

N° 4382.

ALLEMAGNE ET LETTONIE

Accord relatif au règlement des paiements résultant de l'échange des marchandises entre les deux pays (Accord de clearing). Signé à Riga, le 31 octobre 1937.

GERMANY AND LATVIA

Agreement concerning the Settlement of Payments relating to Commercial Exchanges between the Two Countries (Clearing Agreement). Signed at Riga, October 31st, 1937.

TEXTE ALLEMAND. — GERMAN TEXT

N^o 4382. — ABKOMMEN¹ ÜBER DIE ZAHLUNGEN IM WARENVERKEHR ZWISCHEN DEM DEUTSCHEN REICH UND DER REPUBLIK LETTLAND (LETTISCH-DEUTSCHES VERRECHNUNGSABKOMMEN). GEZEICHNET IN RIGA, AM 31. OKTOBER 1937.

German and Latvian official texts communicated by the Latvian Minister for Foreign Affairs. The registration of this Agreement took place June 23rd, 1938.

Artikel 1.

Der Zahlungsverkehr zwischen der Republik Lettland und dem Deutschen Reich wird, soweit es sich um die unter dieses Abkommen fallenden Zahlungsverpflichtungen handelt, in Deutschland ausschliesslich durch Vermittlung der Deutschen Verrechnungskasse und in Lettland ausschliesslich durch Vermittlung der Latvijas Banka abgewickelt.

Artikel 2.

Unter die Bestimmungen dieses Abkommens fallen, vorbehaltlich weiterer Vereinbarungen, folgende Verbindlichkeiten deutscher Schuldner gegenüber lettischen Gläubigern und lettischer Schuldner gegenüber deutschen Gläubigern :

- 1) Zahlungen aus der Ausfuhr deutscher Waren nach Lettland und lettischer Waren nach Deutschland.
- 2) Zahlungen für wirtschaftlich gerechtfertigte und übliche Nebenkosten, die im unmittelbaren Zusammenhang mit dem lettisch-deutschen Warenverkehr stehen, einschliesslich sämtlicher Zahlungen im Transportversicherungsverkehr. Ausgenommen sind Zahlungen auf dem Gebiete des sonstigen Versicherungsverkehrs und des Seefrachtverkehrs.
- 3) Veredelungslöhne.
- 4) Zahlungen für ideelle Leistungen (z. B. Patent- und Lizenzgebühren, Filmmieten).
- 5) Nach besonderer Vereinbarung der beiderseitigen Verrechnungsstellen Zahlungen für besondere Verpflichtungen.

Artikel 3.

Im Interesse einer erleichterten Abwicklung des Verrechnungsverkehrs wird die unmittelbare Verrechnung von Forderungen im Sinne des Artikels 2 Ziffer 2 und 3 mit Warenforderungen durch die zuständige lettische oder deutsche Stelle genehmigt werden, ohne dass die Zustimmung der beiderseitigen Verrechnungsstellen erforderlich ist.

¹ The exchange of ratifications took place at Berlin, May 14th, 1938.
Came definitely into force on May 29th, 1938.

¹ TRANSLATION.

No. 4382. — AGREEMENT BETWEEN THE GERMAN REICH AND THE REPUBLIC OF LATVIA CONCERNING THE SETTLEMENT OF PAYMENTS RELATING TO COMMERCIAL EXCHANGES BETWEEN THE TWO COUNTRIES (CLEARING AGREEMENT). SIGNED AT RIGA, OCTOBER 31ST, 1937.

Article 1.

Payments between the Republic of Latvia and the German Reich in connection with liabilities covered by the present Agreement shall be effected in Germany exclusively through the agency of the Deutsche Verrechnungskasse and in Latvia exclusively through the agency of the Latvijas Banka.

Article 2.

The provisions of the present Agreement shall apply, subject to any further provisions that may be agreed, to the following liabilities of German debtors to Latvian creditors and of Latvian debtors to German creditors :

(1) Payments in respect of the export of German goods to Latvia and of Latvian goods to Germany.

(2) Payments for customary and reasonable accessory costs directly connected with goods transactions between Latvia and Germany, including all transport insurance charges, but not including other insurance or shipping charges.

