N° 2321.

LETTONIE ET POLOGNE

Accord sur le trafic par chemin de fer entre la République de Lettonie et la République de Pologne, avec annexes et procès-verbal final. Signés à Riga, le 12 février 1929.

LATVIA AND POLAND

Agreement regarding Railway Traffic between the Latvian Republic and the Polish Republic, with Annexes and Final Procès-Verbal. Signed at Riga, February 12, 1929.

Nº 2321. — ACCORD¹ SUR LE TRAFIC PAR CHEMIN DE FER ENTRE LA RÉPUBLIQUE DE POLOGNE ET LA RÉPUBLIQUE DE LETTONIE. SIGNÉ A RIGA, LE 12 FÉVRIER 1929.

Texte officiel français communiqué par le délégué de la Pologne auprès de la Société des Nations. L'enregistrement de cet accord a eu lieu le 2 mai 1930.

PRÉAMBULE

LA POLOGNE, d'une part, et LA LETTONIE, d'autre part, désirant régler la communication ferroviaire entre les deux pays, ont résolu de conclure un accord et ont nommé à cet effet les plénipotentiaires, à savoir :

LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE :

M. Jules Łukasiewicz, ministre plénipotentiaire et envoyé extraordinaire de Pologne à Riga ;

LE PRÉSIDENT DE LA RÉPUBLIQUE DE LETTONIE :

M. Fridrichs Ozoliņš, ministre des Communications;

Lesquels, après s'être communiqués leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

Article premier.

RÈGLEMENTS ET PRESCRIPTIONS.

- 1. Le trafic par chemins de fer des voyageurs, des bagages et des marchandises entre la Pologne, d'une part, et la Lettonie, d'autre part, effectué sur la ligne située entre la frontière du pays et la gare de transmission, sera réglé par les dispositions du présent accord. De plus, pour autant que le présent accord n'en dispose pas autrement, seront valables les dispositions des arrangements et des tarifs conclus entre les Parties contractantes ou entre les administrations ferroviaires : polonaise et lettonne, ainsi que les dispositions des conventions internationales, auxquelles les Parties contractantes ont adhéré, de même que les lois et prescriptions en vigueur sur les territoires de chaque Etat en particulier ².
 - 2. Les personnes tierces ne seront pas admises au bénéfice du présent accord.

¹ L'échange des ratifications a eu lieu à Varsovie, le 25 janvier 1930.

² Voir le procès-verbal final.

¹ Traduction. — Translation.

No. 2321.—AGREEMENT² REGARDING RAILWAY TRAFFIC BETWEEN THE LATVIAN REPUBLIC AND THE POLISH REPUBLIC. SIGNED AT RIGA, FEBRUARY 12, 1929.

French official text communicated by the Polish Delegate accredited to the League of Nations. The registration of this Agreement took place May 2, 1930.

PREAMBLE.

POLAND, of the one part, and LATVIA, of the other part, being desirous of regulating railway traffic between the two countries, have resolved to conclude an agreement and have for that purpose appointed as their Plenipotentiaries:

THE PRESIDENT OF THE POLISH REPUBLIC:

M. Jules Łukasiewicz, Minister Plenipotentiary and Envoy Extraordinary of Poland at Riga;

THE PRESIDENT OF THE LATVIAN REPUBLIC:

M. Fridrichs Ozolinš, Minister of Communications;

Who, having communicated to each other their full powers, found in good and due form, have agreed on the following provisions:

Article 1.

LAWS AND REGULATIONS.

- r. The provisions of the present Agreement shall apply to passenger, luggage and goods traffic between Poland, of the one part, and Latvia, of the other part, on the section between the frontier and the junction station. The agreements and tariffs concluded between the Contracting Parties or the Polish and Latvian railway administrations shall also be applicable, as well as the international agreements to which the Contracting Parties have acceded and the laws and regulations of either State in its own territory ³, except as otherwise provided in the present Agreement.
 - 2. The present Agreement shall confer no rights on any third party.

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 Warsaw, January 25, 1930.

³ See Final "Procès-Verbal".

Article 2.

Souplesse a assurer au trafic.

Les Parties contractantes prendront des mesures en vue d'assurer aux communications ferroviaires entre leurs territoires une souplesse conforme aux besoins du trafic limitrophe et du transit. Notamment, le service des chemins de fer, des postes, des douanes et de police sera effectué de façon à ce que le transport des personnes, des bagages et des marchandises s'effectue avec la plus grande célérité possible.

Règlement d'exécution :

- I. Lors des conférences périodiques d'horaire, les administrations tiendront compte des intérêts du trafic limitrophe et du transit. Elles concorderont, en particulier, les heures de départ et d'arrivés ainsi que les correspondances des trains à la gare de transmission, tenant aussi compte des nécessitée de la visite de douane et du contrôle des passeports.
- 2. Les horaires et leurs modifications éventuelles seront portés, en temps utile, à la connaissance des autorités des postes, des douanes et de police.
- 3. La circulation des wagons-lits, des wagons-restaurants et des wagons-poste sera réglée par un accord spécial.

Article 3.

GARE DE TRANSMISSION.

La gare lettonne Zemgale sera affectée comme la gare de transmission au trafic ferroviaire entre la Pologne, d'une part, et la Lettonie, d'autre part. Toutefois, la remise pour les locomotives polonaises sera construite à la gare Turmont.

Article 4.

Droits souverains.

Sauf stipulations contraires du présent accord ou d'autres conventions internationales, l'Etat, sur le territoire duquel est située la gare de transmission et les lignes entre cette dernière et la frontière du pays, y exerce ses droits souverains.

Article 5.

UTILISATION ET ENTRETIEN DES BATIMENTS ET INSTALLATIONS.

