

N° 4321.

HONGRIE ET ROUMANIE

Convention d'établissement, de commerce et de navigation, avec annexes A et B et protocole final, et annexe C (arrangement vétérinaire et protocole final), signés à Sinaïa, le 12 août 1931, et échanges de notes y relatifs de la même date.

HUNGARY AND ROUMANIA

Convention of Establishment, Commerce and Navigation, with Annexes A and B and Final Protocol and Annex C (Veterinary Arrangement and Final Protocol), signed at Sinaia, August 12th, 1931, and Exchanges of Notes relating thereto of the same Date.

¹ TRADUCTION. — TRANSLATION.

No. 4321. — CONVENTION ² OF ESTABLISHMENT, COMMERCE AND NAVIGATION BETWEEN THE KINGDOM OF HUNGARY AND THE KINGDOM OF ROUMANIA. SIGNED AT SINAIA, AUGUST 12TH, 1931.

French official text communicated by the Head of the Royal Hungarian Delegation to the League of Nations. The registration of this Convention took place April 9th, 1938.

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY, of the one part, and HIS MAJESTY THE KING OF ROUMANIA, of the other part, being desirous of defining the conditions governing the establishment of Hungarian nationals in Roumania and of Roumanian nationals in Hungary, and of regulating relations between their respective countries in matters of commerce and navigation, have resolved to conclude a Convention and have to that end appointed as their Plenipotentiaries :

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY :

Monsieur Alfred DE NICKL, Envoy Extraordinary and Minister Plenipotentiary, Director of Commercial Affairs at the Royal Hungarian Ministry of Foreign Affairs ;

HIS MAJESTY THE KING OF ROUMANIA :

Monsieur Basile GRIGORCEA, Envoy Extraordinary and Minister Plenipotentiary of Roumania in Budapest ;

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

Article I.

The nationals of each of the High Contracting Parties shall, in the territory of the other, enjoy, as regards their persons and property, the same rights, privileges and favours as nationals, unless otherwise provided by the laws of the country. In the event of the existence or of the introduction of provisions specially applicable to foreigners, nationals of the High Contracting Parties shall enjoy the treatment granted to the most-favoured nation.

Subject, therefore, to compliance with the laws and regulations of the country, the nationals of each of the High Contracting Parties shall be free to enter the territory of the other Party and to travel, reside and settle there, or to leave such territory at any time without being subject to any restrictions other than those which are or may hereafter be imposed upon nationals or, should there be any provisions specially applicable to foreigners in the laws and regulations of the country, the nationals of the most-favoured nation.

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 Budapest, December 17th, 1937.

It is, however, understood that the above provisions shall be entirely without prejudice to the acknowledged right of each of the High Contracting Parties to regulate immigration or emigration by law.

Article 2.

Each of the two Contracting Parties reserves the right, in individual cases, either in consequence of the order of a court or under the laws and regulations relating to public morals, public health, mendicancy or the internal or external safety of the State, to prohibit nationals of the other Party from settling or residing in his territory and to expel them for the reasons mentioned above.

The other Party undertakes to receive back into his territory any of his nationals who are thus expelled, together with their families, provided that their nationality is certified by the competent consul.

The cost of conveying expelled persons to the frontier or to a port of embarkation of the expelling Party shall be borne by such Party.

Article 3.

The nationals of each of the High Contracting Parties shall have the right to acquire and to possess, in the territory of the other Party, movable property of all kinds and urban immovable property, and to dispose freely of the same by any mode of transfer, under the same conditions as nationals.

In regard to rural immovable property, the said nationals shall enjoy the same treatment as that granted in this respect to nationals of the most-favoured nation.

The above provisions shall be without prejudice to any exceptions and restrictions regarding the purchase, possession and use of immovable property by all foreign nationals which, in the interests of national security, are or shall be laid down by the laws of either High Contracting Party.

In all the above-mentioned cases, as also on the export of the proceeds of the sale of their property or of the property itself, they shall not be subject to taxes, dues or charges, of whatever kind other or higher than those which are or may be payable by nationals.

Article 4.

The nationals of each of the High Contracting Parties in the territory of the other Party shall have the right, under the same conditions as nationals and subject to compliance with the laws and regulations of the country, to engage in all kinds of industry and commerce, and in any occupations or professions the exercise of which is not or shall not be reserved to nationals by law.

Article 5.

The nationals of each of the High Contracting Parties shall not be subject, in the territory of the other Party, to any taxes, dues or charges of whatever kind, in respect either of their persons or property or of any commerce, industry, occupation or profession in which they may be engaged, other or higher than those payable by nationals.

The provisions of the present Article shall not apply to *taxes de séjour* or similar charges.

Article 6.

The nationals of each of the High Contracting Parties in the territory of the other shall be exempt from all military service in the national guard or militia, as well as from any obligations or dues in lieu of military service.

They shall also be exempt from all compulsory official functions, whether judicial, administrative or municipal, except that of guardianship (or curatorship) in respect of their fellow

nationals, and from any requisition or compulsory wartime service or forced loans or any other levies which may hereafter be made for war requirements or by reason of other exceptional circumstances.

In regard to the obligations attaching to the possession by whatever title of landed property, and to wartime services for which all the inhabitants of the country are liable either as landowners or tenant farmers, the two High Contracting Parties shall reciprocally grant one another most-favoured-nation treatment.

Article 7.

The nationals of each of the High Contracting Parties shall enjoy, as regards the legal and judicial protection of their persons and property, the same treatment as nationals.

They shall accordingly have free and unhindered access to all the courts of law of the other Party; they shall be entitled to institute or defend proceedings, and shall enjoy the benefit of the legal aid provided for poor persons under the same conditions and in the same manner as nationals, in accordance with the judicial convention in force between the High Contracting Parties.

Further, they shall be entitled to employ advocates, notaries or agents of all categories, as authorised by the law of the country, and shall enjoy, in this respect, the same rights and privileges as are or shall be accorded to nationals.

The nationals of each of the High Contracting Parties shall enjoy as regards their persons, property, rights and interests in the territory of the other Party, in all respects, the same treatment and the same protection with the financial authorities and tribunals as are enjoyed by nationals of that Party in regard to taxes, dues and imposts of all kinds and to all fees having the character of public charges.

Article 8.

Commercial, industrial, financial, insurance, communications and transport companies and, in general, all undertakings possessing legal personality and having their registered offices in the territory of one of the High Contracting Parties, shall, if duly constituted in accordance with the laws of that Party, be recognised as legal in the territory of the other Party, and shall accordingly be entitled to institute or defend legal proceedings in its courts. They shall have the right to establish branches and to engage in their trade or industry in such territory in the manner and within the limits laid down by the laws and regulations in force.

The said companies shall not be subject in the territory of the other Party, in respect of their admission and the conduct of their commerce or industry, to any tax, duty or charge other or higher than those imposed on companies belonging to that Party.

The said companies may, subject to, and in the manner prescribed by, the laws in force in the country, acquire every kind of movable property and such immovable property as may be necessary for carrying on their activities.

In any case such companies shall, in the territory of the other High Contracting Party, enjoy the same rights as are or shall be granted to similar companies belonging to the most-favoured nation in this respect.

Article 9.

The High Contracting Parties undertake in no way to hinder trade between the two countries by means of import or export prohibitions or restrictions.

They nevertheless reserve the right to make exceptions to this principle for the reasons hereinafter enumerated, provided always that the prohibitions or restrictions also apply to all other countries in which similar conditions prevail:

- (1) Prohibitions or restrictions instituted for reasons of public safety;
- (2) Prohibitions or restrictions introduced on moral or humanitarian grounds;

(3) Prohibitions or restrictions relating to the trade in arms, ammunition and implements of war and, in exceptional circumstances, in all war supplies ;

(4) Prohibitions or restrictions instituted for reasons of public health or to protect animals or plants against disease, insects and harmful parasites ;

(5) Export prohibitions or restrictions instituted for the protection of national artistic, historical or archaeological treasures ;

(6) Prohibitions or restrictions relating to gold, silver, specie, paper money or securities ;

(7) Prohibitions or restrictions designed to extend to foreign goods the régime applied within the country in respect of the production, buying and selling, transport and consumption of home-produced goods of a similar kind ;

(8) Prohibitions or restrictions in respect of commodities the production of or trade in which, within the country, are or may hereafter become a State or State-controlled monopoly.

Article 10.

Natural or manufactured products, originating in and arriving from Hungary, shall, on their importation into Roumania, be allowed the benefits of the most-favoured-nation clause unconditionally and without restriction.

The natural or manufactured products, originating in and arriving from Hungary, which are enumerated in Schedule *A*, annexed to the present Convention, shall be admitted to Roumania on the payment of the duties fixed in the said Schedule or of such lower duties as Roumania may concede to the same products of any foreign Power.

Article 11.

Natural or manufactured products, originating in and arriving from Roumania, shall, on importation into Hungary, be allowed the benefits of the most-favoured-nation clause unconditionally and without restriction.

The natural or manufactured products, originating in and arriving from Roumania, which are enumerated in schedule *B*, annexed to the present Convention, shall be admitted to Hungary on the payment of the duties fixed in the said Schedule or of such lower duties as Hungary may concede to the same products of any foreign Power.

