

TREATY OF COMMERCE AND NAVIGATION BETWEEN ITALY AND HUNGARY. SIGNED AT ROME, JULY 4, 1928

HIS MAJESTY THE KING OF ITALY and HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY, being equally desirous of strengthening the ties of friendship and of encouraging to the greatest possible extent the economic relations which fortunately exist between their two countries, have resolved to conclude a Treaty of Commerce and Navigation and for this purpose have appointed as their Plenipotentiaries:

HIS MAJESTY THE KING OF ITALY:

His Excellency Chevalier Benito MUSSOLINI, Head of the Government, Prime Minister Secretary of State, Secretary of State for Foreign Affairs;

HIS SERENE HIGHNESS THE REGENT OF THE KINGDOM OF HUNGARY:

His Excellency André DE HORY Hungarian Envoy Extraordinary and Minister Plenipotentiary at Rome;

M. Alfred DE NICKL, Counsellor of Legation;

Who, having communicated their full powers, found in good and due form, have agreed as follows:

Article 1.

The Contracting Parties shall grant each other freedom of commerce and navigation.

The nationals of each of the Contracting Parties shall enjoy in the territory of the other Party the same rights, privileges and favours of every kind in respect of commerce, industry and navigation as are or may hereafter be granted to nationals or subjects of the most favoured nation. This stipulation does not invalidate the provisions of the laws and regulations or decrees applicable in the territory of each of the Contracting Parties to the nationals of any other country with regard to commerce, industry and police regulations.

Consequently, the nationals of each of the Contracting Parties shall, provided they comply with the laws of the country, be free to enter, travel, reside and settle in the territory of the other Party, and may freely leave that territory at any time, without being subject to any general or local restrictions or charges of any description, other or higher than those which are or may hereafter be imposed on nationals of the country or, should there be special provisions for foreigners, the nationals of the most favoured nation, subject in this latter case to the provisions of Article 6 concerning contributions of all kinds. In addition, the nationals of one of the Contracting Parties in the territory of the other Party shall have full right to carry on in the same way as nationals, within the limits laid down by the laws of the country, trades, industries or professions of any kind, with the exception of those which, under the laws of either of the Contracting Parties, are reserved for the nationals of that Party.

Article 2.

The nationals of each of the Contracting Parties shall have the right to acquire and possess in the territory of the other Party property of every kind and description, whether movable or immovable, and to dispose freely thereof by purchase, sale, gift, transfer, marriage settlement, will, succession ab intestato or by any other means, on the same conditions as nationals of the country.

They may likewise, provided they comply with the laws of the country, export their property, without thereby being subjected as foreigners to any duty and without being required to pay duties other or higher than those payable in a like case by nationals of the country.

Nevertheless, as regards the purchase, possession and use of immovable property, the exceptions and restrictions established, or which may hereafter be established, by the laws of each of the Contracting Parties with reference to the safety of the State and which are applicable to the nationals of all foreign countries are reserved.

Article 3.

Hungarians in Italy and Italians in Hungary shall, like nationals of the country, be fully entitled to attend to their business themselves or to entrust the management thereof to a person of their own choice, without being required to pay remuneration or allowances to representatives, commission agents, etc., of whose services they do not desire to make use and without being subject in this respect to any restrictions other than those imposed by the general laws of the country.

Article 4.

While enjoying the greatest advantages that may be derived from most-favoured-nation treatment, the merchants, manufacturers and other producers of one of the Contracting Parties who prove, by producing a trader's identity card, issued by the competent authorities of their own country, that they are authorised to carry on their trade or industry in that country, and that they pay therein the legally established taxes and duties, shall have the right, provided they observe the formalities prescribed in the territory of the other Party, to make purchases in that territory either in person or through travellers in their employ, from merchants or producers or in the open market. They may also take orders, even on samples or specimens, from merchants or other persons who in their trade or industry use goods similar to those offered, without being liable on this account to any special tax or duty.

Merchants and industrialists who are furnished with a trader's identity card and commercial travellers in their employ shall be entitled to carry with them samples or specimens, but not goods. Traders' identity cards shall be drawn up in accordance with the specimen given in the International Convention relating to the Simplification of Customs Formalities, signed at Geneva on November 3, 1923.

