

## AUTRICHE ET TCHÉCOSLOVAQUIE

Convention relative à la répartition des retraites et des rentes de survivants des anciens employés nommés à vie (survivants) de l'administration des biens constitués autrefois en dotation inaliénable de la maison de Habsbourg-Lorraine ou de l'une de ses branches latérales, avec protocole. Signés à Vienne, le 30 novembre 1923.

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## AUSTRIA AND CZECHOSLOVAKIA

Convention concerning the Distribution of the Retiring Pensions and Annuities to the Surviving Dependants of former Pragmatic Employees of the Administration of the Property formerly constituted as an Inalienable Endowment for the House of Hapsburg-Lorraine or one of its Collateral Branches, with Protocol. Signed at Vienna, November 30, 1923.

## TEXTE TCHÉCOSLOVAQUE. — CZECHOSLOVAK TEXT.

N<sup>o</sup> 2880. — ÚMLUVA<sup>1</sup> MEZI REPUBLIKOU ČESKOSLOVENSKOU A REPUBLIKOU RAKOUSKOU O ROZDĚLENÍ ODPOČIVNÝCH A ZAOPATROVACÍCH POŽITKŮ BÝVALÝCH PRAGMATICKÝCH ZAMĚSTNANCŮ (POZŮSTALÝCH) SPRÁVY JMĚNÍ DRUHDY VÁZANÉHO PRO ROD HABSBUŘSKO-LOTRINSKÝ NEBO PRO NĚKTEROU JEHO POBOČNOU VĚTEV. PODEPSANÁ VE VÍDNĚ DNE 30. LISTOPADU 1923.

*Textes officiels allemand et tchécoslovaque communiqués par le Délégué permanent de la République tchécoslovaque auprès de la Société des Nations. L'enregistrement de cette convention a eu lieu le 28 janvier 1932.*

VLÁDY REPUBLIKY ČESKOSLOVENSKÉ a REPUBLIKY RAKOUSKÉ vedeny snahou, aby bylo smlouvou právoplatně upraveno vzájemně převzetí břemene odpočivných a zaopatřovacích požitků bývalých pragmatických zaměstnanců (pozůstalých) správy jmění druhdy vázaného pro rod Habsbursko-Lotrinský nebo pro některou jeho pobočnou větev, jmenovaly svými plnomocníky :

VLÁDA REPUBLIKY ČESKOSLOVENSKÉ :

Dra Bohumila VLASÁKA, vedoucího odborového přednostu ministerstva financí,

VLÁDA REPUBLIKY RAKOUSKÉ :

Dra Viktora KIENBÖCKA, spolkového ministra financí,

kteří prozkoumajše navzájem své plné moci a shledavše je v náležitě formě, shodli se na těchto ustanoveních :

## Článek I.

Každý z obou států, případně fondy s vlastní právní osobností, zřízené ze jmění vázaného pro rod Habsbursko-Lotrinský nebo pro některou jeho pobočnou větev, převezmou ta pensijní břemena, jež souvisejí s nemovitostmi jmění druhdy vázaného pro rod Habsbursko-Lotrinský nebo pro některou jeho pobočnou větev ; jest tudíž rozhodným pro převzetí výplaty odpočivného a zaopatřovacího požitku poslední služební místo pragmatického zaměstnance.

<sup>1</sup> L'échange des ratifications a eu lieu à Vienne, le 24 novembre 1931.  
Entrée en vigueur le 24 novembre 1931.

## TEXTE ALLEMAND. — GERMAN TEXT.

N<sup>o</sup> 2880. — ÜBEREINKOMMEN<sup>1</sup> ZWISCHEN DER REPUBLIK ÖSTERREICH UND DER ČECHOSLOVAKISCHEN REPUBLIK BETREFFEND DIE AUFTEILUNG DER RUHE- UND VERSORGUNGSGENÜSSE VON EHEMALIGEN PRAGMATISCHEN ANGESTELLTEN (HINTERBLIEBENEN) DER VERWALTUNG DES FRÜHER FÜR DAS HAUS HABSBURG-LOTHRINGEN ODER FÜR EINE ZWEIGLINIE DESSELBEN GEBUNDENEN VERMÖGENS. GEZEICHNET IN WIEN, AM 30. NOVEMBER 1923.