Article 12.

Goods exported to Hungary shall not be subject in Roumania, and goods exported to Roumania shall not be subject in Hungary, to any duties or dues of any kind other than, or to export duties higher than, those which are or may hereafter be imposed on the same goods when exported to the most-favoured country in this respect.

Any favour in the matter of export granted by one of the High Contracting Parties to a third Power shall be immediately and unconditionally extended to the other Party.

Article 13.

With regard to the provision of security, the collection of duties and other Customs formalities in connection with import or export, as also with regard to storage in bond, re-export, transhipment and transit, each of the High Contracting Parties undertakes to extend to the other any favour which he may accord to a third Power. Any favour or immunity subsequently conceded in these matters to any third Power shall be extended immediately and unconditionally to the other High Contracting Party.

The High Contracting Parties shall communicate to each other particulars of the offices and authorities whose duty it is to give information with regard to the application of duties, formalities, etc.

Article 14.

Most-favoured-nation treatment as provided for in the preceding Articles shall not include :

(a) Privileges which have been or may hereafter be granted by either of the High Contracting Parties with the object of facilitating frontier traffic with neighbouring countries, within a zone not exceeding 15 kilometres on either side of the frontier ;

(b) Any special tariff régime which Roumania may establish in respect of imports designed to facilitate financial settlements resulting from the state of war in which that country was placed between 1916 and 1918 ;

(c) Any new rights and privileges which either of the High Contracting Parties may grant under the terms of plurilateral conventions to which the other Party has not acceded, when such conventions are concluded under the auspices of the League of Nations, registered by it and open to the accession of all States ; the benefit of such rights or privileges may nevertheless be claimed by the other High Contracting Party, if the said rights or privileges are also provided for in conventions other than a collective convention fulfilling the above-mentioned conditions, or if the Party claiming such rights is prepared to accord reciprocity of treatment ;

(d) Rights and privileges accorded to one or more neighbouring States as the result of the conclusion of a Customs union.

Article 15.

In general, the production of certificates of origin shall not be required for the importation of the products of one of the High Contracting Parties into the territory of the other. Nevertheless, if either of the High Contracting Parties should impose upon the products of a third country duties higher than those applicable to the same products of the other Party, or if it should subject the products of a third country to import prohibitions or restrictions to which the products of the other Party are not subject, he shall be entitled to require the production of a certificate of origin as a condition of the application of the lowest duties to the products of the other Party, or of the admission of such products to import.

The two High Contracting Parties agree to see that trade is not impeded by unnecessary formalities or excessive charges in connection with the issue of certificates of origin.

The said certificates of origin may be issued by the competent Chambers of Commerce or Agriculture, according to the nature of the goods. The two Governments may agree to empower authorities other than those mentioned above to issue certificates of origin.

In cases in which the certificates are not issued by a Government authority, the Government of the importing country may require their endorsement by the diplomatic or consular authorities competent in respect of the place whence the goods are despatched.

Should the legalisation of certificates of origin be required, this shall be effected without charge. No certificate of origin shall be required in the case of postal packages.

In the event of the conveyance of the products of a third country through the territory of one of the High Contracting Parties for the purpose of importation into the territory of the other Party, the Customs authorities of the latter shall accept the certificates issued by the Customs authorities of the other High Contracting Party as valid, provided always that such certificates state that the goods have remained under Customs supervision during transit.

Should either Government notify the other of fraudulent practices in connection with the issue of the said certificates, the Government to which the complaint is addressed shall at once set on foot a special enquiry into the facts alleged, duly communicating the result to the Government making the complaint, and shall, whenever necessary, take any measures in its power to prevent the continuance of such fraudulent practices.

Article 16.

Each of the High Contracting Parties shall afford the nationals of the other Party in its territory effective protection against unfair competition and shall, in this respect, accord them the same treatment as its own nationals.

The High Contracting Parties undertake to adopt all necessary measures for suppressing in their respective territories the improper use of geographical appellations of origin in respect of wines, provided always that such appellations are duly protected by the other Contracting Party and have been notified by him.

The said notification shall, more particularly, indicate the exact provisions of the laws and regulations of the country concerned establishing the right to the appellations of origin in question.

The use of a geographical appellation of origin to describe wines other than those genuinely entitled to the said appellation shall, in particular, be prohibited, even when the true origin of the goods is indicated or when the improper appellation is accompanied by some such qualifying term as "variety", "similar to", "type", etc.

Similarly, no geographical appellation of origin of the wines of one of the High Contracting Parties, if duly protected in the country of origin and regularly notified to the other Party, shall be regarded as being of a generic nature.

The measures which each of the High Contracting Parties undertakes to adopt shall include the penalty of seizure and any other appropriate penalties, such as the prohibition of the import, export, bonding, circulation, sale or offering for sale of the goods if on the casks, bottles, wrappings or cases containing them, or on the invoices or trade documents in respect of them, appear names, motives, illustrations or devices of any kind whatsoever suggesting appellations of origin to which they are not entitled.

The foregoing provisions shall not preclude the vendor from placing his name and address on the get-up of his goods; nevertheless, in the absence of a geographical appellation of origin, he shall, in addition, clearly indicate the country of origin of the goods, wherever the name and address alone are liable to cause confusion with a district or locality situated in another country.

The seizure of goods infringing the foregoing provisions or the other penalties provided for shall be enforced at the instance of the Public Prosecutor or on application by any person, association or syndicate interested in accordance with the respective laws of each of the High Contracting Parties.

The provisions of the present Article shall not apply to goods in transit.

Article 17.

In respect of goods the treatment of which, on import into the territories of the High Contracting Parties, is governed by certain requirements relating to their composition, standard of purity and quality, to health conditions in the area where they were produced, or to any similar conditions, the two Governments shall together consider whether the import inspection formalities cannot be simplified by the production of a certificate issued by the competent authorities of the exporting country.

In that case, the two High Contracting Parties agree to take account of certificates of analysis concerning natural and manufactured products, while reserving the right to provide for any such verifications as may be necessary to determine the régime applicable to the goods.

Each of the two Governments shall communicate to the other a list of official laboratories authorised to issue certificates of analysis.

In consequence of the above and being desirous of acting in accordance with the provisions of Article 13 of the International Convention¹ for the Simplification of Customs Formalities signed at Geneva on November 3rd, 1923, the two Contracting Parties undertake to conclude special

¹ Vol. XXX, page 371; Vol. XXXV, page 325; Vol. XXXIX, page 208; Vol. XLV, page 140; Vol. L, page 161; Vol. LIV, page 398; Vol. LIX, page 365; Vol. LXIX, page 79; Vol. LXXXIII, page 394; Vol. LXXXVIII, page 319; Vol. XCII, page 370; Vol. CXI, page 404; Vol. CXXXIV, page 401; and Vol. CXLVII, page 322, of this Series.

agreements in regard to the methods of analysis to be adopted by the official laboratories and the nature and character of the tests, with the object of determining what standard of purity may be required for imported goods, without resulting in virtual prohibition.

Article 18.

The régime to be applied in respect of the import, transit, transshipment and passage of animals shall be determined by veterinary requirements, in accordance with the veterinary regulations of each country.

To that end the High Contracting Parties have concluded a special agreement defining the régime to be applied to the import and transit of animals and animal products, and forming an integral part of the present Convention. (Annex C.)

Article 19.

The internal dues which are or shall be levied on behalf of the State, communes or corporations on the production, manufacture or consumption of any article within the territory of either of the High Contracting Parties shall on no account constitute a higher or more burdensome charge on the products of the other Party than on similar articles of native origin or, should no such articles be produced within the country, on the similar articles of the most-favoured nation.

Article 20.

Merchants, manufacturers and other traders of either of the countries, who prove by the production of a special identity card issued by the competent authorities of their own country that they are duly authorised to carry on their trade or industry in that country and that they pay the dues and taxes required by its laws shall have the right, either personally or through travellers in their employ, to make purchases in the territory of the other Contracting Party, from merchants or producers or in public places of sale.

They may also take orders, even on the submission of samples, from merchants or other persons who, in their trade or industry, use the goods offered for sale or goods corresponding to the samples. In neither country shall they be subject to any special tax on this account.

The foregoing provisions shall not apply to itinerant trading, hawking or the soliciting of orders from persons not engaged in industry or trade, and the High Contracting Parties reserve to themselves complete legislative freedom in this respect.

Hungarian and Roumanian commercial travellers holding identity cards issued by the authorities of their respective countries shall be entitled, subject to reciprocity, to carry with them samples or patterns, but not goods for sale.

The High Contracting Parties shall notify each other of the authorities competent to issue identity cards, and also of the regulations with which travellers must comply in the exercise of their calling.

As regards commercial travellers' identity cards and the régime to be applied in the matter of samples or patterns, the two High Contracting Parties shall comply with the provisions of the International Convention for the Simplification of Customs Formalities, signed at Geneva on November 3rd, 1923.