- r. L'administration lettonne mettra à la disposition de l'administration polonaire pour son utilisation les bâtiments et installations nécessaires au trafic ferroviaire en conformité du présent accord.
- 2. L'administration lettonne sera chargée de conservation, conforme aux prescriptions, de tous bâtiments et installations à la gare de transmission de même que sur la ligne entre ladite gare et la frontière du pays.
- 3. Les dispositions de détail et, notamment, les modifications éventuelles quant aux bâtiments et installations coupées par la ligne frontière, seront fixées d'un commun accord par un arrangement additionnel (voir l'article 7)¹.

¹ Voir le procès-verbal final.

Article 2.

TRAFFIC ORGANISATION.

The Contracting Parties shall arrange that railway traffic between their territories is organised with due regard to the needs of frontier and transit traffic. In particular, railway, postal, Customs and police (passport) services shall be so operated as to enable the conveyance of passengers, luggage and goods to be effected as rapidly as possible.

EXECUTIVE REGULATIONS.

- I. At their periodical time-table conferences the railway administrations shall consider the requirements of frontier and transit traffic. In particular they shall co-ordinate the times of departure and arrival and the connections of trains at the junction station, with due regard to the requirements of Customs and passport examination.
- 2. The postal, Customs and police (passport) authorities shall in due course be given punctual information regarding time-tables and any changes made therein.
- 3. A special agreement shall be concluded with regard to the running of sleeping-cars, restaurant-cars and mail vans.

Article 3.

THE JUNCTION STATION.

The Latvian station of Zemgale shall be used as the junction station for railway traffic between Poland, of the one part and Latvia, of the other part. The locomotive shed for Polish locomotives, however, shall be constructed at the station of Turmont.

Article 4.

SOVEREIGNTY.

Unless otherwise provided for in the present Agreement or other international conventions, sovereign rights over the junction station and on the section of the line between that station and the frontier shall belong to the State in whose territory they are situated.

Article 5.

USE AND UPKEEP OF BUILDINGS AND INSTALLATIONS.

- 1. The Latvian railway administration shall allow the Polish railway administration the use of the buildings and installations required for railway traffic under the present Agreement.
- 2. The Latvian railway administration shall be responsible for maintaining in the condition prescribed by the regulations all buildings and installations at the junction station and on the line between the junction station and the frontier.
- 3. Detailed provisions and in particular any alterations to buildings and installations intersected by the frontier shall be the subject of a supplementary agreement (Article 7) 1 .

¹ See Final "Procès-Verbal".

EXECUTIVE REGULATIONS.

The railway administrations concerned shall come to an agreement regarding work affecting installations used jointly or intended for the sole use of the neighbouring administration, where such work is in excess of normal upkeep requirements. In urgent cases or in case of danger, the administration responsible for upkeep shall put the necessary work in hand and notify the neighbouring administration immediately.

Article 6.

RIGHT OF PROPERTY.

All the buildings and installations mentioned in Article 5 shall be the property of the Latvian administration, except the Turmont station semaphore signal (including the disc and the necessary fittings), which, though situated on Latvian territory, belongs to the Polish administration.

Article 7.

SUPPLEMENTARY AGREEMENT.

The railway administrations shall conclude a supplementary agreement governing the special local traffic conditions at a particular frontier-crossing (Supplementary Local Agreement, hereinafter known as "Supplementary Agreement") '.

EXECUTIVE REGULATIONS.

A plan of the line between the frontier and the junction station, and a plan of the junction station itself, showing in colour the buildings and installations used jointly and those reserved for the exclusive use of the neighbouring administration, shall be annexed to the Supplementary Agreement. A list shall be attached to the plan showing the buildings and installations used as aforesaid.

Article 8.

LANGUAGE.

- r. Oral and written official communications at the junction station and on the line between the latter and the frontier shall be made in the Latvian language. It shall, however, be permissible to use another language where such is understood by the Latvian officials (see Article 26).
- 2. Written and telegraphic official correspondence between the administrations of the Contracting Parties shall be conducted in French.

EXECUTIVE REGULATIONS.

r. Written and telegraphic correspondence between the stations and departments of the two Contracting Parties shall be in the official language of the despatching country and shall be handed by one railway to the other. The railway receiving such correspondence shall translate it, when necessary, at the junction station.

¹ See Final "Procès-Verbal".

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- 2. The administrations concerned shall jointly prepare bilingual forms to be used for routine and stereotyped communications relating to railway traffic.
- 3. Premises at the junction station used exclusively by the neighbouring administration shall be provided with notices in the official languages of the two Contracting Parties, those in the official language of the local administration being placed first.
- 4. The junction and frontier stations shall display at appropriate places official time-tables and notices, of material concern to traffic, transmitted by the neighbouring administration in its official language.

Article 9.

EMPLOYEES OF THE NEIGHBOURING STATE AT THE JUNCTION STATION AND ON THE LINE BETWEEN THE LATTER AND THE FRONTIER.

- r. The neighbouring administration may use its own employees for special duties at the junction station and on the line between the latter and the frontier, when those duties are of so special a nature as to require to be carried out by the particular administration's own organs. Such employees must discharge their duties in accordance with the current laws and regulations of the administration which sent them.
- 2. The number of employees despatched to the territory of the neighbouring State by each of the administrations concerned must not exceed the number strictly required.

Officials employed at the frontier and junction stations, and also on the line between the frontier and the junction station, must be acquainted with the service rules and regulations of the said line and stations. If employed at the junction station of the neighbouring administration, the said personnel must be capable of making themselves understood, for service purposes, in the official language of the neighbouring State.

EXECUTIVE REGULATIONS.

