

N° 1506.

ALLEMAGNE ET POLOGNE

Convention concernant le trafic ferroviaire entre les deux États.
Signée à Berlin, le 27 mars 1926.

GERMANY AND POLAND

Convention concerning reciprocal
Railway Traffic. Signed at Berlin,
March 27, 1926.

¹ TRANSLATION.

No. 1506. — CONVENTION BETWEEN GERMANY AND POLAND
CONCERNING RECIPROCAL RAILWAY TRAFFIC. SIGNED AT
BERLIN, MARCH 27, 1926.

Being desirous of regulating railway traffic between GERMANY, of the one part, and POLAND and THE FREE CITY OF DANZIG, of the other part, the Parties have appointed as their Plenipotentiaries :

POLAND :

Dr. Witold PRĄDZYŃSKI, Member of the Codification Committee of the Polish Republic, who, in accordance with Article 104, Paragraph 6, of the Treaty of Versailles, also represents the Free City of Danzig in so far as the latter is concerned as a Contracting Party ;

GERMANY :

Dr. Theodor LEWALD, Geheimrat, former Secretary of State ;

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

Article I.

LAWS AND REGULATIONS.

1. The provisions of the present Convention shall apply to passenger, luggage and goods traffic between Poland and the Free City of Danzig, of the one part, and Germany, of the other part, on the sections between the frontier and the exchange station. The provisions of agreements and tariffs already concluded between the Contracting Parties or the German and Polish railway administrations shall also be applicable, as well as the provisions of international agreements to which the Contracting Parties have acceded, and the laws and regulations of either State in its own territory, in so far as the present Convention contains no provisions to the contrary.

2. The provisions of the Convention of April 21, 1921, between Germany, Poland and the Free City of Danzig, relating to free transit between East Prussia and the remainder of Germany, and those of the German-Polish Convention on Upper Silesia of May 15, 1922, shall remain in force within their respective spheres. As long as the last-named Convention remains in force, the provisions of Title VIII, Chapter I, Section III, of Part V of the said Convention and of the executive regulations pertaining thereto shall also be applicable to traffic on the Upper Silesian Railways across the frontier between German and Polish Upper Silesia. Should the Convention on Upper Silesia expire before the present Convention, all the provisions of the present Convention shall *ipso facto* become applicable to these frontier-crossings.

3. The present Convention confers no rights on any third party.

¹ Translated by the Secretariat of the League of Nations.

Article 2.

TRAFFIC ORGANISATION.

The Contracting Parties shall arrange that the railway traffic between the two countries is organised with due regard to the needs of ordinary and transit traffic. In particular, the Railway, Postal, Customs, Passport and other services shall be operated in such a way that the conveyance of passengers, luggage and goods is effected as rapidly as possible.

Regulations of Execution.

1. In their periodical discussions of time-tables, the railway administrations shall consider the requirements of ordinary and transit traffic. In particular, the times of arrival and departure of trains at exchange stations shall be co-ordinated and the time of the stops arranged.

2. The postal, Customs and passport authorities shall be given punctual information regarding time-tables and any changes made therein.

3. Special agreements shall be concluded with regard to the running of sleeping-cars, dining-cars and mail vans.

Article 3.

FRONTIER-CROSSINGS AND EXCHANGE STATIONS.

1. The following frontier-crossings with the exchange stations named shall be used for railway traffic between, Poland and the Free City of Danzig, of the one part, and Germany, of the other part :

Frontier Section	Exchange Station
Strzebielino - Gross Boschpol	Gross Boschpol
Chojnice - Firchau	Chojnice
Kaczory - Schneidemühl	Schneidemühl
Drawski Młyn - Kreuz	Kreuz
Zbąszyń - Neu Bentschen	Zbąszyń
Leszno - Fraustadt	Fraustadt
Rawicz - Wehrse	Rawicz
Rawicz Korsenz	Rawicz
Zduny - Freyhan	Zduny
Pawłów - Neumittelwalde	Neumittelwalde
Łeka - Kostau	Hanulin
Tczew - Simonsdorf - Marienburg	Marienburg
Gardeja - Dianenberg	Gardeja
Jamielnik - Deutsch Eylau	Deutsch Eylau
Rakowice - Deutsch Eylau	Deutsch Eylau
Grajewo - Prostken	Grajewo
Raczki - Czymochen	Raczki

2. The frontier-crossings mentioned in Article 411 of the German-Polish Convention on Upper Silesia of May 15, 1922, and in the executive provisions pertaining thereto, may in addition be used for railway traffic between Germany and Poland (see Article 1, paragraph 2).

3. The above-mentioned frontier-crossings may also be used for transit traffic provided no other arrangement has been made by mutual agreement between the railway administrations.

4. By mutual agreement between the respective Governments, other stations closer to the frontier may be used as exchange stations instead of those already named.

5. With regard to the Zawisna-Praszka frontier-crossing and the frontier crossings of the Upper Silesian narrow gauge railways, special provisions will be included in a Final Protocol.

Article 4.

SOVEREIGNTY.

Sovereign rights over the exchange stations, including the section of the line between the latter and the frontier, shall belong, so far as no provisions to the contrary occur in this or any other international Conventions, to the State in whose territory they are situated.

Article 5.

USE AND UPKEEP OF RAILWAY INSTALLATIONS.

1. The Polish and German railway administrations shall allow each other the use of the necessary installations and premises according to the provisions of the present Convention.

2. They shall, each in its own area, maintain the installations at the exchange stations and on the line between the exchange station and the frontier, in the condition prescribed by the regulations.

3. More detailed provisions, especially those involving alterations to installations and buildings intersected by the frontier, shall be the subject of supplementary local agreements. (Article 7.)

Regulations of execution.

1. Railway bridges and viaducts, including their buttresses and pillars, intersected by the frontier, shall, without prejudice to the property rights of the neighbouring administration, be inspected and maintained exclusively by one of the two local administrations concerned, in accordance with its own regulations. (See Annex A.)

2. As regards work in excess of the normal upkeep requirements, and as regards the rebuilding of bridges, an agreement must be reached between the two railway administrations concerned. This work may not be undertaken without the previous consent of the central railway administration. In urgent cases the administration responsible for upkeep shall put the necessary work in hand and notify the neighbouring administration immediately.

3. The administration responsible for the upkeep of a bridge shall render an account to the neighbouring administration for its share of the upkeep, based on the relative lengths of the bridges on either side of the frontier, plus an additional 10 % for administrative expenses.

4. A list of bridges intersected by the frontier is annexed. (Annex A.)

Article 6.

RIGHT OF PROPERTY.

1. All the installations and buildings mentioned in Article 5 which are situated on Polish territory or on that of the Free City of Danzig shall remain the property of Poland, and those on German territory shall remain the property of Germany.

2. The same applies to new installations.

Article 7.

SUPPLEMENTARY LOCAL AGREEMENTS.

The railway administrations shall conclude a supplementary agreement governing the particular conditions of each frontier-crossing (Supplementary Local Agreement).