Samples and patterns subject to import duties and not falling under an import prohibition, which are imported by manufacturers or traders established in the territory of either of the High Contracting Parties, whether personally or through the agency of commercial travellers, shall be provisionally admitted free of Customs duty, subject to the deposit of the import duties or of a bond securing the payment thereof, if required.

Samples and patterns shall be held to mean any specimens of a particular category of goods, provided always that they are such as to admit of easy identification on re-export, and also that their total quantity or value is not such as to deprive them of the character of samples in the usual sense of the term.

Samples or patterns shall be re-exported within a period not exceeding six months, unless such period is extended by the Customs administration of the country of import.

On the expiry of the prescribed period, the amount of the import duty deposited or guaranteed by bond shall be retained by the Treasury or collected on its behalf failing proof that the samples or patterns have in the meanwhile been re-exported.

If before the expiry of the prescribed period the samples or patterns are presented for re-export at a Customs office, authorised for the purpose, such office, after satisfying itself by examination that the articles presented are in fact those for which the import permit was granted, shall refund the duty deposited on import or take the necessary steps to discharge the bond.

The two Governments shall publish a list of the offices authorised for the above-mentioned purposes.

No charge shall be levied on the importer, with the exception of stamp duty for the issue of the certificate or permit and for the affixing of marks whereby the samples or patterns may be identified.

It is understood that in regard to all the matters dealt with in the present paragraph, nationals of the two High Contracting Parties shall enjoy all the advantages which are or shall be accorded to nationals of the most-favoured nation.

Article 21.

The two High Contracting Parties shall grant one another freedom of transit through each other's territories, and undertake not to levy any transit duty in respect thereof.

In application of this principle, the two High Contracting Parties shall conform in the matter of transit to the provisions of the Statute forming an integral part of the Convention¹ concerning Freedom of Transit signed at Barcelona on April 20th, 1921.

Article 22.

In all matters relating to the international régime of railways, the High Contracting Parties shall apply, in their relations with one another, the provisions of the Convention² and Statute concerning the International Régime of Railways drawn up at Geneva on December 9th, 1923.

Article 23.

Each of the High Contracting Parties undertakes to grant the vessels of the other Party treatment equal to that of its own vessels in the maritime ports under its sovereignty or authority in the matter of freedom of access to, and use of, such ports, together with full enjoyment of any facilities it may grant in respect of shipping and commercial operations relating to ships, their cargoes and passengers, loading and unloading, and of all dues or charges, of whatever kind, levied by, or on behalf of, the Government, public authorities, concession holders or establishments of any kind.

Article 24.

The following categories of vessels of either country shall be entirely exempt from tonnage and clearance charges in the ports of the other country :

- (1) Vessels coming from any place in ballast and leaving in ballast ;

¹ Vol. VII, page 11 ; Vol. XI, page 407 ; Vol. XV, page 305 ; Vol. XIX, page 279 ; Vol. XXIV, page 155 ; Vol. XXXI, page 245 ; Vol. XXXV, page 299 ; Vol. XXXIX, page 166 ; Vol. LIX, page 344 ; Vol. LXIX, page 70 ; Vol. LXXXIII, page 373 ; Vol. XCII, page 363 ; Vol. XCVI, page 181 ; Vol. CIV, page 495 ; Vol. CXXXIV, page 393 ; and Vol. CXLII, page 340, of this Series.

² Vol. XLVII, page 55 ; Vol. L, page 180 ; Vol. LIX, page 383 ; Vol. LXIII, page 417 ; Vol. LXIX, page 92 ; Vol. LXXXVIII, page 472 ; Vol. LXXXIII, page 403 ; Vol. LXXXVIII, page 336, Vol. XCII, page 381 ; Vol. XCVI, page 191 ; Vol. CLVI, page 192 ; Vol. CLX, page 338 ; and Vol. CLXXVII, page 389, of this Series.

(2) Vessels entering a port with cargo, or through stress of weather or accident, and leaving without having engaged in any commercial operation.

Should a vessel be forced into port by stress of weather or accident, the unloading or reloading of the cargo, or its transshipment to another vessel in the event of the first vessel's not being seaworthy, or the purchase of supplies for the revictualling of the crew or the sale of damaged goods, shall not be deemed to be commercial operations, if duly authorised by the Customs administration.

It is understood that the provisions of the present Article shall not apply to sanitary, pilotage or salvage dues which shall be payable in all cases as required by the laws of the country, provided always that no difference is made between national vessels and the vessels of the other High Contracting Party.

Article 25.

Hungarian vessels and ships and Roumanian vessels and ships shall be permitted to proceed from any port in one of the two contracting countries to any other port or ports in that country, whether for the purpose of obtaining or completing a cargo for shipment to a foreign destination, or of discharging a cargo, or any part thereof, brought from foreign countries, without payment of any dues other than those to which national vessels are, or shall be, subjected in similar circumstances.

Article 26.

Shipowners, shippers, and charterers who are nationals of one of the High Contracting Parties, together with their representatives and agents, shall be free to make use, in the territory of the other Party, of all equipment and accommodation in the ports of the latter or their dependencies, under the same conditions and on payment of the same dues as nationals, provided such establishments or institutions are intended for public use.

Subject to the special regulations relating to lighthouses and beacons, pilotage, salvage and sanitary measures, no dues shall be levied where no actual use has been made of the aforesaid establishments or institutions.

Article 27.

Vessels of one of the High Contracting Parties which have been obliged by stress of weather or by accident to take shelter in a port of the other country shall be permitted to refit therein and put to sea again without being subjected to any dues other than such as would be payable in similar circumstances by national vessels. Should the master of a merchant vessel undergoing repairs be obliged to dispose of a part of his cargo in order to defray his expenses, he shall be bound to comply with the regulations and tariffs of the place in which his vessel has taken shelter.

Article 28.

If any vessel of either High Contracting Party is wrecked, or runs aground, or is damaged at sea or compelled through stress of weather or accident to put into harbour on the coasts of the other Party, such vessel and its cargo shall enjoy the same benefits and immunities as are granted by the laws of that Party to national vessels in similar circumstances. The captain and crew shall be given all requisite aid and assistance in respect of their persons, ship and cargo. Salvage operations shall be carried out in accordance with the laws of the country. Any goods salvaged from the vessel or its cargo, or the proceeds of the sale of such goods, shall be restored to the owners or their representatives, and the charges for salvage shall not exceed those payable by nationals in such a case.

The High Contracting Parties further agree that goods salvaged shall not be subject to any Customs duty unless intended for consumption within the country.

Article 29.

The nationality of vessels shall be determined, in accordance with the laws of the State to which they belong, by means of the ships' papers issued by the competent authorities and carried on board.

Save in the case of sale by order of a court, vessels of one of the High Contracting Parties shall not be granted the nationality of the other Party without the issue of a declaration of withdrawal of nationality by the authorities of the first Party.

Pending the conclusion of a special agreement for the reciprocal recognition of tonnage certificates, the vessels of either High Contracting Party shall not be subjected to any further tonnage measurement, in the ports of the other Party, and the amount of shipping dues and charges shall be assessed on the basis of the tonnage certificates issued by the competent authorities of the country under whose flag the vessel sails, provided always that such certificates are made out in accordance with the rules laid down by the European Danube Commission or with those prescribed by the Suez Canal Company.

Article 30.

Without prejudice to the provisions of the Convention instituting the definitive Statute¹ of the Danube, signed at Paris on July 23rd, 1921, which governs the entire Danube internationalised river system, the following provisions shall also apply in regard to navigation on the said system :

(a) The property and flags of each High Contracting Party shall, in all the ports and on all the waterways of the other Contracting Party, enjoy the same treatment in every respect as that Party's own property and flags.

(b) The vessels and barges of each of the High Contracting Parties shall be authorised to convey passengers and goods of all kinds from the territory of that Party, or from some third country to one or more ports of the other Party and land them there ; or to embark passengers and goods in one or more ports of the second Party for conveyance to the territory of the first Party or to some third country. All the above operations shall be permitted under conditions not less favourable than those applied to the ships and barges of the second Party.

(c) The vessels and barges of each of the High Contracting Parties shall be treated on a footing of complete equality with the ships and barges of the other Party, both as regards the use of ports and public places for embarking and landing, together with their equipment and accommodation, and as regards port charges and dues of all kinds, irrespective of whether such public equipment and accommodation are under the administration or management of the State, of municipalities or public corporations or of private concession holders.

(d) Each of the High Contracting Parties further undertakes to allot to shipping companies of the other High Contracting Party, at their request and in so far as the available facilities are found by common agreement to allow, anchorages and berths at the quays in the said ports, under the same conditions as national vessels and to allow them, upon the same conditions, there to moor their own pontoons and lighters and use them for embarking and landing passengers and loading and unloading the goods transported by their boats and also to store their goods on the quays and in the warehouses.

