

N° 765.

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ALLEMAGNE ET  
COMMISSION  
DE GOUVERNEMENT  
DU BASSIN DE LA SARRE

Accord concernant l'application au Territoire de la Sarre de la procédure du règlement des dettes et créances d'avant-guerre par voie de compensation, signé à Berlin le 15 septembre et à Sarrebruck le 20 septembre 1924.

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GERMANY AND  
SAAR BASIN GOVERNING  
COMMISSION

Agreement concerning the application in the Saar Territory of the procedure for the regulation of pre-war debts and claims by way of compensation, signed at Berlin, September 15 and at Sarrebruck, September 20, 1924.

<sup>1</sup> TRANSLATION.

No. 765. — AGREEMENT BETWEEN THE GERMAN GOVERNMENT AND THE SAAR BASIN GOVERNING COMMISSION CONCERNING THE APPLICATION IN THE SAAR TERRITORY OF THE PROCEDURE FOR THE REGULATION OF PRE-WAR DEBTS AND CLAIMS BY WAY OF COMPENSATION, SIGNED AT BERLIN, SEPTEMBER 15 AND AT SAARBRUCK, SEPTEMBER 20, 1924.

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With a view to the execution of the provisions of the Treaty of Versailles concerning clearing office procedure (Part X, Section III) in respect of inhabitants of the Saar Territory whom such procedure concerns, the GERMAN GOVERNMENT and the GOVERNING COMMISSION OF THE SAAR BASIN have agreed upon the following Agreement :

## CHAPTER I.

*Article 1.*

The Governing Commission of the Saar Basin shall introduce in the Saar Territory the following provisions of the Clearing Office Law of the Reich as promulgated in the Proclamation of November 20, 1923 (*Reich Legal Gazette*, Part I, page 1135,) to come into force in the Saar Territory not later than August 1, 1924 :

Section 1, paragraph 1; Section 2, paragraph 1; Sections 3-5; Section 7, paragraph 1; Sections 9-13; Section 15, paragraph 1; Section 16-23; Sections 60; Sections 62-65;

subject to the proviso that fines shall be calculated in French currency and that confiscated assets shall be credited to the Saar Territory Provincial Treasury.

*Article 2.*

Further, the Governing Commission shall, as soon as possible after the coming into force of the present Agreement, publish the proclamations specified in Section 2, paragraph 2, Section 8, Section 15, paragraph 3, and Section 67, paragraph 2 of the Clearing Office Law of the Reich, in conformity with the corresponding proclamations of the competent authorities of the Reich.

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

*Article 3.*

The Saar Territory shall be included in the district of the Branch Clearing Office of the Reich at Cologne. In the event of this branch office being abolished, its duties as regards the Saar Territory shall be transferred to the Head Office.

*Article 4.*

The statutory fines fixed by the Reich Clearing Office, on the basis of Section 4 of the Clearing Office Law shall, upon application from the Reich Clearing Office, be collected by the Saar Territory Revenue Offices on behalf of the Saar Territory Provincial Treasury without expense to the Treasury of the Reich. The Reich Clearing Office shall immediately be notified of fines so collected.

*Article 5.*

In accordance with the provisions of Section 50, paragraph 2, and Sections 51-53 of the Clearing Office Law and with the other regulations applicable to proceedings in the Commercial Court of the Reich, the inhabitants of the Saar Territory concerned shall have the right to appeal to the Commercial Court of the Reich against orders and decisions issued by the Reich Clearing Office in conformity with Sections 4, 13, 16, 19, 20, 21 and 22, paragraph 2, of the Clearing Office Law and in connection with the adjudgment of the proofs by the Reich Clearing Office in 5, paragraph 2).

In proceedings to which an inhabitant of the Saar Territory is a party (questions affecting the Saar) and which are instituted in the Commercial Court of the Reich by virtue of the Clearing Office Law, one of the expert assessors to the Court must be a national of the Saar Territory. For this purpose the Saar Basin Governing Commission shall nominate a suitable person and, in case of his being prevented from attending, two substitutes.

## CHAPTER II.

*Article 6.*

The Head Office of the Reich Clearing Office shall keep an account for the current settlement of payments between the Reich Clearing Office and the Saar Basin Governing Commission.