- r. The question whether officials employed in the territory of the neighbouring State are properly qualified for that purpose shall be governed by the rules and the evidence of capacity issued by the administration to which they belong.
- 2. When acting in the territory of the neighbouring State, officials of either administration shall, as regards their duties, be under the orders of the competent organs of the neighbouring administration, in so far as the latter are, under the provisions of the Supplementary Agreement, entitled to issue such orders.
- 3. In exceptional circumstances, officials of the neighbouring administration may, while on duty in the territory of the neighbouring State, be required to perform service duties for the other administration, in so far as the duties for their own administration permit (Article 34).
- $\,$ 4. The Supplementary Agreement shall decide whether and which employees are to reside in the neighbouring State.

Article 10.

PROTECTION TO BE GIVEN TO EMPLOYEES OF THE NEIGHBOURING STATE.

1. Employees working in the territory of the neighbouring State, who are nationals of the State responsible for sending them, shall be entitled as of right to retain their nationality, as shall also

the members of their families and the servants living in their households in the territory of the neighbouring State. In such cases the fact of domicile, residence or birth shall not involve acquisition of the nationality of the neighbouring State.

- 2. The necessary protection shall be guaranteed to the persons indicated in § 1, during their stay in the territory of the neighbouring State (See Articles 16 and 17.) Employees, when resident in the neighbouring State, shall, equally with the officials of that State, be regarded, as officials for the purposes of criminal law. In cases of insult or bodily injury the authorities must, in so far as such action is admissible, lodge their own complaint, in addition to that lodged by the injured party. The Contracting Parties shall exercise these powers in favour of officials of the neighbouring administrations working on their territory to the same extent as in the case of their own officials.
- 3. During their residence in the territory of the neighbouring State, the persons indicated in paragraph τ shall be exempt:
 - (a) From all personal services and contributions at public law; (b) From public taxation which would not apply in the neighbouring State to the above-mentioned persons if they were neither domiciled nor resident therein.
- 4. The children of the persons indicated in paragraph I shall be exempt in the neighbouring State from compulsory school attendance.
- 5. As regards penalties for administrative offences, employees working in the territory of the neighbouring State shall be under the sole jurisdiction of the higher authorities of the State sending them. Offences committed by officials in the performance of their duties in the neighbouring State shall, provided the offender is not a subject of the latter, be judged solely by the home authorities if they so request. If such a request is made, the accused must be forthwith surrendered by the neighbouring State to the above-mentioned authorities. The request must be forwarded by the competent criminal law authority to the corresponding judicial authorities of the neighbouring State ¹.

Article 11.

HELP AND ASSISTANCE TO EMPLOYEES ON DUTY.

- I. The employees and offices of the Contracting Parties on duty at the junction stations and on the line between such station and the frontier shall render each other help and assistance in the performance of their official duties, particularly in the prevention and detection of contraventions.
- 2. The employees and offices of each of the Contracting Parties shall afford all the necessary help and assistance to the offices and employees of the other Party working in the territory referred to in paragraph r, and shall comply with their requests to the same extent as in the case of requests from their own offices or employees.
- 3. The competent offices of the administrations concerned with traffic shall, upon the direct request of the offices of a Contracting Party, duly open an enquiry to ascertain the facts regarding infringements of the other Party's railway, postal, Customs or police regulations occurring in the territory mentioned in paragraph I of the present Article, and shall deliver to the parties concerned the summonses required for initiating and carrying out disciplinary inquiries.
- 4. Expenditure thus incurred shall be reimbursed direct by the office which has called for the inquiry to the office addressed.

¹ See Final "Procès-verbal".

Article 12.

INSPECTING STAFF.

- 1. The administration concerned shall have the right to inspect the work performed by its employees in the territory of the neighbouring State.
 - 2. Inspectors shall refrain from any direct interference in the working of the service.
- 3. The provisions of Article 16 shall apply when inspectors cross the frontier and make a temporary stay in the territory of the neighbouring State.

EXECUTIVE REGULATIONS.

Neighbouring administrations shall communicate to one another the names of such officials.

Article 13.

ADMINISTRATIVE OFFENCES.

- I. In cases of administrative offences in connection with railway traffic, the administration of the district in which the offence was committed shall investigate the facts, if necessary jointly with, and with the help of, the administration of the neighbouring State concerned. The result of the inquiry shall be communicated to the neighbouring administration, which shall take any necessary action and inform the other administration thereof. Employees who are insufficiently acquainted with the official language of the neighbouring State shall be interrogated at their own request in their own language.
- 2. An employee who has committed a serious administrative offence shall, at the request of the competent administration of the neighbouring State, be recalled.

Article 14.

SOCIAL INSURANCE AND ACCIDENT BENEFITS.

- I. As regards social insurance and accident benefits in the case of railway officials temporarily or permanently delegated to the territory of the neighbouring State, the laws of the State in whose territory the administration employing the said officials is situated shall alone be applicable. The same rule shall apply when the staff of one administration is employed for service purposes by the other administration.
- 2. The bodies transacting insurance, the administrative authorities and the Courts of the State whose laws are applicable under the preceding paragraph shall be competent to give effect to social and accident insurance and to settle disputes.
- 3. Benefits paid under the foregoing provisions and in accordance with the law of the other State shall have the same legal validity from the point of view of the employer's judicial and civil liability as benefits granted under that State's own laws. The right of appeal may be exercised only by one railway administration as against the other.

Article 15.

SICK BENEFIT.

- r. In the case of sickness or other sudden emergency, no distinction shall be made in granting assistance to employees of the two neighbouring administrations and to members of their families living in their household.
- 2. The expenses incurred in this connection shall be refunded to the administration advancing them.

EXECUTIVE REGULATIONS.

Refunds of the expenses referred to in 2) will be made on production of a certificate from the doctor attending the case, duly accounting for the assistance rendered.