*German and Czechoslovak official texts communicated by the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Convention took place January 28, 1932.*

DIE REGIERUNGEN DER REPUBLIK ÖSTERREICH und DER ČECHOSLOVAKISCHEN REPUBLIK von dem Wunsche geleitet, durch Abschluss eines Übereinkommens die gegenseitige Belastung mit den Ruhe- und Versorgungsgenüssen der ehemaligen pragmatischen Angestellten (Hinterbliebenen) der Verwaltung des früher für das Haus Habsburg-Lothringen oder für eine Zweiglinie desselben gebundenen Vermögens endgültig zu regeln, haben zu ihren Bevollmächtigten ernannt :

DIE REGIERUNG DER REPUBLIK ÖSTERREICH :

Dr Viktor KIENBÖCK, Bundesminister für Finanzen, und

DIE REGIERUNG DER ČECHOSLOVAKISCHEN REPUBLIK :

Dr Bohumil VLASÁK, leitenden Sektions-Chef des Finanzministeriums,

welche, nachdem sie gegenseitig ihre Vollmachten geprüft und richtig befunden haben, über nachstehende Bestimmungen übereingekommen sind :

*Artikel 1.*

Jeder der beiden Staaten bezw. die aus dem für das Haus Habsburg-Lothringen oder für eine Zweiglinie desselben gebundenen Vermögen errichteten Fonds mit eigener Rechtspersönlichkeit haben für jene Pensionslasten aufzukommen, welche mit den von ihnen übernommenen, zu dem früher für das Haus Habsburg-Lothringen oder für eine Zweiglinie desselben gebundenen Vermögen gehörigen Liegenschaften im Zusammenhange stehen ; es ist daher für die Übernahme des Ruhe- und Versorgungsgenusses der letzte Dienstort des pragmatischen Angestellten massgebend.

<sup>1</sup> The exchange of ratifications took place at Vienna, November 24, 1931.  
Came into force November 24, 1931.

<sup>1</sup> TRANSLATION.

No. 2880. — CONVENTION BETWEEN THE AUSTRIAN REPUBLIC AND THE CZECHOSLOVAK REPUBLIC CONCERNING THE DISTRIBUTION OF THE RETIRING PENSIONS AND ANNUITIES TO THE SURVIVING DEPENDANTS OF FORMER PRAGMATIC EMPLOYEES OF THE ADMINISTRATION OF THE PROPERTY FORMERLY CONSTITUTED AS AN INALIENABLE ENDOWMENT FOR THE HOUSE OF HAPSBURG-LORRAINE OR ONE OF ITS COLLATERAL BRANCHES. SIGNED AT VIENNA, NOVEMBER 30, 1923.

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THE GOVERNMENTS OF THE AUSTRIAN REPUBLIC and THE CZECHOSLOVAK REPUBLIC, being desirous of finally settling by means of a Convention their respective obligations in regard to the retiring pensions and annuities to the surviving dependants of former Pragmatic employees of the Administration of the property formerly constituted as an inalienable endowment for the House of Hapsburg-Lorraine or one of its collateral branches, have appointed as their Plenipotentiaries:

THE GOVERNMENT OF THE AUSTRIAN REPUBLIC :

Dr. Viktor KIENBÖCK, Federal Minister of Finance ;

THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC :

Dr. Bohumil VLASÁK, Head of Section at the Ministry of Finance ;

Who, after communicating their full powers, found in good and due form, have agreed as follows :

*Article 1.*

Each of the two States or, as the case may be, of the Funds created from the property constituted as an inalienable endowment for the House of Hapsburg-Lorraine or one of its collateral branches, being endowed with legal personality, shall assume the charge of all pensions attaching to real estate forming part of the property formerly constituted as an inalienable endowment for the House of Hapsburg-Lorraine or one of its collateral branches, which has been taken over by the said States or Funds : so that the payment of retiring pensions or annuities due in respect of Pragmatic employees shall be taken over by that State or Fund in whose territory the last place of service of the Pragmatic employee was situate.