The shipping companies shall, at their request, be authorised to build warehouses, where none exist. In such cases the value shall, however, be written off by the said companies in :

20	years	in	the	case	of	wooden	warehouses,
25	"	"	"	"	"	iron	"
40	"	"	"	"	"	stone or concrete	warehouses,

at the end of which periods the warehouses shall become the property of the port where they have been built. The port authorities shall also be entitled to acquire such warehouses before the end of the prescribed period by paying to the companies a sum equal to the

¹ Vol. XXVI, page 173 ; and Vol. CXVII, page 55, of this Series.

amount outstanding on the value of the premises and by placing at their disposal another quayside berth and another warehouse, the situation of which shall, in so far as the available facilities allow, be no less favourable.

(*e*) The shipping companies shall retain the ownership of their own lighters, pontoons and other equipment used by them in the ports of the other Contracting Party, and for the positions allotted to which no fees or rent shall be charged.

(*f*) Charges and dues for the use of port equipment and accommodation shall only be payable in the event of the actual use of the latter.

(*g*) Passenger and goods traffic shall be subject to no restrictions other than those resulting from Customs and police regulations, sanitary and veterinary regulations, the provisions of the Statute of the Danube regarding services between ports of one and the same State, immigration and emigration regulations and import and export prohibitions and restrictions.

(*h*) Vessels and barges in transit shall not be liable to any convoy or inspection charges. In the event of a vessel's being convoyed, however, the owner shall, without charge, provide proper accommodation on board for the members of the escort, and shall, for payment in cash and at cost price, provide the officials with the food supplied to officers and the rank and file with that supplied to members of the crew.

(*i*) Tonnage certificates and other ships' papers issued by the competent authorities of the two Contracting Parties shall be reciprocally recognised in accordance with the Convention¹ regarding the Measurement of Vessels employed in Inland Navigation signed at Paris in 1925.

(*j*) The two High Contracting Parties undertake to simplify the formalities necessary for Customs examination and other formalities, so as to obviate unnecessary delay.

(*k*) Subject to the Customs regulations in force and to the methods of examination therein prescribed, it is understood that goods transported in the vessels and barges of one of the High Contracting Parties to a port of the other Party and there provisionally landed with a view to conveyance thence in other vessels or barges, either to other ports of the latter Party or to a third country, shall not be deemed to have been nationalized through being landed in the port in question.

Article 31.

The national treatment of vessels shall not include :

1. The right to fish in the territorial waters of the High Contracting Parties ;
2. Benefits available to the national mercantile marine under special laws for the encouragement of shipbuilding and shipping by means of bounties or other special facilities ;
3. Privileges granted by the State to its own vessels, operated by public or semi-public undertakings, in the matter of the allocation in the respective ports of the High Contracting Parties of special berths and special facilities for fuelling and for storing and handling cargo, provided always that the said vessels are employed on public services ;
4. Privileges granted to yacht clubs and the like ;
5. The right to employment in the maritime services of ports, roadsteads and shores, including pilotage, towage, salvage and rescue work ;

¹ Vol. LXVII, page 63 ; Vol. LXXXIII, page 443 ; Vol. XCVI, page 201 ; Vol. C, page 228 ; Vol. CIV, page 511 ; and Vol. CXXVI, page 448, of this Series.

6. Emigration and the transport of emigrants, without prejudice to such agreement as may subsequently be concluded in the matter between the two High Contracting Parties.

Article 32.

The provisions of the present Convention shall in no case be applicable to navigation on waters entirely situated in the territory of either of the High Contracting Parties.

Article 33.

Pending the conclusion and the entry into force of a new special convention to regulate local frontier traffic, the two High Contracting Parties agree to apply the provisions of Annex II of the Commercial Agreement¹ signed at Bucharest on April 16th, 1924.

The High Contracting Parties undertake to open negotiations as soon as possible with a view to the conclusion of a special agreement regarding roads and highways intersected by the frontier.

Article 34.

All disputes as to the interpretation or application of the provisions of the present Convention shall be submitted to an Arbitral Tribunal, to be specially constituted for each dispute that may arise between the two High Contracting Parties and consisting of three members, one of whom shall be appointed by each of the High Contracting Parties, and the third by both Parties in agreement or, in default of such agreement, by the President of the Permanent Court of International Justice at The Hague.

The Arbitral Tribunal shall be constituted within a period not exceeding one month from the date of the notification of the dispute.

The Tribunal thus constituted shall render its decision, which shall be binding, with the least possible delay.

Article 35.

The present Convention shall be ratified and the instruments of ratification exchanged as soon as possible.

It shall come into force thirty days after the exchange of ratifications.

The two Governments may, nevertheless, agree to bring it into force at an earlier date if their respective laws permit.

The present Convention shall remain in force for a period of two years from the date of the exchange of ratifications, but shall not be terminated on the expiry of such period, unless denounced at least six months previously.

Failing denunciation by either of the High Contracting Parties, the present Convention shall be extended by tacit agreement and shall remain in force until the expiry of a period of six months as from the date of its denunciation.

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

Done in duplicate at Sinaia, the twelfth day of August, one thousand nine hundred and thirty-one.

(L. S.) (Signed) NICKL.

(L. S.) (Signed) Basile GRIGORCEA.

¹ Vol. XLVI, page 95, of this Series.

SCHEDULE A.

DUTIES PAYABLE ON GOODS IMPORTED INTO ROUMANIA.

Number in Roumanian Customs Tariff	Description of Goods	Duty in lei
ex I (a)	Warm-blooded stallions and mares of the Lipica, greater and lesser Nonius, Furioso and Gidran breeds or stocks and the English thoroughbred stock and crosses between the said warm-blooded breeds or stocks, provided the importer produces to the Customs office a certificate from the official Hungarian veterinary surgeon, responsible for the veterinary inspection on export, to the effect that the animals are indeed warm-blooded horses as specified above	per head 1,000
	<i>Note</i> : Stud horses of the breeds mentioned above, if imported with the authorisation of the Ministry of Agriculture, shall be exempt from Customs duty on import, provided that the importer produces to the Customs office a certificate from the official Hungarian veterinary surgeon, responsible for the veterinary inspection on export, to the effect that they are indeed stud animals.	
ex 2	Warm-blooded horses (geldings) of all ages of the Lipica, greater and lesser Nonius, Furioso, and Gidran breeds or stocks and of the English thoroughbred stock and crosses between the said warm-blooded breeds or stocks, provided that the importer produces to the Customs office a certificate from the official Hungarian veterinary surgeon, responsible for the veterinary inspection on export, to the effect that they are indeed warm-blooded horses as specified above	1,700
21	Pheasants	exempt
ex 46	Carp, whether fresh or frozen	per 100 kg. 300
ex 49	Pike-perch, frozen	600
ex 244	Soap-paste of chlorate of potash with an alcohol content of less than 5%, as used in the manufacture of lysoform, under special permit of the Ministry of Industry, up to a maximum annual quantity of 200 (two hundred) quintals	1,000
ex 288 (a)	Haricots, beans, peas and lentils, in their natural state	200
ex 288 (b)	Peas, husked and split	500
ex 292	Pearl barley, millet groats	660
ex 298 (c)	Preparations known as "Ovomaltine" and "Jemalt"	3,000
ex 304 (a)	Wheat starch	900
ex 305 (a)	Gluten	3,500
312	Vegetable seeds of all kinds	200
313	Flower seeds and all other kinds of garden seeds	250
ex 381 (b)	Dried chicory roots	300
420	Ground paprika	2,500
ex 467	Shoemakers' hemp thread, single strand, in balls weighing up to 50 grammes.	1,800
484 (a)	Jute cloths, unbleached, containing, in warp and woof together, in a square of 2 cm. side, up to 36 threads inclusive, even with coloured stripes or checks	2,000
486	Sacks of unbleached jute cloth, of any kind	1,000
ex 565	Webbing of hemp, combined or not with common materials, even bleached, dyed or printed	8,000
ex 673	Carpenters' benches	800
716	Straw brooms of all kinds :	
	(a) Without handles in another material	300
	(b) With handles in another material	600

