

N° 1114.

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**HONGRIE ET ROUMANIE**

Arrangement commercial avec annexes, signé à Bucarest, le 16 avril 1924.

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**HUNGARY AND ROUMANIA**

Commercial Agreement with Annexes, signed at Bucharest, April 16, 1924.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 1114. — COMMERCIAL AGREEMENT<sup>2</sup> BETWEEN HUNGARY AND ROUMANIA, SIGNED AT BUCHAREST, APRIL 16, 1924.

*French official text communicated by the "Chargé des Affaires" of the Royal Hungarian Delegation accredited to the League of Nations. The registration of this Agreement took place February 27, 1926.*

HIS MOST SERENE HIGHNESS THE REGENT OF HUNGARY and HIS MAJESTY THE KING OF ROUMANIA, being equally desirous of promoting commercial relations between Hungary and Roumania, Have appointed as their Plenipotentiaries :

HIS MOST SERENE HIGHNESS THE REGENT OF HUNGARY :

M. R. DE WODIANER, Envoy Extraordinary and Minister Plenipotentiary ;

HIS MAJESTY THE KING OF ROUMANIA :

M. Nicolas N. FILODOR, Envoy Extraordinary and Minister Plenipotentiary, Secretary-General of the Royal Ministry for Foreign Affairs ;

Who, having communicated their full powers, found in good and due form, have agreed on the following Articles :

*Article 1.*

Pending the conclusion of a Treaty of Commerce, commercial relations between Hungary and Roumania shall be based on the principle of most-favoured-nation treatment.

*Article 2.*

As regards railway communications between the two countries, the Contracting Parties shall, in their railway rates policy, conform to the principle of most-favoured-nation treatment.

Transport between the two countries shall take place in conformity with the provisions of Annex I.

*Article 3.*

As regards railway transit, the two Contracting Parties undertake to apply reciprocally the provisions of the Convention and Statute on Freedom of Transit, signed at Barcelona on April 20, 1921.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

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

<sup>2</sup> The exchange of ratifications took place at Budapest, December 3, 1924. See No. 1106, Vol. XLV, page 325 of this Series. The additional Protocol to No. 1106 applies to this Agreement.

As regards international passenger and goods traffic between the two countries, the Contracting Parties undertake to apply reciprocally the provisions of the Convention and Statute on the International Régime of Railways, drawn up and signed at Geneva by the Second General Conference on Communications and Transit on December 8, 1923, subject to the ratification of this Convention and Statute by the two Parties.

*Article 4.*

The Contracting Parties shall, as soon as possible, commence negotiations with a view to concluding a special agreement concerning bridges and highways intersected by the frontier.

*Article 5.*

The regulations for local frontier traffic are set out in Annex II.

*Article 6.*

The present Agreement shall be ratified, and the instruments of ratification shall be exchanged at Budapest as soon as possible.

The Agreement shall come into force ten days after the exchange of ratifications, and shall cease to be valid three months after the date on which one of the Parties has informed the other of its intention to denounce it.

In faith whereof the respective Plenipotentiaries have signed the present Agreement and have affixed their seals thereto.

Done at Bucharest in two original copies, on April 16, 1924.

(L. S.) (Signed) R. DE WODIANER.

(L. S.) (Signed) N. N. FILODOR.

ANNEX I.

PROVISIONS CONCERNING RAILWAY TRAFFIC.

(1) Goods traffic between the two States shall be carried on in conformity with the regulations of the Berne International Convention on Railway Transport of October 14, 1890, with all additions and provisions supplementary thereto.

Should a new international convention, capable of replacing the Berne Convention, be adopted by the two Contracting Parties, this new convention shall be applied.

In view, however, of the present traffic difficulties, the Berne Convention may be departed from in certain matters which will form the subject of a special agreement between the railway administrations of the two countries.

(2) The two Contracting Parties shall take all possible steps to ensure a rapid and reliable passenger, goods and postal service between the two countries by the most convenient routes.

(3) The two Contracting Parties shall take, in conformity with Articles 295 and 313 of the Treaty of Trianon, the necessary steps to fix a scale of through charges as soon as possible, at least for the main categories of goods and the most important kinds of traffic, in order to facilitate through passenger and goods traffic.

