

N° 4496.

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**UNION ÉCONOMIQUE  
BELGO-LUXEMBOURGEOISE  
ET ROUMANIE**

Accord de transfert, et protocole de signature, signés à Bucarest, le 24 août 1937; accord additionnel, signé à Bruxelles, le 2 septembre 1938; et échange de notes apportant des aménagements audit accord additionnel, Bucarest, le 8 mars 1939.

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**ECONOMIC UNION OF  
BELGIUM AND LUXEMBURG  
AND ROUMANIA**

Transfer Agreement, and Protocol of Signature, signed at Bucharest, August 24th, 1937; Additional Agreement, signed at Brussels, September 2nd, 1938; and Exchange of Notes amending the Additional Agreement, Bucharest, March 8th, 1939.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 4496. — TRANSFER AGREEMENT BETWEEN THE ECONOMIC UNION OF BELGIUM AND LUXEMBURG AND THE KINGDOM OF ROUMANIA. SIGNED AT BUCHAREST, AUGUST 24TH, 1937.

*French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Agreement took place January 2nd, 1939.*

HIS MAJESTY THE KING OF ROUMANIA  
and

HIS MAJESTY THE KING OF THE BELGIANS,

Acting both on his own behalf and on behalf of HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBURG in virtue of existing agreements, desirous of facilitating reciprocal payments between the Kingdom of Roumania and the Economic Union of Belgium and Luxemburg, have resolved to conclude an Agreement for the purpose and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF ROUMANIA :

His Excellency M. ANTONESCO, Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF THE BELGIANS :

His Excellency Baron GUILLAUME, Envoy Extraordinary and Minister Plenipotentiary at Bucharest ;

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

*Article I.*

1. Sums due for the purchase of Roumanian goods imported into the Customs territory of the Economic Union of Belgium and Luxemburg shall be payable on the due date as to their whole amount in belgas into a special Account to be opened in favour of the National Bank of Roumania at the National Bank of Belgium on behalf of the creditors in Roumania, whereby the National Bank of Roumania shall be responsible for the transfer of the equivalent in lei to the latter in accordance with the current Roumanian regulations.

2. Where the sum due is expressed in a currency other than the belga, it shall be payable in belgas at the middle rate quoted for the currency in question on the Brussels Stock Exchange on the last stock exchange day preceding the date of payment.

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

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

3. The National Bank of Belgium shall advise the National Bank of Roumania from day to day of the payments thus effected. The advice note shall specify the name of the party from whom the order for payment proceeds in the Economic Union of Belgium and Luxemburg, the nature of the goods and the name of the payee in Roumania for whose account the National Bank of Roumania is credited.

4. Sums standing to the credit of this account shall not bear interest.

5. Save in so far as otherwise agreed between the parties to the contract, sums paid in by debtors in the Economic Union of Belgium and Luxemburg for credit of the Special Account of the National Bank of Roumania shall constitute payment in full discharge of the debt.

#### Article II.

1. Amounts in belgas paid in to the Special Account of the National Bank of Roumania at the National Bank of Belgium shall be used by the former, within the limits of the percentages provided for each category of claims, in the manner provided in Article III hereunder for the sale of belgas to debtors in Roumania (subject always to the current Roumanian regulations) for the settlement of their debts to creditors in the Economic Union of Belgium and Luxemburg.

2. Where the debt is expressed in a currency other than the belga, the conversion into belgas shall take place, save in so far as otherwise agreed between the parties to the contract, at the rate quoted for the currency in question on the Brussels Stock Exchange on the day preceding the date of the order for payment of the National Bank of Roumania.

#### Article III.

The Roumanian Government undertakes to allocate the amounts in belgas paid in to the Special Account of the National Bank of Roumania at the National Bank of Belgium for the following purposes :

(1) 10 per cent of the amounts paid in to be allocated for payments (other than payments for deliveries of goods) of the Roumanian State and of Roumanian authorities, in particular for the service of the Public Debt, the cost of diplomatic representation, and all payments of the autonomous monopolies and public bodies (including payments of the Railways, the Telephone Company and the Posts and Telegraphs of Roumania), and for the payment of the debts of municipalities.

It is understood that payments for the service of the Public Debt shall include payments to natural persons of Belgian or Luxemburg nationality, wherever domiciled, and payments to natural persons of foreign nationality or legal persons domiciled in Belgium or in the Grand Duchy of Luxemburg, whereby the domicile shall be deemed to be the place of principal establishment within the Economic Union of Belgium and Luxemburg at the time such payments are effected, subject to proof being shown by the holders of the possession of the stock or bonds concerned at the date of the entry into force of the present Agreement, provided always that the above conditions shall not apply to the quota payable by Roumania in respect of loans administered by the *Caisse commune*.