Regulation of Execution.

A plan of the line from the frontier to the exchange station and a plan of the exchange station shall be attached to every supplementary agreement. The plans shall show in different colours the installations used jointly by both administrations and those handed over to the neighbouring administration for its exclusive use, and a list shall be attached to the plan indicating the installations for joint use and installations for the sole use of the neighbouring administration.

Article 8.

LANGUAGE.

1. Oral and written official communications at the exchange stations and on the section between the latter and the frontier shall be made in the official language of the particular station and section. Exception : See Article 26.
2. Employees of the same State may, however, even for official purposes, communicate with one another in their own language in the territory of the other State.
3. Telegraphic and written official correspondence between the administrative offices of the two Contracting Parties shall be in the official language of the sending office.

Regulations of Execution.

1. The receiving administration shall be responsible for the translation of telegrams and written communications.
2. Periodical communications relating to railway traffic shall be issued in both languages in a form to be agreed upon between the two railway administrations.
3. Premises at the exchange station used exclusively by the neighbouring administration shall be provided with bilingual notices in which the official language of the owner-administration shall always be placed first.
4. The exchange and frontier stations shall display in appropriate places official notices and time-tables concerning the traffic of the frontier-crossing in question transmitted by the neighbouring railway administration in its official language.

Article 9.

EMPLOYEES OF THE NEIGHBOURING STATE AT THE EXCHANGE STATION AND ON THE SECTION BETWEEN THE LATTER AND THE FRONTIER.

1. At the exchange station and on the section between the latter and the frontier, the neighbouring administration may use its own employees to perform certain service duties when the nature of these duties so requires. These employees must discharge their duties in accordance with the laws and regulations of the administration which sent them.

2. The number of employees despatched to the territory of the neighbouring State must not exceed the number strictly required.

3. The members of the personnel employed at frontier and exchange stations, and also on the section between the frontier and the exchange station, must be acquainted with the relevant rules and regulations of the frontier railway service, and, if employed at the exchange station of the neighbouring administration, must be capable of making themselves understood, to the extent required by their duties, in the official language of the neighbouring State.

Regulations of Execution.

1. The qualifications of the members of the personnel employed on the territory of the neighbouring State shall be those recognised by the rules and examinations of the administration to which they belong.

2. When acting in the territory of the neighbouring State, the personnel shall be subject to the regulations of the competent organs of the neighbouring administration, in so far as such regulations are in keeping with the provisions of the supplementary local agreement.

3. In exceptional circumstances, a member of the personnel may, while acting in the territory of the neighbouring State, be called upon to perform service duties for the neighbouring administration, so far as his duties for his own administration permit.

4. The supplementary local agreements shall decide in respect of each frontier-crossing whether employees are to reside in the neighbouring State and, if so, which employees.

Article 10.

PROTECTION OF EMPLOYEES OF THE NEIGHBOURING STATE.

1. Employees working in the territory of the neighbouring State who are subjects of the State responsible for sending them shall retain their nationality. The same applies to the members of their families and to the servants living in their households in the territory of the neighbouring State. In such cases the fact of domicile, residence or birth does not involve acquisition of the nationality of the neighbouring State.

2. All necessary protection is guaranteed to the persons indicated in paragraph 1 during their stay in the territory of the neighbouring State. (See Articles 16 and 17). Employees when in the neighbouring State shall continue to be regarded as officials for the purposes of penal law. In cases of insult or bodily injury, in so far as public action may legitimately be taken in addition to private action by the injured party, the Contracting Parties shall exercise their powers in favour of the employees of the neighbouring administration working on their territory to the same extent as in favour of their own officials.

3. During the period of their stay in the territory of the neighbouring State, the persons indicated in paragraph 1 shall enjoy :

(a) Exemption from all personal services and contributions under public law ;

(b) Exemption from public taxation in this territory to the same extent as if they possessed neither domicile nor residence in the neighbouring State.

4. The children of the persons indicated in paragraph 1 shall be exempt from compulsory school attendance.

5. As regards disciplinary punishment of administrative offences, employees working in the territory of the neighbouring State shall be under the sole jurisdiction of their own superiors. As regards punishable offences committed in the performance of their duties in the territory of

the other country, provided the offender is not a subject of the latter, the right of sentence shall be left to the home authorities if they so request.

On such request, the accused must be surrendered by the other country without delay to the home authority designated. The request for the transfer of the case and for the surrender of the accused shall be made by the latter's home authority to the competent prosecuting authority of the other country.

Article II.

MUTUAL ASSISTANCE IN SERVICE MATTERS.

1. The administrative offices and employees of the Contracting Parties at the exchange stations and on the sections between them and the frontier shall assist one another in the performance of their official duties, particularly those in connection with the prevention and detection of contraventions.

2. The authorities and offices of each of the Contracting Parties shall afford all the necessary protection to the offices and employees of the other Party working in the territories indicated in paragraph 1, and shall give the same effect to requests to that end as to similar requests from their own offices and employees.

3. The competent offices of the administrations concerned with railway traffic shall, upon the direct request of one of the offices of the other Party, take suitable steps to ascertain the facts regarding infringements of the provisions of the latter's railway, postal, Customs, passport or service regulations occurring in the territories mentioned in paragraph 1 of the present Article, and shall issue the necessary summonses for initiating and executing disciplinary measures.

4. The expenses incurred in dealing with such requests shall be reimbursed by the office making the request to the office receiving the same.

Article 12.

SUPERVISORY STAFF.

1. Each of the administrations concerned has the right to have the work of its own employees in the territory of the neighbouring State inspected by its own officials.

2. These officials shall refrain from any interference in the working of the service.

3. The provisions of Article 16 shall apply *mutatis mutandis* to the crossing of the frontier by these officials and their temporary stay in the territory of the neighbouring State.

Regulation of Execution.

The names of these officials shall be communicated to each other by the neighbouring administrations.

Article 13.

ADMINISTRATIVE OFFENCES.

1. In cases of administrative offences in connection with railway traffic, the railway administration of the district in which the offence was committed shall proceed to an investigation into the facts, if necessary in agreement with, and with the help of, the administration of the neighbouring State concerned. The railway administration shall communicate these facts to the neighbouring administration, which shall take immediate action and shall inform the other admin-

istration of the result. Employees who, according to their own statement, are insufficiently acquainted with the official language of the neighbouring State shall be interrogated at their own request in the official language of the State responsible for sending them.

2. An employee who has committed a serious administrative offence shall, at the request of the competent administration of the neighbouring State, be withdrawn by his superiors from service in its territory.

Article 14.

SOCIAL INSURANCE AND ACCIDENT BENEFITS.

1. As regards social insurance and accident benefits in the case of members of the railway staffs permanently or temporarily employed in the territory of the neighbouring State, only the legal provisions of the State in whose territory the administration employing the persons is situated shall be applicable. The same shall apply when the personnel of one administration is employed for service purposes by the other administration.