The Contracting Parties shall communicate to each other the names of the authorities responsible for issuing trader's identity cards.

Merchants or industrialists (commercial travellers) who are provided with a trader's identity card shall not have the right to transact business or to take any part in transactions for any other merchants or industrialists than those named on their identity card. They may only take orders and make purchases while travelling.

The foregoing provisions do not apply to itinerant trades nor to hawking or the soliciting of orders from persons, who are not engaged in industry or trade, each of the Contracting Parties reserving to itself complete liberty for its legislation in this respect.

Article 5.

The nationals of each of the Contracting Parties shall be exempted in the territory of the other Party from all compulsory military service, whether in the army, navy or air force or in the national guard or militia. They shall likewise be exempted from any charge imposed in lieu of such service and from any military requisition and contribution. Nevertheless, charges arising out of the ownership or lease of immovable property and military contributions and requisitions to which nationals of the country may also be liable as land-owners or occupiers of immovable property shall be excepted.

In this case, the nationals of each of the Contracting Parties shall enjoy, as regards compensation and indemnities and the fixing of requisition prices, the same protection for their interests as is granted in a like case to nationals of the country.

They shall likewise be exempted from all compulsory official duties, whether judicial, administrative or municipal, from any contribution, whether in money or in kind, in lieu of any of the personal services mentioned in this Article, and from forced loans.

Furthermore, it is understood that, as regards the above matters, the nationals of each of the Contracting Parties shall in no case be treated in the territory of the other Party less favourably than the nationals of any third Power.

Article 6.

The nationals of each of the Contracting Parties shall, in the territory of the other Party, enjoy as regards their person, property, rights and interests, in every respect the same treatment and the same protection at the hands of the authorities and courts dealing with fiscal matters as are enjoyed by the nationals of this latter Party, in respect of contributions (charges and imposts of every kind), duties of the nature of taxes and other similar charges.

Article 7.

Joint stock companies and other commercial, industrial, financial, trading, transport and insurance companies (including public life-insurance institutions) which are validly constituted in the territory of one of the Contracting Parties and have legal existence therein, shall be recognised as having legal existence in the territory of the other Party. They and their establishments may carry on their commercial and industrial activities in that territory under the conditions and within the limits laid down by the existing laws and decrees, and may establish their rights therein. In any case, the said companies shall enjoy in the territory of the other Party the same rights as are or may hereafter be accorded to similar companies of the nation most favoured in this respect. The provisions concerning taxation and the provisions relating to contributions and forced loans and military requisitions contained in the present Treaty shall also be applicable to the said companies.

Article 8.

Natural or manufactured products of either of the Contracting Parties shall not be subject, on importation into the territory of the other Party, to other or less favourable treatment than that granted to any other country whatsoever; in particular, they shall not be liable to duties or charges – including all supplementary charges and surtaxes – other or higher than those levied on the products of any other country whatsoever.

On exportation to the territory of the other Party, no other or higher export duties or other charges shall be levied than those imposed on the export of the same products to any other country whatsoever.

Similarly, each of the Contracting Parties undertakes to extend to the other the benefit of any favour, which either of them has granted or may hereafter grant to any third country as regards the guaranteeing and levying of import and export duties, the classification of goods and the interpretation of tariffs, temporary import and export, re-export, warehousing and any other Customs formality, including the method of inspecting and analysing imported goods.

Article 9.

Without prejudice to the stipulations laid down in the first paragraph of the preceding Article, Italian import duties on the natural or manufactured products of Hungarian origin and provenance, specified in Annex A to the present Treaty and Hungarian import duties on the natural or manufactured products of Italian origin and provenance specified in Annex B to the present Treaty, may not exceed the rates given in those Annexes.

Article 10.

Natural or manufactured products originating in and coming from Hungary shall, on importation into Italian colonies and possessions, enjoy the rates accorded to products of the most favoured nation, the advantages reserved for products of the home country and its colonies and possessions being excluded.