Article 16.

CROSSING OF FRONTIERS AND TEMPORARY STAY IN A NEIGHBOURING STATE.

- I. Employees of either of the Contracting Parties engaged in the frontier traffic service between, Poland and Latvia shall be allowed to cross the frontier with a view to discharging their duties and to remain on the railway premises in the territory of the neighbouring State during and between working hours, without passports or visas, in virtue of a warrant issued by the competent department. These warrants shall be drawn up according to an agreed form and for a period depending upon the particular circumstances, but in no case exceeding one year. In order to leave the railway premises, a permit from the Station Police Office, issued on the basis of the above-mentioned warrant, shall be required. It shall be valid only for the area of the commune in which Zemgale or Turmont station is situated, or for that of the nearest commune.
- 2. In foreign territory employees shall wear uniform or conspicuous service badges, in so far as this is required by the regulations of their own administration, and in so far as their duties bring them into contact with the public. Arms must not be carried outside railway premises.
- 3. Subject to Customs inspection, employees shall be entitled to carry with them, free of duty, articles intended for personal use in the course of their daily duties and on the journey to and from work.
- 4. Staff employed in frontier traffic service shall be conveyed free of charge between Zemgale and Turmont stations.

ANNEX A.

EXECUTIVE REGULATIONS.

- I. The warrant mentioned in paragraph I, second sentence of this Article shall be in the form given in Annex A. The administrations shall notify one onother of the offices competent to issue such warrants.
- 2. The said warrants shall entitle the bearer to free railway travel in accordance with paragraph 4 of this Article.
- 3. In the case of train and locomotive crews, authority to cross the frontier may, in lieu of a warrant, be constituted by their names being entered in the train schedule.

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4. Couriers whose duty it is, in the case of interruptions of telegraphic and telephonic communications, to convey written messages regarding railway traffic, may also cross the frontier on production of such messages.

Article 17.

Crossing of the Frontier and Permanent Residence in the Neighbouring State.

- r. Employees working in the territory of the neighbouring State, and residing there, and also members of their families and servants belonging to their households shall be permitted to cross the frontier in both directions and to reside in their place of employment, without passports or visas, in virtue of an identity card, of a form to be agreed upon, issued by the superior authorities. The territory of the commune in which the junction station is situated, or of the commune nearest thereto, shall be regarded as the place of employment, unless otherwise provided for in the Supplementary Agreement.
- 2. The provisions of paragraphs 2 and 4 of Article 16 shall apply, mutatis mutandis, to the said employees, who may, however, carry weapons with them both to and from their work.

ANNEXES B AND C.

EXECUTIVE REGULATIONS.

- ${\tt I}.$ The identity card mentioned in paragraph ${\tt I}$ of this Article shall be in the forms specified in Annexes B and C.
- 2. The number of servants to whom Article 17 applies shall not exceed one person for a single employee's household.

Article 18.

IDENTITY CARDS FOR RESTAURANT AND SLEEPING-CAR ATTENDANTS.

- r. Private employees in the restaurant- and sleeping-cars of the International Sleeping Car Company must be provided with identity cards issued by the local police authority of their place of residence. These cards must bear the holder's Christian names and surname, address, nationality, signature and photograph, with the official seal and stamp of the issuing authority, and also an attestation by the competent railway company owning the home station of the car, specifying the nature of the bearer's employment in the restaurant-and sleeping-car service.
 - 2. No foreign visa shall be required.

Article 19.

SPECIAL CUSTOMS PROVISIONS.

I. The Customs authorities of each Contracting Party shall, without prejudice to their national law and except in cases of suspected abuse, accept as valid and leave intact the leads and seals which the Customs offices of the other Party have affixed to goods transported under Customs supervision. It shall, however, be permissible to affix supplementary leads and seals.

- 2. Articles used for service purposes by offices situated and employees working in foreign territory may be imported or exported, free of duty and fees of any kind, on production of an attestation by the competent authority.
- 3. The same provision shall apply to property in course of removal intended for the use of employees who are transferred and the members of their families and servants of their households.
- 4. Spare parts for damaged rolling-stock, applied for from a foreign railway administration, under international agreements for the reciprocal use of wagons and also damaged parts shall be conveyed free of Customs duties and charges of any kind. In such case, the waybill shall serve as an official attestation by the office of despatch of the destination of such material.¹

EXECUTIVE REGULATION FOR PARAGRAPH 3.

Exemption from duty shall be governed by the current Customs regulations, but the legal limit shall not be less than 1,500 lats.

Article 20.

RESPONSIBILITY FOR DAMAGE.

- I. Responsibility for damage and for accidents in railway traffic between the frontier and the junction station, but not for damage to, or total or partial loss of, goods and luggage (see paragraph 7), shall be determined by the laws and regulations in force in the locality where the damage or accident occurs.
- 2. Responsibility for damage due to irregular procedure or neglect on the part of the railway personnel employed in the frontier traffic service shall be borne by the railway administration to which the personnel in question belongs. Should one administration have employed the personnel of the other, the former shall be responsible. If the damage is caused by the employees of both Parties, or if it cannot be ascertained who caused the damage, the two administrations shall be equally responsible.
- 3. Where the accident is due to the bad condition of the station, track, engines in running order or rail motors, the railway administration whose duty it is to maintain these 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 in 3, the administration which last took over the technical charge of the rolling-stock in question shall be held responsible.
- 5. The administrations shall not be mutually liable for damages due to force majeure. If the damage was caused by an occurrence which cannot be regarded as force majeure, the administration on whose line the damage occurred shall be held responsible. Nevertheless, each administration shall be solely responsible for injury to its personnel or damage to its material the result of an accident to the train while travelling between the frontier and the junction station.
- 6. Each administration may exercise the right of appeal against the other, if it has been sentenced by a court 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 the administrations have agreed that one of them is to settle claims for compensation, even though the other administration is wholly or partly liable for the damage. Nevertheless, compromises, acknowledgments or judgments by default shall be binding on the

¹ See Final ,, Procès-verbal. "

other administration only with the latter's consent, or if, though cited, it has not stated its attitude within the proper time-limit.

