

N° 1880.

ITALIE
ET ROYAUME DES SERBES,
CROATES ET SLOVÈNES

Accord relatif aux tarifs marchandises
directs et aux tarifs adriatiques,
avec protocole final. Signés à Bel-
grade, le 12 août 1924.

ITALY AND
KINGDOM OF THE SERBS,
CROATS AND SLOVENES

Agreement regarding Through Goods
Rates and Adriatic Tariffs, with
Final Protocol. Signed at Bel-
grade, August 12, 1924.

¹ TRADUCTION. — TRANSLATION.No. 1880. — AGREEMENT ² BETWEEN THE KINGDOM OF ITALY AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES REGARDING THROUGH GOODS RATES AND ADRIATIC TARIFFS. SIGNED AT BELGRADE, AUGUST 12, 1924.

French official text communicated by the Italian Minister for Foreign Affairs and the Permanent Delegate of the Kingdom of the Serbs, Croats and Slovenes accredited to the League of Nations. The registration of this Agreement took place December 19, 1928.

THE GOVERNMENT OF THE KINGDOM OF ITALY and THE GOVERNMENT OF THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, in order to avoid diverting traffic on the railway systems operated or controlled by the administrations of the State concerned and impeding reciprocal traffic, and likewise in view of the importance of the Adriatic ports for the international import, export and transit trade, have resolved to conclude an Agreement for this purpose and have appointed as their Representatives :

THE GOVERNMENT OF THE KINGDOM OF ITALY :

His Excellency General Alessandro BODRERO, Grand Cross of the Order of the Crown of Italy, Officer of the Order of Saints Maurice and Lazarus, Grand Cross of the Order of Saint Sava and Commander of the White Eagle with Swords, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Serbs, Croats and Slovenes ;

M. Lodovico LUCIOLLI, Grand Cross of the Orders of Saints Maurice and Lazarus and of the Crown of Italy, Grand Cross of the Order of Saint Sava, Counsellor of State, and

THE GOVERNMENT OF THE KINGDOM OF THE SERBS, CROATS AND SLOVENES :

His Excellency Dr. Anton SUSNIK, Minister for Communications ;

M. Sava KOUKITCH, Grand Officer of the Order of St. Sava and Grand Officer of the Order of the Crown of Italy, former Director-General of Customs ;

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

Article 1.

The railway administration of the Kingdom of the Serbs, Croats and Slovenes shall adhere to the Tariff Unions between the Kingdom of Italy and other States which have undertaken to apply the special Adriatic tariffs or which may subsequently adhere to the said Unions, and shall

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 at Rome, November 14, 1928.

thus ensure the application of these through rates, in conformity with the agreements in force and as provided for hereinafter, to traffic to or from the Adriatic ports carried over the lines Tarvisio-Trieste, Pola and Rovigno ; Jesenice-Bistrica-Piedicolle-Trieste, Pola and Rovigno ; Spielfeld Postumia S. Pietro Trieste ; Spielfeld-Postumia-S. Pietro-Fiume, Pola and Rovigno ; and such other lines as may be agreed upon now or hereafter.

The railway administration of the Kingdom of the Serbs, Croats and Slovenes operating the systems over which the traffic in question is carried, shall charge, for the establishment of the special Adriatic through tariffs mentioned in the previous paragraph, the proportionate rates of its internal tariffs, with an average reduction of 30 %, on condition that it receives a minimum of three centesimi (gold) per ton per kilometre.

In its turn, the Railway administration of the Kingdom of Italy shall charge for the establishment of the above-mentioned tariffs in its relations with third States the proportionate rates of the tariffs applied by the Tariff Unions mentioned in paragraph 1.

As regards the traffic in question, the list of goods and the regulations relating to the goods tariff in force between Italy and the Republic of Austria, which came into operation on January 1st, 1923, in respect of traffic with the ports of Trieste, Pola and Rovigno shall be considered valid. Nevertheless, the Administrations of the High Contracting Parties shall have the right to amend and supplement the above-mentioned regulations and the list of goods included in the special Adriatic tariffs by mutual agreement and, if necessary, at Conferences between these administrations and those of other States concerned. The said administrations shall also have the right to accord by mutual agreement, either at the said Conferences or on the basis of a proposal in writing from one of the administrations concerned, tariff reductions exceeding the normal reductions, up to the amount of the maximum reductions stipulated above.

These reductions shall be granted direct or by means of rebates.

The normal reductions based on an average of 30 % shall be fixed in accordance with the following principles :

The Serb-Croat-Slovene administration shall be bound in principle to grant a reduction of 30 % in the internal carriage rates over the Serb-Croat-Slovene system. If in the case of goods included in the Adriatic tariff in question reductions amounting to less than 30 % are not fixed by mutual agreement, the reductions granted shall in no case exceed 30 %. On the other hand, if the reductions so agreed upon amount to less than 30 %, they shall be offset by reductions in respect of other goods exceeding 30 %.

Article 2.

Through carriage rates in respect of the Adriatic tariffs mentioned in Article 1 shall be fixed in Italian lire (tariff currency), on the basis of special rates, reduced or established in accordance with the foregoing provisions.

These charges shall be fixed at the exchange rate of the currencies which are legal tender in the countries concerned, as quoted on the Zurich Stock Exchange on the day on which the tariff was fixed.

The Administrations concerned shall have the right to propose the fixing of through carriage rates in respect of Adriatic tariffs in some other currency or currencies, if, owing to fluctuations in value, it is only possible to maintain the equilibrium between the various currencies of the countries concerned with great difficulty. Resolutions to this effect shall be adopted by mutual agreement between the administrations of the High Contracting Parties.