Natural or manufactured products originating in and coming from Italian colonies and possessions shall, on importation into Hungary, be accorded the most favourable rate already granted or which may hereafter be granted to the like products of any country whatsoever.

Article 11.

The Contracting Parties agree to apply in their reciprocal relations, the provisions of the International Convention relating to the Simplification of Customs Formalities concluded at Geneva on November 3, 1923.

Article 12.

The provisions of Article 8 shall not apply:

(a) To exceptional privileges which either of the Contracting Parties has granted or may hereafter grant to contiguous countries with a view to facilitating frontier traffic, it being understood that frontier zones shall not exceed 15 kilometres in depth on either side of the frontier;

(b) To obligations incurred by either of the Contracting Parties in respect of a Customs union already contracted or which may hereafter be contracted.

Article 13.

As regards transit through their territories, the Contracting Parties shall reciprocally apply in their relations the provisions of the Convention and Statute on the Freedom of Transit, signed at Barcelona on April 20, 1921.

Article 14.

The Contracting Parties undertake not to impede trade between the two countries in any way by import, export or transit prohibitions or restrictions.

Nevertheless, they reserve the right to prohibit or restrict import, export and transit in the following cases, provided that such prohibitions or restrictions also apply to all other countries in which the same conditions prevail:

- (a) For the safety of the State and public security;
- (b) For the supervision of the health of human beings and animals and for the protection of animals and plants against diseases, insects and parasites of all kinds;
- (c) For war supplies in exceptional circumstances;
- (d) In regard to State monopolies actually in force or which may hereafter be established;
- (e) For the extension to foreign goods of prohibitions or restrictions which have been or may hereafter be established by national legislation on the production of, trade in, transport and consumption of like native goods within the country.

Article 15.

On condition of re-exportation or re-importation and subject to the Customs laws of the Contracting Parties, exemption from import and export duties shall be granted in respect of the following articles and goods:

- (a) Articles to be repaired;
- (b) Used outside packing of all kinds, imported empty to be re-exported full, or re-imported empty after having been exported full, when such packing is not exempt from Customs duties or is not considered, under the regulations relating to tare, to form part of the goods themselves, and when it is not subject to other special treatment under the existing Customs regulations;
- (c) Goods (with the exception of articles for consumption) conveyed to markets or fairs, if they are returned unsold within a time-limit to be fixed in advance.
- (d) Goods (with the exception of monopoly articles, foodstuffs and beverages) suitable for use as patterns or samples only. The time allowed for the re-exportation of these patterns and samples is twelve months.

Article 16.

The production of certificates of origin shall not as a rule, be required on the importation of the products of one of the Contracting Parties into the territory of the other Party.

Nevertheless, should one of the Contracting Parties levy on the products of a third country duties higher than those applicable to the same products of the other Party or impose on products of a third country import prohibitions or restrictions not applicable to the same products of the other Party, it shall have the right, if necessary, to make the granting of reduced import duties to the products of the other Party or their admission conditional on the production of a certificate of origin.

The Contracting Parties undertake to see that no unnecessary formalities in the issue of certificates of origin are allowed to hinder commerce.

The said certificates of origin may be issued by the Customs office of the place of despatch either within the country or at the frontier or by the competent Chambers of Commerce and Industry in Hungary and by the Provincial Trade Councils in Italy.

The two Governments may take steps to empower authorities other than those mentioned above, and also commercial or industrial associations of either of the two countries to issue certificates of origin which shall be accepted by the Customs authorities of the other country.

Where the certificates are not issued by a duly authorised Government authority, the Government of the importing country shall be entitled to demand their endorsement by its own competent diplomatic or consular authorities in the place from which the goods came. The two Governments agree to fix the fees for such visas on a basis of reciprocity.

Certificates of origin may be drawn up in the language of the country of destination or in that of the country of export. In the latter case, the Customs authorities of the country of destination may require a translation.

Should goods originating in a third country be imported through the territory of either of the Contracting Parties to the territory of the other Party, the Customs authorities of the latter shall also accept certificates of origin issued in the above-mentioned form by the Customs authorities of the other Party, provided such certificates show that the products have remained throughout the journey under Customs supervision.

