

N° 815.

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**ITALIE  
ET TCHÉCOSLOVAQUIE**

**Traité de commerce et de navigation,  
signé à Rome, le 23 mars 1921.**

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**ITALY  
AND CZECHOSLOVAKIA**

**Treaty of Commerce and Navigation,  
signed at Rome, March 23, 1921.**

## TEXTE ITALIEN. — ITALIAN TEXT.

No. 815. — TRATTATO<sup>1</sup> DI COMMERCIO E DI NAVIGAZIONE FRA IL REGNO D'ITALIA E LA REPUBBLICA CECOSLOVACCA, FIRMATO A ROMA, IL 23 MARZO 1921.

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*Italian and Czech official texts communicated by the Minister of the Czechoslovak Republic at Berne.  
The registration of this Treaty took place February 4, 1925.*

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SUA MAESTÀ IL RE D'ITALIA e il PRESIDENTE DELLA REPUBBLICA CECOSLOVACCA, animati dal desiderio di stringere sempre più le relazioni commerciali fra i loro Stati, hanno risoluto di concludere un trattato di commercio e di navigazione e hanno nominati a questo effetto loro Plenipotenziari :

SUA MAESTA IL RE D'ITALIA,

i Signori : Lodovico LUCIOLLI, Direttore Generale delle Dogane e Imposte indirette ;  
Angelo DI NOLA, Direttore Generale del Commercio ;

IL PRESIDENTE DELLA REPUBBLICA CECOSLOVACCA,

I Signori Zdeněk FIERLINGER, Direttore Generale della Sezione economica del Ministero degli Affari Esteri ;  
Zdeněk FAFL, Direttore Generale della Sezione dei Paesi a lingua romanza dell'Ufficio del Commercio estero ;

i quali, dopo aver scambiato i loro pieni poteri, trovati in buona e debita forma, si sono accordati sugli articoli seguenti :

*Art. I.*

Vi sarà piena e intera libertà di commercio e di navigazione fra i sudditi delle Alte Parti contraenti, che potranno, gli uni e gli altri, stabilirsi liberamente nei territori dell'altra Alta Parte contraente.

I sudditi cecoslovacchi in Italia ed i sudditi italiani in Cecoslovacchia, sia che si stabiliscano nei porti, nelle città o in un luogo qualsiasi dei territori rispettivi, sia che vi risiedano temporaneamente, non saranno sottoposti, a motivo del loro commercio e della loro industria, a diritti, imposte, tasse o patenti, qualunque ne sia la denominazione, diversi o più elevati di quelli che saranno riscossi sui nazionali, e i diritti, privilegi, esenzioni, immunità ed altri favori quali si siano di cui godessero, in materia di commercio o di industria, i sudditi di una delle Alte Parti contraenti saranno comuni ai sudditi dell'altra.

Le stipulazioni di quest'articolo non derogano in nulla alle leggi, alle ordinanze e ai regolamenti speciali in materia di commercio, di industria e di polizia in vigore nei territori di ciascuna delle Alte Parti contraenti e applicabili ai sudditi di ogni altra Potenza.

Il principio di trattare i sudditi dell'altra Parte che esercitano un mestiere o il commercio, assolutamente sullo stesso piede dei nazionali, in quanto al pagamento delle imposte, si applicherà

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<sup>1</sup> The exchange of ratifications took place at Rome, March 1, 1924.

Le navi cecoslovacche, durante la permanenza in porto, saranno, inoltre, tenute alla osservanza di tutte le norme di polizia portuale che sono affidate alle autorità marittime.

L'uso degli impianti ed arredamenti portuali di Trieste da parte della Cecoslovacchia resta regolato da speciale convenzione.

*Art. 28.*

I sudditi di ciascuna delle Alte Parti contraenti saranno liberi di fare uso nei territori dell'altra, alle stesse condizioni e pagando le stesse tasse dei nazionali, delle strade maestre e altre vie, dei canali, delle chiuse, delle barche da passo, dei ponti, dei ponti girevoli, dei porti e punti di sbarco, dei segnali e fuochi che servono a indicare le acque navigabili, dei piloti, delle gru e dei pesi pubblici, dei magazzini e degli stabilimenti per il salvataggio e il deposito del carico di navi ed altri oggetti, in quanto tali stabilimenti o istituzioni siano destinati ad uso del pubblico siano essi amministrati dallo Stato o da privati.

Salvo i regolamenti particolari sui fari e fanali o sul pilotaggio, non sarà riscossa nessuna tassa quando non sia stato fatto realmente uso di questi stabilimenti o istituzioni.

*Art. 29.*

Gli abitanti dei territori delle due Alte Parti contraenti, i loro bagagli e le loro mercanzie, saranno trattati sulle strade ferrate alla stessa stregua, tanto nei riguardi del prezzo e del modo di trasporto, quanto in quelli dei termini di resa e delle imposte e tasse pubbliche.

*Art. 30.*

Le Alte Parti contraenti avranno cura che il traffico reciproco delle strade ferrate situate nel loro territorio sia agevolato per quanto possibile e s'impegnano a provvedere perchè le rispettive amministrazioni ferroviarie curino la stipulazione di accordi fra di loro e con le amministrazioni ferroviarie di Stati intermedi per la formazione di tariffe dirette per i trasporti di persone, bagagli e merci, e per la corrispondenza dei treni, in modo da soddisfare alle esigenze di tali trasporti.