Number in Roumanian Customs Tariff	Description of Goods	Duty in lei
ex 724	Hajdunanas men's straw hats, common, for peasants, manufactured of wheat or barley straw plaits over 8 mm. in width, with small crown, with brims measuring at least 15 mm. and weighing at least 8 to the kg., without ribbon, but with leather sweat	per 1 kg. 80
ex 761	Stencil papers	per 100 kg. 2,500
ex 766	Sensitised papers and cardboard of any kind for photographs	1,500
ex 792	Trays, bowls, basins, soap dishes and similar household, office and hygienic articles, of papier-maché or cardboard, varnished or lacquered, even with edging or designs, but not combined with fine materials	per 1 kg. 50
ex 860 (b)	Natural purgative mineral waters of all kinds, in containers of all kinds	per 100 kg. 150
935	Household articles, such as plates, cups, cans, bowls, etc., of faience : (a) White or in a single colour, even with reliefs (b) With ornaments in one or more colours, even silvered or gilt	 400 600
938	Sanitary appliances and hygienic articles, such as W.C. pans, wash-stands, basins, etc. of faience : (a) White or yellowish (b) Coloured or decorated	 260 330
ex 1055	Steel wire, round, square or of any other shape, having a diameter of : ex (a) 2.5 to 2 mm. (b) Less than 2 to 1 mm. (c) Less than 1 to 0.4 mm. ex (d) Less than 0.4 to 0.3 mm.	 400 500 675 550
ex 1133	Doors, windows, display frames and other iron work for buildings, with or without parts in sheet iron, of not less than 5 mm. in thickness, weighing each : (a) 50 kg. or more (b) Less than 50 and down to 5 kg. (c) Less than 5 kg. and down to ½ kg. (d) Less than ½ kg.	 800 1,000 1,400 1,800
ex 1134	The same, lathe-turned, polished, painted, varnished, tinned, zincked, brassed, coppered, aluminium-coated, even combined with copper, bronze, brass or other common materials	Surtax of 25% on the duties under No. 1133.
1149	Lamp burners of sheet-iron, even brassed, zincked, bronzed, nicked, or galvanised	3,500
ex 1160	Bath tubs, enamelled	2,700
1224 (b)	Threshers, motor-driven, with drum exceeding 800 mm. in length	150
ex 1246 (b)	Hand-pumps with buckets	500
1258	Steam portable engines	225
ex 1289	Rollers driven by benzine, electricity or any power other than animal traction	400
ex 1342	Wrought zinc : (a) Hammered or rolled into plain sheets or foil (b) In sheets, corrugated or cut otherwise than rectangular	 200 300
ex 1495 (b)	Balls, hollow or solid, not covered in fabric, and other rubber toys not specified	5,000
1500	Dolls and animals, entirely of rubber	9,000
ex 1609	Potassium carbonate	75

SCHEDULE B.
DUTIES PAYABLE ON GOODS IMPORTED INTO HUNGARY.

Number in Hungarian Customs Tariff	Description of Goods	Duty in Gold Crowns per 100 kg.
ex 70	Clover-seed, unsorted	10
ex 77	Fresh apples :	
	(a) Unpacked, in bulk :	
	1. From September 1st to November 15th	1
	2. From November 16th to August 31st, or in sacks weighing at least 50 kg. gross	7
	Fresh quinces :	
	(a) Unpacked, in bulk :	
	ex 1. From October 1st to November 15th	4
	ex 2. From November 16th to December 31st, or in sacks weighing at least 50 kg. gross	4
174	Bran of all kinds	free
193	Firewood, billet-wood, round blocks and twigs, even cut, sawn and bundled, wood-shavings and chips; empty fir-cones : Up to a quantity amounting annually to 75% of the firewood of Roumanian origin (Item 193 of the Hungarian Customs Tariff) imported by Hungary in 1930	0.35 free
ex 194	Wood charcoal	free
ex 195	Round timber (building timber, hewn timber, long wood, billets, pit props, poles) of European forests, cellulose timber, Christmas trees.	free
196	Stakes, pointed, round, split or sawn	free
ex 197	European timber squared, hacked or split, and fencing standards . . .	free
ex 198	Railway sleepers	free
199	Coopers' timber, except planed, adaptable parts of casks	free
201	Wood in splints for sieves	free
202	Wheelwrights' timber, rough-shaped, undressed, hewn, split or sawn.	free
ex 203	European timber, sawn :	
	(a) Neither planed, grooved nor rabbetted :	
	1. Of conifers	free
	2. Of deciduous trees	free
	ex (b) Planed :	
	1. Of conifers	3
ex 223	Bark and fruit for tanning	free
ex 226	Sawdust, sawdust briquettes	free
ex 259	Sodiumhydroxide (caustic soda) :	
	(a) Dissolved in iron cylinders	6
305	Asphalt bitumen, asphalt rock, refined asphalt, bituminous schist . . .	free
306	Crude mineral oil for treatment in mineral oil refiners under special supervision	free
ex 470	Wooden cases and parts of cases :	
	(a) Parts of cases cut to size :	
	1. Rough (neither planed, grooved, stuck nor nailed)	1.80
ex 483	Furniture and parts of furniture, bent :	
	(a) Not upholstered	30
705	Calcined plaster, ground or not	0.20
707	Calcined lime, in lumps or powder, also slaked lime	1

FINAL PROTOCOL.

At the time of signing the Convention of Establishment, Commerce and Navigation, concluded this day between Hungary and Roumania, the undersigned Plenipotentiaries have made the following declarations, which shall form an integral part of the Convention itself.

I.

The two Contracting Parties agree to reserve for settlement in a special consular convention all matters relating to the admission of consuls (consuls-general, consuls, vice-consuls and consular agents), their privileges, immunities and functions.

Pending the conclusion of the said convention, it is, however, understood that, subject to reciprocity, the consuls of each of the Contracting Parties shall, after their admission by the other Party, enjoy in the territory of that Party the same privileges, immunities and authority as are or shall be accorded to the consuls of any third country.

Having regard to the condition of reciprocity, the two Contracting Parties also agree not to concede privileges, immunities and authority, which in accordance with the most-favoured-nation clause are to be granted to the consuls of one Party in the territory of the other, more extensive than those enjoyed by the consular representatives of the latter Party in the territory of the first Party.

II.

CONCERNING THE TEXT OF THE CONVENTION.

Ad Articles 1 and 3.

The Hungarian Government declares that its acceptance of the provisions of Articles 1 and 3 of the present Convention shall not be interpreted as implying any renunciation of the rights which, in its view, are secured to its nationals by Articles 63 and 250 of the Treaty of Trianon, and is without prejudice to its opinion regarding the interpretation of those Articles.

The Roumanian Government, while taking note of the foregoing reservation, declares, for its part, that it fully maintains its views, as previously expressed, regarding the interpretation of the various provisions of the Treaty of Trianon, which, in its opinion, contains nothing contrary to the present Convention.

Ad Article 8.

It is understood that companies, duly constituted in the territory of one of the High Contracting Parties, shall no longer be obliged to prove the existence of reciprocity of treatment, as required by both Hungarian and Roumanian law, in order to secure the admission of branches which they may desire to establish in the territory of the other Contracting Party, or the entry of such branches in the commercial registers.

Ad Article 9.

It is clearly understood that nothing in the present Convention shall affect the right of the two High Contracting Parties to prohibit or restrict imports or exports, with a view to safeguarding the vital interests of the country in times of emergency.

Should such measures be taken, they shall be so applied as to obviate any arbitrary discrimination against the other High Contracting Party. Their duration shall be limited to that of the considerations or circumstances which gave rise to them.

Should either High Contracting Party be led to introduce measures of prohibition or restriction in respect of the products of a third country, he shall do so in such a manner as to cause as little prejudice as possible to the trade of the other High Contracting Party.

Should one of the High Contracting Parties agree to raise any prohibition or restriction in favour of a third country, even temporarily, such concession shall be extended, immediately and unconditionally, to the other.

The above provisions shall not affect prohibitions or restrictions already in force in the territories of the two High Contracting Parties.

Ad No. 7. The High Contracting Parties declare that, though no reference is therein made to so-called "standard" products and to the definition of products, the present paragraph shall not be so construed as to affect their right to make the export of their products subject to compliance with certain requirements in the matter of quality so as to safeguard the reputation of such goods while at the same time providing the foreign purchaser with a guarantee. On the other hand, they declare that they interpret this paragraph as prohibiting any recourse to a system of classification or definition of products as an indirect means of limiting foreign imports or of subjecting them to unfair discrimination.

Ad Article 16.

Roumania agrees to take the necessary steps to ensure the effective protection of Hungarian sweet paprika (red pepper) against adulteration, the admixture of paprika from other countries and false statements of origin.

Roumania shall accept the certificates of analysis inspection issued by the Hungarian State Laboratories as sufficient evidence of the chemical composition of Hungarian paprika.

Lead seals and stamps affixed to the packing of consignments of Hungarian paprika shall be assimilated to the stamps, seals and dies of official institutions, and the counterfeiting thereof shall be punished in accordance with Roumanian law.

Ad Article 30.

Subject to the Customs regulations in force and the methods of examination therein prescribed, the vessels of each High Contracting Party shall be authorised, in ports situated in the territory of the other Party, to take in, free of Customs duty, supplies of fuel and victuals amply sufficient for their legitimate requirements.

III

CONCERNING THE TARIFF SCHEDULES.

Ad Schedule A (Duties payable on Goods imported into Roumania).

Ad Nos. 4, 6, 10, 11, 14, 15 and 19.

Should Roumania decide to increase the duties under the above-mentioned items of its Customs tariff, Hungarian breeding animals coming within such items shall, on importation into Roumania, be admitted at the present rate of duty, provided that the importer produces to the Customs office a certificate from the official Hungarian veterinary surgeon, responsible for the veterinary inspection on exportation, to the effect that they are indeed breeding animals.

Ad Nos. 31 and 32.

Should a lower duty than those specified under Nos. 31 and 32 of the Customs tariff be accorded by Roumania to any third State in respect of any variety or special make of soft or hard

cheese, the same duty shall be applied to Hungarian Magyaróvár or Pusztadőr cheese, as the case may be.

Ad Nos. 281-293, No. 288 (a).

