

N° 3307.

**POLOGNE
ET TCHÉCOSLOVAQUIE**

Protocole modifiant ou complétant
certaines dispositions de la Con-
vention du 30 mai 1927 concer-
nant la réglementation du trafic
ferroviaire entre les deux pays.
Signé à Prague, le 17 février 1933.

**POLAND
AND CZECHOSLOVAKIA**

Protocol amending or supplementing
Certain Provisions of the Conven-
tion of May 30, 1927, concerning
the Regulation of Railway Traffic
between the Two Countries. Signed
at Prague, February 17, 1933.

TEXTE TCHÉCOSLOVAQUE. — CZECHOSLOVAK TEXT.

N^o 3307. — PROTOKOL¹ MEZI REPUBLIKOU POLSKOU A REPUBLIKOU ČESKOSLOVENSKOU, KTERÝM SE MĚNÍ NEB DOPLNUJÍ NĚKTERÁ USTANOVENÍ SMLOUVY O ÚPRAVĚ VZÁJEMNÉHO ŽELEZNIČNÍHO STYKU, PODEPSANÉ V PRAZE DNE 30. KVĚTNA 1927. PODEPSANÝ V PRAZE DNE 17 ÚNORA 1933.

Polish and Czechoslovak official texts communicated by the Polish Delegate accredited to the League of Nations and by the Permanent Delegate of the Czechoslovak Republic accredited to the League of Nations. The registration of this Protocol took place December 21, 1933.

REPUBLIKA ČESKOSLOVENSKÁ a REPUBLIKA POLSKÁ vzhledem na to, že byla na území Republiky Československé přenesena průběžná trať, o níž jest řeč v odst. 2 a) čl. 4. smlouvy o úpravě vzájemného železničního styku, podepsané v Praze dne 30. května 1927², rozhodly se sjednati o tom dohodu. Plnomocníci k tomu účelu jmenovaní :

ZA REPUBLIKU ČESKOSLOVENSKOU :

Pan Dr Kamil KROFTA, mimořádný vyslanec a zplnomocněný ministr, a
Pan Dr Emil NOVOTNÝ, odborový přednosta v ministerstvu železnic,

ZA REPUBLIKU POLSKOU :

Pan Jan ZAJAS, magister prav odborový přednosta v ministerstvu dopravy,
sdělivše si své plné moci, které shledali obsahem i formou správnými, dohodli se na těchto ustanoveních :

Článek 1.

Obě smluvní strany shodují se v tom, že ustanovení čl. 4. a 5. smlouvy o úpravě vzájemného železničního styku ze dne 30.V.1927, pokud jde o průběžnou trať, o níž jest řeč v odst. 2 a) čl. 4. smlouvy, stala se bezpředmětnými, a aby byla nahrazena ustanoveními tohoto protokolu.

Článek 2.

Obě smluvní strany shodly se, aby práva a povinnosti, pokud jde o průběžnou trať, zbylou na území Polské Republiky, byly přeneseny i s jejím vlastnictvím na Slezské Vojvodství.

Bližší podmínky budou stanoveny v tržové smlouvě mezi vlastníkem této dráhy (ostravsko-frýdlantskou dráhou) a Slezským Vojvodstvím.

¹ The exchange of ratifications took place at Warsaw, November 14, 1933.
Came into force December 14, 1933.

² Vol. XCVIII, page 233, of this Series.

¹ TRANSLATION.

No. 3307. — PROTOCOL BETWEEN THE POLISH REPUBLIC AND THE CZECHOSLOVAK REPUBLIC, AMENDING OR SUPPLEMENTING CERTAIN PROVISIONS OF THE CONVENTION OF MAY 30, 1927, CONCERNING THE REGULATION OF RAILWAY TRAFFIC BETWEEN THE TWO COUNTRIES. SIGNED AT PRAGUE, FEBRUARY 17, 1933.

THE POLISH REPUBLIC and THE CZECHOSLOVAK REPUBLIC, taking account of the transfer to the territory of the Czechoslovak Republic of the transit section of line referred to in paragraph 2 (a) of Article 4 of the Convention concerning the regulation of railway traffic between the two countries, signed at Prague on May 30, 1927, have decided to conclude an agreement with regard to that matter. The Plenipotentiaries appointed for that purpose :

FOR THE POLISH REPUBLIC :

M. Jan ZAJAS, doctor of law, head of department in the Ministry of Communications ;

FOR THE CZECHOSLOVAK REPUBLIC :

Dr. Kamil KROFTA, Envoy Extraordinary and Minister Plenipotentiary, and

Dr. Emil NOVOTNÝ, head of section in the Ministry of Railways ;

Having communicated their full powers, found in good and due form, have agreed on the following provisions :

Article 1.

The two Contracting Parties agree that the provisions of Articles 4 and 5 of the Convention concerning the regulation of railway traffic between the two countries, dated May 30, 1927, are no longer applicable so far as they concern the transit section mentioned in paragraph 2 (a) of Article 4 of the Convention, and that they shall be replaced by the provisions of the present Protocol.

Article 2.

The two Contracting Parties agree that the rights and obligations connected with the transit section remaining on the territory of the Polish Republic have been transferred, together with the ownership of the said section, to the Voivodship of Silesia.

The detailed conditions will be laid down in the contract of purchase and sale between the owner of the line in question (the Ostrava-Frydlant Railway) and the Voivodship of Silesia.

Article 3.

The two Contracting Parties agree that the obligations and conditions connected with the maintenance of the bridge over the river Olša near the station of Český Tešín have been established

¹ Translated by the Secretariat of the League of Nations, for information.

by the railway administrations of the two Contracting Parties in the Frontier Agreement concerning the station of Český Těšín. The obligation to maintain the bridge near Marklowice lapses. The ironwork of the said bridge, including the part of the bridge in Polish territory, may be taken down by the Czechoslovak railways and exported to Czechoslovakia without Customs or export duties, in accordance with Article 28 of the Convention.

Article 4.

The two Contracting Parties agree to enlarge the list of railway crossings given in Article 6 of the Convention of May 30, 1927, by the addition of a new railway crossing Marklowice-Český Těšín, in respect of which Český Těšín is designated as exchange station.

Article 5.

At the time of opening the new railway crossing mentioned in Article 4 of the present Protocol the two Contracting Parties agree to supplement Article 7 of the above-mentioned Convention by designating as Customs and passport stations at that crossing, on the Polish side the station of Marklowice, and on the Czechoslovak side the station of Český Těšín.

Article 6.

The present Protocol shall be ratified. The instruments of ratification shall be exchanged at Warsaw. The Protocol shall come into force thirty days after the exchange of the instruments of ratification, and may be denounced at the same time as the Convention within the period of time provided for that Convention.

The present Protocol is drawn up in duplicate in the Polish and Czechoslovak languages, both texts being equally authentic.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Protocol and have thereto affixed their seals.

Done at Prague, February 17, 1933.

J. ZAGAS.

Dr. K. KROFTA.

Dr. NOVOTNÝ.