*Art. 31.*

Qualora una delle Alte Parti contraenti avesse a stipulare con un terzo Stato accordi di tariffe cumulative per trasporti ferroviari fra il proprio territorio e quello dello stesso terzo Stato, attraverso il territorio dell'altra Alta Parte contraente, quest'ultima sarà tenuta a concorrere alla formazione di dette tariffe cumulative.

Le due Alte Parti contraenti s'impegnano ad accordarsi reciprocamente i prezzi di trasporto che, sulle strade ferrate e sulle vie navigabili, fossero in vigore per trasporti d'un terzo Stato; in ogni caso di applicare ai trasporti di una delle due Alte Parti contraenti, in transito sul proprio territorio, dei *prezzi ragionevoli*. Tuttavia la Cecoslovacchia faciliterà il transito delle *derrate alimentari* di produzione italiana accordando loro i prezzi più ridotti che sulla stessa linea e nella stessa direzione sono dati dalle tariffe interne.

*Art. 32.*

Le Alte Parti contraenti s'impegnano, allo scopo d'impedire la propagazione della fillossera, di applicare, rispetto alle importazioni reciproche, i provvedimenti fissati dalla convenzione internazionale<sup>1</sup> di Berna del 3 novembre 1881 e dalla dichiarazione addizionale<sup>2</sup> del 15 aprile 1889.

<sup>1</sup> British and Foreign State Papers, vol. 73, page 323.

<sup>2</sup> British and Foreign State Papers, vol. 81, page 1311.

## Článek 33.

Vysoké Smluvní Strany si vzájemně sdělí veškerá omezení obchodu, stanovená z důvodu zdravotní policie.

## Článek 34.

Vysoké Smluvní Strany se zavazují, že budou prováděti mezinárodní úmluvu <sup>1</sup> Pařížskou ze dne 20. března 1883 o ochraně průmyslového vlastnictví, revidovanou ve Washingtonu <sup>2</sup> dne 2. června 1911, jakož i každou mezinárodní úmluvu, týkající se jmenovitě patentů na vynálezy, k níž by obě Smluvní Strany přistoupily.

Vysoké Smluvní Strany se dále zavazují, že budou prováděti mezinárodní úmluvu <sup>3</sup> Bernskou ze dne 9. září 1886 o ochraně literárních a uměleckých děl, revidovanou <sup>4</sup> v Berlíně 13. listopadu 1908 a doplněnou dodatečným protokolem <sup>4</sup> podepsaným v Bernu 20. března 1914.

## Článek 35.

Obě Vysoké Smluvní Strany se zavazují, že zahájí co možná nejdříve jednání, aby byla uzavřena jedna nebo více zvláštních úmluv, jež by zaručovaly dělníkům a jich právním zástupcům jednoho z obou států na území druhého rovné nakládání s vlastními příslušníky ve všem, co se týče provádění zákonů o ochraně práce, pomoci lékařské a nemocniční, sociálním pojištění proti různým nebezpečím, vyučování a svobodě spolčovací i svobodě organisace odborové.

## Článek 36.

Vysoké Smluvní Strany poskytují si vzájemně právo jmenovati konsuly ve všech přístavech a ve všech obchodních místech území druhé Vysoké Smluvní Strany, v nichž jsou připuštěni konsulové třetího státu.

Tito konsulové jedné z Vysokých Smluvních Stran budou požívatí pod podmínkou vzájemnosti v území druhé veškerých výsad, práv a svobod, jichž požívají a v budoucnosti budou požívatí konsulové kterékoli jiné mocnosti.

Pokud se tkne však osvobození od daní přímých, je shoda v tom, že toliko konsulové z povolání budou moci požívatí tohoto osvobození, pokud ovšem nejsou poddanými Vysoké Smluvní Strany, v jejímž území mají vykonávatí své funkce, a v žádném případě u větší míře než diplomatičtí zástupci Vysokých Smluvních Stran.

Rečeným funkcionářům se dostane od místních úřadů veškeré podpory a přispění, jež se poskytuje anebo jež bude poskytnuto v budoucnostikon sulárním funkcionářům státu, požívajícího nejvyšších výhod, při vydávání námořníků a vojáků, tvořících posádku na lodích jedné ze Smluvních Stran, kteří by sběhli na území druhé.

## Článek 37.

Kdykoliv vzniknou mezi Vysokými Smluvními Stranami rozpory o výkladu a provádění ustanovení této smlouvy, rozpory tyto budou urovnány rozhodčím nálezem, požádá-li o to jedna z Vysokých Smluvních Stran.

<sup>1</sup> De Martens, Nouveau Recueil Général de Traités, deuxième série, tome X, page 133.

<sup>2</sup> De Martens, Nouveau Recueil Général de Traités, troisième série, tome VIII, page 760.

<sup>3</sup> De Martens, Nouveau Recueil Général de Traités, deuxième série, tome XII, page 173.

<sup>4</sup> Vol. I, pages 217 et 243 ; vol. III, page 259 ; vol. XI, page 358 et vol. XXIV, page 138 de ce Recueil.

*Art. 33.*

Le Alte Parti contraenti si comunicheranno reciprocamente tutte le restrizioni del traffico stabilite per causa di polizia sanitaria.

*Art. 34.*

Le Alte Parti contraenti si impegnano a dare applicazione alla Convenzione internazionale<sup>1</sup> di Parigi del 20 marzo 1883 per la tutela della proprietà industriale, riveduta a Washington<sup>2</sup> il 2 giugno 1911, come a qualsiasi Convenzione internazionale che particolarmente riguardi i brevetti d'invenzione, a cui esse aderissero.

