

N° 1755.

AUTRICHE ET FRANCE

Convention relative à la protection
et à l'assistance judiciaires. Signée
à Paris, le 4 mars 1925.

AUSTRIA AND FRANCE

Convention regarding Legal Protec-
tion and Assistance. Signed at
Paris, March 4, 1925.

¹TRADUCTION. — TRANSLATION.No. 1755. — CONVENTION² BETWEEN AUSTRIA AND FRANCE REGARDING LEGAL PROTECTION AND ASSISTANCE. SIGNED AT PARIS, MARCH 4, 1925.

French official text communicated by the Minister for Foreign Affairs of the French Republic. The registration of this Convention took place June 25, 1928.

THE GOVERNMENT OF THE FRENCH REPUBLIC and THE GOVERNMENT OF THE AUSTRIAN REPUBLIC, having jointly decided to conclude a Convention for the purpose of ensuring constant legal protection and the advantages of legal assistance to the nationals of the other Party, the undersigned Plenipotentiaries, being duly empowered to that effect, have agreed as follows :

Article 1.

French citizens in Austria and Austrian citizens in France shall have free access to the Courts of Justice in the other country, so long as they comply with the legislation in force in that country, whether as plaintiffs or defendants, before all courts of every instance. As regards legal protection, they shall in every respect be entitled to the same rights and privileges as are granted to nationals of the country in question.

Article 2.

No fee, security or deposit shall be exacted from the nationals of either High Contracting Party who, whether as plaintiffs or interveners, are Parties to a case before the Courts of the other Contracting Party, to which the nationals of the country in question would not under its legislation, be liable under similar circumstances.

Article 3.

The nationals of the two High Contracting Parties shall reciprocally be entitled to the advantages of legal assistance in the same manner as the nationals of the respective countries, so long as they comply with the laws in force in the country in which assistance is applied for.

Article 4.

Indigent nationals of either High Contracting Party shall be entitled to obtain, free of charge, from the other Contracting Party, copies of documents concerning legal status in all cases where

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place April 16, 1928.

the legislation of the country in which these documents are applied for allows a similar favour to nationals. The documents requisite for their marriages shall be legalised free of charge by the diplomatic or consular agents of the two Contracting Parties.

Article 5.

A certificate of indigence shall be issued to a national of the other Contracting State who applies for assistance by the authorities of his habitual place of residence.

If he is not resident in the country in which the application is made, the certificate of indigence shall be endorsed and legalised free of charge by the diplomatic agent or by a consul of the country in which the certificate has to be produced.

If the applicant resides in the country in which the application is made, information may also be obtained from the authorities of the State of which he is a national.

Article 6.

When legal assistance is granted by one of the two Contracting Parties either to one of its own nationals or to a national of the other Party, the service of documents effected in the other State in connection with the same proceedings, shall not render the State making the application liable to any repayment of charges to the State to which application is made, except in respect of the costs of a special form of procedure in accordance with Article 3 of the Declaration concerning the transmission of legal documents and the execution of letters of request.

In such cases, the execution of the letters of request shall involve no charges other than the repayment, by the State making the application to the State to which application is made, of the fees of experts and of the costs of a special form of procedure in accordance with Article 4 of the above-mentioned Declaration.

Article 7.

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

It is concluded for a period of five years.

If within six months of the end of that period neither of the Contracting Parties shall have notified its intention of ceasing to apply it, the said Convention shall continue to be in force for a further period of six months, and shall be renewed for successive periods of six months, until a date six months after its denunciation by one of the Parties.

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

Done in Paris on March 4, 1925, in duplicate.

(L. S.) (Signed) HERRIOT.

(L. S.) (Signed) EICHHOFF.