Loan contracts and agreements between the Roumanian Government and the holders shall remain unaffected by anything contained in the present Agreement, on the understanding always that the Roumanian Government shall not be bound by the present Agreement, in the event of the quota provided for the purposes above-mentioned proving insufficient, to make up the balance by a transfer of free foreign exchange.

(2) 36½ per cent of the amounts paid in to be allocated for the settlement, in the chronological order in which the demands for payment are lodged at the National Bank of Roumania, of new commercial debts, including debts in respect of deliveries of all

kinds to the Roumanian State or to the autonomous monopolies, and of commercial debts in arrear in the event of the special "Arrears" Account opened under the General Payments Convention of November 5th, 1935, being exhausted: further, for the payment of accessory costs in connection with the movement of goods, such as differences of price noted on delivery of the goods, commissions payable by Roumanian exporters to their representatives in the Economic Union of Belgium and Luxemburg, transport costs in connection with reciprocal goods traffic, insurance premiums on goods, and customary penal interest where provision for payment of the same is made in the sales contracts. It is agreed that the accessory costs (as aforesaid) for transfer from the Economic Union of Belgium and Luxemburg to Roumania shall also be paid in to the National Bank of Belgium in accordance with the provisions of Article I.

(3) 18.5 per cent of the amounts paid in to be allocated for the settlement of financial claims of creditors which fulfil all the conditions laid down in the second sub-paragraph of paragraph (1) of the present Article other than the condition relating to date of possession.

(4) The balance of 35 per cent to be left at the free disposal of the National Bank of Roumania.

(5) The Belgo-Luxemburg Clearing Office and the National Bank of Roumania to draw up in concert a list of financial claims for settlement under the provisions of paragraph (3) above, and make the necessary technical arrangements for the admission of such claims and for the transfer of the sums due in payment thereof under the present Agreement.

#### *Article IV.*

1. The Belgian and Roumanian Governments being desirous of giving the present Agreement the character of a transfer agreement, the National Bank of Roumania shall have the right to dispose immediately, by debiting its Special Account, of all sums paid in to the Special Account under the provisions of Article I above.

A reserve of 2,500,000 belgas shall nevertheless be maintained to the credit of the Special Account to allow of the continuance without interruption of the payments to which Article III (2) relates. It is agreed that the National Bank of Roumania may convert the said reserve into gold or any foreign exchange it pleases.

2. The Roumanian Government formally undertakes to arrange for the reconstitution by the National Bank of Roumania at the National Bank of Belgium of any sums disposed of by the former under paragraph 1 above, with a view to their allocation for the settlement on the due dates of the various categories of claims in the order provided in Article III (1), (2) and (3) of the present Agreement.

#### *Article V.*

1. New commercial debts shall be deemed to mean debts falling due after November 19th, 1935. Payments on account or advance payments on imports of goods shall be recognised as payments due, wherever customary or provided in the contracts between the parties concerned.

2. Commercial debts in arrear shall be deemed to mean debts falling due after July 15th, 1932, and before November 20th, 1935.

3. Financial debts shall be deemed to mean the amounts of interest payable to foreign countries in respect of obligations or debts of any kind, profits, dividends and interest on loans or advances to Roumanian concerns.

Financial debts shall further include the amounts of interest, profits or dividends on Belgian or Luxemburg capital investments in Roumania in undertakings the nationality of which is other than Belgian or Luxemburg, in proportion to the amount of the capital invested.

Financial debts shall further be deemed to include net income from investments in Roumania effected in the form of the equivalent in lei of commercial claims, provided such investments are effected in accordance with the Roumanian Law of April 15th, 1935.

4. The transfer of the financial debts to which paragraph 3 of the present Article relates shall be effected to the extent of 5 per cent of the capital amount of the same.

5. The transfer of capital is excluded.

#### *Article VI.*

1. No allotment of foreign exchange by the National Bank of Roumania to Roumanian importers for new commercial claims shall be effected without production of a copy of the invoice attested by the Belgo-Luxemburg Clearing Office.

2. Attestations by the Belgo-Luxemburg Clearing Office shall be limited by the quarterly amount available for imports as calculated in accordance with the Roumanian regulations and any eventual supplements thereto. The Belgo-Luxemburg Clearing Office shall be advised of the amount available within the first fifteen days of each quarter.

In the case of goods the importation of which into Roumania is subject to the delivery of an import permit or similar document, the Belgo-Luxemburg Clearing Office shall not attest except on presentation of a certificate proving the delivery of an import permit or equivalent document as above provided.