Le Alte Parti contraenti si impegnano, inoltre, a dare applicazione alla Convenzione<sup>3</sup> internazionale di Berna del 9 settembre 1886 per la tutela delle opere ed artistiche, riveduta<sup>4</sup> a Berlino il 13 novembre 1908 e completata dal Protocollo<sup>4</sup> aggiuntivo, firmato a Berna il 20 marzo 1914.

*Art. 35.*

Le due Alte Parti contraenti si impegnano ad aprire, al più presto possibile, le negoziazioni per concludere uno o più accordi speciali allo scopo di assicurare ai lavoratori di uno dei due Paesi nel territorio dell'altro ed ai loro aventi diritto, l'eguaglianza di trattamento coi nazionali per tutto ciò che concerne l'applicazione delle leggi relative alla protezione del lavoro, alla assistenza medica ed ospedaliera, alle assicurazioni sociali contro i diversi rischi, all'istruzione e alla libertà di associazione e di organizzazione professionale.

*Art. 36.*

Le Alte Parti contraenti s'accordano reciprocamente il diritto di nominare dei consoli in tutti i porti e in tutte le piazze commerciali dei territori dell'altra Alta Parte contraente nei quali sono ammessi i consoli di un terzo Stato.

Questi consoli di una delle Alte Parti contraenti godranno, sotto condizione di reciprocità nei territori dell'altra, di tutte le prerogative, facoltà ed esenzioni di cui godono e godranno in avvenire i consoli di un'altra Potenza qualunque.

Per quanto concerne però l'esenzione dalle imposte dirette si è d'accordo che solo i consoli di carriera potranno godere di questa esenzione, purchè, tuttavia, non siano sudditi dell'Alta Parte contraente nei territori della quale dovranno esercitare le loro funzioni e in nessun caso con maggiore estensione dei rappresentanti diplomatici delle Alte Parti contraenti.

I detti agenti riceveranno dalle autorità locali ogni aiuto ed assistenza che è o sarà concessa in seguito agli agenti della nazione più favorita, per l'estradizione dei marinai e dei soldati facenti parte dell'equipaggio delle navi di una delle Alte Parti contraenti, che avessero disertato nei territori dell'altra.

*Art. 37.*

Qualora sorgessero fra le Alte Parti contraenti controversie intorno all'interpretazione ed all'applicazione delle clausole del presente trattato, tali controversie saranno regolate, se una delle Alte Parti contraenti ne fa domanda, mediante arbitrato.

<sup>1</sup> British and Foreign State Papers, vol. 74, page 44.

<sup>2</sup> British and Foreign State Papers, vol. 104, page 116.

<sup>3</sup> British and Foreign State Papers, vol. 77, page 22.

<sup>4</sup> Vol. I, pages 217 and 243; Vol. III, page 259; vol. XI, page 358 and vol. XXIV, page 138 of this Series.

<sup>1</sup> TRANSLATION.

No. 815. — TREATY OF COMMERCE AND NAVIGATION BETWEEN  
THE KINGDOM OF ITALY AND THE CZECHOSLOVAK REPUBLIC,  
SIGNED AT ROME, MARCH 23, 1921.

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HIS MAJESTY THE KING OF ITALY and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC, being desirous of further developing the commercial relations between their respective States, have determined to conclude a Treaty of Commerce and Navigation and have appointed as their Plenipotentiaries for this purpose :

HIS MAJESTY THE KING OF ITALY :

M. Lodovico LUCIOLLI, Director-General of Customs and Indirect Taxes, and  
M. Angelo DI NOLA, Director-General of Commerce ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

M. Zdeněk FIERLINGER, Director-General of the Economic Department of the Ministry of Foreign Affairs, and  
M. Zdeněk FAFL, Director-General of the Section for Countries speaking Romance Languages at the Foreign Trade Department,

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

*Article I.*

The two High Contracting Parties shall accord to each other's nationals full and entire freedom of trade and navigation, as well as the right to establish themselves within their territory.

Czechoslovak nationals in Italy and Italian nationals in Czechoslovakia, whether domiciled in ports, towns or other localities in the respective territories, or whether residing temporarily therein, shall not be subjected as regards their commerce or industry to any duties, taxes, rates or licence fees of any description other or higher than those to which nationals are subject ; and the rights, privileges, exemptions, immunities and other advantages of whatever kind in respect of commerce or industry enjoyed by the nationals of one of the High Contracting Parties shall be similarly enjoyed by the nationals of the other Contracting Party.

The provisions of this article shall not in any way derogate from the special laws, ordinances and regulations affecting commerce, industry and public security in force in the territory of either of the Contracting Parties which are applicable to nationals of any other Power.

The principle that one Contracting Party shall, in respect of the payment of taxes, treat the nationals of the other Party engaged in any trade or business on the same footing in every way as its own nationals, shall also apply to statutes of corporate bodies or other local statutes where such are already in existence. It shall only apply, however, subject to the fulfilment of all the

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

conditions laid down by the laws of each of the Contracting Parties regarding the right to carry on industry.

*Article 2.*

Czechoslovaks in Italy and Italians in Czechoslovakia shall reciprocally be entitled to acquire or possess property of any kind, whether movable or immovable. They may freely dispose of the same by purchase, sale, gift, exchange, marriage contract, will, succession *ab intestato* or by any other act, under the same conditions as nationals, without the payment of any duties, taxes or charges other or higher than those to which, in accordance with the laws in force, nationals themselves are subject.

Nevertheless, as regards the acquisition, possession and use of immovable property, special rules and restrictions may, under the laws of either Contracting Party, be imposed upon foreigners for considerations of national security.