On importation into Roumania, the cereals specified under the above-mentioned items and the leguminous plants specified in item No. 288 (a) shall be admitted at one-tenth of the normal rate, provided that the imports are authorised by the Roumanian Ministry of Agriculture and that the importer produces to the Customs office a certificate from the Budapest Seed-grading Institute (M. kir. vetőmagvizsgáló állomás) to the effect that the products concerned are indeed cereals and leguminous plants of improved varieties. Permits for consignments not exceeding 100 q. each shall be issued by the local offices of the Ministry of Agriculture at Bucharest, Jasi and Cluj (Stațiunile de ameliorațiuni ale Institutului de Cercetări agronomice).

Ad No. 440.

Should Roumania accord to any third State reductions in Customs duty or any other special favours, regarding, for example, the alcohol surcharge, in respect of any special variety of wine without added sugar, such reductions and favours shall also be granted, immediately and to the same extent, in respect of wines of Hungarian origin and provenance, from the wine-growing districts of Sopron, Neszmély, Buda-Sashegy, Mór, Somlyó, Badacsony, Balatonmellék, Somogy-Zala, Szekszárd, Villány-Pécs, Pest-Nógrád, Gyöngyös-Visonta, Eger, Miskolc-Abauj, Tokaj-Hegyalja, Alföld, Nyírség.

The above-mentioned treatment shall be accorded to Hungarian wines even if the reductions and favours concerned are granted to a third State in respect of wines having an appellation of origin specially protected by the laws of the producing country.

Ad No. 724.

Cords, ribbons, etc., of straw shall not be regarded as trimming.

Ad No. ex 761.

The term " stencil " paper shall be understood to mean thin paper, chemically treated, for the purpose of reproduction by perforation and attached to a thicker paper, corresponding to the samples submitted.

Ad No. ex. 860.

It is understood that any reduction of Customs duty or other special favours which Roumania has accorded or may hereafter accord to any third State in respect of any mineral waters shall be applied, immediately and to the same extent, to Hungarian mineral waters.

Ad Schedule B (Customs Tariff on Importation into Hungary).

Ad No. 22.

Any reduction of the duty specified in Item 22 of the Hungarian tariff which may be accorded to any third State shall be similarly applied to ewes' milk curds of Roumanian origin.

Ad No. 23.

It is understood that any reduction which may be accorded by Hungary to a third State in respect of any variety of cheese shall also apply to similar varieties of cheese from Roumania.

Ad No. 134.

Mineral waters from the Roumanian springs indicated below shall receive the treatment specified in the Convention :

Caciulata, Malnas, Slanic, Borsec, Matilda and Valcele.

Ad No. 193.

Should Hungary accord to a third country a firewood quota based upon a quantity greater than the figures of the Hungarian statistics for the year 1930 or a quota with a coefficient higher than 75%, the same percentage increase in the basic quantity or the same increase in the coefficient of 75% shall be extended to Roumania in respect of the basic quantity specified in Schedule B of the present Convention.

The Hungarian Customs authorities shall notify the Roumanian Customs authorities as soon as 80% of the quota has been imported.

The annual quota under Item No. 193 shall be calculated as from January 1st, 1932.

As regards the year 1931, after the entry into force of the Convention, including its entry into force at the earlier date referred to in Article 35, a quantity corresponding to 30% of the firewood imported from Roumania in 1930, if imported into Hungary before October 1st, and a quantity corresponding to 20% of the firewood imported from Roumania in 1930, if imported before December 31st, shall be admitted at the reduced rate of duty of 0.35 c. o. per 100 kg.

The duty specified in Item 193 shall apply to firewood of all kinds, such as billet-wood, round blocks and twigs, even cut, sawn and bundled; also kindling, *i.e.*, wood chips left after sawing, usually of pine, but also of beech or other deciduous timber, laths cut into small pieces (20–25 cm. in length), also split and usually made into bundles with iron wire or hoops.

Ad No. 306.

1. Goods arriving without a certificate of origin and declared as crude mineral oil shall be cleared from Customs under Item 306 of the Customs tariff, provided that on being tested by the recognised scientific methods it is found to satisfy the following conditions :

1. It shall not have been refined by sulphuric acid ;
2. It shall not be capable of use for lighting purposes in wick lamps without previous distillation ;
3. Distillation, when carried out in an Engler retort, in the manner prescribed, shall yield :

Up to 130° C a maximum of 30% by weight of petrol ;

Up to 320° C a maximum of 80% by weight of distillate ;

4. The minimum tar content of the non-distilling residue at 320° C under the method in use at the laboratory of the Hungarian State Railways shall be 40% dilute ;

5. In the event of a dispute, the non-distilling residue at temperatures above 320° C shall be tested by refining it with not more than 30% by weight of concentrated sulphuric acid ; a thick layer of 18 mm. of the refined product shall show at most a transparent dark red, but not a lighter colour.

6. In the event of a dispute, a product which, merely by mixture with sulphuric acid or any other chemical re-agent may be so transformed as to be capable of use for lighting purposes in wick lamps, shall not be regarded as crude mineral oil within the meaning of Item 306.

2. It is understood, however, that a mixture of the distillates enumerated in Item 322 of the Customs tariff shall in no circumstances be admitted free of duty as crude mineral oil within the

meaning of Item 306, but shall be subject to duty in accordance with its composition, provided that it can be shown to have been imported with a view to subsequent treatment within the meaning of the " Note " on points (c), (d), (g) and (h) of Item 322.

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

Done at Sinaia in duplicate, the twelfth day of August, one thousand nine hundred and thirty-one.

(L. S.) (Signed) NICKL.

(L. S.) (Signed) Basile GRIGORCEA.

ANNEX C.

VETERINARY AGREEMENT BETWEEN HUNGARY AND ROUMANIA.

Article 1.

The importation from the territory of one of the Contracting Parties into that of the other of animals (solipeds, ruminants, pigs and poultry), raw products of animal origin and all products or articles liable to spread contagious epizootic diseases, shall be subject to the veterinary regulations of the two Parties, in all matters not specially dealt with in the present Agreement.

Article 2.

Such traffic shall be limited to certain specially designated frontier stations, where it shall be subject to the supervision and inspection of the State veterinary services of the country into the territory of which importation is to take place.

Article 3.

For the conveyance of animals from the territory of one of the High Contracting Parties into the territory of the other, a certificate of origin issued by the competent local authorities shall be required.

The certificates shall be drawn up in such manner that the exact origin of the animals may be readily ascertained.

Certificates of origin shall indicate ; the commune of origin, the number, kind and exact description of the animals, together with their special marks, the place of entrainment or embarkation and that of destination.

The certificate shall include a statement by a State veterinary officer to the effect that the animals are healthy and that the commune of origin and the territory crossed by the animals on their way to the entraining station are free from all contagious diseases which are compulsorily notifiable and liable to be communicated to the animals specified in the certificate, tuberculosis excepted.

The certificate required for the import of animals liable to contract :

- (a) Cattle plague or pleuro-pneumonia of cattle ;
- (b) Foot-and-mouth disease, dourine, glanders, swine fever, septicæmia of pigs or sheep-pox ;
- (c) Fowl plague or chicken cholera ;

shall state, in respect of such animals, that there have been no cases of the above diseases in the commune of origin or in neighbouring communes as regards the diseases mentioned under :

- (a) For at least six months,
- (b) For at least forty days,
- (c) For at least twenty-one days.

In the case of animals liable to contract infectious anæmia of horses, it shall also be stated that, according to the official records, there were no cases of this disease in the commune of origin either at the time when the animals were despatched or during the previous six months.

In the case of animals liable to contract infectious anæmia of horses and intended for slaughter, the State veterinary officer shall merely certify that, according to the official records, there were no cases of this disease in the commune of origin at the time the animals were despatched.

In the case of solipeds and cattle, individual certificates shall be issued ; in that of sheep, goats, pigs and poultry, collective certificates shall be issued, referring only to animals of the same species, despatched to the same destination and included in the same consignment.

Certificates of soundness shall be valid for a period of ten days.

Before being entrained or shipped, animals shall be inspected by a State veterinary officer, who shall enter the result of the examination on the certificate.

Article 4.

The existence of rabies amongst dogs or cats in the commune of origin shall not preclude the issue of certificates of origin and soundness referred to in Article 3.

The existence of mange amongst sheep and goats shall not preclude the issue of certificates in respect of solipeds and *vice versa*.

Cases of the diseases referred to in this Article shall be mentioned on the veterinary certificates.

Article 5.

The products of animal origin enumerated in Article 1 shall be admitted to import only if accompanied by a certificate of origin and soundness issued by a State veterinary officer, enabling the products to be identified and attesting that they come from healthy animals, are free from all taint of disease and have been despatched from communes free from the diseases to which the animals in question are liable.

Slaughtered animals, dead poultry, meat whether fresh, frozen, chilled or preserved by other processes, fats, lard and meat products for human consumption shall be admitted to import only if accompanied by a certificate issued by a State veterinary officer to the effect that the animals from which they come were slaughtered in a public or export slaughter-house under the permanent supervision of a veterinary officer, that they underwent veterinary inspection before and after slaughter and that the meat was found to be sound and fit for human consumption.

Fresh, chilled and frozen meat shall bear a stamp affixed by a State veterinary officer guaranteeing that the meat was found to be entirely fit for human consumption.

