

N° 3365.

**ROUMANIE
ET YOUGOSLAVIE**

**Convention concernant le règlement
des dettes et créances libellées en
anciennes couronnes autrichiennes
et hongroises. Signée à Beograd,
le 30 janvier 1933.**

**ROUMANIA
AND YUGOSLAVIA**

**Convention regarding the Settlement
of Debts and Claims expressed
in Former Austrian and Hunga-
rian Crowns. Signed at Belgrade,
January 30th, 1933.**

¹ TRADUCTION. — TRANSLATION.

No. 3365. — CONVENTION ² BETWEEN THE KINGDOM OF ROUMANIA AND THE KINGDOM OF YUGOSLAVIA REGARDING THE SETTLEMENT OF DEBTS AND CLAIMS EXPRESSED IN FORMER AUSTRIAN AND HUNGARIAN CROWNS. SIGNED AT BELGRADE, JANUARY 30TH, 1933.

French official text communicated by the Permanent Delegate of the Kingdom of Yugoslavia accredited to the League of Nations. The registration of this Convention took place March 3rd, 1934.

HIS MAJESTY THE KING OF YUGOSLAVIA
and

HIS MAJESTY THE KING OF ROUMANIA,

Being desirous of reaching an agreement for the settlement of debts and claims expressed in former Austrian or Hungarian crowns, have resolved to conclude a Convention for this purpose, and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF YUGOSLAVIA :

Monsieur Bogoljub D. JEVTIĆ, Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF ROUMANIA :

Monsieur Alexandre N. IACOVAKY, Minister Plenipotentiary, Director at the Ministry of Foreign Affairs, Bucharest ;

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

Article I.

Irrespective of the date on which they fall due, obligations at private law, expressed in Austrian or Hungarian (Austro-Hungarian) crowns and contracted before July 10th, 1919, between natural or juristic persons who, on the date on which the present Convention comes into force, have the principal centre of their business or of their interests or their habitual residence within the territory of one of the High Contracting Parties on the one side, and within the territory of the other High Contracting Party on the other side, shall be settled in lei by the debtors residing within the territory of the Kingdom of Yugoslavia and the debtors residing within the territory of the Kingdom of Roumania at the rate of fifty lei to one hundred crowns.

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 Bucharest, September 26th, 1933.

Stamped currency notes within the meaning of Article 206 of the Treaty of Saint-Germain and Article 189 of the Treaty of Trianon shall not be deemed to be former Austrian or Hungarian crowns.

As regards branches, the seat of such branches and not that of the principal establishment shall be taken.

Article 2.

Bearer bonds and coupons of bearer bonds, and also savings-bank books with deposits payable to bearer, shall, in accordance with the relevant provisions in force for nationals of the country, be refunded or paid in the State in which the establishment that issued them has its seat on the date on which this Convention comes into force.

Article 3.

This Convention shall not apply :

- (1) To debts and claims extinguished before the coming into force of the Convention ;
- (2) To agreements for the payment of the debts referred to in the previous Articles, if the conditions and means of payment are fixed in a currency other than Austrian or Hungarian crowns.

Article 4.

If, before the entry into force of this Convention but subsequent to November 1st, 1918, a debtor has deposited in a Consignment Office (judicial or administrative deposit) the amount of his debt without the consent of the creditor, such action shall not release him from his obligation unless the amount deposited corresponds to the sum payable under Article 1 or Article 2 of the present Convention, as the case may be.

Article 5.

Unless otherwise provided for in special Conventions, the present Convention shall not apply to the following classes of debts and claims :

- (1) Debts and claims of post office savings banks ;
- (2) Debts and claims of the Bank of Austria or Hungary and debts and claims transferred during the liquidation of the said Bank to the Succession States ;
- (3) Debts and claims of funds for minors and persons under legal disability ;
- (4) Life annuities, maintenance allowances and similar periodical payments ;
- (5) Debts and claims, including life annuities, arising in general out of a contract of insurance, social insurance, and contracts of re-insurance ;
- (6) Debts and claims of departments and communes, syndicates for hydraulic works or land improvement and wine-growing communes, whose territory has been divided by the frontier fixed in consequence of the Treaty of Trianon or the Treaty of Saint-Germain, as also debts and claims of private railway companies whose systems have been divided, or whose administrative centres have been separated from their systems, by the said frontier.

Article 6.

Receipts and, in general, all deeds drawn up before the courts relating to the debts and claims covered by the present Convention shall not require further legalisation. This provision shall also apply to private receipts and deeds and to those drawn up before a notary public, provided that they have been legalised by a court.

Article 7.

As regards the debts and claims mentioned in the present Convention, the periods of prescription, limitation and forfeiture of right of action and the periods prescribed for the presentation of interest or dividend coupons, or the repayment of securities drawn for repayment or repayable on any other ground whatsoever, shall be treated as having been suspended as from November 1st, 1918, without prejudice to any suspension within the country under local legislation or under the Treaties of Peace.

These periods shall again begin to run on the expiry of one year after the date on which the present Convention comes into force.

The provisions of this Article shall not apply to bills of exchange and promissory notes when the acceptor, or if they have not been accepted the drawer, or the maker, resides within the territory of a third State in which there has been no suspension or extension of the above-mentioned periods.

Similarly, the provisions of this Article shall not apply to the other obligations if action cannot be taken against the guarantor responsible in the last resort for the reason laid down in the previous paragraph, or if prescription or limitation had taken effect before November 1st, 1918.

Article 8.

Loans contracted up to November 1st, 1919, and secured on either Austrian public debt bonds or Hungarian public debt bonds issued during the war (advances on war bonds), shall be repaid in the present legal currency of Austria or Hungary at the rate of conversion in force in Austria or Hungary, as the case may be.

If the loan is guaranteed by other securities in addition to war bonds, the conditions of payment laid down in the foregoing paragraph shall only apply to the amount represented by the war bonds, while the amount represented by the other securities shall be payable at the rate stipulated in the present Convention. This provision shall not, however, apply to loans on collateral guaranteed not only by war bonds but also by other securities and granted to debtors at the time of and in connection with a subscription to a war loan, if the debtor has expressly notified the creditor of his intention to subscribe to such a loan and if the subscription has been effected through that creditor. Such loans shall be repaid in full in the manner provided in the preceding paragraph of this Article.

The amounts respectively represented by the war bonds and other securities pledged shall be calculated, in respect of the war bonds, on the basis of the price at which they were issued, and in respect of the other securities on the basis of the average of the buying and selling prices on the Vienna or Budapest Stock Exchanges, as the case may be, during the eight days previous to the date on which the loan was contracted, or, if no such quotations are available, on the basis of the average prices on these markets during that period.

The creditor (lender) shall be entitled to retain the pledged war bonds in settlement of his claim or the amount represented by the said war bonds.

Article 9.

Mortgage debts on immovable property expropriated or to be expropriated under Yugoslav or Roumanian legislation shall, in so far as expropriation has actually been effected, be settled under the conditions and by the means therein specified.

Article 10.

The present Convention shall be ratified and the ratifications shall be exchanged at Bucharest as soon as possible.

Article 11.

The present Convention shall come into force fifteen days after the exchange of ratifications.

In faith whereof the Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done at Belgrade, in duplicate, in French, January 30th, one thousand nine hundred and thirty-three.

(L. S.) B. D. ЈЕВТИЋ, *m. p.*

(L. S.) Alexandre N. IACOVAKY, *m. p.*