

N° 1599.

BELGIQUE ET FRANCE

Convention d'établissement. Signée
à Paris, le 6 octobre 1927.

BELGIUM AND FRANCE

Convention concerning Conditions
of Residence. Signed at Paris,
October 6, 1927.

¹ TRADUCTION. — TRANSLATION.

No. 1599. — CONVENTION² BETWEEN BELGIUM AND FRANCE,
CONCERNING CONDITIONS OF RESIDENCE. SIGNED AT PARIS,
OCTOBER 6, 1927.

French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Convention took place December 17, 1927.

THE GOVERNMENT OF HIS MAJESTY THE KING OF THE BELGIANS, and THE GOVERNMENT OF THE FRENCH REPUBLIC, recognising the special importance of the relations between Belgium and France and the general similarity of the law in the two countries, have deemed it expedient to conclude a Convention regarding conditions of residence and business. The undersigned, duly authorised thereto, have agreed upon the following provisions :

Article 1.

The nationals of each Contracting Party shall enjoy most-favoured-nation treatment on the territory of the other as regards conditions of residence and establishment and the carrying on of trade, industry and occupations.

Article 2.

The nationals of each of the Contracting Parties shall enjoy most-favoured-nation treatment on the territory of the other as regards the possession, acquisition, occupation and leasing of any movable or immovable property. They shall be entitled to control, and to dispose, of such property under the same conditions.

Article 3.

The nationals of each of the Contracting Parties shall be exempted on the territory of the other from all personal military service, both in the army and navy and in the national guard or other militia forces. They shall also be exempt from any military contribution which is imposed as a personal obligation, and from any tax in lieu of personal military service or personal military contribution.

They shall nevertheless be liable to military requisition of their movable or immovable property. As regards such requisitions and as regards non-military requisitions or contributions, as also in matters of expropriation on grounds of public utility, the nationals of each of

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

² The exchange of ratifications took place at Paris, October 27, 1927.

the Contracting Parties shall, however, not be treated less favourably, on the territory of the other, than nationals of the most favoured nation, more especially in the matter of compensation.

Article 4.

The nationals of each of the Contracting Parties shall have unrestricted and easy access to the courts of justice in the territory of the other Party ; they shall in this respect enjoy the same rights and privileges as nationals, subject however to the provisions of Article 11.

Article 5.

Civil, commercial, industrial, financial and insurance companies which are incorporated in one of the two countries in accordance with the laws of that country, shall be entitled, subject to compliance with the relevant laws in the other country, to carry on their business in the latter's territory, and may there establish themselves and found associated and branch establishments and agencies.

If, under the law of the other Party, authorisation must first be granted for the exercise of these rights, such authorisation shall not be made subject to conditions other than those imposed upon companies incorporated in the country itself.

The above provision shall not apply to industries forming the subject of a monopoly.

Article 6.

The companies covered by Article 5 together with their associated and branch establishments and agencies shall in all respects enjoy the treatment accorded to companies of the most favoured nation.

They shall not be subject to restrictions or obligations other than those provided for in the laws and regulations governing the companies in the country itself.

Article 7.

The legality of the constitution of the companies covered by Article 5 and of their associated and branch establishments and agencies, and their right to appear in court as plaintiffs or defendants, shall be determined from their articles of association and in accordance with the laws of the country in which they were incorporated. In judicial matters they shall in all respects enjoy the treatment granted to nationals of the country in which they were incorporated.

Article 8.

Notwithstanding anything contained in the preceding clauses, fiscal matters shall be governed by the provisions of the present Article.

The nationals of each of the Contracting Parties shall not be subjected, on the territory of the other, to charges, taxes or imposts of any kind or under any description whatsoever, other or higher than those which may be imposed on nationals in the same circumstances.

Nothing in the foregoing clause shall prevent the collection of any " residence " taxes or of any charges relating to the completion of police formalities, it being understood that the nationals of both countries shall in this respect enjoy the treatment accorded to nationals of the most favoured nation.

The companies covered by Article 5 and their associated and branch establishments and agencies shall not, as regards duties, taxes and imposts, be liable on the territory of the Contracting Parties to a higher aggregate fiscal charge than that imposed upon companies of the country itself.

As regards imposts assessed on capital, income or profits, each of the Contracting Parties shall only tax the companies of the other according to the nature of the said imposts, on such part of their assets as is invested in its territory, and the property owned, the securities in circulation, the profits made, or the business done, therein.

Article 9.

If, owing to changes made in the laws and regulations of one of the Contracting Parties after the signature of this Convention, the treatment resulting from the application of the most-favoured-nation clause should become as a whole less favourable in one country than in the other, negotiations will be undertaken for the purpose of devising measures which shall ensure fair conditions of reciprocity, based upon the more liberal of the two forms of treatment. Once these measures have been agreed upon they shall be carried into effect in the territory of both States by the Governments of the Contracting Parties.

Article 10.

Advantages which either of the Contracting Parties may grant to a third country in virtue of an economic union may not be claimed by the other Party on the strength of the present Convention.

Article 11.

Nothing in the present Convention shall affect the special treaties concluded between the Contracting Parties on judicial matters and the treatments of workers.

Article 12.

In accordance with the established principle, the present Convention shall apply only to the home territory of the Contracting Parties.

Article 13.

The present Convention shall be ratified. The ratifications shall be exchanged in Paris as soon as possible.

It may be denounced at any time, subject to six months' notice being given.

In faith whereof the undersigned Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done in duplicate in Paris on the sixth day of October, one thousand nine hundred and twenty-seven.

(L. S.) (Signed) A. OBERT DE THIEUSIES

(L. S.) (Signed) A. BRIAND.