7. The above-mentioned provisions shall no in way affect the application of the special provisions laid down in the relevant railway transport regulations for compensation for damages arising out of transport contracts.

EXECUTIVE REGULATIONS.

Investigations regarding the damage and accidents referred to in r to 6 above shall be carried out by the administration on whose line or at whose station the accident or damage took place. Should the preliminary enquiry show that the other administration is wholly or partly liable, it shall immediately be notified. The subsequent enquiry into 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 in mail vans or in goods wagons, the Postal administration shall be invited to take part in the investigations, without prejudice to the final assessment of the damage.

Article 21.

CUSTOMS AND PASSPORT INSPECTION STATIONS.

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

On the Polish side, Turmont station; On the Latvian side, Zemgale station.

- 2. If local circumstances permit, the Governments of the two Contracting Parties shall conclude a special agreement for joint Customs and passport inspection at the junction station, to be carried out by Polish and Latvian officials ¹.
- 3. Each Contracting Party shall be entitled, for purposes of Customs and police (passport) inspection, in its own territory adjacent to the frontier, to send officials in trains crossing the frontier as far as the next station at which the train stops and back. These officials shall also be entitled to proceed to the above stations on foot and shall come under the provisions of Article 16.

Article 22.

Working Regulations between the Frontier and the Junction Station, and at the Junction Station.

- I. Trains employed in traffic between the frontier and the junction station shall be operated by the Polish administration, subject to repayment of the costs incurred (see Article 31).
- 2. Otherwise, the service on the section between the frontier and the junction station, as well as the entire service at the junction station, shall in principle be in the hands of the local administration. Exceptions to this rule shall be allowed, however, in the service for the handing over of wagons and goods (see Article 9).

¹ See Final "Procès-verbal."

EXECUTIVE REGULATIONS.

- I. The composition of passenger trains shall be determined at the time-table conferences held between the administrations concerned; the cleaning, lighting and heating of such trains shall be governed by the Supplementary Agreement to this Agreement.
- 2. Trains shall be made up in accordance with the regulations of the administration responsible for train traffic, except as otherwise provided in the Supplementary Agreement.
- 3. Details regarding the use of the junction station for traffic purposes, the exchange of wagons, luggage and goods, the shunting arrangements and the employment of foreign personnel, as well as the detailed provisions concerning the train service on the section between the frontier and the junction station and at the junction station itself, shall be settled in the Supplementary Agreement. A separate Agreement may also determine questions regarding the drafting and use of transfer lists (train sheets, load lists, luggage and goods transfer lists).
- 4. The extent to which locomotives of trains belonging to the neighbouring Administration may exceptionally be used for shunting wagons at the junction station shall be determined in the Supplementary Agreement.
- 5. Locomotives running on the neighbouring administration's lines must be made to conform to the technical arrangements in force there.
- 6. The railway administrations shall communicate to each other, free of charge and in good time, all regulations, circulars and handbooks affecting the frontier traffic service. In urgent cases the stationmaster of the junction station may make direct arrangements with the stationmaster of the neighbouring station of the other administration.
- 7. The neighbouring administration shall be notified in time of all changes affecting the frontier traffic service, so as to be able to give the necessary instructions to its personnel. In particular, administrations shall notify one another of all changes in traffic regulations, as well as in the installations of the junction station and on the section between the latter and the frontier, so far as such changes affect the working of the service.

Article 23.

HEATING, CLEANING AND LIGHTING OF BUILDINGS AND INSTALLATIONS.

The heating, cleaning, lighting etc., of buildings, fixtures or other installations used in frontier traffic shall devolve upon the local administration.

EXECUTIVE REGULATION.

Any exceptions to the above clause shall be specified in the Supplementary Agreement.

Article 24.

INTERRUPTIONS IN TRAFFIC AND TRANSPORT.

The administrations concerned shall keep one another advised of all hindrances to frontier traffic and transport. They shall jointly arrange when necessary, how these interruptions are to be dealt with.

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EXECUTIVE REGULATIONS.

- 1. The Supplementary Agreement shall determine to which of the neighbouring administration's offices the notifications prescribed in the event of traffic interruptions are to be addressed.
- 2. Whenever a new time-table comes into force, the administrations concerned shall, if possible agree upon the measures to be taken to prevent congestion on their lines in the event of traffic disturbances or interruptions.

Article 25.

Assistance in case of Accident or Traffic Interruptions.

- 1. The two railway administrations shall render each other assistance when requested to do so in the case of railway accidents or traffic interruptions on their lines and at their stations.
- 2. Breakdown trains and their crews may cross the frontier without Customs or passport formalities, but must return immediately the work of assistance is concluded.

EXECUTIVE REGULATIONS.

- 1. The administrations concerned shall fix in the Supplementary Agreement the zone within the limits of which mutual assistance will be given, and shall draw up the relevant detailed provisions.
- 2. The breakdown train shall as a rule be accompanied to the place of the accident by an official of the administration in whose territory the accident has occurred. In order to obviate delays that might be dangerous, an official of the administration rendering assistance may accompany the train. This official shall be responsible for the strict observance of the regulations concerning the safety of traffic, and the breakdown train gang shall be bound to obey any service orders given by him.
- 3. The foreman of the breakdown train crew shall act in accordance with the instructions of the official in charge of the work at the place of the accident, particularly as regards rescue work and reconditioning of the track.
- 4. A locomotive belonging to the neighbouring administration may be employed by the home administration for purposes of assistance only 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 signal cabins situated on either side of the frontier and to be designated in the Supplementary Agreement shall be governed by the regulations of the administration operating the train, and shall be made in that administration's language. The same provision shall apply to the written directions and orders communicated to train crews.