The stamp affixed to the meat shall also be affixed to the certificate of origin and soundness.

The present Agreement shall not apply to the flesh of solipeds.

In the case of preserved or prepared meat, the certificate shall further state that they contain no substances the use of which is forbidden by the regulations of the country of destination.

Preparations of pork to be consumed raw (not boiled or cooked) shall be accompanied by a veterinary certificate to the effect that the meat is free from thread-worm.

Fresh and prepared meat shall be submitted for veterinary inspection at the frontier in the manner prescribed by the laws and regulations of the country of destination.

All undertakings exporting meat products to the territory of the other Contracting Party shall satisfy the required veterinary and health conditions.

Article 6.

Consignments which do not comply with the above requirements and animals which on arrival at the frontier are found by the veterinary officer to be suffering from a contagious disease, or to

be suspect in that respect, and animals which have been transported together with diseased or suspect animals or which have come into any contact with such animals, shall be sent back.

Such action, together with the reasons therefor, shall be notified without delay and through the most direct channel by the veterinary officer responsible to the competent administrative authority of the frontier zone of the Contracting Party from whose territory export was to have taken place.

In the event of such a disease being observed amongst imported animals only after they have crossed the frontier, the fact shall be officially recorded in the presence of a State veterinary officer, and a copy of the record at once communicated to the other Contracting Party.

In all the cases referred to in this Article, the representative to be nominated by the other Party (Article 9) shall be notified direct and without delay.

Article 7.

Should cattle plague break out in the territory of one of the Contracting Parties, the other Party shall be entitled to prohibit or restrict, as long as there is any danger of contagion, the import and transit of ruminants, pigs, products of animal origin and, in general, all products and articles likely to spread infection.

Article 8.

If, as a result of the traffic in animals, any notifiable epizootic disease has been introduced from the territory of one of the Contracting Parties into that of the other, or if such a disease is prevalent, to a dangerous extent, in the territory of one of the Parties, the other Party shall have the right, so long as the danger lasts, to restrict or prohibit the import and transit of animals belonging to the species liable to contract the disease from the territories affected or threatened.

In the same circumstances, such restriction or prohibition of import and transit may be extended to products and articles specified in Article 1 and likely to spread infection.

Should pleuro-pneumonia of cattle be rife in the territory of one of the Contracting Parties, the other shall be entitled to restrict or prohibit the traffic, upon the same conditions as those specified in the preceding paragraphs, even if the disease is not of a threatening character. The same treatment may be applied to solipeds in the case of dourine.

Importation shall not be prohibited in case of anthrax, symptomatic anthrax, hæmorrhagic septicæmia, rabies, vesicular exanthema of solipeds and cattle, mange of solipeds, sheep and goats, swine erysipelas, and tuberculosis.

The duration of the period of danger of infection in respect of the diseases enumerated in Article 3 (*a*), (*b*) and (*c*), with the exception of cattle plague, shall be, in each case, that specified in Article 3, such period to be reckoned as from the date of the official declaration that the disease has disappeared.

Should the period which must precede the official declaration regarding the disappearance of epizootic diseases differ in the territories of the Contracting Parties, practice, in this matter, shall be based on the longer period.

The present Agreement shall in no way affect the laws of the Contracting Parties concerning epizootic diseases under which, should contagious diseases break out on, or in the neighbourhood of the frontier, traffic between the zones on either side of the frontier and transit through the threatened frontier district may, for the purpose of avoiding and stamping out such diseases, be subjected to special restrictions and prohibitions.

The administrative authorities of the frontier districts shall immediately notify one another direct of the appearance of epizootic diseases in the said districts.

Article 9.

Each of the Contracting Parties reserves the right to send occasional or permanent veterinary representatives into the territory of the other, without previous notice, for the purpose of obtaining

information with regard to the health conditions among animals, the equipment of cattle markets, slaughter-houses, fattening establishments, quarantine stations, loading stations and the like, and the enforcement of veterinary regulations.

Each of the two Parties shall instruct their authorities to give, on request, assistance and all necessary information to the duly accredited technical representatives of the other Party.

Article 10.

Each of the Contracting Parties undertakes to publish, on the 1st and 15th of every month at least, a bulletin concerning the situation in regard to epizootic disease, which bulletin shall specify the exact number of communes and farms infected at a given moment. The said bulletin shall be transmitted, on publication, direct to the other Contracting Party.

The administrative authorities of the frontier districts shall immediately communicate to one another direct all cases of infectious diseases appearing in their districts.

Article 11.

Should cattle plague, pleuro-pneumonia of cattle, foot-and-mouth disease, in a malignant form with high mortality, or dourine be detected in the territory of one of the Contracting Parties, the central veterinary authority of the other Contracting Party shall be immediately informed by telegram.

Article 12.

The passage of animals between the frontier zones of the Contracting Parties shall be regulated as follows :

(1) The passage of working animals (plough or carriage animals, draught, saddle and pack animals) shall be permitted in both directions, provided that the existing Customs regulations are observed and that the animals are accompanied by a certificate of origin (animal passport) issued by the local authority. For several animals a collective certificate (animal passport) may be issued. The certificate shall indicate the purpose for which the frontier is crossed and the fact that the animals come from the frontier zone of their country of origin, and that the traffic can be effected only within the frontier zone. Furthermore, the local authority shall attest on the certificate that, at the time of crossing the frontier, there were no notifiable epizootic diseases communicable to the species in question in the commune of origin.

In the case of animals used for agricultural work and obliged to cross the frontier daily, the certificate attesting the freedom of the communes from epizootic diseases shall be valid for 30 days. On the expiry of this period, the certificate shall be renewed. Nevertheless, if a notifiable epizootic disease communicable to the species in question has in the meantime broken out in the commune from which the animals come, the certificates shall be withdrawn immediately.

(2) Passage of the frontier for grazing shall be permitted under the following conditions :

On passing the frontier, the owners of the herds shall submit for verification (examination and legalisation) a list, in duplicate, of the animals which they desire to drive to pasture, issued by the local authorities and indicating the name of the owner, and the species, sex, number and characteristic markings of the animals.

The two Contracting Parties reserve the right to require the application of distinctive marks as a means of identifying animals coming from their own territory and animals crossing the frontier with the frontier-traffic from the territory of the other Party.

Certificates in respect of animals taken to pasture daily or for a period not exceeding 7 days shall include an attestation form from the local authorities and those of

the communes traversed by the animals to the effect that their respective communes are free from notifiable epizootic diseases communicable to the species concerned.

Such attestation shall be valid for 30 days and shall require renewal on the expiry of that period. Nevertheless, if a notifiable epizootic disease communicable to the species concerned should break out in the commune from which the animals come or in a commune which they must cross, the daily grazing certificates shall be withdrawn immediately.

During the period of such grazing, the animals shall be inspected by a State veterinary officer in the commune of origin at least once every three months.

On the lists of animals remaining at grass for more than 7 days, a State veterinary officer shall certify that the animals referred to were inspected immediately before leaving for grass and found to be healthy, and that there were no cases of notifiable disease communicable to the species concerned in the commune of depasture or in any commune through which they would have to pass. On the return of the animals from grazing, the competent State veterinary officer shall certify their condition and also that there was no notifiable disease communicable to the species concerned in the commune where they were at grass or in any communes through which they might require to pass.

(3) Sporadic outbreaks in the commune of anthrax, symptomatic anthrax, vesicular exanthema, swine erysipelas or rabies shall not preclude the issue of the certificates in question in respect of animals mentioned under (1) and (2), should such diseases not have broken out in the farms from which the animals crossing the frontier have come.

(4) If, however, during grazing or work, a contagious disease communicable to the species should break out, among part of the herd or working animals, or in the commune where the pasturage or land is situated or on the road taken by the herd or by the working animals when returning to the frontier post, the return of the animals to the territory of the other Party shall be prohibited, unless such return be rendered unavoidable by *force majeure* (lack of forage, bad weather conditions, etc.). In such cases the return of the animals shall only be permitted when the precautionary measures agreed upon by the competent local authorities for preventing the importation of the epizootic disease have been duly taken.

(5) The animals referred to under (1) and (2) shall not be subjected to veterinary inspection on crossing the frontier. Nevertheless, for purposes of identification, the animals shall return through the same frontier post by which they entered.

(6) Should the condition of livestock be such as to necessitate temporary restrictions on the movement of animals between the two frontier zones, the competent veterinary authorities of the frontier zones shall take the necessary steps without delay and shall immediately notify the action taken direct to the competent veterinary authority of the frontier zone of the other Party.

Article 13.

Should a dispute arise between the two Contracting Parties regarding the application of the present Agreement, a joint Commission shall be set up at the request of either Party and its opinion given due consideration in reaching a decision.

Each of the Contracting Parties shall appoint two members to the Commission, which shall be authorised to appoint a fifth member, in the event of disagreement.

On the first occasion on which the nomination of a fifth member is found to be necessary, the latter shall be chosen from amongst the nationals of one of the Contracting Parties, as decided by

lot ; on the next occasion he shall be chosen from amongst the nationals of the other Party, and so on alternately.