2. The bodies liable for insurance, administrative authorities or courts of the State whose legal provisions are applicable in virtue of the preceding paragraph shall be competent to deal with social insurance, the payment of accident benefits and the settlement of disputes.

3. Insurance complying with the foregoing provisions effected in accordance with the legal provisions of the other State shall have the same legal validity from the point of view of employers' civil liability as insurance effected according to the legal provisions of the home country. The right of appeal may only be exercised by one railway administration against the other.

Article 15.

SICK BENEFIT.

1. In the case of sickness and accidents, the same assistance shall be accorded to the personnel of the neighbouring State and to members of their families dependent upon them and living in their households as is extended to the personnel and dependents of the home State.

2. The expenses incurred in this connection shall be reimbursed to the administration which provided relief by the administration to which the personnel concerned belongs.

Regulation of Execution.

Reimbursement as provided by paragraph 2 will only be made upon a certificate from the doctor attending the case to the effect that medical assistance was necessary and was in keeping with the nature of the sickness or injury and also with the circumstances of the patient.

Article 16.

CROSSING OF THE FRONTIER AND TEMPORARY STAY IN THE NEIGHBOURING STATE.

1. Employees engaged in the frontier service between Poland and the Free City of Danzig, on the one hand, and Germany, on the other hand, shall be allowed to cross the frontier in, and with a view to, the exercise of their duties, and to remain upon the railway premises in the territory of the neighbouring State during and between working hours without obligation to obtain a passport or visa, in virtue of a warrant issued by one of the competent offices. This warrant must be drawn up according to an agreed form and for a period depending upon the circumstances; the validity may not, however, exceed one year. To go outside the railway premises, a permit from the Railway Passport Office is required and will only be issued on deposit of the document referred to in the

first sentence. It shall be valid only for the territory of the commune in which the exchange station is situated or to which the station is nearest.

2. In foreign territory employees shall wear uniform or conspicuous service badges in so far as they are obliged to wear uniform or service badges by the regulations of the State to which they belong, or in so far as, in the course of their duties, they come into contact with the public in the neighbouring State. Before quitting the railway premises they must leave their arms.

3. Subject to Customs inspection, employees shall be entitled to take with them free of duty such articles as are obviously required for daily use in the course of service and on the journey to and from work.

4. The staff employed in the frontier service shall be conveyed free between the exchange station and the frontier.

Regulations of Execution.

1. The warrant mentioned in paragraph 1, sentence 2 of this Article shall be in the form given in Annex B. The offices competent to issue this warrant shall be notified to each other by the two administrations.

2. Employees of the Danzig passport, postal and Customs administrations employed in the railway frontier service may, in place of the warrant given in Annex B, make use of their official identity certificates.

3. These certificates also entitle the bearer to free conveyance in accordance with paragraph 4 of this Article.

Article 17.

CROSSING OF THE FRONTIER AND PERMANENT RESIDENCE IN THE NEIGHBOURING STATE.

1. Employees working in the territory of the neighbouring State and residing there, and also members of their family and household, shall be permitted to cross the frontier between their home country and their residence in their place of employment without obligation to obtain a passport or visa, in virtue of a warrant in a form to be agreed upon, issued by their superior authority. The territory of the commune to which the exchange station belongs, or which lies nearest that station, shall be regarded as the place of employment, unless, owing to special circumstances, the place of employment is otherwise defined in the supplementary local agreements.

2. The provisions of paragraphs 2 and 4 of Article 16 shall apply to these employees, it being understood that they may also carry their regulation weapons with them both to and from their work.

Regulation of Execution.

The warrants mentioned in paragraph 1 of this Article shall be in the forms specified in Annexes C and D.

Article 18.

IDENTITY CARDS FOR DINING AND SLEEPING CAR ATTENDANTS.

1. Private employees in dining and sleeping cars must be provided with identity cards issued by the competent police authority of their place of residence. These cards must bear the Christian names and surname, address, nationality, signature and an officially certified photograph of the holder, the seal and signature of the authority issuing the permit, and also an attestation by the

competent railway directorate of the nature of the bearer's employment in the dining and sleeping car service.

2. A visa from the other Contracting Party is not required.

Article 19.

SPECIAL CUSTOMS PROVISIONS.

1. The Customs administration of each Contracting Party shall, except in cases of suspected abuse, and without prejudice to the rights derived from their national legislation, accept as valid and leave intact the leads or seals which the Customs administration of the other Party has affixed to goods which were despatched under Customs supervision. It retains, however, the right to supplement the leads or seals by an additional Customs mark.

2. Objects used for service purposes by offices and employees in foreign territory may be imported free of all Customs duties, charges and fees on production of an attestation by the competent office ; such objects may be conveyed back to the country of origin free of duties, charges and fees.

3. The same applies to property in course of removal intended for the personal use of employees and the members of their families and households, provided the objects in question have already been used.

4. Spare parts applied for from foreign railway administrations, in accordance with the international agreement on the reciprocal use of wagons, to repair damages, and also damaged parts in course of return, shall be exempt from Customs duties, charges and fees, provided they are accompanied by an official attestation from the office of despatch regarding the destination of the material.

Article 20.

RESPONSIBILITY FOR DAMAGE.

1. Responsibility for damage and accidents in railway traffic between the frontier and the exchange station, but not for damage to or total or partial loss of goods despatched and passengers' luggage (see paragraph 7), shall be determined by the laws and regulations in force in the locality where the damage or accident occurs.

Traffic by the Upper Silesian frontier crossings shall continue to be governed by the provisions of Articles 426, 427 and 486 of the German-Polish Convention on Upper Silesia of May 15, 1922, as long as this Convention remains in force.

2. Responsibility for damage due to irregular procedure or neglect on the part of the railway personnel employed in the frontier service shall be borne by the railway administration to which the personnel in question belongs. Nevertheless, in the case of personnel belonging to one administration whose services have been requisitioned by the other, the latter administration shall be responsible. If the damage is caused by employees of both administrations, or if it cannot be ascertained who caused the damage, the two parties shall be equally responsible.

3. Where the accident is due to the bad condition of the station, track, engines in service or rail motors, the railway administration whose duty it is to maintain the station, track, engine or rail motor in good condition shall be held responsible.

4. Where the accident is due to a defect in a coach or other rolling-stock not mentioned above, the administration which last took over the technical charge of the rolling-stock in question shall be held responsible.

5. In case of damages caused by *vis major*, the railway administrations shall not be liable to each other. If the damage was caused by an occurrence which cannot be regarded as *vis major*,

the railway administration on whose line the damage occurred shall be held responsible. Nevertheless, each administration shall itself be responsible for injury to personnel and material occurring by accident between the frontier and the exchange station.