3. Orders to pay of the National Bank of Roumania shall be accompanied by a copy of the invoice attested by the Belgo-Luxemburg Clearing Office or in special cases, in default of such copy, by the number of the Clearing Office's attestation. The orders to pay shall be made out in two copies, one of which shall be sent to the Belgo-Luxemburg Clearing Office.

#### *Article VII.*

Private clearing operations allowable under the Roumanian regulations shall be subject to the previous assent of the Belgo-Luxemburg Clearing Office in each particular case.

#### *Article VIII.*

The present Agreement shall not apply to goods in transit through the territory of one or other of the contracting States, or to goods which have not undergone processing treatment sufficient to confer on them the character of goods of Belgo-Luxemburg or Roumanian origin respectively.

#### *Article IX.*

On the expiry of the present Agreement, the National Bank of Roumania shall allocate the unused balance of the amounts made available under Article III above in conformity with the provisions of the present Agreement.

#### *Article X.*

Each Government undertakes, in so far as it is concerned, to take the requisite steps to compel its importers to observe the provisions of the present Agreement.

*Article XI.*

Difficulties arising in the application of the present Agreement shall be settled by common accord between the Belgo-Luxemburg Clearing Office and the National Bank of Roumania, save in so far as the contracting Governments may find it necessary to intervene.

*Article XII.*

The present Agreement abrogates all previous Payments Conventions, save in so far as it reproduces the provisions of the General Payments Convention of November 5th, 1935.

*Article XIII.*

The present Agreement shall come into force on the date of signature and shall remain in force for a period of three months. If not denounced one month before the expiry of that period, it shall be extended by tacit consent. Each of the High Contracting Parties shall be entitled to denounce it at thirty days' notice.

Done at Bucharest in duplicate, this 24th day of August, 1937.

(Signed) Victor ANTONESCO.

(Signed) Baron GUILLAUME.

## PROTOCOL OF SIGNATURE.

In proceeding to the signature of the Transfer Agreement of August 24th, 1937, hereinafter called Transfer Agreement, the Belgian and Roumanian Governments are agreed as follows :

1. Sub-Accounts A 2 and A 3 of Special Account A, for which provision is made in paragraph 3 of the Confidential Protocol attached to the General Payments Convention of November 5th, 1935, shall be combined in a single account.

2. The Special Accounts for which the Convention aforesaid provides shall continue until the amounts standing to their credit on the date of the entry into force of the Transfer Agreement are exhausted.

3. Of the amounts available under the special " Arrears " Account, the sum of one million belgas shall be paid on the date of signature of the present Protocol to Special Account A for the purpose of transfers of the payments to which Article III (1) of the Transfer Agreement relates.

4. (a) With a view to accelerating the liquidation of all commercial debts in arrear not yet liquidated, the National Bank of Roumania and the Belgo-Luxemburg Clearing Office shall inform respectively debtors in Roumania and creditors in Belgium that payments of the equivalent in lei of the above debts are to be made to the National Bank of Roumania, with a view to transfer, within a time-limit not exceeding two months from the date of signature of the Transfer Agreement.

(b) The Belgo-Luxemburg Clearing Office shall invite creditors in Belgium with claims in respect of commercial debts in arrear to submit without delay a formal declaration concerning all such claims still awaiting transfer. A copy of the declarations received and attested by the Clearing Office shall thereupon be forwarded to the National Bank of Roumania to enable the latter to authorise the transfer of the sums claimed even where all the documents, or some of the documents, required by the Roumanian regulations cannot be produced.

(c) The balance remaining on the expiry of the two months' time-limit for which sub-paragraph (a) above provides shall be allocated, as to the amount of one million belgas, for the transfer of the payments to which Article III (1) of the Transfer Agreement relates and, as to the remainder, for the settlement of the commercial debts to which Article III (2) of the Transfer Agreement relates.

5. It is understood that payment for goods imported into Roumania, the place of origin of which is the Belgian Congo or territories under Belgian Mandate, may be made out of the sums available under the application of Article III (2) of the Transfer Agreement.

6. It is further agreed that the reserve for which Article IV (1), second sub-paragraph, of the Transfer Agreement provides shall not be constituted until the sums to the credit of Special Account B, opened in execution of the General Payments Convention of November 5th, 1935, have been reduced to an amount less than that of the said reserve.

In the event of the operation of the Transfer Agreement lasting more than nine months from the date of signature of the Agreement, the aforesaid reserve shall be used for the purpose to which Article III (2) relates during the fourth quarter, provided always that, if the Belgian Government so requests and the Roumanian Government concurs, it may be allocated, or a part of it may be allocated, for these purposes in anticipation of the fourth quarter.

