

*Article 7.*

TEMPORARY SUSPENSION OF THE SERVICE.

Either of the two administrations shall have the right to suspend the Postal Cheque Service either entirely or in part, if extraordinary circumstances should justify the measure. The administration concerned shall immediately be informed if necessary by telegram.

*Article 8.*

DURATION OF THE AGREEMENT.

The present Agreement shall remain in force only for the period during which the German mark remains the sole legal tender in the Polish plebiscite area of Upper Silesia. Either administration shall, however, have the right at any time to denounce the agreement at three months' notice.

Should the application of the provisions of this agreement give rise to injustice affecting either Party, the administrations shall reserve to themselves the right to reopen negotiations on the question.

*Article 9.*

EXECUTIVE PROVISIONS.

The Executive Provisions are appended as an Annex to the present Agreement. The Executive Provisions may be modified by both Governments by common agreement at any time.

## Article 10.

## COMING INTO FORCE OF THE PRESENT AGREEMENT.

This Agreement shall be ratified and the instruments of ratification shall be exchanged at the same time as the documents relating to the German-Polish Agreement on Upper Silesia of May 15, 1922. The two Agreements shall come into force simultaneously.

In faith whereof the Plenipotentiaries have signed the present Agreement and sealed it with their seals.

Done at Geneva, in duplicate, May 15, 1922.

(L. S.) EUGEN SCHIFFER.

(L. S.) CASIMIR OLSZOWSKI.

## ANNEX.

## § 1.

## EXECUTIVE SERVICE.

(1) Post offices in the part of Upper Silesia ceded to Poland shall accept orders for the opening of Postal Cheque accounts at a German Postal Cheque Office, shall deal with such orders in accordance with the Regulations in force for the inland service, and shall forward them to the competent Postal Cheque Office.

(2) Post offices in the part of Upper Silesia ceded to Poland shall be required to accept orders addressed to clients holding Postal Cheque Accounts entered in the lists published by the Imperial German Postal Administration, shall forward such orders to the Postal Cheque Office at Breslau and shall transfer the amount to No. 1 Postal Cheque Account at this office at Breslau.

## § 2.

## POSTAL CHEQUE FORMS.

(1) In the filling up of postal cheque forms special care shall be taken that the amount and the number of the account on the foil correspond to that on the counterfoil, and also that the name and residence of the holder of the account are given. The receiving clerk shall be required to rewrite indistinct figures in blue ink or indelible pencil on the postal cheque form. Up to 50 marks, payment shall not be refused upon postal cheques if the particulars of the amount entered upon the main foil, have later been altered to a higher amount by means of a distinct new entry. If the space reserved for the entry of the amount be not completely utilised, the receiving clerk shall fill up the space with a thick horizontal stroke, even when the sender has already drawn a line through the unused space. Similarly, the spaces between single words shall be filled out with thick horizontal strokes if the letters which repeat the value of the cheque in marks are not joined together.

(2) Post Offices in the part of Upper Silesia ceded to Poland shall send to the Post Office at Kattowitz postal cheques paid into accounts at Postal Cheque Offices in the German Empire. The Kattowitz Post Office shall perforate the postage-stamps placed on the front of postal cheques.

(3) The Kattowitz Post Office shall add up upon the calculating machine on one tape first the postal cheques addressed to the Postal Cheque Office at Breslau and immediately afterwards those addressed to the remaining Postal Cheque Offices and shall round off the total in thousands of marks calculated to the lowest thousand.

At the turn of the month special tapes shall be prepared for the old and for the new months respectively.

(4) The Kattowitz Post Office shall send to the Breslau Postal Cheque Office the tape together with the postal cheques for the latter office. The remaining postal cheques shall be forwarded direct to the remaining Postal Cheque Office in light green postal cheque envelopes.

(5) The amounts of non-deliverable postal cheques shall accrue to the Polish State.

### § 3.

#### DRAFTS FOR PAYMENT.

(1) Drafts for payment shall be countersigned by two Postal Cheque Office clerks, shall be stamped with the high relief stamp, and forwarded open. In the case of telegraphic drafts, the Post Office of destination shall receive a notice of deposit which shall be dealt with in the same way.

(2) Drafts upon which payment has been made shall be cancelled by perforation or by having one corner cut off as an indication that they have been paid out.

(3) A note giving the reason for non-delivery shall be affixed to all non-deliverable drafts, which shall be sent back under cover to the issuing Postal Cheque Office.