*Article 2.*

The Contracting Parties, in accordance with the above provision (Article 1), shall assign and pay the retiring pensions and annuities in question to the parties thereto entitled, including those persons who, being entitled to pensions or annuities attaching to real estate taken over by one of

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

the Contracting Parties, have acquired or may in future acquire the nationality of the other Contracting Party in virtue of the Treaty of St-Germain or any other convention concluded between the two parties, on such scale as is fixed by the relevant regulations of the State under obligation to make the payments.

*Article 3.*

As regards the date from which each of the two Contracting Parties shall be under obligation to pay the retiring pensions and annuities devolving on it (Article 2), the two Parties agree to the following principles :

(a) Parties entitled to pensions who, since the distribution between the two States of real estate forming part of the property formerly constituted as an inalienable endowment for the House of Hapsburg-Lorraine or one of its collateral branches, have not had allowed or paid to them, either by the Austrian Republic or by the Czechoslovak Republic or by one of the Funds to which Article 1 relates, an increase in the original amount of their pensions, shall receive the new emoluments from the State under obligation to make payment of the same, with retroactive effect to July 16, 1920, allowance being made for the sums already received by them.

(b) In the case of all other parties entitled to the pensions concerned, the obligation of the Contracting Parties to make the payments shall begin to run as from December 1, 1923.

*Article 4.*

There shall be no settlement of accounts for pensions or other grants paid provisionally or in the form of advances by either of the two Contracting Parties, the payments of this nature already effected on both sides being considered to offset one another.

*Article 5.*

The present Convention shall be ratified.

The instruments of ratification shall be exchanged in Vienna.

The Convention shall be drawn up in two copies in the German and Czechoslovak languages. Both texts shall be authentic. The Convention when ratified shall be promulgated by both States in their official collections of laws in both of the authentic texts.

Done in Vienna, November 30, 1923.

*For the Austrian Republic :*

(L. S.) DR. KIENBÖCK.

*For the Czechoslovak Republic :*

(L. S.) DR. BOHUMIL VLASÁK.

## PROTOCOL

SIGNED AT VIENNA, NOVEMBER 30, 1923.

The Representatives of THE AUSTRIAN REPUBLIC and of THE CZECHOSLOVAK REPUBLIC have concluded a Convention concerning the distribution of the retiring pensions and annuities to the surviving dependants of former Pragmatic employees of the Administration of the property formerly constituted as an inalienable endowment for the House of Hapsburg-Lorraine or one of its collateral branches.

They make, on this subject, the following declarations :

1. The Representative of the Austrian Government declares that there exists no funds being endowed with legal personality, the object of which is to pay pensions to the employees referred to.

The Representative of the Czechoslovak Government takes note of the above and declares that he will not, for the present, claim the distribution of a pension fund which will probably be created, but reserves the right, if it should prove that the fund in question is endowed with legal personality, to ask later for the distribution of such a fund.

2. The Representative of the Czechoslovak Government declares that the ratification of the Convention by his Government will only take place when the competent authority has decided that the capital value of the charges of pensions accepted will be deducted when, in accordance with Article 208 of the Treaty of Saint-Germain, the immovable property transferred will be estimated.

Done at Vienna, November 30, 1923.

*For the Austrian Republic :*

(L. S.) KIENBÖCK.

*For the Czechoslovak Republic :*

(L. S.) Dr. Bohumil VLASÁK.