AUTRICHE ET POLOGNE

Convention relative à l'établissement d'assurance sur les pensions de la Société des chemins de fer locaux et à voie étroite, avec annexe. Signée à Vienne, le 18 juin 1924.

AUSTRIA AND POLAND

Convention regarding the Pensions Insurance Organisation of the Local and Narrow Gauge Railways Company, with Annex. Signed at Vienna, June 18, 1924.

¹ Traduction. — Translation.

No. 2996. — CONVENTION 2 BETWEEN AUSTRIA AND POLAND REGARDING THE PENSIONS INSURANCE ORGANISATION OF THE LOCAL AND NARROW GAUGE RAILWAYS COMPANY. SIGNED AT VIENNA, JUNE 18, 1924.

French official text communicated by the Chargé d'Affaires a. i. of the Polish Delegation accredited to the League of Nations. The registration of this Convention took place July 11, 1932.

The Republic of Austria and the Republic of Poland, being desirous of concluding, in execution of Article 275 of the Treaty of Saint-Germain, a Convention regarding the Pensions Insurance Organisation of the Local and Narrow Gauge Railways Company, have appointed as their Plenipotentiaries:

THE PRESIDENT OF THE POLISH REPUBLIC:

Dr. Zbigniew Smolka, Head of the Liquidation Section of the Polish Legation in Vienna, and,

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA:

M. Guillaume Thaa, formerly Head of Section in the Federal Ministry for Social Administration;

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

Article I.

The pensions Insurance Organisation of the Local and Narrow Gauge Railways Company, hereinafter described as the Organisation, shall be regarded as dissolved as from December 31, 1919, in conformity with paragraph 47 of the Statutes.

A. GENERAL PROVISIONS.

I. The liabilities of the Organisation towards employees who belonged to it and towards the surviving members of their families resulting from insurance claims arising up to the end of December 1919, and the right to collect the premiums fixed by the Statutes of the Organisation shall be transferred to the railway undertaking to which these employees belonged on December 31, 1919, or at the date of the last claim (retirement or death). In the case of employees (retired, surviving members of their families) of other enterprises in connection with the railways and associated with the Organisation, the above-mentioned liabilities and rights shall be transferred to the office authorised to conduct the affairs of that undertaking in the country in whose present territory

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 Vienna, January 26, 1932.

these employees were working on December 31, 1919, or at the date of the last insurance claim. The office conducting the affairs of such enterprise in Austria shall further accept the above-mentioned liabilities and rights resulting from the insurance of employees (retired employees surviving members of their families) who on December 31, 1919, or at the date of the last claim were employed outside the boundaries of the former Austrian Empire.

- 2. If during the period prior to the coming into force of the present Convention, the liabilities of an insurance were borne wholly or partly by another office than that which is competent according to the present Convention, any payments made shall be regarded as taking the place of the payments due under the present Convention, without any subsequent arrangement having to be made between the offices concerned in the different countries.
- 3. The share in the funds of the Organisation falling to each contracting State in accordance with the present Convention shall be divided by the recipient State between the undertakings (offices) accepting liabilities or shall be assigned to any new insurance organisations which may be established by the internal regulations of that State.
- 4. The Republic of Austria shall hand over to the Polish Republic the files of the Organisation relating to the insurance liabilities to be accepted under No. 1 by undertakings situated in the territory of the latter State and pledges itself to preserve for thirty years from the coming into force of the present Convention the files and accessory documents not distributed, and to permit their inspection by the authorised organs of the latter State or of the undertakings (insurance organisations) in that country which have accepted the insurance liabilities in accordance with Nos 1 and 3, and, if necessary, to hand over to them such files and accessory documents as it does not itself require. The contracting States shall ensure that all information relating to the execution of the present Convention is supplied by the offices concerned and agree that correspondence on this matter shall be exchanged direct between the respective offices without recourse to the diplomatic or consular authorities.