Certificates of origin shall be dispensed with in the case of postal packets.

Article 17.

If either of the Contracting Parties makes the treatment of imported goods dependent on special conditions connected with their composition, purity, quality, sanitary condition, zone of production or other similar matters, the two Governments shall jointly consider whether the frontier formalities carried out for the purpose of ascertaining whether the goods fulfil the required conditions can be simplified by means of the production of certificates issued in proper form by the competent authorities of the exporting country.

Should the two Governments agree on this matter, they shall jointly determine the procedure for the verification of the required conditions. They shall also appoint authorities authorised to issue certificates, shall specify the form in which the certificates are to be drawn up, shall lay down regulations for their issue, formalities for guaranteeing the identity of the goods and, if necessary the procedure for the taking of samples.

It is understood that, even if the production of certificates is accepted by virtue of the agreements referred to in the present Article, the country of destination shall have the right to verify the accuracy of such certificates and to satisfy itself on the identity of the goods.

Article 18.

No duty which is or may hereafter be levied within the country on behalf of the State, local authorities or corporations, on the production, manufacture or consumption of any product

within the territory of either of the Contracting Parties shall, for any reason whatsoever, constitute a heavier charge or be imposed under more onerous conditions on products originating in and coming from the territory of the other Party than the internal taxes on like native products.

Article 19.

As regards the transport of passengers and their baggage on the railways, no distinction shall be made, conditions being equal, between the nationals of the Contracting Parties in respect of forwarding, rates of transport and public charges connected therewith.

Article 20.

Goods despatched from Italy to a Hungarian station or in transit through Hungary shall not be treated on Hungarian railways less favourably, as regards forwarding, transport rates and public charges connected with transport than the same goods forwarded between Hungarian stations in the same direction and over the same lines.

The same rule shall be observed by the Italian railways in respect of goods despatched from Hungary to an Italian station or in transit through Italy.

The foregoing provisions do not refer to tariff reductions granted to charitable or public educational organisations, or to reductions granted on the transport of passengers and goods in the case of a public disaster, or to reductions granted to military transports, to persons employed in the public service, the railway service or similar services, and to members of the families of such persons, or to reductions accorded to consignments for the use of national communication undertakings.

Article 21.

The Contracting Parties undertake to grant each other on their railways the transport rates which are, or may hereafter, be accorded in the same direction and over the same lines to similar consignments coming from a third State or proceeding to a third State.

The same rule shall be observed in regard to transport rates on inland waterways in cases where combined tariffs with the railways are in force or where transport tariffs on inland waterways are controlled by the Government of the respective State.

Article 22.

Tariffs, reduced transport rates or other privileges the granting of which is conditional upon the conveyance of the goods, before or after carriage by rail, by the vessels of a specified Government or private shipping concern, or over a specified maritime route or inland waterway, shall be accorded by each of the Contracting Parties in the same direction and over the same route to goods arriving at a port or forwarded elsewhere from a port by the vessels of the other Party.

Article 23.

Hungarian vessels in Italian ports shall, on entry, during their stay, and on leaving, be treated on the same footing as Italian vessels, both with respect to duties and charges, of whatever nature or denomination, collected on behalf of the State, communes, corporations, public officials or establishments of any kind, and with respect to the stationing of those vessels, their loading and unloading in ports, roadsteads, bays, basins and docks, and in general as regards all formalities and regulations whatsoever to which the vessels, their crews and their cargoes may be subjected.

The said vessels shall, in the case of shipwreck or damage on the Italian coast or territory, or in the case of their being compelled to put into port, enjoy in every respect the same treatment as is granted in the same circumstances to Italian vessels.

The same provisions are applicable to Italian vessels and to their crews and cargoes on the navigable waters and in the ports and basins of Hungary.

Article 24.

The nationality of vessels and boats shall be established according to the laws of the State to which the vessel or boat in question belongs.

Tonnage measurement certificates issued by one of the Contracting Parties shall also be accepted in the territory of the other as establishing the capacity of the vessels and boats, no revision of tonnage being required.