6. Each administration has the right of appeal against the other if it has been sentenced by a judgment having legal force to pay compensation for damage for which the other administration is wholly or partly liable in pursuance of the above provisions. Appeal may also be made if both administrations have agreed that one of them is to settle claims for compensation, even when the other administration is wholly or partly liable for the damage. Nevertheless, compromises, acknowledgments or judgments by default are only binding on the other administration if it has given its consent thereto, or if, on being requested to do so, it has not stated its attitude within the proper time-limit after due warning.

7. The provisions of the present Article shall not affect any contrary provisions of the railway traffic legislation concerning compensation claimed in virtue of transport contracts.

Regulation of Execution.

Investigations regarding the damage and accidents dealt with in paragraphs 1 to 6 shall always be carried out by the railway administration on whose line or at whose station the accident or damage took place. In cases when the preliminary enquiries of this administration appear to show that the other administration is wholly or partly liable, the latter administration shall be immediately notified. The further enquiries with a view to the final determination of the cause of the accident or damage shall then be prosecuted jointly by the representatives of both administrations. When damage has occurred to postal matter despatched either in mail vans or in goods waggons, the postal administration shall be invited to take part in the investigations, without prejudice to the final valuation of the damage.

Article 21.

CUSTOMS AND PASSPORT INSPECTION STATIONS.

1. Customs and passport inspections shall take place at the following stations :

Frontier Crossing	Customs and Passport inspection	
	Polish	German
Strzebielino-Gross Boschpol	Strzebielino	Gross Boschpol
Chojnice-Firchau	Chojnice	Firchau
Kaczory-Schneidemühl	Kaczory	Schneidemühl
Drawski Młyn-Kreuz	Drawski Młyn	Kreuz
Zbąszyń-Neu Bentschen	Zbąszyń	Neu Bentschen
Leszno-Fraustadt	Leszno	Fraustadt
Rawicz-Wehrse	Rawicz	Wehrse
Rawicz-Korsenz	Rawicz	Korsenz
Zduny-Freyhan	Zduny	Freyhan
Pawłów-Neumittelwalde	Pawłów	Neumittelwalde
Lęka-Costau	Hanulin, for goods traffic, Kepno for passenger and luggage traffic.	Costau, for local passenger and luggage traffic. Pitschen for other traffic.
Tczew-Simonsdorf-Marienburg	Simonsdorf (for Danzig), Tczew (for Poland)	Marienburg
Gardeja-Dianenberg	Gardeja	Gardeja
Jamielnik-Deutsch Eylau	Jamielnik	Deutsch Eylau
Rakowice-Deutsch Eylau	Rakowice	Deutsch Eylau
Grajewo-Prostken	Grajewo	Prostken
Raczki-Czymochen	Raczki	Czymochen

2. As regards Customs and passport inspection at the frontier crossings between German and Polish Upper Silesia, see Article 1, paragraph 2.

3. As regards Customs and passport inspection at Gardeja, special arrangements are laid down in Annex E.

4. As regards Customs and passport inspection at the frontier crossing between Praszka and Zawisna, special arrangements are laid down in a final protocol.

5. Other stations for Customs and passport inspection may be designated instead of those mentioned above by agreement between the Governments. (See Article 3, paragraph 4.)

6. Each Contracting Party shall be entitled, for purposes of Customs and passport inspection, in its own territory up to the frontier, to send employees in trains crossing the frontier as far as the first stop in the territory of the other Party and back. The provisions of Article 16 shall apply *mutatis mutandis* to these employees.

Article 22.

WORKING REGULATIONS BETWEEN THE FRONTIER AND THE EXCHANGE STATION, AND AT THE EXCHANGE STATION.

1. Trains employed in the railway traffic between the two countries shall be driven from the frontier to the exchange station by the neighbouring administration, subject to repayment of the costs incurred. (See Article 31.)

2. Otherwise the service on the section between the frontier and the exchange station, as well as the entire service at the exchange station, shall in principle be in the hands of the owner administration. This does not apply, however, to the service in connection with the handing over of waggons and goods, nor, in the absence of an agreement to the contrary, to the service for the despatch of goods. (See Article 9.)

Regulations of Execution.

1. The composition, cleaning, lighting and heating of trains shall be determined for each frontier crossing in the course of the negotiations between the administrations concerned regarding time-tables.

2. Trains shall be made up in accordance with the service regulations of the administration responsible for their despatch.

3. The details regarding the use of the exchange station for service purposes, the handing-over and taking-over of waggons, luggage and goods, the shunting arrangements and the employment of foreign personnel, as well as the details concerning the movement of trains on the section between the frontier and the exchange station and at the exchange station itself, shall be settled in the supplementary local agreement. A separate agreement shall be concluded regarding the drawing-up and use of the transfer papers (train lists, load lists, luggage and goods transfer lists, etc).

4. The extent to which train locomotives belonging to the neighbouring administration may exceptionally be used for shunting at the exchange station shall be determined in the supplementary local agreement.

5. Locomotives used on foreign lines must conform to the technical arrangements of these lines.

6. The railway administrations shall communicate to each other free of charge and in good time the regulations, notices and other documents necessary for the carrying out of the transfer service. In urgent cases the station master of the exchange station may apply direct to the station-master of the nearest station of the other administration.

7. The neighbouring administration shall be notified in good time of all changes affecting the frontier crossing service, so as to be able to inform its personnel of such changes. In particular, notice shall be given of changes in the working regulations, as well as changes in the installation of the exchange station and on the sections between the exchange station and the frontier, so far as these changes are of importance to the working of the service.

Article 23.

HEATING, CLEANING AND LIGHTING OF THE INSTALLATIONS.

The heating, cleaning, lighting, etc., of buildings and other installations used in frontier traffic shall be in the hands of the administration owning them.

Regulations of Execution.

Such exceptions as may be necessary to the above clause shall be determined in the supplementary local agreements.

Article 24.

DISTURBANCES IN OPERATION AND TRAFFIC.

The railway administrations concerned shall mutually notify each other of all disturbances in operation and traffic which may hinder or interrupt the frontier traffic. If necessary, they shall come to an agreement as to how these disturbances are to be dealt with.

Regulations of Execution.

1. The supplementary local agreement shall determine to which office of the neighbouring administration the notifications prescribed in the event of disturbances in operation are to be addressed.

2. In respect of each period for which the time-tables are valid the railway administrations concerned shall agree upon the measures to be taken to prevent congestion on their lines in the event of traffic disturbances and difficulties.

Article 25.

ASSISTANCE IN CASE OF ACCIDENT OR TRAFFIC DISTURBANCES.

1. The railway administrations shall render each other assistance on request in the case of accidents and traffic disturbances on their lines and at their stations.

2. Breakdown trains and train breakdown gangs may cross the frontier without Customs or passport formalities, but must return immediately the work of assistance is concluded.

Regulations of Execution.

1. The railway administrations concerned shall fix in the supplementary local agreements the furthest point up to which assistance shall be given and the other details of assistance.

2. The breakdown train shall as a rule be accompanied to the place of the accident by an official of the administration on whose territory the accident has occurred. In urgent cases an official of the administration rendering assistance may conduct the train. This official shall be responsible for the observance of the regulations concerning the safety of traffic ; and in this respect the personnel of the breakdown train shall be under his orders.