EXECUTIVE REGULATION.

Exceptions to the above rule shall be specified in the Supplementary Agreement.

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Article 27.

TELEGRAPH, TELEPHONE AND BLOCK-SYSTEM LINES.

- 1. All telegraph, telephone and similar lines shall end only at the frontier or junction station.
- 2. The personnel of the neighbouring administration on duty at the junction station shall be entitled to use free of charge for official purposes the telegraph and telephone apparatus used for railway traffic between the junction station and the frontier station of the neighbouring State.

EXECUTIVE REGULATIONS.

- 1. Between the frontier stations of the respective Contracting Parties there shall as a rule be:
 - (a) A telegraph line for the general exchange of official telegrams;
 - (b) A line for the announcement of trains by telegraph or by means of train-staff apparatus;

(c) A section telephone line;

(d) When necessary, a bell conductor line.

Exceptions to this rule may be specified in the Supplementary Agreement.

2. The Supplementary Agreement shall specify in detail the hours during which the telegraph and telephone instruments shall be in operation and the procedure to be followed in despatching official telegrams and in notifying interruptions and the resumption of communications.

Article 28.

SERVICE ACCOMMODATION.

The local administration shall furnish the services of the neighbouring State with the necessary service premises and sleeping accommodation for their officials. As regards the provision of housing accommodation, the stipulations of Article 35 shall apply.

EXECUTIVE REGULATION.

The service premises and sleeping accommodation must be adequately lighted, heated and equipped, and must be in a hygienic condition. Toilet and cooking facilities shall be afforded the staff on the said premises or in their immediate vicinity and lavatories installed.

Article 29.

OFFICIAL HOURS FOR CARRYING OUT EXCHANGE OPERATIONS.

The hours for transferring goods trains at the junction station shall be settled with due regard to traffic requirements, the capacities of railway installations and the time-table arrangements.

EXECUTIVE REGULATION.

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

2. The neighbouring Administrations shall, with due regard to traffic requirements, jointly arrange for exceptions to the above, as well as for the goods trains service on Sundays and other holidays. These measures shall not, however, affect the provisions of § 3, paragraph 3 of the Regulations for the International Use of Goods Rolling-Stock (R. I. V.).

Article 30.

OFFICIAL CORRESPONDENCE BY TELEGRAPH, etc.

Official railway communications by letter, telegram and telephone, as well as the forwarding of printed matter such as tickets, tariffs, etc. shall, in so far as railway installations only are used, be free of charge. The same provision shall apply in the case of monetary payments received at the junction station and conveyed to neighbouring administrations.

EXECUTIVE REGULATION.

The official correspondence of the two administrations shall be handed over and forwarded at the junction station in accordance with a transfer and acceptance sheet.

Article 31.

PAYMENT FOR SERVICES RENDERED IN CONNECTION WITH THE RUNNING OF TRAINS.

The local administration shall indemnify the neighbouring administration for services rendered in the operation of trains on the basis of the number of train-kilometres run.

EXECUTIVE REGULATIONS.

- I. The central administrations shall agree upon the train-kilometre rates for passenger and goods trains or on a single rate for these trains; the said rates shall, if necessary, be revised yearly.
- 2. In reckoning the number of train-kilometres, the distance from the frontier to the middle of the junction station shall be taken.
- 3. The services rendered by breakdown trains shall be paid for by the administration whose officials applied for the train. The payment shall include actual costs, inclusive of material used in the operation, together with amounts due to the train-crew for the period from the train's departure from the home station until its return, plus an addition of ro % for administrative charges. The same provision shall apply in the case of breakdown locomotives and snow-ploughs.

Article 32.

PAYMENT FOR SERVICE ACCOMMODATION AND FOR SPECIAL SERVICES RENDERED BY THE NEIGHBOURING ADMINISTRATION.

- 1. The neighbouring administration shall not be bound to pay for the use of service accommodation or locomotive sheds or for living accommodation and other installations at the junction station, unless such premises are assigned for its exclusive use (see Articles 7 and 35).
 - 2. The same provision shall apply in the case of payment for personal services rendered.

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EXECUTIVE REGULATIONS.

- I. Payments under (I) of the present Article shall be made in the form of rent. The amount of such rent shall be determined jointly by the central administrations of the two Contracting Parties and be subject, where necessary, to annual revision.
- 2. The costs of lighting, heating and cleaning premises used exclusively by the neighbouring administration shall be computed with an addition of 10 % for administrative expenses.
- 3. Running repairs to the locomotives and appliances of the neighbouring administration shall, where necessary, be carried out by the administration of the junction station. To the cost of such repairs shall be added a supplement of one hundred per cent for administrative expenses.
- 4. The Supplementary Agreement shall determine whether, and on what conditions, working material (fuel, lighting, lubricants, etc.) shall be supplied at the junction station to the neighbouring administration. The cost of such material shall be computed with an addition of 10 % for administrative expenses.
- 5. Payments due under (2) of the present Article shall also be fixed in the Supplementary Agreement.

Article 33.

EXPENSES IN CASE OF AN INTERRUPTION OF TRAFFIC.

Interruptions to frontier traffic shall in no way affect the payment of expenses incurred during such interruption.

Article 34.

PAYMENT FOR OTHER SERVICES.