B. DISTRIBUTION OF FUNDS.

- 1. The funds of the Organisation as existing on June 30, 1923, shall be distributed.
- 2. The Republic of Austria shall accept the liabilities resulting from the pensions insurance of officials of the Organisation ; the fittings and appurtenances of the Organisation shall be assigned to the Republic of Austria.
- 3. Those parts of the Organisation's funds which, in accordance with the resolution adopted by the twelfth ordinary General Meeting of the Organisation, have been separated from the bulk of the funds and established as special funds to cover the obligations of the Organisation under its Statutes towards the employees of the former Neue Wiener Tramway and Dampftramway companies, previously known as Kraus and Co. (since incorporated in the Gemeinde Wien-Städtische Strassenbahnen), which parts have been shown in the balance-sheet of the Organisation under a separate account, shall be assigned to the Republic of Austria.
- 4. With regard to that part of the assets of the Organisation, amounting to 16,000,621 crowns, representing fiduciary insurances contracted by the Organisation towards undertakings of certain of the Contracting Parties subsequent to December 31, 1919, each of the States concerned shall receive the amount represented by the difference between the contributions by the enterprises of the State concerned and the payments made to the insured employees of these enterprises.

Accordingly:

The Republic of Austria shall receive	13,545,632	crowns
The Czechoslovak Republic shall receive	119,515))
The Kingdom of Italy shall receive	203,620	
The Polish Republic shall receive	2,117,701))
The Kingdom of the Serbs, Croats and Slovenes		
shall receive	14,153	»

5. The whole of the rest of the funds shall in principle be divided between the States concerned in proportion to the insurance liabilities accepted in conformity with Section A, No. 1, by undertakings situated in the territory of those States. The shares falling to the different States which reciprocally renounce any rectification of these shares that might be claimed on the ground that the share of insurance liabilities assumed in accordance with the provisions contained in Section A exceeds the percentage given below, shall be fixed as follows:

Republic of Austria	
Czechoslovak Republic	32.01632 %
Kingdom of Italy	10.26073 %
Polish Republic	7.37264 %
Kingdom of Roumania	3.34507 %
Kingdom of the Serbs, Croats and Slovenes	1.71004 %

6. Outstanding claims on undertakings associated with the Organisation resulting from the administration up to December 31, 1919, and amounting in all to 346,360 crowns, shall be assigned to the States on whose present territory the respective debtor undertakings have their seat, and shall be deducted from their respective shares.

Accordingly, these claims shall be allocated as follows:

To the Czechoslovak Republic	340,164 crowns
To the Kingdom of Italy	1,859 »
To the Polish Republic	512 »
To the Kingdom of Roumania	1,919 »
To the Kingdom of the Serbs, Croats and Slovenes	1,906 »

The outstanding claim under administrative expenses of the Organisation on the *Gemeinde Wien-Städtische Strassenbahnen*, amounting to 425,194 crowns, shall be assigned to the Republic of Austria.

As regards, therefore, the proportionate shares of the total outstanding claims of 771,554 crowns (= 346,360 + 425,194), certain differences are indicated below which shall be adjusted under No. 8:

	pius	minus
Republic of Austria	75,717 crowns	
Czechoslovak Republic	93,141 »	
Kingdom of Italy		77,308 crowns
Polish Republic		56,372 »
Kingdom of Roumania		23,890 »
Kingdom of the Serbs, Croats and		
Slovenes		11,288 »

7. The actual securities with coupons as from July I ,1923, at latest, shall be distributed proportionately. The different categories of security shall be distributed as shown in the Annex which shall constitute an integral part of the present Convention. In consequence of indivisible remainders there will be certain differences in the proportionate share values as estimated on the Vienna Stock Exchange on June 30, 1923, which differences are indicated below and shall likewise be adjusted under No. 8:

	plus	minus		
Republic of Austria		157,713	crowns	
Czechoslovak Republic	380,506 crowns			
Kingdom of Italy		314,971))	
Polish Republic	184,849 »			
Kingdom of Roumania		703,957))	
Kingdom of the Serbs, Croats and				
Slovenes	611.286 »			

Securities, the drawing of which has been officially published in Austria on the date of the signing of the present Convention, but which may not at that date have been withdrawn, shall be

distributed proportionately and in their actual form, as part of the share of the particular class of security falling to each State in conformity with the Annex; any indivisible remainder left over from these securities that have been drawn but not paid, shall accrue to the State in whose territory the issuing office is situated. For the rest, the securities shall be distributed in the arithmetical order of their numbering between the States in the order followed in the preceding paragraph.