In this account the Saar Basin Governing Commission shall be :

(a) credited with :

(1) sums which have been finally credited by foreign Clearing Offices to the Reich Clearing Office on account of the claims of an inhabitant of the Saar Territory, including claims which had been appropriated on behalf of the Reich by virtue of Sections 13, 16 or 21 of the Clearing Office Law ;

(2) sums in respect of legal costs paid in cash to the Reich Clearing Office by a foreign Clearing Office or by an opposing party to the credit of an inhabitant of the Saar Territory ;

(b) debited with :

(1) sums credited by the Reich Clearing Office to foreign Clearing Offices on account of the debts of inhabitants of the Saar Territory ;

(2) sums in respect of legal costs which the Reich Clearing Office has had to pay on the account of an inhabitant of the Saar Territory ;

(3) 3 per cent of the sums credited to the Governing Commission in accordance with paragraph (A), sub-paragraph 1, as a contribution from the Governing Commission to the administrative expenses of the Reich Clearing Office.

*Article 7.*

Entries in the accounts shall be made in the currency in which the sums credited to the respective Clearing Offices in their dealings with one another are expressed.

*Article 8.*

The settlement between the Saar Basin Governing Commission and the Reich Clearing Office of payments in respect of the account mentioned in Article 6 shall be effected monthly. For this purpose an abstract of accounts shall be forwarded monthly by the Reich Clearing Office to the Saar Basin Governing Commission. Any monthly balance standing to the debit account of the Reich Clearing Office or the Saar Basin Governing Commission in each individual currency shall be carried forward to the succeeding month.

Each monthly balance shall bear 5 per cent interest as from the first of the following month. Sums due in respect of interest shall be entered in a special account, but shall not bear interest.

As soon as all Clearing Office proceedings have been concluded in respect of claims and liabilities of inhabitants of the Saar Territory dealt with by foreign Clearing Offices, the Reich Clearing Office shall forward a final account to the Saar Basin Governing Commission. The final balances as ascertained from the final account standing to the debit of the Reich Clearing Office or Saar Basin Governing Commission shall be paid in cash by the debtor party to the creditor party as soon possible. The details of this payment (currency, place and time of payment, rate of conversion, etc.) shall be settled by a later convention to be concluded between the German Government and the Saar Basin Governing Commission.

Should the Clearing Office proceedings not be concluded, as mentioned in the foregoing paragraph, on December 31, 1925, the Reich Clearing Office shall forward to the Saar Basin Governing Commission a provisional final account closing on the above-mentioned date, on the basis of which a provisional payment shall immediately be effected in conformity with the provisions of paragraph 3.

CHAPTER III.

*Article 9.*

The Saar Basin Governing Commission shall alone be competent to effect the settlement of accounts with the inhabitants of the Saar Territory who are parties to Clearing Office proceedings. The Reich Clearing Office shall not co-operate in such settlement.

*Article 10.*

The Reich Clearing Office shall forward without delay to the Saar Basin Governing Commission a list of all claims of inhabitants of the Saar Territory which have been notified hitherto and shall thereafter send a monthly list of the claims notified subsequently.

Further, the Reich Clearing Office shall immediately notify the Saar Basin Governing Commission of any sums credited or debited to any inhabitant of the Saar Territory as a result of the proceedings of the foreign Clearing Offices.

*Article 11.*

The Reich Clearing Office shall take steps with a view to accelerating the settlement of claims submitted by inhabitants of the Saar Territory to foreign Clearing Offices.

CHAPTER IV.

*Article 12.*

Inhabitants of the Saar Territory within the meaning of this Agreement shall be all persons who were domiciled in the Saar Territory at the time of its coming into force and all legal persons and trading companies of any other kind who had their registered offices there at that date.

*Article 13.*

Disputes between the German Government and the Saar Basin Governing Commission concerning the interpretation and execution of the present Agreement shall be submitted to an Arbitral Tribunal.

The Arbitral Tribunal shall consist of three members. The German Government and the Governing Commission shall each appoint one of these members. The President shall be chosen by agreement. Failing such agreement, the President of the Swiss Confederation shall be requested to nominate the President of the Tribunal.

*Article 14.*

This Agreement shall come into force on August 1, 1924.

Done in duplicate.

BERLIN, *September 15, 1924.*

STRESEMANN.

SAARBRUCK, *September 20, 1924.*

V. RAULT.