Except in the case of sale by judicial order, the vessels and boats of one of the Contracting Parties may not be nationalised in the territory of the other without a declaration issued by the authorities of the State to which they belong, cancelling their right to fly its national flag.

Article 25.

Subject to the conclusion of special conventions, the coasting trade is reserved for the national flag.

Article 26.

The stipulations of the present Treaty shall not invalidate the provisions of acts governing the internationalised system of the Danube, or the measures giving effect to those acts.

Article 27.

As regards postal, telegraphic and telephonic relations between the two States, the stipulations laid down in the Conventions, Agreements and Regulations now in force giving effect to the Universal Postal Union or to the Telegraphic Union, shall be applicable in so far as those relations are not governed by the provisions of special Agreements which have been or may hereafter be concluded between the respective Administrations.

Article 28.

Should any dispute arise between the Contracting Parties as to the interpretation or application of the provisions of the present Treaty concerning the treatment of goods, the dispute shall, if one of the Contracting Parties so requests, be settled by arbitration.

For each dispute, the arbitral tribunal shall be constituted as follows: Each of the Contracting Parties shall appoint from among its nationals a competent person to act as arbitrator, and the Parties shall agree upon the choice of an umpire, who shall be the national of a third friendly Power. The Contracting Parties reserve the right to designate in advance and for a fixed period the person to act as umpire in the case of a dispute.

Article 29.

The present Treaty shall be ratified as soon as possible and the ratifications shall be exchanged at Rome.

It shall come into force fifteen days after the exchange of ratifications and shall thereafter supersede for all purposes the Provisional Commercial Convention concluded between the Contracting Parties at Rome on July 20, 1925.

It shall be valid for three years as from its entry into force. After that period, the present Treaty may be denounced at any time, but shall remain in operation for six months from the date on which denunciation is notified to the other Contracting Party.

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

Done in duplicate at Rome, this fourth day of July, one thousand nine hundred and twenty-eight.

(L.S.) Benito MUSSOLINI.

(L. S.) HORY.

(L. S.) NICKL.

FINAL PROTOCOL.

On signing the Treaty of Commerce and Navigation concluded this day between Italy and Hungary, the undersigned Plenipotentiaries have made the following declarations, which shall form an integral part of the said Treaty:

I. – AS REGARDS THE TEXT OF THE TREATY.

Ad Article 1.

1. It is agreed that nationals of each of the Contracting Parties, on leaving the territory of the other Party, shall, provided they comply with the laws of the country, be free to export their property and goods or the proceeds from the sale of such property or goods, without being subject as foreigners to any special restrictions and without being required to pay on their property so exported other or higher duties than those imposed in a like case on nationals of the country.

2. In virtue of most-favoured-nation treatment in respect of commerce, industry and navigation, the nationals of each of the Contracting Parties shall enjoy, in the territory of the other Party, as regards the constitution of joint stock and other commercial companies, including industrial, financial, insurance, trading and transport companies, and participation therein, the same rights, privileges and favours as are enjoyed by the nationals of any other country.

3. The provisions of Article 1 shall not affect the regulations which have been or may hereafter be issued by the Contracting Parties with reference to the employment of foreign workmen. This matter shall be regulated by special agreements between the Contracting Parties.

Ad Article 3.

As regards the legal and judicial protection of their respective citizens, the Contracting Parties shall refer to the International Convention relating to Civil Procedure signed at The Hague on July 17, 1905, and to the Convention concerning the legal protection of their respective subjects, signed at Rome between Italy and Hungary on April 6, 1922.

Ad Article 6.

1. Questions relating to the prevention of double taxation shall continue to be governed by the special Convention² signed on November 25, 1925, between Italy and Hungary.

2. It is understood that the most-favoured-nation clause shall not apply to the special conventions which have been or may hereafter be concluded by either of the Contracting Parties with a third State, with a view to adjusting taxation at home and abroad and especially preventing double taxation, and to ensuring legal protection and co-operation in regard to taxation or the application of the corresponding penalties.

Ad Article 7.