*Article 3.*

Traders, manufacturers and other industrialists of one of the High Contracting Parties who prove, by producing a commercial identity card issued by the authorities of their country, that they are authorised to carry on their trade or industry in the State in which they are domiciled, and duly pay all duties and taxes levied therein, shall be entitled, either personally or through commercial travellers employed by them, to purchase goods in the territory of the other Contracting Party from traders, or in places where goods are sold to the public, or from persons producing these goods. They may also solicit orders, even on samples, from traders and other persons engaged in an industry in which goods of the kind offered are used. In neither case shall they have to pay special fees higher than those demanded of nationals or subjects of the most favoured nation. In carrying on their activities in the territory of the other High Contracting Party, they shall, as regards the public administration and public services, enjoy treatment similar to that accorded to nationals.

Persons engaged in industrial enterprises (commercial travellers) provided with a commercial identity card may take samples with them, but not goods.

The foregoing provisions shall not apply to itinerant traders or to hawking, or the soliciting of orders from persons not engaged in trade or industry.

*Article 4.*

The nationals of each of the High Contracting Parties shall be treated on the same footing as nationals of the other Contracting Party when proceeding from the territory of one Contracting Party to that of the other to visit fairs or markets, for the purpose of carrying on their trade, or selling their wares, and they shall not be subjected to taxes higher than those which the High Contracting Parties levy on their own nationals.

*Article 5.*

Czechoslovaks in Italy and Italians in Czechoslovakia shall be entirely free to conduct their affairs in the same way as nationals, either personally or through intermediaries of their own choice,

without obligation to pay any fees or compensation to representatives, agents, etc., whom they do not choose to employ, and in this respect they shall be subject to no restrictions other than those laid down by the ordinary laws of the country.

They shall have the same liberty as nationals, in matters of purchase and sale, in fixing the price of any article of trade and in their business transactions in general, provided they conform to the Customs and monopoly laws of the country.

They shall also have full and free access to all Courts of whatever instance or jurisdiction, either as plaintiffs or defendants. They shall be entitled to employ for this purpose such advocates, notaries and agents as they may judge best qualified to defend their interests, and shall in general enjoy in judicial matters all rights and privileges which are or may be accorded to nationals.

#### *Article 6.*

Commercial and civil companies (including public and private insurance companies) domiciled in the territory of one of the High Contracting Parties, and validly constituted in conformity with its laws, shall, subject to reciprocity and to the conditions and restrictions prescribed by the regulations in force in the territories of the High Contracting Parties be recognised as possessing legal status in the territory of the other Contracting Party. They shall be allowed to exercise all rights, including that of appearing before the Courts in conformity with existing laws and regulations either as plaintiffs or defendants. Such companies shall in any case enjoy in the territory of either High Contracting Party all rights which are or may be accorded to similar companies of any other country.

#### *Article 7.*

Nationals of either of the High Contracting Parties shall, in the territory of the other Party, be exempt from all military or naval service, either in the regular forces or in the militia. They shall also be exempt from all compulsory official duties, whether judicial, administrative or municipal, from the billeting of soldiers, from war-levies or military requisitions or demands of every kind except such obligations as may be incumbent upon them as owners or lessees of immovable property, and such military services and requisitions as are imposed on all nationals of the country who are owners or agents of immovable property.

They may neither personally, nor as regards their movable or immovable property, be subjected to duties, payments, taxes or charges other than those to which nationals are subjected.

#### *Article 8.*

As regards the amount, the guarantee for, and levying of import or export duties, including the super-taxes, coefficients or increases to which these duties are or may be subject, and as regards transit, re-exportation, warehousing and Customs formalities, the transshipment of goods and, in general, all matters connected with the exercise of commerce and industry, each of the High Contracting Parties undertakes to accord to the other all benefits or exemptions which are or may be accorded by one of the Parties to a third Power.

In application of this principle, such Czechoslovak products of the soil or manufactured articles as may be imported into Italy and such Italian products of the soil or manufactured articles as may be imported into the Czechoslovak Republic, whether intended for consumption, warehousing, re-exportation or transit, shall be subject to the same treatment as that accorded to the most favoured nation in this respect, and shall not be subject to duties other or higher than those levied on the products of the most favoured nation.

It is understood that these provisions shall not apply to the special benefits at present granted or which may subsequently be granted to neighbouring States with a view to facilitating frontier traffic.

It is also agreed, as regards the amount of import duties, that both States shall, in accordance with the terms of the present article, be bound to accord each other most-favoured-nation treatment only in so far as they accord such treatment to a third Power. Should either of the two Contracting Parties, in the matter of import duties, not grant the most-favoured-nation treatment unconditionally and without compensation to any other State, it shall be entitled to cease to extend such treatment to the other Contracting Party also on two months notice being given. In such case, the other Contracting Party will also cease to be under any obligation to apply most-favoured-nation treatment.

*Article 9.*

Persons importing into Italy goods produced in the Czechoslovak Republic and persons importing into the Czechoslovak Republic goods of Italian production shall not as a general rule and subject to reciprocity be required to submit certificates of origin. The submission of certificates of origin may, however, be required by one of the High Contracting Parties as an exceptional measure if the latter has established differential duties according to the origin of the goods and if, in conformity the general situation both as regards Customs duties and conditions of transport, there seems to be any likelihood of the introduction from the territory of the other High Contracting Party of goods coming from a third country excluded, in this instance, from special treatment.

*Article 10.*

In view of the present abnormal conditions of international trade, and as long as such conditions continue, the Governments of the High Contracting Parties reserve the right to regulate the importation and exportation of products by prohibitions or restrictions in accordance with special requirements for the protection of the economic and financial interests of the country.