The Republic of Austria shall hand over the war loan bonds inscribed von der Republik Österreich nicht übernommen and undertakes to ensure that the stamping of the other securities is cancelled, and that the lists of the numbers submitted to the Reparation Commission are corrected; it also undertakes to grant free of charge authorisation to export the securities allocated to the other

Contracting Parties.

8. The portion of the assets of the Organisation referred to in No. 5 and amounting to 129,781,776 crowns shall be divided proportionately. In view of the differences enumerated under No. 6, paragraph 3, and No. 7, paragraph 1, the shares of this portion of the assets shall be as follows:

Republic of Austria 58,86	6,911	crowns
Czechoslovak Republic 41,07	7,702))
Kingdom of Italy	8,837	»
Polish Republic	9,866	»
	9,138	
Kingdom of the Serbs, Croats and Slovenes 1,61	9,322	»

which, having regard to the longer term of the fiduciary insurances in respect of the Polish Republic and the Republic of Austria, and also having regard to the larger share of administrative costs falling to these States, shall by agreement be modified as follows:

Republic of Austria	50,000,776	crowns
Czechoslovak Republic	50,000,000	»
Kingdom of Italy	14,600,000	»
Polish Republic	8,000,000	
Kingdom of Roumania	5,560,000))
Kingdom of the Serbs, Croats and Slovenes	1,620,000	»

- 9. Within one month from the coming into force of the present Convention, the Austrian Government shall pay to the Polish Legation in Vienna or to the office in Vienna designated by that Legation, the cash sum due to that State in accordance with Nos. 4 and 8 and shall place at the disposal of the above-mentioned office the securities allocated to that State in accordance with No. 7 and the Annex.
- IO. Each of the Contracting Parties shall abstain from collecting any stamp and other duties that may become leviable in its territory, at the time of the execution of the present Convention.

Article II.

After the execution of the present Convention by the Republic of Austria, the Polish Republic shall make no further claim on Austria under Article 275 of the Treaty of Saint-Germain in respect of the Organisation.

Article III.

The present Convention shall be ratified as soon as possible and shall enter into force fourteen days after the exchange of the instruments of ratification.

In faith whereof the above-mentioned Plenipotentiaries have affixed their signatures to the present Convention.

Done at Vienna, the eighteenth day of June, one thousand nine hundred and twenty-four, in two copies, of which one shall be transmitted to each of the High Contracting Parties.

For the Polish Republic: Dr. Zbigniew SMOLKA, m. p.

For the Republic of Austria: W. Thaa, m. p.

¹ TRADUCTION.