- I. In the case of services not specially mentioned in the present Agreement, the local administration shall be indemnified by the neighbouring administration on the basis of cost prices.
- 2. In default of an express arrangement to that effect in the present Agreement, the two Contracting Parties shall forego payment of the extra administrative charge.

Article 35.

NEW BUILDINGS AND INSTALLATIONS.

- 1. The administrations of the Contracting Parties shall jointly decide in each particular case on the new structures and installations as well as on the reconstruction, alteration and extension of those already in existence, with their fittings, required by the neighbouring administration for its own exclusive use.
- 2. Arrangements shall be made at the same time regarding the rent to be charged. The cost of construction shall be borne by the local administration.

Article 36.

SETTLEMENT OF ACCOUNTS.

I. Accounts due under the present Agreement shall be settled on the basis of quarterly invoices rendered by the respective administrations, not later than by the middle of the following financial

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quarter. Payment shall be made within thirty days of receipt of the invoice. Interest on arrears shall be charged at the rate of 6 per cent per annum.

- 2. Settlement of claims relating to wagon, transport, and other charges of any kind which are or may hereafter be the subject of special provisions shall not come under the present provisions.
- 3. The raising of objections shall not delay payment of the accounts rendered. Additions or deductions resulting from such objections shall be adjusted in subsequent accounts. Payment of an account shall not imply recognition of its accuracy. The right to check supporting vouchers and to raise objections shall still hold good. When accounts are so audited, a minute to that effect shall be drawn up and signed by the representatives of the two administrations.
- 4. The right of audit shall lapse six months after the receipt of the account 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 day of the first month of each quarter. This payment shall be at the rate of seventy per cent in round figures of the amount of the last settlement. Nevertheless, the central administrations may agree upon the provisional suspension of payments on account.
- 6. The railway administrations shall mutually guarantee the payments due by the other branches of the frontier traffic service, and shall act as intermediaries for the discharge of the obligations in question.

Article 37.

CALCULATION OF TRAFFIC RECEIPTS.

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

Article 38.

PAYMENT OF BALANCES.

- I. Unless the Supplementary Agreement provides for payments in U. S. A. dollars, all sums payable under the present Agreement shall be computed in the currency of the country in which the administration entitled to render the account is domiciled. The balance only shall be paid.
- 2. The conversion of mutual claims shall be effected in a manner to be settled by the central railway administrations of the two Contracting Parties, who shall, if necessary, agree as to the steps to be taken with a view to avoiding losses arising out of fluctuations in the rate of exchange.

Article 39.

TAXES AND DUTIES.

Taxes and duties imposed on pictures employed for the exclusive use of the foreign administration shall be refunded to the home administration in full, with the addition of ten per cent for administrative expenses.

Article 40.

REVISION AND AMENDMENT OF THE AGREEMENT AND OF THE EXECUTIVE REGULATIONS.

- r. The Polish and Latvian Governments may once every calendar year propose to the other Party a revision of the Agreement.
- 2. The Polish and Latvian Governments shall at any time be entitled to demand a revision of the executive regulations contained in this Agreement.
- 3. The Party proposing a revision of the Agreement must submit a draft thereof. The other Party shall state its opinion of the proposal within two months at the latest, and may submit counter-proposals if it so desires. Negotiations shall then take place.
- 4. In addition, the executive regulations relating to railways may be modified by mutua agreement between the Polish and Latvian central railway administrations.

Article 41.

COURT OF ARBITRATION.

- r. Disputes arising out of the present Agreement or the supplementary agreements shall if not susceptible of settlement by correspondence or at joint conferences be decided by a court of arbitration. The court of arbitration shall consist of a chairman, appointed by the Governments of the two Contracting Parties, and two arbitrators, one appointed by each of the Parties. The court of arbitration shall meet only 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 a suitable chairman from among the nationals of a third State.
- 2. Each of the Contracting Parties shall pay any amounts due to the arbitrator appointed by it. The cost of the fees due *ex officio* to the Chairman and the joint expenses of the Court shall be paid equally by the two Parties.
 - 3. The procedure and meeting-place of the Court shall be decided by the chairman.

Article 42.

LANGUAGES OF THE AGREEMENT.

The present Agreement is done in French in duplicate, one authentic copy to be retained by each of the Contracting Parties.

Article 43.

ENTRY INTO FORCE AND VALIDITY OF THE AGREEMENT.

The present Agreement shall be ratified. The instruments of ratification shall be exchanged as soon as possible at Warsaw. The Agreement shall enter into force on the thirtieth day following the exchange of the instruments of ratification, and shall remain in force until denounced at six month's notice. On the day of the entry into force of the present Agreement, the provisional agreement of February 8, 1923, governing frontier traffic between Turmont and Zemgale shall lapse.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Agreement and have thereto attached their seals.

Done at Riga, February 12, 1929.

(L. S.) (Signed) J. Łukasiewicz.

(L. S.) (Signed) Fr. Ozolins.

FINAL « PROCÈS-VERBAL ».

On signing the present Agreement, the Plenipotentiaries of the two Contracting Parties have agreed as follows:

A. ad Article I, paragraph I.

Articles 8, 19, 20, 24, 25, 30, 31, paragraph 3, and 36 shall also apply, mutatis mutandis, to sections of the line other than those specified in Article I (I), and the provisions of Articles 9, paragraph 3, 15, 16, 21, 26 and 27 shall apply at Turmont station and on the section between that station and the frontier.

B. ad Article 3.

Pending the construction at Turmont station of a shed for Polish locomotives, the Latvian railways shall furnish the necessary accommodation for such locomotives at Griva station. The erection of the locomotive sheds at Turmont station must be completed by November 1, 1929

C. ad Article 7.

Negotiations for the conclusion of the Supplementary Agreement must open immediately after the present Agreement is signed.