(4) In the territory of Upper Silesia ceded to Poland, drafts shall be forwarded or returned free of charge to the Postal Cheque Office of origin.

### § 4.

#### SYSTEM OF ACCOUNTS.

Accounts shall be kept by the two administrations.

(a) In respect of the amounts of postal cheques credited to the other party (§ 2);

(b) In respect of the amounts of drafts paid out (§ 3).

#### A. POSTAL CHEQUES

In Post Offices in the territory of Upper Silesia ceded to Poland, registers of receipts of postal cheques shall be completed on the evening of the 8th, 15th, 23rd and of the last day of every month. The number of telegraphic cheques included in the register of receipts shall be noted

on the cover of each file. The register of receipts shall be forwarded on the evening of the day following the day of completion to the Accountancy Office of the Postal Cheque Office at Breslau.

Should the day appointed for the despatch fall upon a Sunday or a holiday, the register must be sent upon the following working-day.

If in the course of the month no postal cheques have been paid in, a nil-return shall be sent to the Postal Cheque Office at Breslau.

#### B. DRAFTS.

(1) Post Offices in the territory of Upper Silesia ceded to Poland shall send drafts upon which payment has been made to the Post Office at Kattowitz. The latter shall forward the drafts to the Accountancy Office of the Postal Cheque Office at Breslau together with a daily return at the foot of which a note shewing the number of items shall be entered.

(2) At the turn of the month — i. e. up to, and including the 8th of the new month — special daily returns shall be drawn up regarding drafts upon which payment has been made and which have been issued during the preceding month and during the current month. Drafts issued in the preceding month which are received later shall be included in the daily return for the current month. The daily return for the preceding month, drawn up on the 8th, shall be marked “ Closed for the month of . . . . ” and sent to the Accountancy Office of the Postal Cheque Office at Breslau. If, on the 8th, no drafts from the preceding month remain, a nil-return shall be sent marked “ Closed for the month of . . . . ”.

#### PAYMENTS BY INSTALMENT.

(1) Payments by instalment shall be made for the periods from the 1st to the 4th, from the 1st to the 8th, from the 1st to the 17th, from the 1st to the 23rd and from the 1st to the last day of the month, further from the 1st of the financial month to the 4th of the current month and from the 1st of the financial month to the eighth of the current month. For this purpose, the Kattowitz Post Office shall, on the 5th, 9th, 18th and 24th of the preceding month and, likewise, on the 1st, 5th and 9th of the current month, ascertain the debit and credit balance against the Imperial German Postal Administration from the final totals on the calculating machine tables which have already been forwarded and which contain the figures regarding postal cheques, and from the daily return of drafts. If one of these days of settlement (“Stichtage”) falls upon a Sunday or a holiday, the balance-sheet shall be drawn up on the working-day immediately following. The Kattowitz Post Office shall send a copy of the balance-sheet to the Postal Cheque Office at Breslau.

(2) If the credit held by one administration exceeds 50,000 marks, the total sum of such credit shall be paid off in instalments.

(3) The Post Office at Kattowitz shall, on the 5th and 9th of the month, summarize the statements of account for the preceding and the current month in such a manner that the total credit and total debit of each administration can be ascertained from them and the payments by instalment effected accordingly.

(4) The administration liable to pay an instalment shall, not later than the second working day after the settling day, pay the sum to the other administration in the following manner :

(a) Sums due to the Imperial German Postal administration shall be paid into the General Post Office Account at the Reichsbank, Berlin ;

(b) Sums due to the Polish Postal administration shall be paid into an account to be named by the latter.



## FINAL SETTLEMENT.

(1) Upon the basis of the registers of receipts of Postal Cheques which have been sent by the Post Offices in the part of Upper Silesia ceded to Poland and of the monthly totals of the daily returns of drafts upon which payment has been made and which have been forwarded by the Kattowitz Post Office, the Postal Cheque Office at Breslaw shall ascertain the debit and credit balances of both administrations, shall draw up a statement of accounts and it shall send the latter to the Post Office at Kattowitz, and also a copy to the Postal Cheque Office of the Imperial Ministry of Posts. Instalments which have already been paid during the financial month shall be taken into consideration in the statement of accounts.

(2) The final payments are to be made within two days from the receipt of the statement of accounts.

(3) A special account shall be drawn up in respect of fees.

(Signed) SCHIFFER.

(Signed) OLSZOWSKI.