3. As regards rescue and clearance work, the foreman of the train breakdown gang shall act on the instructions of the director of the rescue work at the place of the accident.

4. A locomotive belonging to the neighbouring administration may only be employed by the home administration for purposes of assistance if this can be done without prejudice to the running of the trains of the neighbouring administration.

Article 26.

TRAIN-SIGNALLING.

The announcement of trains between the signalling-points situated on either side of the frontier and to be designated in the supplementary local agreement shall be governed by the regulations of the administration forwarding the train, and shall be in that administration's language. The same applies to the written directions and orders communicated to the train personnel.

Regulations of Execution.

Exceptions to this rule must be specified in the supplementary local agreements.

Article 27.

TELEGRAPH, TELEPHONE AND BLOCK-SYSTEM WIRES.

1. All railway telegraph, telephone and other wires not covered by Article 37 of the Convention of April 21, 1921, between Poland, Germany and the Free City of Danzig regarding free transit between East Prussia and the rest of Germany, end at the frontier stations or exchange stations.

2. The personnel of the neighbouring administrations performing official duties at the exchange station shall be entitled to use the railway telegraph and telephone apparatus free of charge for official purposes for frontier traffic between the exchange station and the frontier station of the neighbouring State.

Regulations of Execution.

1. Between the stations on either side of the frontier, there should, as a rule, be :

(a) A telegraph wire for ordinary official telegraphic correspondence ;

(b) A wire for the announcement of trains ;

(c) When necessary, a section telephone wire, a bell conductor wire, and block-system wires where this system is employed.

Exceptions to this rule may be specified in the supplementary local agreements.

2. The supplementary local agreements shall specify the official hours during which the telegraph and telephone apparatus is occupied, the procedure to be followed in the despatch of official telegrams, and the procedure for the notification and repair of breaks in the wires.

Article 28.

SERVICE AND RECREATION ROOMS. ENGINE SHEDS.

The administration owning the station shall place at the disposal of the personnel of the neighbouring State the necessary service, recreation and sleeping premises, and the necessary sheds for the housing of engines.

As regards the provision of housing accommodation, the stipulations of Article 35 shall apply.

Regulations of Execution.

The service, recreation and sleeping rooms must be adequately lighted, heated and fitted out, and be in a hygienic condition. In the recreation rooms or in their immediate vicinity the personnel must have cooking and washing facilities and lavatories at their disposal. Details regarding the rooms and their fitting-out shall be settled in the supplementary local agreements.

Article 29.

TIMES OF HANDING-OVER AND TAKING-OVER.

As regards each exchange station, the official hours for the handing-over and taking-over of goods trains shall be agreed upon with reference to the exigencies of traffic, the capacities of the railway installations, and the time-tables.

Regulations of Execution.

1. Goods trains shall not be handed over or taken over on the following holidays : New Year's Day, Easter Sunday, Whitsunday and Christmas Day.

2. Exceptions shall be agreed upon regarding each frontier crossing according to requirements by the neighbouring administrations, as well as regarding the goods train service on Sundays and other holidays. These measures shall not, however, affect the provisions of the Regulations for the Reciprocal Use of Wagons in International Traffic (R. J. V.), paragraph 3, Chapter III.

Article 30.

DESPATCH OF RAILWAY SERVICE TELEGRAMS, ETC.

Service communications by telegram, telephone and letter, as well as the forwarding of printed matter for the railway service (tickets, tariffs, etc.), are authorised, and, in so far as railway installations are employed, they shall be free of charge. The same applies to the remittance of money in payment of the sums collected in the exchange stations on behalf of the neighbouring administration.

Regulations of Execution.

The official correspondence of the railway administrations shall be taken over at the exchange station and forwarded by the neighbouring administration in accordance with a certified list.

Article 31.

PAYMENT FOR SERVICES RENDERED IN THE RUNNING OF TRAINS.

For services rendered in the running of trains, the owner administration must indemnify the neighbouring administration by the payment of a sum reckoned on the basis of the number of train-kilometres run.

Regulations of Execution.

1. The unit rates (*Einheitssätze*) for the cost per train-kilometre of passenger and goods trains shall be fixed by agreement between the central railway administrations and shall, if necessary, be revised half-yearly.

2. In reckoning the number of train-kilometres, the distance from the frontier to the middle of the exchange station shall be taken.

3. The train-kilometres of all the Polish exchange stations shall be balanced against those of all the German exchange stations. This reckoning shall not include the train-kilometres of breakdown trains, waggons and engines and of snow-ploughs (see Article 25), nor the train-kilometres run between German and Polish Upper Silesia.

4. The cost of a breakdown train shall be borne by the administration whose officials applied for the said train. The reckoning shall comprise actual costs, including the costs of breakdown material and gangs, from the time of the despatch of the train from the home station until its return thither, with the addition of 10 % for administrative expenses. The same applies to the despatch of breakdown engines or snow-ploughs.

Article 32.

PAYMENT FOR OFFICIAL PREMISES AND FOR SPECIAL SERVICES RENDERED BY THE NEIGHBOURING ADMINISTRATION.

1. The neighbouring administration shall only pay for the use of the installations, buildings, dwellings, service and recreation rooms, engine bays, etc., in the exchange station which are assigned to it for its exclusive use (see Articles 7 and 35).

2. The same applies in regard to payment for personal services.

Regulations of Execution.

1. Payment under paragraph 1 of the present Article shall be made in the form of rents. These rents shall be fixed by agreement between the central railway administrations and shall if necessary be revised annually.

2. The costs of lighting, heating and cleaning for exclusively official purposes on behalf of the neighbouring administration shall be reckoned with the addition of 10 % for administrative expenses.

3. If small repairs are required by the engines and appliances of the neighbouring administration in the exchange stations, they shall be carried out by the administration of the station concerned. The cost of such repairs shall be charged to the neighbouring administration with the addition of 100 % for administrative expenses.

4. The supplementary local agreements shall determine whether and under what conditions working materials (heating and lighting material, lubricants, etc.), shall be supplied to the neighbouring administration at the exchange station. The costs of these materials shall be charged with the addition of 10 % for administrative expenses.

5. The payments due under paragraph 2 of the present Article shall also be fixed in the supplementary local agreements.

Article 33.

EXPENSES INCURRED DURING AN INTERRUPTION OF THE SERVICE.

If the frontier traffic is temporarily interrupted, the liability for expenses arising during the interruption remains unaffected.

Article 34.

PAYMENT FOR OTHER SERVICES.

1. As regards the services not specially mentioned in the present Convention which the owner administration performs on behalf of the neighbouring administration, the latter shall refund the actual cost.

2. So far as the payment of additional charges for administrative expenses has not been expressly agreed upon in the present Convention, both Parties shall refrain from claiming them.

Article 35.

NEW INSTALLATIONS.