It is, however, agreed that such prohibitions, in so far as they are not directly contrary to any special Convention, must be applied by each of the Contracting Parties to the other in the least onerous manner possible and to the least possible extent.

Should one of the two Contracting Parties introduce fresh prohibitions either on goods entering or leaving the country, the possibility shall be examined, at the request of the other High Contracting Party, of according special treatment with a view to causing the least possible prejudice to commercial relations between the two countries.

*Article 11.*

As from the day on which the Governments of the High Contracting Parties shall, by common consent, reciprocally declare that they renounce the option accorded to them in the preceding article, the High Contracting Parties shall be bound not to place any obstacle in the way of commerce between the two countries in the form of prohibitions of imports, exports or transit.

Exceptions to this rule, in so far as they are applicable to all countries or to countries where similar conditions obtain, may only be made in the following cases :

- (1) In special circumstances in connection with war supplies :
- (2) For reasons of public safety ;

(3) For State monopolies which are now in existence or which may be established in the future ;

(4) In view of the application to foreign goods of prohibitions or restrictions instituted by internal regulations concerning the domestic production of similar goods or the sale or transport within the country of similar goods produced within the country itself ;

(5) For reasons of sanitary policy, and for the protection of animals and useful plants against disease, insects and harmful parasites, and particularly in the interests of public health in conformity with the international principles adopted in this respect.

The Governments of the two High Contracting Parties reserve the right to conclude a special Convention concerning questions of detail and in particular concerning raw animal products, and objects capable of carrying infection.

#### *Article 12.*

State Monopolies, arms and munitions of war and mining concessions shall continue to be subject to the respective laws and regulations of the High Contracting Parties.

#### *Article 13.*

Goods of every kind coming from the territory of one of the High Contracting Parties, or consigned thereto, shall be exempted in the territory of the other Party from all transit taxes, whether they are passing in direct transit or whether during transit they have to be unloaded, warehoused and reloaded. In any case, they shall enjoy the most favourable treatment accorded to a third Power.

This provision shall not prejudice the more important advantages and guarantees provided for by Article 19 of the Treaty concluded between Czechoslovakia and the Principal Allied and Associated Powers on September 10, 1919.

#### *Article 14.*

In order to facilitate the development of the special trade between the territories of the High Contracting Parties, the following articles shall, subject to their return to the country of origin, be admitted and exported from one country into the other, Customs free on entry and on exit, in conformity with the regulations drawn up jointly by the High Contracting Powers :

- (a) All goods, except foodstuffs, which, coming from unrestricted trade in the territories of one of the High Contracting Parties, are sent to fairs and markets in the territory of the other Contracting Party to be warehoused there or placed in bond, as well as samples imported into either country by the commercial travellers of Italian and Czechoslovak firms, provided that all these goods and samples, if they remain unsold, are returned to the country of origin within a definite period fixed beforehand ;
- (b) Sacks of every kind, empty, marked and used, as well as empty marked barrels which are imported from the territory of one of the High Contracting Parties to be re-exported full, or which are re-imported after having been exported full ;
- (c) Objects to be repaired.

The identity of the objects exported and re-imported must be proved and the competent authorities shall for this purpose have the right to place easily recognisable marks on these articles at the expense of the parties concerned.

*Article 15.*

Internal duties on production, manufacture or consumption, which are or may in future be levied on the products of the country, either by the State or municipal administrations and corporations, shall not, on any pretext whatever, be levied at a higher rate or in a more onerous manner on similar products coming from the territory of the other High Contracting Party.

Should one of the High Contracting Parties deem it necessary to place a new excise or consumption duty or supplementary duty on an article produced or manufactured in the country, the same article of foreign origin may immediately be subjected to a similar duty on importation.

*Article 16.*

Articles, manufactured under the system of temporary importation in the territory of one of the High Contracting Parties shall be treated by the other Party as goods coming from the unrestricted trade of that High Contracting Party.

*Article 17.*

Goldsmiths' work and jewellery in gold, silver, platinum or other precious metals imported from the territory of one of the High Contracting Parties may be subjected in the territory of the other to compulsory or optional control, according to the legal provisions in force in the country concerning similar objects manufactured within the country.

*Article 18.*

Each of the High Contracting Parties undertakes to co-operate with the other to ensure that offences against the Customs laws or the State Monopoly Laws of the other Party shall be prevented, discovered and notified to the other Contracting Party.

*Article 19.*

Except in the case of compulsory sale by judicial decision, vessels of one of the High Contracting Parties may not acquire the nationality of the other, without a declaration of transfer of flag issued by the authorities of the State to which such vessels belong.

*Article 20.*

Persons navigating vessels and craft belonging to one of the High Contracting Parties shall be free to do so on all waterways, both natural and artificial, situated within the territory of the other High Contracting Party, subject to the same conditions and on the payment of the same duties on the vessels or their cargoes as are paid by that Party's own vessels and craft.

*Article 21.*

No navigation or port duty shall be levied in the ports of the Kingdom of Italy or the Italian Colonies on Czechoslovak vessels which are forced to put into such ports by reason of an accident or other circumstances beyond their control, or have to call at such ports under the terms of the itinerary issued by the home port, provided the vessel does not engage in any act of commerce.

In the case of shipwreck of, or damage to, a vessel belonging to the Government or nationals of Czechoslovakia on the coast of Italy or the Italian Colonies, not only shall the shipwrecked persons be afforded all assistance and consideration, but, in addition, the vessels themselves, their parts and fittings, utensils and all objects belonging to them, all ship's papers found on board as well as any property or goods cast into the sea and recovered, or alternatively the price obtained from their sale, shall be entirely made over to the owners at their request or at the request of their agents duly authorised for that purpose, without any payment other than the expenses of salvage, preservation and, in general, the same charges as national ships would have to pay in similar circumstances.