In the event of the operation of the Transfer Agreement lasting less than nine months, the aforesaid reserve shall be allocated in the manner provided in Article IX of the Agreement.

7. The Belgo-Luxemburg Clearing Office and the National Bank of Roumania may agree by common accord to treat payments in connection with the cost of education of Roumanian students in the Economic Union of Belgium and Luxemburg or children of Belgian or Luxemburg nationals domiciled or resident in Roumania, as also certain special forms of annuities and allowances, as payments within the meaning of Article III (2) of the Transfer Agreement, up to an aggregate annual total not exceeding 300,000 belgas.

8. The quarterly amount to which Article VI of the Transfer Agreement relates shall be calculated on the basis of Roumanian exports to Belgium in the preceding quarter, with reference to the percentage fixed in Article III (2), including unallocated balances brought forward from previous quarters.

The representatives of the Belgian and Roumanian Governments shall review the operation and results of the Transfer Agreement six months after the date on which it is signed and report thereon to their respective Governments.

9. The present Protocol of Signature forms an integral part of the Transfer Agreement signed to-day.

Done at Bucharest in duplicate, this 24th day of August, 1937.

(Signed) Victor ANTONESCO.

(Signed) Baron GUILLAUME.

### ACCORD ADDITIONNEL

A L'ACCORD DE TRANSFERT DU 24 AOÛT 1937  
ENTRE L'UNION ÉCONOMIQUE BELGO-LUXEM-  
BOURGEOISE ET LE ROYAUME DE ROUMANIE.  
SIGNÉ A BRUXELLES, LE 2 SEPTEMBRE 1938.

*Texte officiel français communiqué par le ministre  
des Affaires étrangères de Belgique. L'enregis-  
trément de cet accord additionnel a eu lieu le  
2 janvier 1939.*

SA MAJESTÉ LE ROI DES BELGES,  
Agissant tant en son nom qu'au nom de  
SON ALTESSE ROYALE LA GRANDE-DUCHESSE  
DE LUXEMBOURG, en vertu d'accords existants  
et

SA MAJESTÉ LE ROI DE ROUMANIE,  
Désireux de faciliter les paiements réciproques  
entre l'Union économique belgo-luxembourgeoise  
et le Royaume de Roumanie dans le cadre de  
l'Accord de transfert conclu le 24 août 1937,  
ont résolu de conclure à cet effet un accord  
additionnel et ont désigné pour leurs plénipo-  
tentiaires :

SA MAJESTÉ LE ROI DES BELGES :

Son Excellence M. P.-H. SPAAK, son premier  
ministre, ministre des Affaires étrangères  
et du Commerce extérieur ;

SA MAJESTÉ LE ROI DE ROUMANIE :

Son Excellence M. Radulesco MEHEDINTI,  
son envoyé extraordinaire et ministre  
plénipotentiaire à Bruxelles ;

Lesquels, après s'être communiqué leurs pleins  
pouvoirs respectifs, trouvés en bonne et due  
forme, sont convenus des dispositions suivantes :

#### *Article premier.*

Sous réserve des modifications ci-après, l'Ac-  
cord de transfert conclu le 24 août 1937, entre  
l'Union économique belgo-luxembourgeoise et  
la Roumanie — désigné Accord de transfert —  
est prorogé jusqu'au 31 décembre 1938, sans  
préjudice des autres dispositions de l'article XIII  
dudit accord, relatives à la tacite reconduction  
et au délai de préavis de dénonciation.

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

<sup>1</sup> TRADUCTION. — TRANSLATION.

### ADDITIONAL AGREEMENT

TO THE TRANSFER AGREEMENT OF AUGUST 24TH,  
1937, BETWEEN THE ECONOMIC UNION OF  
BELGIUM AND LUXEMBURG AND THE KINGDOM  
OF ROUMANIA. SIGNED AT BRUSSELS, SEP-  
TEMBER 2ND, 1938.

*French official text communicated by the Belgian  
Minister for Foreign Affairs. The registration  
of this Additional Agreement took place  
January 2nd, 1939.*

HIS MAJESTY THE KING OF THE BELGIANS,  
Acting both on his own behalf and on behalf  
of HER ROYAL HIGHNESS THE GRAND DUCHESS  
OF LUXEMBURG in virtue of existing agreements,  
and

HIS MAJESTY THE KING OF ROUMANIA,  
Desirous of facilitating reciprocal payments  
between the Economic Union of Belgium and  
Luxemburg and the Kingdom of Roumania  
within the framework of the Transfer Agreement  
concluded on August 24th, 1937, have resolved  
to conclude an Additional Agreement for the  
purpose and have appointed as their Pleni-  
potentiaries :

HIS MAJESTY THE KING OF THE BELGIANS :