1. The provisions set forth in Article 7 of the Treaty shall likewise be applicable to companies constituted and still having their registered offices outside the Kingdom of Italy and which, by decision of the competent judicial or administrative authority of the said Kingdom, have been assigned to the Italian State in virtue of the provisions laid down in the Treaties by which the world war was brought to an end, or of agreements giving effect to the said Treaties.

2. It is understood that public life-insurance institutions shall be treated in every respect in the same way as private insurance companies. They may not claim more favourable treatment than private insurance companies.

Ad Article 8.

1. Articles manufactured in the territory of one of the Contracting Parties, in accordance with the regulations concerning temporary admission, by the transformation of foreign materials, shall also be regarded as industrial products of that Party.

2. It is understood that goods of any origin passing through the territory of either of the Contracting Parties or stored in the free ports or free zones shall not, on entering the territory of the other Party, be liable to Customs duties or charges other or higher than those which would be imposed if the goods were imported direct from the country of origin. This provision shall apply both to goods forwarded after transshipment, repacking or warehousing, and to goods in direct transit.

3. The Contracting Parties agree that the most-favoured-nation clause in Article 8 of the Treaty shall be interpreted as meaning that foodstuffs and materials from overseas (e. g. coffee, tea, tobacco, cotton, wool, oilseeds), whatever their place of origin, imported into one of the two countries through the territory of the other, whether or not they have been stored or repacked in the free ports or bonded warehouses of the latter country, shall not be subject to a treatment in any respect less favourable than that granted to similar products of like origin imported into either country through any third State, whether or not they have been stored or repacked in the free ports or bonded warehouses of the said third State.

Ad Article 14.

It is agreed that the Contracting Parties, with a view to giving full effect as soon as possible to the principle laid down in Article 14, paragraph I, of the Treaty, shall not maintain or institute any import or export prohibition or restriction, unless this is absolutely necessary to safeguard in exceptional and abnormal circumstances the vital interests of the country, and then for no longer than the circumstances which have given rise to them shall continue.

In accordance with the spirit of the present regulation, the Contracting Parties shall apply the prohibitions or restrictions in force to each other in the broadest and most generous fashion.

Further, should either of the Contracting Parties establish new prohibitions or restrictions, either on imports or exports, it shall endeavour at the other Contracting Party's request to arrange the granting of concessions or the fixing of quotas in such a manner as to prejudice as little as possible the commercial relations between the two countries.

Ad Article 15.

The stipulations laid down in letter b) of Article 15 shall not be applicable to used bags made of coarse materials, exported full and re-imported empty or imported in order to be filled – in regard to which the autonomous provisions of the two countries shall continue to apply.

Ad Article 23.

The assimilation of the vessels and boats of one of the Contracting Parties and their cargoes to the vessels and boats of the other and to their cargoes does not extend;

(a) To the application of special laws for the protection of the national mercantile marine, as regards ship-building or shipping, by means of bounties or other special facilities;

(b) To privileges granted to nautical sporting clubs;

(c) To port services and fishing, which are reserved for the national flag.

Ad Article 28.

As regards arbitration procedure in the cases covered by Article 28, the Contracting Parties have agreed as follows:

In the first case arising for arbitration, the arbitral tribunal shall sit in the territory of the defendant Party; in the second case, in the territory of the other Party and so on alternately in the territory of each of the Contracting Parties. The Party in whose territory the tribunal is to sit shall choose the place of meeting; it shall be responsible for providing the accommodation and the secretarial and other staff required for the work of the tribunal. The umpire shall preside over the tribunal. Decisions shall be taken by majority vote.

The Contracting Parties shall come to an agreement, either in each case submitted to arbitration or once and for all, as to the procedure to be followed by the tribunal. Failing this agreement, the procedure shall be decided by the tribunal itself. If neither Party objects, the proceedings may be carried on in writing. In that case the provisions of the preceding paragraph may be modified.

As regards summonses to appear before the tribunal and letters of request issued by the latter, the authorities of each of the Contracting Parties shall, at the request of the arbitral tribunal addressed to the Government concerned, furnish their assistance in the same manner as at the request of the civil courts of the country.