(4) In conformity with the provisions of Article 3, first paragraph, of the regulations of the International Convention on Railway Goods Traffic, the Contracting Parties shall enter into negotiations with a view to establishing more favourable conditions for goods accepted for transport conditionally.

(5) In view of the present state of traffic and the special economic circumstances, the present connections are held to be sufficient, namely the lines :

- (1) Kétegyháza—Lökösháza—Curtici—Arad ;
- (2) Kőtegyán—Salonta Mare ;
- (3) Püspökladány—Biharkeresztes—Episcopia Bihorului—Oradia-Mare ;
- (4) Debreczen—Nyirábrány—Valea lui Mihai ;

with regard to which conventions approved by the two central administrations are in force.

The two Contracting Parties agree, however, that it is necessary to examine conjointly the question of establishing a connecting service and through service on the other railway lines connecting Hungarian with Roumanian territory when the regular international passenger and goods traffic attains a sufficient volume, in proportion to running costs, to justify such a step.

(6) In most cases there will be two railway stations, one Hungarian and one Roumanian, at the frontier-points.

In exceptional circumstances, at frontier-points possessing complete equipment (common frontier stations with all necessary adjuncts), or at points at which the existing equipment might be made complete at very small cost, a common station may be worked under conditions to be laid down subsequently.

(7) In regard to the exchange of rolling-stock the provisions of the R. I. C. and R. I. V., with all relevant stipulations approved in conformity with the Statute of the Rolling-Stock Union, shall be applied.

## ANNEX II.

### PROVISIONS FOR FACILITATING LOCAL FRONTIER TRAFFIC.

With a view to facilitating traffic in the adjoining frontier-zones, the following arrangements shall be made :

#### *Article 1.*

The districts situated on both sides of the frontier shall be recognised as adjoining frontier-zones, the respective Contracting Parties reserving the right to issue further orders specifying these districts. In principle, no frontier-zone shall exceed ten kilometres in depth, but account shall be taken of local necessities on both sides. The two Parties may, however, agree to extend the depth of the frontier-zone beyond ten kilometres wherever it has been shown that such extension is necessary. In all cases towns shall be excluded from the frontier-zones.

#### *Article 2.*

Permits to cross the frontier may be issued in the cases provided for in Article 4, for the purpose of facilitating the crossing of the frontier by inhabitants who have their fixed residence in the adjoining zones and who are obliged by their professions or occupations to cross the frontier from time to time.

#### *Article 3.*

Permits to cross the frontier shall only be issued to persons recognised by the Criminal Investigation Department, the State police and the fiscal authorities, to be absolutely reliable.

*Article 4.*

Permits to cross the frontier may be issued to the following persons :

- (a) Agriculturists, proprietors, and farmers members of their families and their assistants (if the latter reside in the frontier-zone for at least three months), carrying out agricultural work on their own land (fields, meadows, forests, vineyards) situated in the adjoining zone of the neighbouring party, or working on leased land in the same zone. In the latter case, the period of validity of the permit may not extend beyond the term of the existing lease ;
- (b)<sup>1</sup> Doctors, veterinary surgeons, priests and midwives, authorised to practise in the frontier-zone ;
- (c) Persons requiring to cross the frontier on a single occasion for important and urgent reasons (deaths, serious illnesses, marriages, etc.)

Frontier-permits issued to persons indicated in paragraphs (a) and (b) shall be valid for three months. These persons should be able to obtain the renewal of their permits without difficulty provided they can prove that the reasons for which the permit was issued are still valid.

Frontier-permits issued to persons referred to in paragraph (c) shall be valid for not more than three days ; this time-limit may, at the discretion of the local authorities, be extended for a like period.

For crossing the frontier, children under twelve years of age shall not be required to possess individual permits if they are included in the frontier-permit of the head of the family.

*Article 5.*

The Contracting Parties undertake to communicate to each other lists of the persons entitled to hold frontier-permits in conformity with Article 4 (a) and (b), and any alterations or additions to these lists.

*Article 6.*

Permits to cross the frontier on one or more occasions shall be issued by the competent administrative police authorities of first instance.

Permits issued in conformity with Article 4 (a) and (b) shall not be valid until they have been *visés* by the competent administrative or police authorities of first instance of the other Contracting Party.

Visas shall be refused to persons not included in the lists provided for in Article 5, or for the reasons laid down in Article 3.

No charge shall be made for visas.