His Excellency M. P.-H. SPAAK, Prime  
Minister and Minister for Foreign Affairs  
and External Trade ;

HIS MAJESTY THE KING OF ROUMANIA :

His Excellency M. Radulesco MEHEDINTI,  
Envoy Extraordinary and Minister Pleni-  
potentiary at Brussels ;

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

#### *Article 1.*

Subject to the amendments hereinafter fol-  
lowing, the Transfer Agreement concluded on  
August 24th, 1937, between the Economic Union  
of Belgium and Luxemburg and Roumania  
(hereinafter called Transfer Agreement) is hereby  
extended to December 31st, 1938, without  
prejudice to the other provisions of Article  
XIII of the said Agreement concerning exten-  
sion by tacit consent and notice required for  
denunciation.

<sup>1</sup> Translated by the Secretariat of the League  
of Nations, for information.



*Article 2.*

Les versements qui seront effectués à dater de la mise en vigueur du présent accord additionnel, en contre-valeur d'importations de céréales, légumineuses, semences oléagineuses et autres semences dans l'Union économique belgo-luxembourgeoise seront répartis de la manière suivante :

70 p. c. seront portés au compte spécial de la Banque nationale de Roumanie ;

15 p. c. seront portés au crédit de comptes « Céréales » non productifs d'intérêts, ouverts auprès de la Banque nationale de Belgique au nom du créancier en Roumanie ou de son mandataire, désigné par les parties versantes au moment du versement. Les détenteurs des comptes « Céréales » pourront utiliser les montants figurant au crédit de ces comptes au paiement de marchandises belges ou luxembourgeoises importées ou à importer en Roumanie, ou à tous autres paiements dus par la Roumanie à l'Union économique belgo-luxembourgeoise pour des prestations ou services de toute nature ;

Les 15 p. c. restants seront laissés à la libre disposition des exportateurs roumains intéressés.

*Article 3.*

Les montants en belgas versés au crédit du compte spécial de la Banque nationale de Roumanie près la Banque nationale de Belgique à dater de la mise en vigueur du présent accord additionnel, seront répartis selon les pourcentages suivants, au lieu de ceux prévus à l'article III de l'Accord de transfert :

Chiffres	Pourcentages prévus par l'Accord de transfert	Pourcentages nouveaux prévus par l'Accord additionnel
1)	10 p. c.	8 ½ p. c.
2)	36 ½ p. c.	40 p. c.
3)	18 ½ p. c.	18 ½ p. c.
4)	35 p. c.	33 p. c.

*Article 4.*

Sont compris parmi les frais accessoires afférents aux échanges réciproques de marchandises belges, luxembourgeoises et roumaines, qui sont énumérées à l'article III, chiffre 2, de l'Accord de transfert, les indemnités de résiliation lorsqu'elles sont conformes aux usages et

*Article 2.*

Payments made on or after the date of the entry into force of the present Additional Agreement in respect of cereals, leguminous plants, and oleaginous or other seeds imported into the Economic Union of Belgium and Luxemburg shall be allocated as follows :

70 per cent to be credited to the Special Account of the National Bank of Roumania ;

15 per cent to be credited to the non-interest-bearing "Cereals" Accounts opened at the National Bank of Belgium in favour of the creditor in Roumania or his agent designated by the parties making the payments at the time of payment. "Cereals" Account holders may use the sums standing to the credit of these accounts in payment for Belgian or Luxemburg goods which are imported, or may hereafter be imported, into Roumania, or for any other payments due by Roumania to the Economic Union of Belgium and Luxemburg for deliveries or services of any kind ;

The remaining 15 per cent to be left at the free disposal of the Roumanian exporters concerned.

*Article 3.*

The amounts in belgas credited to the Special Account of the National Bank of Roumania at the National Bank of Belgium on and after the date of the entry into force of the present Additional Agreement shall be allocated in accordance with the following percentages in lieu of those for which Article III of the Transfer Agreement provides :

Nos.	Percentages under the Transfer Agreement	New Percentages under the Additional Agreement
(1)	10%	8 ½%
(2)	36 ½%	40%
(3)	18 ½%	18 ½%
(4)	35%	33%

*Article 4.*

Accessory costs in connection with the goods transactions between Belgium and Luxemburg and Roumania to which Article III (2) of the Transfer Agreement relates shall include customary and approved compensation payments for breach of contract, costs of reception, expert

que leur réalité a été dûment établie, les frais de réception, d'expertise, de pesage, les prestations de services (tels que montage, etc.).

#### Article 5.

La réserve prévue à l'article IV, chiffre 1, deuxième alinéa, de l'Accord de transfert, est ramenée à 2 millions de belgas.

