

N° 1759.

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**ALLEMAGNE ET BELGIQUE**

Arrangement relatif à la transmission  
des livres fonciers. Signé à Aix-  
la-Chapelle, le 9 juillet 1927.

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**GERMANY AND BELGIUM**

Agreement regarding the Transfer of  
Land Registers. Signed at Aix-  
la-Chapelle, July 9, 1927.

<sup>1</sup> TRADUCTION. --- TRANSLATION.

## No. 1759. — AGREEMENT BETWEEN GERMANY AND BELGIUM REGARDING THE TRANSFER OF LAND REGISTERS. SIGNED AT AIX-LA-CHAPELLE, JULY 9, 1927.

In virtue of the authorisation conferred by the German and Belgian Governments in Article 3, § 2, paragraph 2; and Article 4, § 6 of the Convention between Germany and Belgium regarding the transfer of judicial proceedings in the districts of Eupen and Malmédy, of April 23, 1920, the JUDICIAL ADMINISTRATION OF PRUSSIA, acting on behalf of THE GERMAN REICH, and THE JUDICIAL ADMINISTRATION OF BELGIUM have agreed, in the interests of their two peoples, to settle jointly questions relating to land registers consequent on the surrender of the said territories, and have for this purpose appointed as their Plenipotentiaries :

## THE JUDICIAL ADMINISTRATION OF PRUSSIA :

M. STAGLICH, Oberregierungsrat, and  
M. OPPENHOFF, President of the Regional Court :

## THE JUDICIAL ADMINISTRATION OF BELGIUM :

Dr. VAN WERVEKE, Secretary-General.

The Plenipotentiaries, having communicated their respective full powers, found in good and due form, have agreed upon the following provisions :

*Article 1.*

The provisions contained in the following Articles shall be applicable to land registers at land registration offices (*Grundbuchamt*), where such registers refer to real estate situated in the territory of the other State.

*Article 2.*

Should all the folios of any volume of a land register refer to real estate situated in the territory of the other State, such folios shall not be closed, but transferred to the other State.

Together with the volume of the land register shall be handed over all deeds relating to real estate (*Grundakten*) and all other documents filed separately (Cf. § 46 of the Internal Regulations of the Registry of the Local Courts). The same provisions shall apply to documents relating to real estate for which there is no folio in the land register.

Deeds relating to real estate shall be examined in order to see whether they contain authorisations of registration, official rulings, or other documents concerning real estate situated within the territory of the State which is to effect the transfer of such deeds. Should this prove to be the case, certified copies shall be attached to the deeds relating to such immovable property.

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

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

*Article 3.*

If a volume contains some folios referring to property situated in the territory of the other State, these folios shall be closed, and their contents shall be transcribed on a new folio. The new folios shall be placed together in a transfer volume, furnished with a simple wrapper, in which they shall be given new serial numbers.

Folios from different land registration districts may be collected in this transfer volume. Several transfer volumes having their folio numbered consecutively, may be formed, if the number of folios renders this necessary.

The provisions of Article 2 shall apply *mutatis mutandis* to the transfer volume.

If the majority of the folios in a volume refer to real estate situated in the territory of the other State, the whole volume shall be transferred. In this case, those folios referring to real estate situated in the territory of the State effecting the transfer of the volume shall be closed, and their contents shall be transcribed on new folios in a volume which shall remain with the land registration office.

*Article 4.*

Where a single folio of the land register refers to different lots of real estate, some of which are situated in the territory of the State making the transfer and some in the territory of the other State, the entries concerning the latter shall be officially transcribed on a new folio in the transfer volume.

If only a portion of the real estate is situated in the territory of the other State, particulars relating to such portion shall be officially transcribed on a new folio in the transfer volume. Entries may be thus transcribed even where there is in existence only an authenticated extract from the cadastral register and an authenticated plan made by the official surveyer in respect of the part situated in the State making the transfer.

In the cases mentioned in paragraphs 1 and 2 a record of joint responsibility shall be made both on the old and new folios when transcribing the entries in the second and third sections. All persons in whose favour entries were made in the land register, shall be notified of such transcription. These notifications may be dispensed with. New deeds relating to the property shall be drawn up for the new folio. The existing deeds shall remain with the land registration office. The provisions of Article 2, paragraph 3, shall apply *mutatis mutandis*.

If in the case referred to in Article 3, paragraph 4, certain folios of the land register fulfil the conditions of paragraphs 1 or 2, the entries in such folios relating to the real estate or parts thereof situated in the territory of the State making the transfer, shall be transcribed on new folios in a volume which shall remain with the land registration office. The provisions of paragraph 2, second sentence, and paragraph 3 shall apply *mutatis mutandis*.

*Article 5.*

The transfer of folios of the land register, deeds relating to real estate, documents, etc. shall be effected directly between the land registration offices concerned.

The transfer shall begin one month after the signature of the present Agreement.

*Article 6.*

The land registration offices of the Contracting States shall be bound :

- (a) To furnish each other on request with information relating to the land registers and deeds transferred, and to send each other duplicates, certified copies and certified extracts.

(b) To permit all persons, who show that they have legitimate interest, to examine, free of charge and tax, on the spot, the land registers and deeds which have been transferred.

These facilities shall be given without charge or duties.

*Article 7.*

The present Agreement shall come into force as from the expiry of the calendar month in which it is signed.

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

Done in duplicate at Aix-la-Chapelle on July 9, 1927.

(L. S.) STÄGLICH.

(L. S.) OPPENHOFF.

(L. S.) VAN WERVEKE.