Article 14.

The present Agreement, applying exclusively to the territories of the two Contracting Parties, shall come into force simultaneously with the Convention of Establishment, Commerce and Navigation, of which it forms an integral part.

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

Done at Sinaia, in duplicate, on the twelfth day of August, one thousand nine hundred and thirty-one.

(L. S.) (*Signed*) NICKL.

(L. S.) (*Signed*) Basile GRIGORCEA.

FINAL PROTOCOL.

At the time of signing the Veterinary Agreement concluded this day between Hungary and Roumania, the undersigned Plenipotentiaries have made the following declarations, which shall form an integral part of the Agreement itself :

1. The provisions of the Agreement shall only apply to animals, raw products of animal origin and articles coming from the territory of one of the Contracting Parties.

2. Upon the conditions specified in the said Agreement the following animals and products shall be admitted to import :

I. Without special authorisation :

(a) Ruminants and pigs for slaughter consigned to the public slaughter-houses of Budapest or Bucharest ; live poultry intended for killing and consumption within the limits of the cities of Budapest or Bucharest ; fresh, preserved or prepared meat and dead poultry consigned to Budapest or Bucharest for consumption within the limits of those cities ;

(b) Solipeds, irrespective of their destination ;

(c) With a certificate of origin as specified in Article 3, paragraph 1, of this Agreement, but without any certificate of soundness (veterinary certificate) : dried or salted hides and furs, horns, hooves, claws and bones, all in a dry condition, fully dried feathers in closed sacks, dried or salted gullets, stomachs, guts and bladders, packed in cases or securely closed kegs.

For the importation of salted guts, the veterinary certificate specified in Article 5, paragraph 2, of this Agreement shall be required ;

(d) Without a certificate of origin : wool scoured by an industrial process and packed in closed sacks, horns pressed flat, the residue of hides, hair and pigs' bristles impregnated with lime, rendered suet, lard, eggs and dairy produce (butter, cheese).

II. Under a special authorisation granted by the competent central veterinary authority, in each individual case, and for a specified destination : animals not intended for slaughter.

The veterinary measures of a precautionary nature which either Contracting Party may think necessary before the admission of animals without restriction as to destination shall be confined to the strictly indispensable minimum.

3. Race-horses and trotters and the animals accompanying them shall be admitted to import provided that they are supplied with a certificate of origin and soundness issued by a horse-owners' association, specially authorised by the State and included in the list which each of the two Contracting Parties shall communicate to the other. The certificate shall bear the endorsement and stamp of the Club concerned, together with the name and address of the owner, and the exact description, origin and destination of the animal.

Such certificates shall include a statement by a State veterinary officer to the effect that the animals concerned are in sound condition and that the establishments from which they come have been free from contagious disease for the previous forty days.

Special facilities shall be granted in respect of thoroughbred horses coming from an establishment under the permanent supervision of a veterinary officer and consigned to an establishment under similar supervision in the territory of the other Contracting Party.

4. The frontier posts through which traffic between the two Contracting Parties shall be effected are the following :

For Hungary : Lökösháza and Biharkeresztes ;

For Roumania : Curtici and Episcopia Bihorului.

At the above frontier posts the necessary equipment shall be installed to enable the veterinary services to discharge their duties promptly and without delay.

5. As regards the rejection of animals referred to in Article 6 of the present Agreement, animals shall be regarded as suspect which have been in contact in any way with diseased or suspect animals, especially animals transported simultaneously in the same railway truck, or entrained or detrained at the same places by the same gangway and on the same day.

6. The disinfection of trucks used for the transport of animals or products specified in Article 1 of the present Agreement shall be recognised as sufficient if carried out in accordance with the regulations in force in the territories of the Contracting Parties.

7. In the case of consignments of poultry consisting of less than 50 birds and imported in the frontier traffic, only the certificate of origin issued by the local authority, in accordance with Article 3 of the present Agreement, shall be required for admission to the territory of either of the Contracting Parties.

8. No certificate of origin shall be required in frontier traffic, in respect of dung ; in postal traffic, in respect of guts, gullets, stomachs and bladders, neither dried nor salted ; and, in frontier traffic and postal traffic or when carried by private travellers, in respect of fresh or prepared horse-flesh, beef, pork, goats' flesh, mutton and dead poultry, if intended for the personal use of the inhabitants of the frontier zones.

Frontier traffic, within the meaning of paragraphs 7 and 8, shall be deemed to be the conveyance between the frontier zone of one of the Contracting Parties and that of the other of goods intended for use in the latter.

9. Each of the Contracting Parties undertakes to provide for State veterinary inspection of animals and raw products of animal origin or articles likely to spread infection on arrival at the frontier for export into the territory of the other Party, and to take all possible measures to prevent the introduction of any epizootic disease into his territory.

10. For the purposes of the traffic between the Contracting Parties, certificates of origin and soundness shall be made out in the language of the country of issue and shall bear a translation in the language of the other country. A German or French translation shall be accepted in lieu of the above translation.

The accuracy of the translations shall be vouched for by a State veterinary officer.

11. In regard to the transport of animals by railway or by boat, regulations shall be issued to avoid possible objections on the score of overcrowding (over-loading), and such regulations shall be strictly complied with at the places of entrainment or shipment.

12. Live animals shall only be transported in waggons so built as to prevent the scattering or leakage of the animals' excrement, or any other matter likely to spread infection.

The flooring of trucks used for the transport of raw materials of animal origin and articles likely to spread infection shall be so constructed as to preclude all possibility of loss or leakage.

13. Restrictions and prohibitions in application at the time of the entry into force of the present Agreement which are contrary to the present provisions shall be rescinded.

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

Done at Sinaia, in duplicate, the twelfth day of August, one thousand nine hundred and thirty-one.

(L. S.) (Signed) NICKL.

(L. S.) (Signed) Basile GRIGORCEA.

EXCHANGE OF NOTES

I.

SINAIA, *August 12th*, 1931.

SIR,

With reference to Article 2 of the Convention of Establishment, Commerce and Navigation signed this day by Hungary and Roumania, I have the honour to inform you that negotiations will be opened as soon as possible between our two countries with a view to the conclusion of a Convention regarding the reception by each country of persons expelled by the other.

I have the honour to be, etc.

(Signed) NICKL.

His Excellency Monsieur Basile Grigorcea,
Envoy Extraordinary and Minister Plenipotentiary
of Roumania in Hungary, Sinaia.

II.

SINAIA, *August 12th*, 1931.

SIR,

In your letter of to-day's date, you were good enough to inform me as follows :

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I have the honour to be, etc.

(Signed) Basile GRIGORCEA.

His Excellency Monsieur Alfred de Nickl,
Envoy Extraordinary and Minister Plenipotentiary,
Head of the Hungarian Delegation, Sinaia.

I.

SINAIA, August 12th, 1931.

SIR,

With reference to Article 5 of the Convention of Establishment, Commerce and Navigation signed this day by Roumania and Hungary, I have the honour to inform you that the Roumanian Government, being desirous of facilitating relations between the two countries, proposes that the residence tax levied on Hungarian nationals in Roumania, in accordance with the laws in force, shall be valid for one year, subject to reciprocity regarding the conditions under which similar taxes are levied on Roumanian nationals in Hungary.

I have the honour to be, etc.

(Signed) Basile GRIGORCEA.

His Excellency Monsieur Alfred de Nickl,
Envoy Extraordinary and Minister Plenipotentiary,
Head of the Hungarian Delegation, Sinaia.

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I have duly received the above communication, of the contents of which I am happy to take note.

I have the honour to be, etc.

(Signed) NICKL.

His Excellency Monsieur Basile Grigorcea,
Envoy Extraordinary and Minister Plenipotentiary
of Roumania in Hungary, Sinaia.

I.

SINAIA, August 12th, 1931.

SIR,

I have the honour to inform you that, with reference to Article 1 of the Convention of Establishment, Commerce and Navigation signed this day by Roumania and Hungary, the Royal Roumanian Government makes the following declarations in regard to the application to Hungarian nationals, working on their own account, of the provisions of the labour protection law No. 1118, of April 1st, 1930 :

(1) Applications by Hungarian nationals wishing to practise any trade or calling in Roumania for the permit required by Article 2 of the above law and applications for

the issue and extension of employment and residence permits (Articles 12-14) shall receive prompt and sympathetic consideration from the competent Roumanian authorities.

(2) Hungarian nationals who, on the entry into force of the above-mentioned law, were already engaged in commerce or industry in Roumania, in accordance with the laws and regulations in force, shall, without exception, be granted the employment permits required by Article 18 of the above law and also the extension of their employment (Article 15) and residence permits. The issue and extension of employment permits shall only be refused on the grounds mentioned in Article 16.

(3) The employment permits issued to Hungarian nationals and referred to in the preceding paragraph shall only be withdrawn for reasons connected with the security of the State (Article 16).

I have the honour to be, etc.

(Signed) Basile GRIGORCEA.

His Excellency Monsieur Alfred de Nickl,
Envoy Extraordinary and Minister Plenipotentiary,
Head of the Hungarian Delegation, Sinaia.

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