#### Article 6.

1. L'autorisation préalable de l'Office de Compensation belgo-luxembourgeois ne sera désormais plus requise pour ce qui a trait aux opérations de compensations en marchandises admises par la réglementation roumaine (Décision ministérielle, N° 60955, du 9 octobre 1935, et *Journal du Conseil des ministres de Roumanie*, N° 1661, du 28 juillet 1938, et les réglementations ultérieures éventuelles : listes A et B).

Les modifications qui seront apportées aux listes A et B, ainsi que la date de leur entrée en vigueur, seront communiquées à l'Office de Compensation belgo-luxembourgeois par les autorités roumaines compétentes.

2. La contre-valeur FOB des importations de marchandises roumaines dans l'Union économique belgo-luxembourgeoise effectuée sous le régime du présent article sera à l'échéance, versée en belgas à la Banque nationale de Belgique. En même temps la partie versante remettra à cette institution, à destination de l'Office de Compensation belgo-luxembourgeois, l'attestation de la Banque nationale de Roumanie autorisant l'exportateur roumain à affecter tout ou partie de la contre-valeur de son exportation à des achats de marchandises à importer en Roumanie.

3. Sur instructions de l'Office de Compensation belgo-luxembourgeois, la Banque nationale de Belgique répartira les montants versés comme dit ci-dessus de la manière suivante :

a) Le pourcentage en devises libres réservé à la Banque nationale de Roumanie suivant la réglementation roumaine sera immédiatement laissé à la libre disposition de cette institution ;

b) Le solde sera porté au crédit de comptes bloqués appelés « Comptes de compensations », non productifs d'intérêts, ouverts auprès de la Banque nationale de Belgique au nom du créancier en Roumanie désigné par les parties versantes au moment du paiement comme étant le bénéficiaire

valuations, weighing and other services rendered (e. g., for assembling and the like).

#### Article 5.

The reserve fund for which Article IV (1), second sub-paragraph, of the Transfer Agreement provides shall be reduced to 2,000,000 belgas.

#### Article 6.

(1) The previous assent of the Belgo-Luxemburg Clearing Office shall henceforth no longer be required in connection with clearing transactions for goods admitted under the Roumanian regulations (Ministerial Decision No. 60955 of October 9th, 1935, and *Journal of the Roumanian Council of Ministers*, No. 1661 of July 28th, 1938, or any subsequent regulations, Lists A and B).

Changes made in Lists A and B and the date of their entry into force shall be communicated to the Belgo-Luxemburg Clearing Office by the competent Roumanian authorities.

(2) The exchange value f. o. b. of imports of Roumanian goods into the Economic Union of Belgium and Luxemburg under the present Article shall be payable on the due date in belgas to the National Bank of Belgium. The party making the payment shall at the same time forward to the National Bank of Belgium for transmission to the Belgo-Luxemburg Clearing Office the certificate of the National Bank of Roumania authorising the Roumanian exporter to use all or part of the exchange value of his export for the purchase of goods for import into Roumania.

(3) On the instructions of the Belgo-Luxemburg Clearing Office, the National Bank of Belgium shall allocate the amounts so received in the following manner :

(a) The percentage of free foreign exchange reserved for the National Bank of Roumania in accordance with the Roumanian regulations to be placed immediately at the free disposal of the latter ;

(b) The balance to be credited to the blocked non-interest-bearing "Clearing Accounts" opened at the National Bank of Belgium in favour of the creditor in Roumania designated as payee at the time of payment by the parties making the payments ; the said payee to be duly

des versements en cause ; celui-ci en sera dûment avisé par l'Office de Compensation belgo-luxembourgeois.

4. Les titulaires des « Comptes de compensations » pourront utiliser les montants figurant au crédit de ces comptes au paiement de marchandises belges et luxembourgeoises figurant à la liste B sur production préalable à l'Office de Compensation belgo-luxembourgeois de toutes pièces justificatives. Ces comptes pourront également être débités par le crédit d'autres comptes de compensations ouverts en exécution du présent article.

Il appartiendra aux titulaires des « Comptes de compensations » de donner à l'Office de Compensation belgo-luxembourgeois toutes instructions relatives à l'exécution des opérations prévues au présent article.

Les dispositions de l'article VI de l'Accord de transfert ne s'appliquent pas aux paiements prévus par les dispositions du présent article.

5. Sur demande de leurs détenteurs, les montants existant au crédit des « Comptes de compensations » pourront aussi être virés au compte spécial de la Banque nationale de Roumanie prévu par l'Accord de transfert. Tout montant viré de la sorte audit compte spécial sera affecté uniquement aux paiements prévus par l'article III, chiffre 2, de l'Accord de transfert.