In the absence of the owner or a special agent, the above shall be handed over to the consular authorities. If, however, the vessel, its equipment or goods become the subject of a legal claim owing to the shipwreck, the decision shall be left to the competent Courts of the place in which the shipwreck occurred.

*Article 22.*

All goods of whatever nature or origin which may legally be imported, exported, passed through in transit, or warehoused in Italy if carried on Italian vessels, may also be imported, exported, passed, through in transit or warehoused if carried by Czechoslovak vessels; such goods shall enjoy the same privileges, reductions, benefits and repayments without being subject to other or higher Customs duties or charges, or to other or more severe restrictions, than those in force in respect of goods carried by national vessels on their importation, exportation, passing through in transit or warehousing.

*Article 23.*

In Italian ports Czechoslovak vessels shall be treated on entering, during their call, and on leaving, on a footing of equality with national vessels, both as regards the duties and charges of any kind levied for the profit of the State, communes, corporations, public officials, or establishments of any kind and as regards the berthing of the vessels, their wharfing for loading and unloading and, in general all formalities and measures to which the vessels, their crews and cargoes may be subjected.

*Article 24.*

Czechoslovak vessels and their cargoes shall not enjoy the same facilities as Italian vessels as regards:

- (a) Special laws passed for the protection of the national mercantile marine in so far as they concern the construction of new vessels or the running of vessels with special grants or subsidies;
- (b) privileges granted to yacht clubs;
- (c) The services of the port and the coasting trade, which are reserved for national vessels;
- (d) fisheries.

*Article 25.*

Articles 21, 22, 23 and 24 shall, as far as circumstances permit, apply equally to Italian vessels and small craft in the inland ports and waters of Czechoslovakia.

*Article 26.*

The nationality of the vessels of each of the High Contracting Parties shall be determined in accordance with the laws and regulations of the State to which the vessels belong.

The High Contracting Parties shall accept as proof of the tonnage of vessels the tonnage certificates issued in conformity with the laws of the State to which the vessels belong.

*Article 27.*

The Italian Government agrees that the Czechoslovak Government shall, subject to previous agreement, be entitled to use the port of Trieste as the home port of merchant vessels belonging to Czechoslovak nationals.

The concession of this home port shall not exempt Czechoslovak vessels from observing the general and special provisions regulating the permanent use of such port, either as regards the stay of such vessels in the commercial basins or in the area set apart for vessels undergoing repairs, in process of being fitted out, or out of commission.

So long as they are staying in the port, Czechoslovak vessels shall moreover be bound to observe all port-police regulations, the enforcement of which is entrusted to the maritime authorities.

The use by Czechoslovakia of the port installations and appliances at Triest shall be regulated by a special Convention.

*Article 28.*

Nationals of each of the High Contracting Parties shall be free in the territory of the other, on the same conditions and subject to paying the same taxes as nationals, to use main and secondary roads, canals, locks, ferries, bridges, revolving bridges, ports and landing stages, signals and lights indicating navigable channels, pilots, cranes and weighing machines, warehouses and establishments for the salvaging and warehousing of ships' cargoes and other objects in so far as such establishments or installations are destined for public use, whether they are administered by the State or by private individuals.

Subject to special regulations concerning lighthouses, lights and pilotage, no tax shall be levied unless actual use is made of these establishments or installations.

*Article 29.*

Inhabitants of the territories of the two High Contracting Parties, their luggage and goods, shall receive the same treatment on the railways both as regards cost and method of transport, promptness of delivery and public imposts and taxes.

*Article 30.*

The High Contracting Parties shall ensure that the reciprocal traffic over the railways situated in their territory shall be facilitated as far as possible, and undertake that for this purpose the respective railway administrations shall conclude agreements as between themselves and the

railway administrations of intermediate States, with a view to establishing direct rates for the transport of persons, luggage and goods, and to arranging for the connection of trains so as to fulfil such transport requirements.

*Article 31.*

Should one of the High Contracting Parties have occasion to conclude agreements with a third State for combined through rates for railway transport between its territory and that of the third State across the territory of the other High Contracting Party, the latter shall assist in the establishment of such combined through rates.

The two High Contracting Parties undertake to accord each other the transport rates in force on their railways or navigable waterways for transporting the goods, etc., of a third State ; in any case each Party agrees to apply *reasonable rates* to the other Contracting Party's goods in transit over its territory. Czechoslovakia, however, shall facilitate the transit of *foodstuffs* of Italian production, granting this category of goods the lowest rates in its own tariff for goods passing in the same direction.

*Article 32.*

The High Contracting Parties undertake, with a view to preventing the spread of phylloxera, to apply reciprocally as regards imports the provisions laid down in the Berne International Convention of November 3, 1881, and the Additional Declaration of April 15, 1889.

*Article 33.*

The High Contracting Parties shall keep each other informed of all restrictions imposed on traffic for reasons of public health.

*Article 34.*

The High Contracting Parties undertake to apply the Paris International Convention of March 20, 1883, for the Protection of Industrial Property, revised at Washington on June 2, 1911, and any other international convention concerning inventors' patents to which they may adhere.

The High Contracting Parties undertake, moreover, to apply the Berne International Convention of September 9, 1886, for the Protection of Literary and Artistic Works, revised at Berlin on November 13, 1908, and completed by the Additional Protocol signed at Berne on March 20, 1914.