LIST SHOWING DISTRIBUTION

The estimated values are those of the Vienna Stock Exchange

١			All securi	ties	R	epublic of	Austria	Czechoslovak Republic			
	Description of Socreting		Estimated Value		Nominal Value		Estimated Value	Nominal Value		Estimated Value	
4	Description of Securities	Nominal Value	%	Total amount	Propor- tionate share	Actu	ıal share	Proportionate Actua		al share	
1	I, Öster. Kriegsanleihe	160,000		•	72,47 3	72,000		51,226	52,000		
2	III. Öster. Kriegsanleihe	330,000		•	149,474	150,000		105,654	110,000		
3	IV. Öster., Kricgsanleihe,	150,000		•	67,943	70,000	,	48,024	40,000		
+	IV. Öster. Kriegsanleihe, 7 jährige	150,000			67,943	66,000		48,024	50,000		
5	V. Öster, Kriegsanleihe,	690,000	.	•	312,537	310,000		220,913	220,000		
5	V. Öster. Kriegsanleihe, 5 jährige	250,000		•	113,238	115,000		80,041	55,000	•	
7	VI. Öster. Kriegsanleihe, 40 jährige	184,300			83,479	84,300		59,006	72,000		
3	VI. Öster, Kriegsanleihe,	140,000		•	63,413	60,000		44,823	50,000		
)	VII. Öster. Kriegsanleihe, 40 jährige	184,600			83,615	80,000		59,102	70,600		
)	VII. Öster. Kriegsanleihe, 8 ³ / ₄ jährige	130,000		•	58,884	60,000		41,621	50,000		
	VIII. Öster. Kriegsanleihe, 40 jährige	35,400			16,035	20,000		11,331	10,000	•	
	VIII. Öster. Kriegsanleihe, kündbar	162,000			73,378	75,000		51,867	45,000		
1	Einheitl, konv. Rente Jänner—Juli	58,000	1,380	800,400		28,000	386,400	18,570	18,000	248,40	
	Einheitl. Rente Februar—August	44,000	2,500	1,100,000		18,000	450,000	14,087	14,000	350,00	
5	Öster, Goldrente	20,400	26,100	5,324,400	9,240	10,000	2,610,00	ĺ	6,000	1,566,00	
5	Oster, Krönenrente	826,000	1,010	8,348,660		358,000	3,615,800	264,647	280,000	2,828,00	
7	Staatsschuldverschreib, d. Galiz, Karl Ludwig-Bahn	66,400	2,300	1,527,200	30,076	30,000		21,259	22,000	506,00	
3	Staatsschuldverschreib. d. Böhmischen Nordbahn		132,500	47,700,000		16,000			12,000	15,000,00	
9	Staatsschuldverschreib. d. Vorarlberger Bahn	"		198,000		22,000		14,087	12,000	54,00	
0	Staattschuldverschreib, d. Nordwestbahn			678,600,000		342,000	307,800,000			216,000,00	
١,	Staatsschuldverschreib, d. Rudolfsbahn			580,000		4,000	232,000		4,000	232,00	
2	Prioritätsobligationen der Albrechtsbahn		-	800,000	,,,,,,	9,200	368,000	_	6,800	272,00	
	Prioritätsobligat onen der Böhm. Westbahn	1	136,500	72,072,000	" "	24,000	_		17,200		
Ì	Prioritätsobligationen der		1.30,300	/2,0/2,000	43,910	24,000	32,700,000	10,90.1	17,200	23,4/0,00	
ļ	Eisenerz-Vordernberger Bahn	94,000	200	188,000	42,578	40,000	80,000	30,095	31,200	62,40	
١	Prioritätsobligationen der Nordbahn 1886	2,000	65,000	1,300,000	906	2,000	1,300,000	640		<u> </u>	
ĺ	Carried Forward										

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

OF SECURITIES.

¹ Translation.

on June 30, 1923. Amounts are shown in Austrian currency.

its a. Slover	Serbs, Cros	Kingd. of	oumania	gdom of Re	King	public	Polish Rej		Kingdom of Italy		ŀ	
Estimated Value	Nominal Value		Estimated Value				Nominal Value Estimated Value			Nominal Value Estimated Value		
al share	Actu	Propor- tionate share	al share	Proportionate Actua		ual share	Act	Propor- tionate share	ıal share	Actu	Propor- tionate share	
	2,000	2,736		6,000	5,352		12,000	11,796		16,000	16,417	
	10,000	5,643		10,000	11,039		20,000	24,330		30,000	33,860	
		2,565			5,018		20,000	11,059		20,000	15,391	
•	2,000	2,565		10,000	5,018	•	7,000	11,059		15,000	15,391	
•	10,000	11,799		30,000	23,081	•	50,000	50,871		70,000	70,799	
	5,000	4,275		5,000	8,363		20,000	18,431		50,000	25,652	
	4,000	3,152		8,000	6,165		12,000	13,588		4,000	18,910	
		2,394		10,000	4,684		10,000	10,322	•	10,000	14,365	
•	4,000	3,157			6,175	•	10,000	13,610		20,000	18,941	
	5,000	2,223			4,349	•	10,000	9,584		5,000	13,339	
•		605		400	1,184	•	3,000	2,610	•	2,000	3,632	
	2,000	2,770		6,000	5,419		15,000	11,944		19,000	16,622	
		992	27,600	2,000	1,940	55,200	4,000	4,276	82,800	6,000	5,951	
50,00	2,000	752	50,000	2,000	1,472	100,000	4,000	3,244	100,000	4,000	4,515	
		349	104,400	400	683	522,000	2,000	1,504	522,000	2,000	2,093	
216,14	21,400	14,135	327,240	32,400	27,651	468,640	46,400	60,942	892,840	88,000	84,815	
46,00	2,000	1,135	46,000	2,000	2,221	101,200	4,400	4,896	138,000	6,000	6,813	
		616	2,650,000	2,000	1,204	2,650,000	2,000	2,654	5,300,000	4,000	3,694	
		752	9,000	2,000	1,472	18,000	4,000	3,244	18,000	4,000	4,515	
12,600,00	14,000	12,894	21,960,000	24,400	25,221	51,120,000	56,800	55,590	69,120,000	76,800	77,366	
		171	23,200	400	334	23,200	400	737	69,600	1,200	1,026	
		342	16,000	400	669	48,000	1,200	1,475	96,000	2,400	2,052	
1,092,00	800	903	2,184,000	1,600	1,766	4,368,000	3,200	3,893	8,190,000	6,000	5,418	
3,20	1,600	1,608	6,400	3,200	3,144	16,000	8,000	6,930	20,000	10,000	9,645	
		34			67			148		.	205	