#### Article 7.

Le présent accord additionnel entrera en vigueur à la date de sa signature.

Fait à Bruxelles en double expédition, le 2 septembre 1938.

(S.) SPAAK.

(S.) MEHEDINTI.

### ÉCHANGE DE NOTES

APPORTANT DES AMÉNAGEMENTS A L'ACCORD ADDITIONNEL DU 2 SEPTEMBRE 1938 A L'ACCORD DE TRANSFERT DU 24 AOUT 1937 ENTRE L'UNION ÉCONOMIQUE BELGO-LUXEMBOURGEOISE ET LE ROYAUME DE ROUMANIE. BUCAREST, LE 8 MARS 1939.

*Texte officiel français communiqué par le ministre des Affaires étrangères de Belgique. L'enregistrement de cet échange de notes a eu lieu le 28 avril 1939.*

No. 4456

notified by the Belgo-Luxemburg Clearing Office.

(4) "Clearing Account" holders may use the sums standing to the credit of these accounts in payment for the Belgian and Luxemburg goods specified in List B, subject to the preliminary presentation at the Belgo-Luxemburg Clearing Office of all requisite documents. Clearing Accounts may also be debited with payments to the credit of other clearing accounts opened under the present Article.

"Clearing Account" holders must give the Belgo-Luxemburg Clearing Office all requisite instructions for the purpose of the transactions to which the present paragraph relates.

The provisions of Article VI of the Transfer Agreement shall not apply to the payments to which the present Article relates.

(5) At the holders' request, sums standing to the credit of "Clearing Accounts" may also be transferred to the Special Account of the National Bank of Roumania, for which the Transfer Agreement provides. All amounts so transferred shall be used exclusively for the payments to which Article III (2) of the Transfer Agreement relates.

#### Article 7.

The present Additional Agreement shall come into force on the date of signature.

Done at Brussels in duplicate, this 2nd day of September, 1938.

(Signed) SPAAK. (Signed) MEHEDINTI.

### EXCHANGE OF NOTES

AMENDING THE ADDITIONAL AGREEMENT OF SEPTEMBER 2ND, 1938, TO THE TRANSFER AGREEMENT OF AUGUST 24TH, 1937, BETWEEN THE BELGO-LUXEMBURG ECONOMIC UNION AND THE KINGDOM OF ROUMANIA. BUCHAREST, MARCH 8TH, 1939.

*French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Exchange of Notes took place April 28th, 1939.*

I.

I.

134650,

8 mars 1939.

MONSIEUR LE CHARGÉ D'AFFAIRES,

J'ai l'honneur de porter à votre connaissance que le Gouvernement roumain propose d'apporter les aménagements suivants à l'Accord additionnel à l'Accord de transfert du 24 août 1937 entre l'Union économique belgo-luxembourgeoise et le Royaume de Roumanie signé à Bruxelles, le 2 septembre 1938 :

1<sup>o</sup> L'article 2 de l'accord additionnel précité est abrogé et remplacé par la disposition suivante qui sortira ses effets à dater de ce jour :

Les versements qui seront effectués en contre-valeur d'importation de céréales, légumineuses, semences oléagineuses et autres semences dans l'Union économique belgo-luxembourgeoise seront répartis de la manière suivante :

70 p. c. seront portés au compte spécial de la Banque nationale de Roumanie.

Les 30 p. c. restants seront laissés à la libre disposition des exportateurs roumains intéressés.

2<sup>o</sup> La réserve prévue à l'article IV, chiffre 1, second alinéa, de l'accord de transfert et ramenée à 2 millions de belgas par l'article 5 de l'accord additionnel précité pourra être utilisée, à dater de ce jour, par la Banque nationale de Roumanie pour les destinations prévues à l'article III, chiffre 2, de l'accord de transfert, modifié par l'article 3 de l'accord additionnel susmentionné.

La réponse affirmative de Votre Excellence sera considérée comme un échange de notes faisant partie intégrante de l'accord additionnel prérappelé.

Je saisis cette occasion pour vous renouveler l'expression de ma haute considération.

*Le Ministre de l'Economie nationale,*  
(L. S.) (s) BUJOU.

M. Jean Salmon,  
Chargé d'Affaires à la Légation royale  
de Belgique, en ville.

134650.

March 8th, 1939.

SIR,

I have the honour to inform you that the Roumanian Government proposes to amend the Additional Agreement to the Transfer Agreement of August 24th, 1937, between the Belgo-Luxemburg Economic Union and the Kingdom of Roumania, signed at Brussels on September 2nd, 1938, as follows :

1. Article 2 of the above-mentioned Additional Agreement is hereby cancelled and replaced by the following provision, which shall take effect as from this day :

Payments made in respect of cereals, leguminous plants and oleaginous or other seeds imported into the Belgo-Luxemburg Economic Union shall be allocated as follows :

70% to be credited to the special account of the National Bank of Roumania ;

The remaining 30 % to be left at the free disposal of the Roumanian exporters concerned.