*Article 35.*

The two High Contracting Parties undertake to open negotiations at the earliest possible moment with a view to the conclusion of one or more special agreements with the object of obtaining for workers of one of the two countries in the territory of the other and for their legal dependants equality of treatment with that Party's own nationals in all matters connected with the application of laws for the protection of labour, medical and hospital assistance, social insurance against various risks, education and freedom of vocational association and organisation.

*Article 36.*

Each High Contracting Party shall accord to the other the right to appoint consuls in all ports and commercial centres in its territory in which a third State has been allowed to appoint consuls.

Consuls of one of the High Contracting Parties shall, subject to reciprocity, enjoy in the territory of the other, all privileges, rights and immunities which are at present or may in the future be accorded to the consuls of any other Power.

It is understood, however, that exemption from direct taxation shall be limited to consuls *de carrière*, provided they are not nationals of the High Contracting Party in whose territory they have been appointed to act, and in no case shall they enjoy privileges greater than those accorded to the diplomatic representatives of the High Contracting Parties.

The agents in question shall receive from the local authorities all aid and assistance which is or may in future be accorded to the agents of the most favoured nation for the extradition of sailors and soldiers belonging to the crews of vessels of one of the High Contracting Parties who may have deserted on the territory of the other High Contracting Party.

*Article 37.*

Should any dispute arise between the Contracting Parties with regard to the interpretation or the application of the provisions of this Treaty, the question at issue shall, at the request of one of the High Contracting Parties, be settled by arbitration. In every case at issue, the arbitration tribunal shall be constituted as follows: Each of the High Contracting Parties shall appoint as arbitrator a competent person from among its nationals, and the High Contracting Parties shall agree as to the choice of an umpire, who shall be a national of a third State. The High Contracting Parties reserve the right to name beforehand and for a period to be determined the person who, should a dispute arise, will act as umpire.

*Article 38.*

The present Treaty shall come into force on the date of the exchange of ratifications and shall remain in force until December 31, 1925. Should neither of the High Contracting Parties notify, twelve months before this date, its intention of denouncing the Treaty, the Treaty shall continue to be binding for one year from the date on which one or other of the High Contracting Parties may have denounced it.

*Article 39.*

The present Treaty, drawn up in duplicate in Italian and in Czech, shall be ratified, and the ratifications shall be exchanged at Rome as soon as possible.

In case of dispute, the Italian text shall be authentic, Italian being the language known to all the Plenipotentiaries.

In faith whereof, the above-mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in Rome, March 23, 1921.

(L. S.) ZDENĚK FIERLINGER

(L. S.) ZDENĚK FAFL.

(L. S.) LODOVICO LUCIOLLI.

(L. S.) ANGELO DI NOLA.

FINAL PROTOCOL ANNEXED TO THE TREATY OF COMMERCE AND NAVIGATION  
BETWEEN ITALY AND CZECHOSLOVAKIA.

On proceeding to sign the Treaty of Commerce and Navigation concluded this day between Italy and Czechoslovakia, the undersigned Plenipotentiaries have made the following reservations and declarations, which are to be regarded as forming an integral part of the Treaty itself.

*Ad Article 3.*

Commercial identity cards must be drawn up in accordance with the form set out in Annex A, and must be drawn up in Italian or in Czechoslovak, with a French translation.

The High Contracting Parties shall communicate to each other the names of the authorities entitled to issue such identity cards and the regulations to which travellers must conform in carrying on their business.

Articles subject to Customs duties imported as samples by commercial travellers shall in both countries be admitted free of import and export duties, provided these articles are not sold and are re-exported within twelve months, and provided there is no doubt concerning the identity of the articles imported and re-exported, no matter through what Customs office they may pass on leaving the country.

The re-exportation of samples must be guaranteed on their entering either country, by depositing the amount of the respective Customs duties or by providing surety.

When the regulation period has elapsed, the amount of the duties, whether they have been deposited or guaranteed, shall accrue to the Treasury or be collected on its behalf unless it be proved that the samples or models were re-exported within the regulation period.

If before the expiration of the regulation period, the samples or models are submitted to a duly authorised Customs office for re-exportation, the Customs office must make sure that the articles submitted to it are actually those for which the import permit was issued. Provided there is no doubt in the matter, the Customs authorities shall attest that the articles have been re-exported, and shall refund the amount of the duties deposited when the articles were imported, or shall take the necessary steps to release the surety.

The importer shall not be required to pay any charges, other than stamp tax on the certificate or permit, or charges for the affixing of marks intended to ensure the identity of the samples or models.

*Ad Article 9.*

Certificates of origin may be issued by the State authorities of the place of exportation or by the consigning Customs office, either in the interior of the country or on the frontier, or by the appropriate Chamber of Commerce or Industry, or by a consular agent. They may even be replaced by the invoice if the respective Governments so desire.

In doubtful cases the Government of the importing country may insist that the certificates themselves be visaed by its own consular agent in the locality in which the goods are consigned.

*Ad Article 11.*

It is understood that freedom to engage in the import, export and transit trade may not be subordinated to any restrictions other than those necessitated by technical difficulties existing at the time.

*Ad Article 15.*

The supertax which is levied on beers in barrels or bottles on entering Italy as an equivalent to the internal tax, shall be charged at the importer's choice, either on the basis of maximum

saccharometric content of 16° or on the basis of the sugar and alcohol content ascertained in a manner jointly agreed upon. The procedure adopted must, however, ensure equivalence between the supertax on the imported beers and the tax levied on beers manufactured in the country.