 $^{^{\}scriptscriptstyle 1}$ Translated by the Secretariat of the League of Nations, for information.

LIST SHOWING DISTRIBUTION

			All secur	ities	I	Republic of	Austria	Czechoslovak Republic			
No.	Description of Securities		Estin	nated Value	Nomin	Nominal Value Estimated Value		Nomin	Estimated Value		
Z	Description of Securities	Nominal Value	%	Total amount	Proportionate share	Actu	nal share	Proportionate Actua		al share	
										1	
26	Brought Forward Prioritätsobligationen der										
	Nordbahn 1888 Prioritätsobligationen der	46,000	71,000	32,660,000	20,836	20,000	14,200,000	14.727	16,000	11,360,000	
	Nordbahn 1904	949,000	65,000	616,850,000	429,852	429,400	279,110,000	;03,835	303,400	197,210,000	
28	Prioritätsobligationen der Franz-Josef-Bahn	98,400	64,000	62,976,000	44,570	44,800	28,672,000	31,504	31,200	19,968,000	
29	Prioritätsobligationen de Mährischen Grenzbahn	30,000	135,000		l	13,600		,, ,			
30	Prioritätsobligationen der Mährischen-Schleisschen		2,,5,,000	40,500,000	1,,,,,,,,,,,	13,000	104,,00,000	1,500,1	10,000	13,300,00	
	Zentralbahn		135,000	40,500,000	13,588	13,800	18,630,000	0,605	9,000	12,150,000	
	Prioritätsobligationen der Rudolfsbahn		14,000	840,000	2.718	2,000	280,000	1,021	2,000	280,000	
32	Prioritätsobligationen d. I. Ungarisch-Galizischen	<u> </u>									
33	Eisenbahn	4,32,000	33,000	142,560,000	195,675	194,800	64.284,000	138,311	139,600	46,068,000	
33	Schatzscheine der Stadt						į.				
34	Wien	45,200	100	45,200	20,473	20,500	20,500	14,171	14,500	14,500	
	Schuldverschreibungen, Februar-August	250,000	153.500	383,750,000	112028	110,400	169,464,000	80,011	80.200	123,107,000	
35	Böhm, Landesbank, Kom, Schuldvreschreibungen.	2,50000	2,73,300	303,730,000	113,230	110,400	100,000,000	00,011	00,200	12,3,107,00	
į	Mai-November	18,600	153,500	28.551,000	8, 125	8,000	12,280,000	5,955	6,000	9,210,000	
36	Mährische Hypotheken- Pfandbriefe, Maj-Nov	20,000	156,000	31,200,000	9,059	10,000	15,600,000	6,404	10,000	15,600,000	
37	Mähr. Landeskulturbank. Kom. Obligationen				,,,,,		12,710,711	0,404		15,	
. 0	54 ½ jäbrige		137,000	100,010,000	33,066	32,000	43,840,000	23.372	18,000	21,660,000	
	Mähr. Sparkassa - Pfand- briefe, April-Oktober .	60,000	180,000	108,000,000	27,177	30,000	54,000,000	19.210	20,000	36,000, 0 00	
39	Prioritätsobligationen der Innsbruck-Hall Eisenb.	100,000	100	100,000	45,295	40,000	40,000	32.016	30,000	30,000	
10	Prioritätsobligationen der Friauler-Eisenbahn		100,000		1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						
4 I	Prioritätsobligationen der		100,000	00,000,000	2,11,7	20,000	20,000,000	19,210	20,000	20,000,000	
	Fürstenfeld-Hartberg Eisenbahn	68,800	100	68,800	31,163	30,000	30,000	22,027	20,000	20,000	
42	Prioritätsobligationen der Valsugana Eisenbahn .		tco.ooo	2 0,000,000	0.059	10,000	10,000,000	6,403	6,000	6,000,000	
	Total	4.335,200		2,487,149,660		1,038,500	1,126,401.70e		1,309,100	706,674,300	
Ì	Proportionate share				,		126,550,413			7 10,293,79	
	Surplus or deficit					_				380,50/	
i	sarpas or dentit	,		•	'	, ,	- 157,713	•		300,50	