D. ad Article 10.

The Contracting Parties agree that:

(a) Exemption from public taxation shall not include Customs duties (but see

Article 19) or monopoly or consumption duties;

(b) Breaches of passport, Customs and fiscal regulations of or provisions prohibiting or restricting imports or exports shall in no circumstances be regarded as acts committed in the performance of official duties.

(c) The right of asylum according to the ordinary rules of law shall be granted; (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 imme-

diately;
(e) Each Contracting Party shall be entitled to indicate which authority shall take person to the national authorities.

E. ad Article 19.

Rolling-stock used by railways for transport purposes under the present Agreement shall be exempt from all Customs formalities and dues.

F. ad Article 21.

(a) The two Contracting Parties agree that, pending the settlement of the question of Customs and passport formalities by the Special Agreement provided for in Article 21, 2), the following exceptions may be allowed to the principle laid down in Article 21 regarding Customs and passport examination in traffic via Turmont-Zemgale:

The passport examination and Customs inspection of passengers and hand luggage shall be carried out in the train; in travelling from Poland to Latvia, these operations shall be completed by the Polish officials at Turmont station, from which point Latvian official control starts. Passport and Customs examination between Latvia and Poland shall be completed by the Latvian officials at Zemgale station, and thereafter carried out in the train by the Polish officials.

Passenger's registered luggage, express freight, and perishable goods, forwarded from

Latvia to Poland may be inspected by Polish officials at Zemgale.

The officials of each Contracting Party shall carry out their duties in accordance with the regulations in force in their respective countries. The authorities of each country shall, when necessary, give every assistance to the Customs and passport officials of the other country in the discharge of their duty on foreign territory and, more particularly, in the case of the conveyance to the neighbouring territory of articles confiscated or seized.

Polish Customs officials shall be entitled to be present at Zemgale station during the loading, transfer and weighing of goods transported from Latvia to Poland and, after the Latvian officials have finished their inspection, shall be entitled to affix leads, padlocks

or other Customs seals to wagons or packages.

(b) Both administrations shall ensure that consignments of goods are accompanied by the required Customs documents, to be handed over to the Customs authorities of the neighbouring State. Unless otherwise agreed upon between the Customs administrations of the two Contracting Parties, such documents must be dealt with as follows: all consignments of goods forwarded to, or sent in transit through, Poland must be accompanied by two copies of the consignor's declaration for the Polish Customs authorities; in the case of the Latvian Customs authorities, a copy of the waybill, endorsed; "Customs document", is required. Further, the railway operating traffic across the frontier must on the arrival of each train composed of at least one loaded wagon, hand the Customs authorities of the other State two copies of the transfer list, together with the specification of freight in duplicate required by the Latvian Customs authorities for all wagons and by the Polish Customs authorities for each wagon which contains separate consignments.

Luggage must be notified to the Customs authorities by the submission of a special consignment list in duplicate.

Done at Riga, February 12, 1929.

(Signed) J. ŁUKASIEWICZ. (Signed) Fr. Ozolinš.

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UWAGA:

Zaświadczenie należy zwrócić Urzędowi, który je wydał, gdy posiadacz nie jest już czynny w ruchusąsiedzkim, a w każdym razie po upływie terminu ważności zaświadczenia.

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Priekšpuse

ANNEXE B.

à l'art. 17.

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Mugurpuse

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Data urodzenia

Kur dzimis

Miejsce urodzenia

Augums

Wzrost

Mati

Włosy

Acis

Oczy

Sejas forma

Twarz

Seviškas pazīmes

Szczególne oznaki

IEVĒRĪBAI:

Ja apliecības īpašnieka dienests Polijas-Latvijas tiešā satiksmē izbeidzas kaiminvalstī, apliecība jānodod iestādei-izdevējai un katrā gadījumā apliecības termiņam izbeidzoties.

UWAGA:

Dowód tożsamości należy zwrócić Urzędowi, który go wydał, gdy posiadacz nie ma już służbowego miejsca zamieszkania w sąsiedniem Państwie, a w każdym rarie po upływie terminu ważności dowodu tożsamości.

Piezīme: Aplieciba jaizgatavo no zalas papes.

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Priekšpuse

ANNEXE C.

à l'art. 17.

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IEVĒRĪBAI:

Apliecība jānodod atpakaļ iestādei-izdevējai, ja kalpotājs, pie kura gimenes pieder apliecības īpašnieks, izbeidz, dienestu Polijas-Latvijas tiešā satiksmē, kā arī ja apliecības īpašnieks atstāj mājas dienestu pie Latvijas-Polijas tiešā satiksmē nodarbinātā kalpotāja. Termiņam izbeidzoties apliecība nododama atpakaļ katrā gadījumā.

UWAGA:

Dowód tożsamości należy zwrócić Urzędowi, który go wydał, gdy pracownik, z którym posiadacz dowodu zyje we wspólnem gospodarstwie, nie ma już służbowego miejsca zamieszkania w sąsiedniem Państwie lub gdy posiadacz dowodu tożsamości przestanie z tym pracownikiem żyć we wspólnem gospodarstwie, a w każdym razie po upływie terminu ważności dowodu tożsamości.

Piezīme: Apliecība jāizgatavo no zaļas papes.

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¹ Translation.

ANNEX A. Ad Article 16.

Front

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ANNEX B. Ad Article 17.

Front.

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Note. — This warrant is to be printed on green cardboard.

ANNEX C. Ad Article 17.

Front.

		WARRAN	Г No
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		of M(Name)	(Franks, 1)
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		at the station of	
			193
	Official stamp		Office
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			residence in the neighbouring country, or as soon as the holder leaves that household, and in any
Fac	e		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.

Note. — This warrant is to be printed on green cardboard.