2. The reserve provided for in Article IV (1), second paragraph, of the Transfer Agreement and reduced to two million belgas by Article 5 of the above-mentioned Additional Agreement may be used, as from the present date, by the National Bank of Roumania for the purposes provided for in Article III (2) of the Transfer Agreement as amended by Article 3 of the above-mentioned Additional Agreement.

The affirmative reply of Your Excellency shall be considered as an exchange of notes, which shall form an integral part of the aforementioned Additional Agreement.

I avail myself of this opportunity, etc.

(L. S.) (Signed) BUJOU,  
*Minister of National Economy.*

Mr. Jean Salmon,  
Chargé d'Affaires at the Royal Legation  
of Belgium, Bucharest.

## II.

BUCAREST, le 8 mars 1939.

MONSIEUR LE MINISTRE,

Par une note en date de ce jour, Votre Excellence a bien voulu me communiquer ce qui suit :

« J'ai l'honneur de porter à votre connaissance que le Gouvernement roumain propose d'apporter les aménagements suivants à l'Accord additionnel à l'Accord de transfert du 24 août 1937 entre l'Union économique belgo-luxembourgeoise et le Royaume de Roumanie, signé à Bruxelles, le 2 septembre 1938 :

» 1. L'article 2 de l'accord additionnel précité est abrogé et remplacé par la disposition suivante qui sortira ses effets à dater de ce jour :

» Les versements qui seront effectués en contre-valeur d'importation de céréales, légumineuses, semences oléagineuses et autres semences dans l'Union économique belgo-luxembourgeoise seront répartis de la manière suivante :

» 70 p. c. seront portés au compte spécial de la Banque nationale de Roumanie.

» Les 30 p. c. restants seront laissés à la libre disposition des exportateurs roumains intéressés.

» 2. La réserve prévue à l'article IV, chiffre 1, second alinéa, de l'accord de transfert et ramenée à 2 millions de belgas par l'article 5 de l'accord additionnel précité, pourra être utilisée, à dater de ce jour, par la Banque nationale de Roumanie pour les destinations prévues à l'article III, chiffre 2, de l'accord de transfert, modifié par l'article 3 de l'accord additionnel susmentionné.

» La réponse affirmative de Votre Excellence sera considérée comme un échange de notes faisant partie intégrante de l'accord additionnel prérapporté. »

J'ai l'honneur de faire connaître à Votre Excellence que le Gouvernement belge se déclare d'accord sur la teneur de cette communication.

Je saisis cette occasion, etc.

*Le Chargé d'Affaires de Belgique,*  
(s) SALMON.

A Son Excellence Monsieur Bujoiu,  
Ministre de l'Economie nationale, Bucarest.

No. 4496

## II.

BUCHAREST, March 8th, 1939.

YOUR EXCELLENCY,

In a note of today's date, Your Excellency was good enough to communicate to me the following :

“ I have the honour to inform you that the Roumanian Government proposes to amend the Additional Agreement to the Transfer Agreement of August 24th, 1937, between the Belgo-Luxemburg Economic Union and the Kingdom of Roumania, signed at Brussels on September 2nd, 1938, as follows :

“ 1. Article 2 of the above-mentioned Additional Agreement is hereby cancelled and replaced by the following provision, which shall take effect as from this day :

“ Payments made in respect of cereals, leguminous plants and oleaginous or other seeds imported into the Belgo-Luxemburg Economic Union shall be allocated as follows :

“ 70 % to be credited to the special account of the National Bank of Roumania ;

“ The remaining 30 % to be left at the free disposal of the Roumanian exporters concerned.

“ 2. The reserve provided for in Article IV (1), second paragraph, of the Transfer Agreement and reduced to two million belgas by Article 5 of the above-mentioned Additional Agreement may be used, as from the present date, by the National Bank of Roumania for the purposes provided for in Article III (2) of the Transfer Agreement as amended by Article 3 of the above-mentioned Additional Agreement.

“ The affirmative reply of Your Excellency shall be considered as an exchange of notes, which shall form an integral part of the aforementioned Additional Agreement.”

I have the honour to inform Your Excellency that the Belgian Government agrees with the contents of this communication.

I avail myself of this opportunity, etc.

(Signed) SALMON,  
*Belgian Chargé d'Affaires.*

His Excellency Monsieur Bujoiu,  
Minister of National Economy, Bucharest.