The competent authorities of the other Party must immediately be notified, by the most rapid means available, of the issue of a frontier-permit in conformity with Article 4 (c).

*Article 7.*

Frontier-permits shall entitle persons referred to in Article 4 (a) and (b) to remain for an unbroken period of six days in the territory of the other State. Persons referred to in Article 4 (c) may remain up to three days and this time-limit may be extended for a like period as provided in Article 4.

The necessity for an unbroken stay of six days must be indicated on the frontier-permit.

*Article 8.*

Holders of frontier-permits shall not be required to pay any duty on crossing the frontier. They shall, however, be obliged to submit to the supervisory measures in force and to show their frontier-permits.

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<sup>1</sup> Paragraph (b) has not been ratified.

*Article 9.*

The frontier may only be crossed by routes determined by the common consent of the administrative authorities of the two adjacent territories and the Customs authorities of the two Parties.

*Article 10.*

Frontier-permits shall be drawn up in accordance with the standard specimen attached hereto. Permits issued under Article 4 (a) and (b) must bear the holder's photograph. The routes which the holder must follow shall be indicated on the permit.

*Article 11.*

As soon as the circumstances which warranted the issue of a frontier-permit change, and in particular if the holder of the permit ceases to merit the same confidence on the part of the police or fiscal authorities, the permit shall be withdrawn even if it has not yet expired, and the competent authorities of the other Party shall be informed without delay.

*Article 12.*

Subject to the guarantee required by the respective Customs authorities, sacks and other packings for the transport of goods in local frontier-traffic from one adjacent frontier-zone to the other shall be allowed to cross the frontier duty-free, provided that they are brought back empty by the same route. No special export or import permits shall be required for these packings.

*Article 13.*

The following articles shall be exempted from all Customs duties and other charges and all special import or export permits when imported or exported over the common frontier: medicaments made up in small quantities according to the consumer's requirements, despatched by neighbouring pharmacies on the prescription of a physician or a veterinary surgeon qualified to practise within the territory of one of the Contracting Parties. Such consignments shall require no special authorisation.

No doctor's prescription shall be required, however, in the case of simple medical drugs or pharmaceutical products and ordinary chemicals in small quantities according to the consumer's requirements and subject to Customs inspection, which are definitely and clearly stated to be such on the package, provided that the regulations of the respective countries permit their retail sale.

The two Contracting Parties undertake to communicate to one another lists of authorised pharmaceutical products and any changes in or additions to these lists which may subsequently be made.

*Article 14.*

Inhabitants of one adjacent zone engaged in agriculture on their own land (fields, meadows, forests, vineyards) situated in the adjacent zone of the other Party or working on land leased in that zone, shall be authorised, so far as the necessary precautionary measures for the protection of the respective Customs duties permit, to transport over the common frontier, free of Customs duty and every other sort of duty and charge and without any import or export permit, draught animals, implements, tools, seed, seedlings and other effects required in viticulture or agriculture on the land referred to above.

*Article 15.*

Produce of the soil and the forests (except wood), as, for instance, wheat in sheaf or in ear, leguminous plants, tubers, grass for feeding livestock, hay, straw, fodder, grapes and fruits, gathered on land

separated from the respective farm-buildings by the Customs frontier, may be transported free of all Customs duty and any other sort of duty or charge, and without export or import permit.

*Article 16.*

Livestock being taken to pasture from one territory to the other shall be admitted temporarily free of all import and export duty and without export or import permit, provided it is brought back, and subject to the reservation that the Customs regulations are observed and the identity of the animals verified on return.

Produce of stock in pasture, such as milk, butter, cheese, wool, and young born during this period, may also be re-introduced Customs free, but only in proportion to the number of the livestock and the actual duration of the pasturage period.

Should any livestock — apart from animals which have died during the pasturage — not be returned, the respective import duties shall be paid on the return of the remaining stock.

The effects and furniture of peasants or herdsmen accompanying the livestock shall also pass Customs free.

*Article 17.*

Animals to be weighed or required for a short spell of work, and agricultural machinery and tools required for a short spell, shall be exempted from Customs duties, charges, and import and export permits, provided the Customs deposit required by the respective legislations is paid.