1. As regards new installations, and changes, completions and extensions of the existing buildings and installations which may prove necessary for the exclusive use of the neighbouring administration, the railway administrations of the Contracting Parties shall come to an agreement in each case.

2. At the same time the rents payable shall be fixed. The cost of construction shall in all cases be borne by the owner administration.

3. As regards ownership, the provisions of Article 6 shall apply.

Article 36.

SETTLEMENT OF ACCOUNTS.

1. Accounts in respect of the sums payable under the present Convention shall be sent in quarterly, not later than the middle of the following quarter. Payment must be made within thirty days of receipt of the accounts. In the event of payments being delayed, interest at the rate of 6 % per annum shall be charged.

2. Accounts for waggon, transport, and other charges which are or may hereafter be the subject of special provisions are not covered by the present Article.

3. Payment shall not be delayed owing to the raising of objections to the accounts. Additions or deductions arising out of such objections shall be entered in the following account. The payment of the account does not imply recognition of its accuracy.

The administrations shall be entitled to inspect the accountancy documents on the spot and put forward any further claims. In case of such inspection, a record of the proceedings shall be drawn up and signed by the representatives of both railway administrations.

4. This right of verification shall lapse six months after the receipt of the accounts by the administration liable for payment. The superior authorities of the two administrations shall nevertheless remain entitled to put forward claims at a later date.

5. The administration liable shall make a payment on account of its liabilities for the previous quarter not later than the 15th of the first month of each quarter. This payment shall amount to 70 % in round numbers of the last closed account.

Nevertheless, the two central railway administrations may agree upon the provisional suspension of payments on account.

6. The railway administrations shall guarantee the payments due by the other branches of the frontier service, and shall act as intermediaries for the discharge of these obligations.

Article 37.

BALANCING OF COSTS FOR THE UPPER SILESIA FRONTIER CROSSINGS.

1. The balancing of costs for the crossings between Polish and German Upper Silesia is governed by the German-Polish Convention on Upper Silesia of May 15, 1922
2. The eventuality of this Convention's expiry is provided for in Article 1, paragraph 2.

Article 38.

RECKONING OF TRAFFIC RECEIPTS.

The traffic receipts shall be reckoned in accordance with special agreements to be concluded between the railway administrations concerned.

Article 39.

BALANCING OF PAYMENTS.

All the payments due in virtue of the present Treaty shall be balanced against each other in such a way that only the difference has to be paid.

Regulations of Execution.

1. Payments shall be made in the currency in which the claim to be settled is expressed.
2. The two central railway administrations shall, if necessary, conclude agreements with a view to making the payments as far as possible independent of fluctuations in the rate of exchange.

Article 40.

TAXES AND DUTIES

Taxes and duties imposed on articles employed for the exclusive use of the administration of the other country shall be refunded to the owner administration in full with the addition of 10% for administrative expenses.

Article 41.

REVISION AND AMENDMENT OF THE CONVENTION AND OF THE REGULATIONS OF EXECUTION.

1. Each of the Contracting Parties may once in each calendar year propose a revision of the Convention to the other Contracting Party.
2. The Polish and the German Governments, the former also in the name of the Free City of Danzig, shall at any time be entitled to demand a revision of the regulations of execution.
3. In addition, the regulations of execution relating to the railways may be modified by mutual agreement between the German and Polish central railway administrations.
4. The Party proposing a revision must communicate an appropriate draft to the other Party. The other Party must state its opinion within two months and may submit counter-proposals if it so desires. Negotiations shall then take place.

Article 42.

COURT OF ARBITRATION.

1. Disputes arising out of the present Convention or out of the supplementary local agreements shall be settled by a Court of Arbitration. This Court shall consist of a Chairman appointed jointly by the two Governments and one arbitrator appointed by each of the Contracting Parties. The arbitrators and the Chairman shall be appointed in advance for one year. For subsequent years the arbitrators and the Chairman shall in each case be appointed before the expiration of the terms of office of the arbitrators in office. In case of the resignation or decease of an arbitrator or of the Chairman a new arbitrator or Chairman shall immediately be appointed. The Court of Arbitration shall only meet when it has a case to consider. If the Governments fail to agree on a Chairman, the President of the Swiss Federal Railways shall be requested to designate an expert of Swiss nationality. Disputes relating to the East Prussian transit traffic and exchange traffic shall be decided by the Tribunal of Arbitration provided for in Article 11 of the Convention concerning freedom of transit between East Prussia and the rest of Germany signed at Paris on April 21, 1921.
2. Should one of the Contracting Parties express a doubt as to the competence of the Tribunal of Arbitration provided for in Article 11 of the Paris Convention, this Tribunal alone shall take a final decision on its competence.
3. Each of the Contracting Parties shall pay the salary of the arbitrator appointed by it. The salary of the Chairman and the general expenses of the Court shall be shared equally by the two Parties.
4. In disputes arising out of the present Convention between Germany and the Free City of Danzig, exclusively, the Free City of Danzig shall appoint an arbitrator to take the place of the arbitrator appointed by Poland.
5. The procedure and meeting-place of the Court shall be decided by the Chairman.

Article 43.

LANGUAGES OF THE CONVENTION.

The present Convention is drafted in duplicate Polish and German texts, one of each to be retained by each of the Contracting Parties. The Polish and German texts are in concordance and are equally authentic.

Article 44.

ENTRY INTO FORCE AND VALIDITY OF THE CONVENTION.

The present Convention shall be ratified. The instruments of ratification shall be exchanged as soon as possible at Warsaw. The Convention shall enter into force on the first day of the month following the exchange of the instruments of ratification, and shall remain in force as long as it has not been denounced at six months' notice by one of the Contracting Parties. On the day of the entry into force of the present Convention, the Convention of August 31, 1922, regarding the provisional opening of the traffic between Poland and Germany shall be abrogated.

BERLIN, *March 27, 1926.*

(L. S.) Dr. Witold PRĄDZYŃSKI.

(L. S.) Dr. Theodor LEWALD.

FINAL PROTOCOL.

At the time of signing the foregoing Convention, the respective Plenipotentiaries have agreed upon the following :

A. *Ad Article 1, paragraph 1.*

Articles 2, 3, 8 (paragraph 3), 21, 24, 25, 30 and 34 shall also apply *mutatis mutandis* to the German-Polish railway traffic on the sections specified in Article 1, paragraph 1.

B. *Ad Article 1, paragraph 2, and Article 21, paragraph 2.*

Before the expiration of the German-Polish Convention of May 15, 1922, on Upper Silesia and the frontier stations at which Customs or passport inspection is carried out by both States, the Contracting Parties shall negotiate in good time regarding the regulation of Customs and passport inspection at these frontier stations.

C. *Ad Article 1, paragraph 3.*

The Government authorities of each of the Contracting Parties shall be responsible for the application of the present Convention by the railway administrations concerned in the Polish-German railway traffic. The said railway administrations may claim from one another direct the rights conferred by the present Convention in regard to railways.