of Securities (continued).

Kingdom of Italy				Polish Rep	oublic	King	gdom of Re	Jumania	Kingd. of Serbs ,Croats a. Slovenes			
Nominal Value Estimated Value			Nominal Value Estimated Value		Nomina	Nominal Value Estimated Value			Nominal Value			
Proportionate share	Acti	ual share	Propor- tionate share	Acti	ual share	Propor- tionate share	Actu	Actual share Proportionate Share Actual share		tionate Actua		
4,720	4,000	2,840,000	3,391	4,000	2,840,000	1,539	2,000	1,420,000	787	•	•	
97,374	97,200	63,180,000	69,966	70,600	45,890,000	31,745	31,000	20,410,000	16,228	17,000	11,050,000	
10,097	10,000	6,400,000	7,255	7,600	4,864,000	3,291	3,200	2,048,000	1,683	1,600	1,024,000	
3,078	3,200	4,320,000	2,212	2,000	2,700,000	1,004	800	1,080,000	513	400	540,000	
3,078	3,000	4,050,000	2,212	2,400	3,240,000	1,004	1,200	1,620,000	513	600	810,000	
616	2,000	280,000	442			200		•	103		•	
44,326	44,000	14,520,000	31,850	31,600	10,428,000	14,451	14,400	4,752,000	7,387	7,600	2,508,000	
4,638	4,500	4,500	3,332	3,200	3,200	1,512	1,500	1,500	774	1,000	1,000	
25,652	22,600	34,691,000	18,432	21,200	32,542,000	8,362	10,200	15,657,000	4,275	5,400	8,289,000	
1,909	2,000	3,070,000	1,371	1,200	1,842,000	622	400	614,000	318	1,000	1,535,000	
2,052		•	1,474	•		669	•	•	342	•	•	
7,400	8,000	10,960,000	5,382	10,000	13,700,000	2,442	4,000	5,480,000	1,248	1,000	1,370,000	
6,r56	10,000	18,000,000	4,424			2,007			1,026			
10,261	10,000	10,000	7,373	10,000	10,000	3,345	3,000	3,000	1,710	7,000	7,000	
6,156	6,000	6,000,000	4,424	4,000	4,000,000	2,007	2,000	2,000,000	1,026	2,000	2,000,000	
7,059	10,000	10,000	5,072	4,000	4,000	2,302	3,600	3,600	1,187	1,200	. 1,200	
2,052	2,000	2,000,000	1,475	2,000	2,000,000	669	<u>. </u>		342	<u>.</u>		
	449,300	254,884,740		310,200	183,553,440		150,500	82,492,940		87,600	43,142,540	
_		255,199,711			183,368,591			83,196,897			42,531,254	
		- 314,971]	+ 184,849			— 703,957		}	+ 611,286	