*Article 18.*

The facilities granted under the previous Articles shall not affect the right of each Contracting Party to take such measures as it may consider necessary for reasons of public health, veterinary inspection, Customs supervision or any other necessary supervision deemed to be an essential precaution against possible abuse.

*Article 19.*

Freedom from import and export duties shall be granted also in respect of articles for the inhabitants' personal use despatched from one territory into the other for repair or treatment, provided that this traffic is limited to adjacent zones and to the current needs of the inhabitants of these zones, and subject to Customs guarantee.

*Article 20.*

Inhabitants of the frontier-zones of one of the Parties who are working under a labour contract in farming, forestry or mining enterprises in the frontier-zone of the other Party, may — provided they regularly return home from the opposite frontier-zone not later than six days after their arrival at their place of work, and provided they observe the official Customs regulations issued for cases of this kind — transport, free of all Customs duty, charge, or import and export permit, the implements and tools which they require for their work.

Food prepared at the homes of workmen of this category may also be brought to them Customs free and without import or export permit.

*Article 21<sup>1</sup>.*

Physicians, veterinary surgeons and midwives residing near the common frontier, shall be authorised to practise in the adjacent zone of the other Party to the same extent as in their own country, subject to the following reservations :

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<sup>1</sup> Article 21 has not been ratified.

Persons referred to in the preceding paragraph shall not be entitled, when attending cases in the other country, to administer medicine brought by themselves, except in cases of extreme urgency.

Physicians, veterinary surgeons and midwives, who desire to avail themselves of the right accorded under first paragraph of this Article, must conform, when professionally engaged, to the laws and regulations in force in the country in which they happen to be practising.

The Contracting Parties undertake to exchange all information concerning the regulations in force as regards the practice of medicine and veterinary surgery, in order that physicians, veterinary surgeons and midwives may be informed thereof.

They shall also exchange lists of physicians, veterinary surgeons and midwives, authorised to practise in the frontier-zone, as well as any changes therein or additions thereto.

*Article 22.*

Trade restrictions in force in the territories of the two Parties, and regulations concerning various products subject to State control, shall not be affected by the regulations laid down for local frontier-traffic.

The Contracting Parties undertake not to requisition any animals, vehicles, harness, tools or machinery imported for work, nor to prevent their return to the country of origin.

*Article 23.*

The administrative authorities of first instance of the Contracting Parties shall draw up, with respect to the frontier-zones, lists of agricultural undertakings, estates, and the owners thereof, entitled to the benefit of local frontier-traffic facilities. These lists shall be exchanged within two months following the coming into force of the present Agreement.

Any changes in or additions to these lists must be communicated to the other Party within three months at the latest.

On the basis of the above-mentioned lists the authorities in question shall establish, for animals crossing the frontier as local frontier-traffic, an identification sheet corresponding with the frontier-permits, which sheet must be shown when required.

*Article 24.*

If the inhabitants of the frontier-zones are unable to use the roads of their own country, they may use the highways and main roads which partly traverse the territory of the other Party or which pass along the other side of the frontier, provided they conform to such local arrangements as may be concluded for this purpose. In all cases these roads must be indicated in the frontier-permit.

*Article 25.*

The question of any other special facilities which may still be necessary for local frontier-traffic, such as Customs facilities and facilities for commercial supervision in connection with articles required for the current personal use of the inhabitants of the adjacent frontier-zones, shall be dealt with by future agreement between the two Contracting Parties.

*Article 26.*

The Contracting Parties undertake to make united efforts to prevent, by means of proper measures, smuggling over their common frontier. Regarding penalties for smuggling, the Contracting Parties will enforce their respective penal legislation.

*Article 27.*

The Contracting Parties will make every effort to ensure that Customs supervision over local frontier-traffic shall be carried out by the respective organisations as far as possible simultaneously and at the same place.



## FRONTIER PERMIT.

The undersigned authorities certify that .....  
of ..... (occupation) .....  
(place of work) .....  
is authorised to cross the Hungaro-Roumanian frontier-zone once (..... times) by the roads  
.....

Valid until ..... 192....

This permit is valid for a stay of ..... days.

Photograph.

Signature :

*Description :*

Age .....	Hair.....
Height .....	Special characteristics .....
Eyes .....	.....

Date : .....

*Police officer of the first instance.*

Visa.

(Seal)

*Signature.*

*Note.* — The frontier may only be crossed between sunrise and sunset.