The differences in the ratio of the tariff currency to the legal currency of any country concerned shall be adjusted if, according to the Zurich Stock Exchange quotations, they exceed the permissible margin of 7 ½ % over or under, based on the figures representing the above-mentioned ratio ; this ratio shall be fixed in the case of the first adjustment on the basis of the quoted rate of the currencies in question on the day the tariff was fixed, and in the case of subsequent adjustments, on the basis of the quoted rate of those currencies on the date of the previous adjustment of the same tariff. Adjustment shall only be effected at the request of the administration concerned,

namely, when the value of the currency has risen, by the administration of the country in which this currency is legal tender, and when the value of the currency has fallen, by an administration of a country in which this currency is not legal tender. The request shall be made by the administration concerned to the administration in control. The carriage rates to be adjusted shall be increased or reduced to the extent necessary to assure for the administrations concerned their proportionate share in the currency of the country.

Differences occurring prior to adjustment shall be a charge on the receipts of the system operated by the administration whose duty it is to apply for adjustment. It shall be for the administrations of the two High Contracting Parties to regulate the fixing of the proportionate shares and amendments to the tariffs, and to fix the balance and deductions in respect of the differences in the exchange rate of the currencies.

Article 3.

Carriage charges for Adriatic ports shall be fixed in the same proportions, provided the difference in the distance between the station of destination or departure and each of those ports does not exceed one-tenth of the longest distance. Otherwise, the rate applicable to the more distant port shall be increased proportionately.

Nevertheless, in fixing through carriage rates for the ports of Pola and Rovigno, since the journey through Italian territory is longer, the rate shall be increased in accordance with the Italian railway tariff, by adding to the Adriatic rate fixed for the port of Trieste the corresponding amount of the internal tariff in respect of the difference between the distance from the frontier transit station to the station of Trieste, and from the same frontier station to the said ports of Pola and Rovigno.

Article 4.

The two High Contracting Parties undertake to assist each other at international conferences, and in particular at the above-mentioned tariff conferences, with a view to safeguarding their common interests and arriving at a complete understanding with the other States concerned on the questions regulated by the present Agreement.

Article 5.

As regards the import and export trade of the countries generally, the two High Contracting Parties shall provide for the fixing on their systems of through goods rates based on the combined rates of their respective internal tariffs, with the sole reduction of one-half of the station dues (handling charge) and specially reduced through rates for certain goods despatched from the Kingdom of Italy or in transit through the Kingdom of Italy to the Kingdom of the Serbs, Croats and Slovenes or despatched from the Kingdom of the Serbs, Croats and Slovenes or in transit through the Kingdom of the Serbs, Croats and Slovenes to the Kingdom of Italy, and which are of special importance for the above-mentioned trade.

The railway administrations of the High Contracting Parties shall be authorised to fix by mutual agreement, subject where necessary to the approval of the competent authorities, the goods to be included in the aforesaid specially reduced rates and the extent of the reductions in carriage rates to be granted on these goods, which must not be more than 30 % lower than the internal rates.

The railway administrations concerned shall jointly regulate questions relating to the fixing and application of the rates in question.

The two High Contracting Parties also undertake to fix on their systems through goods rates for traffic between the Adriatic ports and Serb-Croat-Slovene stations, and to grant reductions in their internal rates in respect of this traffic. The fixing of these through rates, for which purpose the provisions contained in the preceding Articles with reference to other Adriatic tariffs shall, in general, be observed, shall be entrusted to the two railway administrations, which shall also jointly agree upon the reductions to be granted on the two systems, the average reduction being 30 %.

In fixing these reductions, due regard shall be had to the rates of the respective internal tariffs, traffic requirements, consignments in large quantities and competition.

If in the case of certain goods the two railway administrations fail to agree upon the reductions to be granted on their lines, the decision shall rest with the Governments of the High Contracting Parties.

Article 6.

The present Agreement shall be ratified and the ratifications shall be exchanged at Belgrade as soon as possible. It shall come into force on the date of the exchange of ratifications and shall thereafter remain in force for such time as the Treaty of Commerce and Navigation¹ between the Kingdom of Italy and the Kingdom of the Serbs, Croats and Slovenes signed on July 14, 1924, is in operation, it being understood that it may only be denounced at the same time as the said Treaty. Should this Agreement not be denounced at the same time as the Treaty of Commerce and Navigation, it shall be extended for two years and, if not denounced at least three months before the expiry of the two years, it shall be regarded as extended for a further period of two years and similarly thereafter for successive periods of two years.

In faith whereof the Representatives of the two Governments have signed the present Agreement and have thereto affixed their seals.

Done at Belgrade on August 12, 1924.

(L. S.) (Signed) BODRERO.

(L. S.) (Signed) SUSNIK.

(L. S.) (Signed) L. LUCIOLLI.

(L. S.) (Signed) S. R. KOUKITCH.

FINAL PROTOCOL.

On proceeding to sign the Agreement regarding Through Goods Rates and Adriatic Tariffs, concluded this day between the Kingdom of Italy and the Kingdom of the Serbs, Croats and Slovenes, the undersigned Representatives of the two Governments have made the following declaration, which shall form an integral part of the Agreement :

It is understood that all through rates from and to the port of Fiume shall be fixed by the competent authorities of the Kingdom of the Serbs, Croats and Slovenes in agreement with the competent authorities of the Kingdom of Italy.

The present Protocol, which shall be regarded as approved and sanctioned by the High Contracting Parties, without further special ratification, by the mere fact of the exchange of ratifications of the Agreement to which it refers, has been drawn up in duplicate at Belgrade on the twelfth day of August, one thousand nine hundred and twenty-four.

(Signed) BODRERO.

(Signed) SUSNIK.

(Signed) L. LUCIOLLI.

(Signed) S. R. KOUKITCH.

¹ Page 257, of this volume.