

N° 779.

ISLANDE ET POLOGNE

Traité de commerce et de navigation
avec Protocole final et Protocole
additionnel concernant l'extension
des dispositions du Traité à la
Ville libre de Dantzig, signés à
Varsovie, le 22 mars 1924.

ICELAND AND POLAND

Treaty of Commerce and Navigation
together with Final Protocol and
Additional Protocol on the Exten-
sion of the Provisions of this
Treaty to the Free City of Danzig,
signed at Warsaw, March 22, 1924.

¹ TRADUCTION. — TRANSLATION.No. 779. — TREATY ² OF COMMERCE AND NAVIGATION BETWEEN ICELAND AND POLAND, SIGNED AT WARSAW, MARCH 22, 1924.

French official text communicated by the Danish Minister at Berne on behalf of Iceland. The registration of this Treaty and Protocols took place December 4, 1924.

ICELAND, of the one part, and POLAND, of the other part, being desirous of developing commercial and maritime relations between the two countries, have decided to conclude a Treaty of Commerce and Navigation. For this purpose the Danish Government, acting on behalf of Iceland in virtue of the Danish-Icelandic Union Law, and the Polish Government, have appointed as their Plenipotentiaries :

For ICELAND :

His Excellency M. Niels Peter ARNSTEDT, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Denmark and Iceland at Warsaw ;

For POLAND :

M. Maurycy ZAMOYSKI, Minister for Foreign Affairs,
M. Józef KIEDROŃ, Minister for Industry and Commerce,

who, having exchanged their full powers, found in good and due form, have agreed upon the following articles :

Article 1.

Iceland and Poland undertake to accord to one another, in all matters concerning their commerce, industry and navigation, treatment as favourable as that now accorded or which may in future be accorded to the most-favoured nation.

Article 2.

With regard to commerce, the most-favoured-nation treatment shall particularly apply to import, export and all other duties of any kind, to other conditions governing the importation, exportation, transit and transport of goods, and to import and export prohibitions or restrictions, unless the latter be deemed necessary in the interests of public security or on sanitary or veterinary grounds.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Warsaw, August 13, 1924.

Article 3.

With regard to navigation, the most-favoured-nation treatment shall particularly apply to all duties of whatsoever kind, to facilities for the loading and unloading of goods and to all formalities relating to vessels and their crews.

Article 4.

Vessels flying the flag of one of the High Contracting Parties and duly furnished with the ship's papers required by the legislation of that country as proof of the nationality of merchant vessels, shall be regarded as vessels of that Party within the territorial waters of the other.

A special convention shall be concluded for the reciprocal recognition of tonnage certificates and certificates of navigability issued by the competent authorities.

Article 5.

Should a vessel of one of the Contracting Parties run aground on the coast of the other, the nearest consular official of the country to which such vessel belongs shall be notified as soon as possible by the local authorities, who shall do all that lies in their power to safeguard the interests involved in the salving of the vessel and the cargo. The goods salvaged shall be exempt from Customs duty, unless employed for domestic consumption.

Article 6.

As regards free access to the territory of the other country, and the right to establish themselves there and carry on commercial, industrial and professional pursuits, nationals of either country shall enjoy the most-favoured-nation treatment, which shall apply also to the taxation of individuals and of commercial, industrial and professional pursuits.

Article 7.

Civil and commercial companies legally constituted in accordance with the laws of that Contracting Party in the territory of which their registered head offices are situated shall be recognised by the other Party as legal entities, provided that they do not pursue aims either illicit or contrary to public morals. If they conform to the laws and regulations, they shall have liberty and facility of access to the Courts, either as plaintiffs or defendants, and likewise to the authorities, on the same conditions as the companies of the other Party.

Civil and commercial companies thus recognised by each of the Contracting Parties may, if they conform to the laws and regulations of the other Contracting Party and provided that such laws contain no provision to the contrary, establish themselves in the territory of the latter, set up branches and affiliated establishments and carry on their industry there. Exceptions shall, however, be made of such branches of trade and industry, including financial and insurance companies, which, being in the nature of public utility services, would be subjected to special restrictions applicable to all countries.

Once they have been admitted, in accordance with the laws and regulations which are, or may subsequently be, in force in the territory of the respective countries, such companies shall not be subjected to any taxes, rates or dues of any description other or higher than those which are or shall be imposed upon companies of the most-favoured nation.

Duties, taxes and rates may only be assessed on that part of the companies' capital actually employed in the country by which they are imposed and on the operations carried out in that country.

Article 8.

The present Treaty shall be ratified, and the ratifications exchanged at Warsaw as soon as possible.

It shall come into force on the fifteenth day after ratifications have been exchanged.

The present Treaty shall be concluded for the duration of one year ; nevertheless, if it is not denounced at the end of this term, it shall be prolonged by tacit agreement for an indefinite period and may be denounced at any time.

In case of denunciation, it shall remain in force for six months after the date on which one of the Contracting Parties shall have notified the other of its denunciation.

In witness whereof, the Plenipotentiaries have signed the present Treaty.

Done in duplicate, at Warsaw, on the twenty-second day of March, one thousand nine hundred and twenty-four.

(L. S.) (Signed) N. P. ARNSTEDT.

(L. S.) (Signed) MAURYCZ ZAMOYSKI.

(L. S.) (Signed) JÓZEF KIEDROŃ.

FINAL PROTOCOL.

The undersigned, having met to-day in order to sign the Treaty of Commerce and Navigation attached hereto, have agreed as follows :

Considering the relations which, in accordance with the terms of the Union Law of November 30, 1918, exist between Denmark and Iceland, it is agreed that the provisions of the aforesaid Treaty shall not be adduced by Poland as a reason for claiming the special privileges which Iceland has accorded or may accord to Denmark.

In witness whereof, the Plenipotentiaries have signed the present Protocol.

Done in duplicate, at Warsaw, on the twenty-second day of March, one thousand nine hundred and twenty-four.

(Signed) N. P. ARNSTEDT.

(Signed) MAURYCZ ZAMOYSKI.

(Signed) JÓZEF KIEDROŃ.

ADDITIONAL PROTOCOL.

Article 1.

The High Contracting Parties have agreed that, so long as the present Treaty remains in force, Poland shall have the right to extend to the Free City of Danzig all privileges and obligations arising out of this Treaty, subject to notification to the Danish Government.

Article 2.

In order that the provisions of the preceding article may be put into effect, the two Contracting Parties shall exchange notes worded as follows :

(1) Note by the Polish Government :

“ I have the honour to notify your Excellency that the provisions of the Treaty of Commerce and Navigation, signed on March 22, 1924, between Poland and Iceland, will also extend to the Free City of Danzig as from.....”

“ I have the honour to be, etc.”

(2) Note by the Danish Government :

“ I have the honour to acknowledge receipt of Note No..... of even date, in which your Excellency informs me that the provisions of the Treaty of Commerce and Navigation, signed on March 22, 1924, between Iceland and Poland, will also extend to the Free City of Danzig as from.....”

“ I have the honour to be, etc.”

Article 3.

The present Protocol, which forms an integral part of the Treaty of Commerce and Navigation between Iceland and Poland, signed this day at Warsaw, shall be ratified at the same time as the aforesaid Treaty.

In witness whereof, the Plenipotentiaries have signed the present Protocol.

Done in duplicate, at Warsaw, on the twenty-second day of March, one thousand nine hundred and twenty-four.

(Signed) N. P. ARNSTEDT.

(Signed) MAURCY ZAMOYSKI.

(Signed) JÓSEF KIEDROŃ.