D. *Ad Article 3, and Article 41.*

(a) The frontier crossings to be opened under Article 3 shall be opened for traffic in accordance with the present Convention as soon as the supplementary agreement answering to the special local requirements has been concluded in respect of each frontier crossing (see Article 7).

(b) The negotiations with a view to the conclusion of supplementary agreements shall be begun immediately upon the signature of the present Convention.

(c) The crossings which have still to be opened shall be opened not later than one year after the ratification of the present Convention.

(d) Until the completion of the station of Neu Bentschen, the Zbąszyń-Stentsch and Zbąszyń-Bomst crossings shall remain in use.

As long as the station of Grajewo has not been fitted out as an exchange station for passenger traffic, Prostken shall continue to be the exchange station for passenger traffic in the direction of Germany.

Until the station of Raczki has been reconstructed, Suwałki shall be used as exchange station.

It is understood that upon the completion of the proposed loop line from Perzów to Lublin, the Perzów-Gross Wartenberg crossing shall also be open for German-Polish railway traffic ; and further that, after the construction of a direct connection between Schneidemühl and Poznań, the requirements of traffic shall be met by the construction of a loop line from Dziembówka to Kaczory.

The Contracting Parties are agreed that, in addition to those named in Article 3, paragraph 1, other crossings shall from time to time be opened according to the requirements of traffic. The Contracting Parties shall give their most favourable consideration to the proposals submitted by each to the other by the method prescribed in Article 41.

(e) The Praszka-Zawisna crossing shall remain open for the Polish-German frontier traffic. The exchange station shall be Zawisna.

At present there is no direct handing over of traffic from the Polish stations to the stations of the German Railways at this crossing.

Otherwise the provisions of the foregoing Convention shall also be applicable to this crossing.

(f) The frontier crossings of the Upper Silesian narrow-gauge railways mentioned in Article 433 of the German-Polish Convention on Upper Silesia of May 15, 1922, shall remain open for railway traffic between Poland and Germany. (See Article 1, paragraph 2 of the foregoing Convention.)

(g) In view of the fact that the "Regulations regarding access to the Vistula and the use of the Vistula by the population of East Prussia" prescribed in the Note of the Conference of Ambassadors dated November 21, 1924, in pursuance of Article 97, paragraph 5, of the Treaty of Versailles, also provide for free access to the Vistula by rail in traffic with the port of Korzeniowo (Kurzebrack) and through Poland, the Contracting Parties are agreed that a special convention shall be concluded for the regulation of railway traffic on the narrow-gauge line between Kurzebrack and the port of Korzeniowo (Kurzebrack).

E. *Ad Article 7.*

The existing supplementary agreements relating to the frontier crossings already opened shall be jointly revised by the competent local railway administrations on the basis of the foregoing Convention and shall be brought into line with the provisions of the said Convention.

F. *Ad Article 10.*

The Contracting Parties are agreed on the following points :

(a) Exemption from public taxation does not refer to Customs duties (but see Article 19) or traffic (*Verkehrsabgaben*), monopoly, and other commodity duties ;

(b) Breaches of the Customs and fiscal laws and of the provisions forbidding or restricting imports or exports shall never be regarded as acts committed in the performance of official duties ;

(c) The right of asylum according to the ordinary principles of law is reserved ;

(d) When penal proceedings are taken against an official employed in the territory of the neighbouring State, the superior authority of the official shall be notified immediately ;

(e) Each Contracting Party shall designate the authority which is competent to decide on a request for the transfer or jurisdiction and the handing over of the accused.

G. *Ad Article 21.*

(a) Until the station of Kaczory has been reconstructed the Polish Customs and passport inspection shall take place at the station of Miasteczko

(b) As long as the station of Neu Bentschen has not been completed the German Customs and passport inspection for the Zbąszyń-Stentsch frontier crossing shall take place at the station of Stentsch, and for the Zbąszyń-Bomst frontier crossing at the station of Bomst (see Final Protocol D, *d*).

(c) Until the station of Korsenz has been reconstructed the German Customs and passport inspection shall take place at the station of Trachenberg.

(d) Until the station of Freyhan has been reconstructed the German Customs and passport inspection shall take place at the station of Militsch.

(e) Until the station of Pawłów has been reconstructed the Polish Customs and passport inspection shall take place at the station of Sośnie.

(f) Until the station of Raczki has been reconstructed the Polish Customs and passport inspection shall take place at the station of Suwałki.

(g) As regards the Praszka-Zawisna frontier crossing, the Polish Customs and passport inspection shall take place at Praszka, and the German Customs passport inspection at Zawisna.

BERLIN, *March 27, 1926.*

(L. S.) Dr. Witold PRĄDZYŃSKI.

(L. S.) Dr. Theodor LEWALD.

ANNEX A.

Ad Article 5.

LIST OF BRIDGES INTERSECTED BY THE FRONTIER

No.	Section	Watercourse, etc.	Material	Country responsible for upkeep	Remarks
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A. At the railway frontier crossings of :

1	Drawski Młyn-Kreuz	Noteć (Netze)	Masonry	Germany	
2	Leszno-Fraustadt	Viaduct	Iron	Poland	
3	Zduny-Freyhan	Frontier ditch	Masonry	Poland	
4	Pawłów-Neumittelwalde	Frontier ditch	Masonry	Poland	
5	Rakowice-Deutsch Eylau	Drwęca (Drewenz)	Masonry	Germany	

B. Between the stations of :

6	Wiecborg-Łlatow	Nica (Nitze)	Iron	To be settled in the local supplementary agreement	
7	Czarnków-Schneidemühl	Noteć (Netze)	Iron		Firchau-Chojnice
8	Perzów-Gross War- tenberg	Frontier ditch	Masonry	Schneidemühl- Kaczory	Freyhan-Zduny
9	Działdowo-Neidenburg	Skotawa (Skottau)	Iron	Deutsch Eylau- Rakowice	

C. The upkeep of the following frontier bridges at the Upper Silesian railway crossings is governed by the German-Polish Convention on Upper Silesia of May 15, 1922 :

10	Olza-Annaberg	Odra (Oder)	Iron	Poland			
11	Pryszowice-Sosnitza	Czarnawka (Scharnafka)	Iron	Germany			
12	Makoszowy-Sosnitza	Czarnawka (Scharnafka)	Masonry	Germany			
13	Wolfgang-Poreba	Czarnawka (Scharnafka)	Masonry	Germany			
14	a) Chebzie-Borsigwerk	} Woda Bytomska (Beuthener Wasser)	} Masonry	} Poland			
	b) Chebzie-Karf						
	c) Chebzie-Bobrek						
15	Piekary-Rudne Dombro- wa	Frontier ditch	Iron	Poland	Narrow Gauge		

D. On the narrow-gauge crossing of :

16	Praska-Zawisna	Prosna	Wood	Poland	
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ANNEX B.
Ad Article 16.

FRONT

National Colours


WARRANT No.....