(3) Finishing charges.

(4) Payments made in virtue of considerations of other than a material kind, such as patent fees, licences, renting of films and the like.

(5) Payments in respect of special liabilities by special arrangement between the two clearing agencies.

Article 3.

To facilitate clearing, the direct settlement of claims of the kind to which paragraphs No. 2 and No. 3 of Article 2 above relate by means of orders for goods to an equivalent amount may be approved by the competent Latvian or German authority without the assent of the two clearing agencies.

Article 4.

The provisions of the present Agreement shall not be applicable to the transit traffic of either country or to the costs accessory thereto.

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

Article 5.

For the purpose of the present Agreement " goods transactions " shall be deemed to mean :

(a) Imports of German goods into the territory of the Republic of Latvia. " German goods " shall be deemed to mean goods which have been produced in Germany or have undergone considerable finishing or transforming treatment therein.

(b) Imports of Latvian goods into German economic territory. " Latvian goods " shall be deemed to mean goods which have been produced in Latvia, or have undergone considerable finishing or transforming treatment therein.

The above provisions shall further apply to the case of goods passing through a third country in the process of delivery, provided such goods do not undergo considerable finishing or transforming treatment therein.

Article 6.

Debtors who have reichsmark liabilities to Latvia under the terms of the present Agreement must make payment of the amounts owing on maturity into the special account opened at the Deutsche Verrechnungskasse in the name of the Latvijas Banka. Where the liability is in a currency other than reichsmarks, the equivalent of the amount owing must be paid in reichsmarks, converted at the last-known middle rate of the currency concerned as officially quoted in Berlin on the date of payment. The Deutsche Verrechnungskasse shall regularly advise the Latvijas Banka of the amounts received in reichsmarks.

Article 7.

Debtors who have lat liabilities to Germany under the terms of the present Agreement, must make payment of the amounts owing on maturity into the special account opened at the Latvijas Banka in the name of the Deutsche Verrechnungskasse. Where the liability is in a currency other than lats, the equivalent of the amount owing must be paid in lats, converted at the last-known middle rate of the currency concerned as officially quoted in Riga on the date of payment. The Latvijas Banka shall regularly advise the Deutsche Verrechnungskasse of the amounts received in lats.

Article 8.

Upon receipt of payments into their respective special accounts, the Deutsche Verrechnungskasse and the Latvijas Banka shall pay out to the creditors the sums due to them in the order of the payments received, save in so far as otherwise agreed by the competent authorities in both countries in concert.

Article 9.

Exchange or interest losses in connection with payments made in the manner above provided shall not be payable under the terms of the present Agreement save where an arrangement to that effect has been made between the private parties concerned in the transaction. The competent foreign exchange authorities shall issue in such cases the requisite foreign exchange permits.

Article 10.

The Deutsche Verrechnungskasse and the Latvijas Banka shall concert together as to technical measures in execution of the present Agreement.

Article 11.

Where, in particular cases, payment is made in a manner other than that provided in the present Agreement, the assent of the competent authorities of both countries shall be required.

Article 12.

The present Agreement may be denounced subject to one month's notice.

Article 13.

In the event of the present Agreement lapsing, liabilities which have arisen before its lapse in connection with transactions coming under the clearing, as also liabilities arising in connection with the completion of deliveries, shall be met by payments under the terms of the present Agreement, provided in the case of payments for goods that the goods had already been consigned at the date of the lapse of the Agreement.

The special accounts in both countries shall be wound up in accordance with the principles of the present Agreement.

Any balance outstanding shall be liquidated by deliveries of goods, save in so far as otherwise agreed.

Article 14.

The present Agreement shall be ratified. It shall come into force on the fifteenth day after the exchange of the instruments of ratification, which shall take place in Berlin.

The two Governments are agreed notwithstanding that the Agreement shall be provisionally applicable as from January 1st, 1938.

Done at Riga, in duplicate, in Latvian and German, this 31st day of October, 1937.

L. ĒKIS.

A. DINSBERGS.

E. VON SCHACK.

G. FORKEL.