If at the importer's request the tax is to be paid on the basis of the ascertained sugar and alcohol content, the certificates of analysis delivered in Czechoslovakia by duly authorised institutions shall be recognised by the Italian authorities.

Beers accompanied by such certificates shall not be subject to fresh analysis if these certificates prove that the saccharometric degree of the original wort has been ascertained according to the accepted formula and that the rules of analysis — including rules for the safeguarding of public health — to be drawn up by common agreement between the two Governments, have been observed.

These certificates shall be drawn up in Italian or French in accordance with the form set out in Annex B.

In case of any well-founded doubt the Italian Customs administration reserves the right to verify the analysis of beers admitted to the benefits of importation on the basis of these certificates. The institutions authorised to deliver the certificates referred to in the preceding provisions shall be designated by common agreement between the two Governments.

*Ad Article 24.*

In any case Czechoslovak vessels may pass from one Italian port to another, or may call at several Italian ports, either to unload, in whole or in part, their cargo coming from abroad, or to take in or complete their cargo destined for foreign countries.

*Ad Article 31.*

Paragraph 1. As regards the transport arrangements referred to in this article and in Article 30, the obligations laid down in Article 3 of the Treaty of Sèvres of August 10, 1920, between Italy, Poland, Roumania, the Serb-Croat-Slovene State and Czechoslovakia, shall remain unaltered.

Paragraph 2. The expression « reasonable rates » shall be taken to mean rates established on a kilometric tariff basis not higher than the normal tariffs in force for transporting these goods in the interior.

« Foodstuffs » shall be taken to mean the items included in the special tariffs Nos 55 and 56 of the Italian International Services with the addition of the following items : « meat in skins, honey and wine » ; it is also understood that « fresh flowers » shall for the purposes of transit be treated on the same footing as « foodstuffs ».

The present Protocol, which shall be regarded as approved and adopted by the High Contracting Parties by the sole fact of the exchange of ratifications of the Treaty to which it refers and without other special ratification, has been drawn up in duplicate in Italian and Czech.

In case of dispute the Italian text shall be authentic as being the language known to all the Plenipotentiaries.

Done in Rome, March 23, 1921.

(L. S.) ZDENĚK FIERLINGER.

(L. S.) ZDENĚK FAFL.

(L. S.) LODOVICO LUCIOLLI.

(L. S.) ANGELO DI NOLA.

## ANNEX A.

## COMMERCIAL IDENTITY CARD FOR COMMERCIAL TRAVELLERS.

For the year.....

N<sup>o</sup> of Card .....

(coat of arms)

Christian name and surname of the holder.

(Place)

(Seal)

(Competent authority)

It is hereby certified that the holder of this card has a (description of factory or business) at.....  
 ..... under the style of .....

(or)

is employed as a commercial traveller by the firm of ..... at .....  
 which has a (description of factory or business) there.

The holder desires to solicit orders and make purchases for the above-mentioned firm and for the  
 following firm(s) .....

It is moreover certified that for the exercise of its (the), the said firm(s) must pay the legal taxes  
 in this country.

## Description of Holder :

Age : .....

Height : .....

Hair : .....

Distinctive marks : .....

Signature of holder

.....

Note : According to circumstances, one or other of the alternative texts must be filled in and  
 completed.

## NOTICE.

According to the regulations in force in the territories of each of the Contracting Parties, the holder  
 of this card is authorised to solicit orders, or make purchases only when travelling, and solely on behalf  
 of the aforesaid firm(s). He may take with him samples, but not goods.

## ANNEX B.

## CERTIFICATE OF ANALYSIS

of a consignment of Czechoslovak beer for importation into Italy, delivered on the basis of the sample taken by ..... on (date) ..... and sent to (name of institution) .....

I. INDICATIONS FOR VERIFYING THE IDENTITY OF GOODS<sup>1</sup>.

1. Name of sender .....
2. Place from which sent .....
3. Name and address of consignee (This need not be filled in) .....
4. Description of beer.....
5. Distinctive marks of the seals affixed to the sample bottle and attestation to the effect that these seals have been found intact .....
6. N<sup>o</sup> and other control marks of the vat from which the beer was drawn.....
7. If sent in casks :
 

(a) Capacity of the casks in which transported (b) No. of the casks (c) Control marks and seals on the casks .....	If sent in sealed trucks : (a) No. of control marks on the trucks (b) No. of casks (c) Capacity of casks (d) Official lead seal on the trucks .....
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## II. RESULT OF ANALYSIS.

Percentage of alcohol to weight .....

Percentage of dry extract to weight .....

Saccharometric degree of the wort used in manufacturing the beer calculated according to the formula:

$$e = \frac{100 (E + 2,0665 A)}{100 + 1,0665 A}, \text{ in which :}$$

e : extract contained in the original wort ;

E : Percentage of extract contained } in the beer, in relation to the weight.

A : Percentage of alcohol contained }

Calculated by volume the saccharometric content of the wort is <sup>2</sup> .....

The sulphuric dioxide content is normal.

## III. FINAL DECLARATION.

The above-mentioned examination, as well as the general character of the beer, prove conclusively that it has been prepared solely from malt, hops, yeast and water, and that its composition is that of normal beer.

We declare, moreover, that the beer does not contain any glycerine, salicylic acid, boric acid, oxalic acid or bitter substances extraneous to beer.

(Date)

(Stamp)

(Signature)

<sup>1</sup> These indications, except No. 5, must be detached from the label on the sample bottle and the letter accompanying the same.

<sup>2</sup> Calculated according to the Brix tables.