Valid until 192

M
(Name) (Employment)

is officially employed in the exchange traffic between Poland and Germany on the
section(s) and at the station of

Official stamp



Office :

.....

Signature of Holder Signature of Issuing Official.

BACK

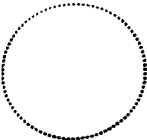
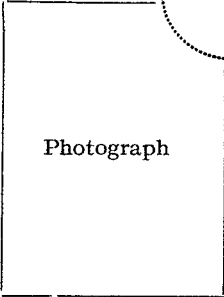
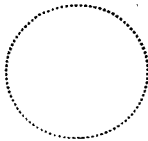
NOTICE

This warrant is to be returned to the issuing office as soon as the holder ceases to be employed in the exchange traffic and in any case as soon as its validity has expired.

NOTE. — This warrant is to be printed on brown cardboard.

ANNEX C.
Ad Article 17.

FRONT

<p style="transform: rotate(-45deg);">National colours</p>	<p>Official stamp</p> 	<p>WARRANT No.....</p> <p>Valid until 192...</p>
<p>Photograph</p> 	<p>M.....</p> <p>(Name) (Employment)</p> <p>residing at</p> <p>is officially employed in the capacity of.....</p> <p>at the station of</p> <p>..... 192.....</p>	
<p>.....</p> <p>Signature of Holder</p>	<p>Official Stamp</p> 	<p>Office.....</p> <p>.....</p> <p>Signature of Issuing Officer.</p>


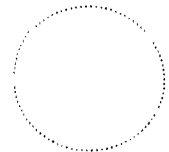
BACK

<p>Date of Birth</p> <p>Place of birth</p> <p>Height</p> <p>Hair</p> <p>Eyes</p> <p>Face</p> <p>Special Peculiarities</p> <p>.....</p>	<p>NOTICE</p> <p>This warrant is to be returned to the issuing office as soon as the holder ceases to have his official residence in the neighbouring State and in any case as soon as its validity has expired.</p>
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NOTE. — This warrant is to be printed on green cardboard.

ANNEX D.
Ad Article 17.

FRONT

<p style="text-align: right; margin-right: 10px;">National Colours</p> <p style="text-align: center;">Official stamp</p>  <div style="border: 1px solid black; width: 150px; height: 150px; margin: 10px auto; text-align: center; vertical-align: middle;"> <p>Photograph</p> </div> <p>..... Signature of Holder</p>	<p style="text-align: right;">WARRANT No.</p> <p style="text-align: right;">Valid till 192...</p> <p>for the wife, son, daughter, domestic servant(s) ¹</p> <p>.....</p> <p>.....</p> <p>of (Name) (Employment)</p> <p>who is officially employed in the capacity of</p> <p>at the station of</p> <p>The of 192...</p> <p>Official stamp</p>  <p>Office</p> <p>.....</p> <p style="text-align: right;">Signature of Issuing Authority.</p>
	<p>¹ Strike out what does not apply.</p>

BACK

<p>Date of Birth</p> <p>Place of Birth</p> <p>Height</p> <p>Hair</p> <p>Eyes</p> <p>Face</p> <p>Special Peculiarities</p> <p>Living at</p>	<p style="text-align: center;">NOTICE :</p> <p style="text-align: center;">This warrant is to be returned to the issuing office as soon as the employee to whose household the holder belongs ceases to have his official residence in the neighbouring country, or as soon as the holder leaves that household, and in any case upon the termination of the warrant's validity.</p>
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NOTE. — This warrant is to be printed on green cardboard.

ANNEX E

Ad Article 21, paragraph 3.

SPECIAL PROVISIONS FOR CUSTOMS AND PASSPORTS INSPECTION AT GARDEJA.

1. As regards the exportation and importation of articles and passenger traffic at the station of Gardeja and on the railway section between it and the frontier, the following provisions shall apply :

(a) The German Customs regulations shall apply as well as the Polish Customs regulations to exports from Germany into Poland until the German exit Customs examination is over ; the German regulations shall apply to imports from Poland into Germany only as from the beginning of the German entrance Customs examination.

(b) If the Polish Customs authorities suspect smuggling in connection with an export from Poland and consider it necessary to examine an article which has already been presented for inspection to the German Customs authorities, but still remains at the frontier station in German Customs custody, the German Customs authorities shall be bound on demand to hand over the article to the Polish Customs authorities for that purpose. In similar circumstances the Polish Customs authorities shall be bound to hand over to the German Customs authorities an article which was presented to the Polish Customs authorities for entrance inspection, but still remains at the frontier station in Polish Customs custody.

If the country of egress finds that the article is liable to confiscation, the country of entry shall be bound to hand it over.

(c) Articles brought from Germany into Poland and re-entering Germany while still subject to the German Customs regulations shall not be liable to any import or export duty.

(d) In the event of infringements of the German Customs regulations, the German Customs authorities shall be entitled under the above provisions to take action in accordance with those regulations and to convey across the frontier articles seized or kept in bond, or persons detained, the latter if necessary under the escort of Polish officials. Polish nationals may not be so conveyed by the German offices. The offender may, however, be forcibly brought before the authorities for the institution of proceedings. A Polish official must be present at these proceedings. A Polish national may not be searched except in the presence of a Polish official.

(e) In addition to the Polish passport regulations the German regulations shall hold good, the regulations of the country of egress taking priority.

Persons desiring to leave Germany may be turned back by the German passport inspection officials if they are not provided with the proper exit permit. They shall be instructed to return to Germany. If they refuse to do so they may be conducted back by force.

Force may not be employed in so conducting Polish nationals. The offender may, however, be forcibly brought before the authorities for the institution of proceedings. A Polish official must be present at the proceedings, at the close of which the passenger shall be allowed to continue his journey.

(f) Official letters, parcels and remittances of money or securities may be carried between the German authorities and their offices at the station of Gardeja by the German railway personnel, or by the German staff authorised to cross the frontier, without the intermediary of the Polish postal administration and free of its postal charges. Similarly, the German offices at the station of Gardeja may forward the above-mentioned postal matter to their authorities.

Such consignments must bear the official stamp of the despatching authority and be described in a special warrant accompanying them, in which case they shall not be subject to inspection.

2. The German authorities concerned shall communicate to the Polish authorities concerned the names and ranks of their employees on duty at the station of Gardeja.

3. The German authorities shall be entitled to maintain order within the premises assigned to them for their exclusive use and to eject private individuals creating a disturbance therein.

4. The provisions of Article 16 of the present Convention, with the exception of paragraph 1, sentence 3, as well as the regulations of execution of Article 16, shall apply *mutatis mutandis* to the employees working at Gardeja who do not live in Polish territory, with the exception that service weapons may also be carried to and from work. In the warrant form given in Annex B, the words "exchange traffic" shall be replaced by the words "exchange and frontier traffic" in writing.

5. Apart from the above, the general provisions of the present Convention shall apply to the German offices at Gardeja.