II. – AS REGARDS THE ITALIAN IMPORT TARIFF.

Ad No. 1 (b). – On importation into Italy, thoroughbred horses of the breeds or strains specified in the tariff, Annex A, shall be accorded the rate of 90 gold lire each, provided the importer presents to the Customs Office a certificate from the official Italian veterinary inspector responsible for the inspection of animals on importation, to the effect that, according to the particulars given in the Hungarian permit, the horses are thoroughbred animals of a kind entitled to the above duty.

Ad No. 70 (a) and (c). – The present difference in percentage between the duties on wheat and rye and the present duties on flour (53.33 % and 41.44 %) shall remain unchanged during the validity of the Treaty.

Should the above duties be reduced, the difference, calculated according to the yield of the actual products, may not be less than it is at present.

Ad No. 431. – The certificates for the importation of pumps into Italy, required under Note to No. 431 of the tariff, Annex A, shall be issued by the Chamber of Commerce and Industry at the place of despatch and must conform to the specimen attached to the present Protocol.

Ad No. 612 (b). – Should the Italian Government be obliged to increase the duty on "boards and squares not glued", mentioned in Item No. 612 (b) of the Italian Customs Tariff (conventional duty, 4 gold lire per quintal), the articles in question shall not be liable to a higher duty than the general duty now in force (4 gold lire and co-efficient 1 per quintal).

III. – AS REGARDS THE HUNGARIAN IMPORT TARIFF.

Ad No. 23. – 1. It is understood that the description of Italian specialties such as Parmesan, Lodigiano and Reggiano does not indicate the place of production but the kind of product. Consequently, the conventional duty of 40 gold crowns per 100 kg. shall be granted to all kinds of cheeses of this type, from whatever part of Italy they come.

2. Any reduction in duty which may be granted by Hungary to any third State whatsoever, in respect of any kind or special brand of soft or hard cheese, coming under No. 23, shall be accorded to Italian Grana cheeses, cheeses of the Emmenthal and Gruyère, Gorgonzola, Stracchino, Bel Paese and similar types, Fontuna, Caciocavallo and Pecorino, according to kind.

Ad Nos. 126 (b) and 128 (b) – The certificate of origin accompanying Maraschino from Zara and Maraschino Sprit from Zara, for importation into Hungary, shall be drawn up according to the model annexed to the present Protocol and shall be issued exclusively by the Zara Customs.

Ad ex No. 131. – Chianti, Barolo and Barbaresco wines, referred to in Item ex No. 131 of Annex B, are obtained from the following grapes: Chianti from the grapes known as Sangiovese, Canaiolo and Trebbiano; Barolo and Barbaresco wines from the grapes known as Nebbiolo.

The above-mentioned wines shall be granted the rates specified in Item ex No. 131, provided they are accompanied by certificates of origin and certificates of analysis, attesting that the wines are pure and natural; the said certificates must be issued by the Italian authorities, a list of whom shall be communicated to the Hungarian Government. The Italian Government shall also transmit a sufficient number of copies of a list containing the names and facsimile signatures of the officials authorised to issue the above-mentioned certificates.

The certificate of analysis must contain the necessary particulars proving that the sample analysed corresponds to the consignment of wine to which it refers. The following results of the analysis must also be given:

Specific gravity at 15 c.;

Alcoholic (strength in volume);

Total acidity calculated as tartaric acid, in grammes per litre;

Total volatile acidity calculated as acetic acid, in grammes per litre;

Content in dry extract, in grammes per litre;

Content in reducing sugar, reckoned as inverted sugar, in grammes par litre;

Content in dry sugar-free extract, in grammes per litre;

Content in ash (mineral substance).

The Hungarian authorities shall have the right to check the results of the analyses of the wines presented for importation.

Ad ex No. 499. – Should Hungary modify the Customs régime in force at the time of signature of the present Treaty, in respect of "cigarette paper weighing less than 20 grammes per sq. metre, in sheets and rolls"; this article may not be liable on importation into Hungary to a higher duty than 50 gold crowns per 100 kg.

Ad Notes Nos. 552, 553, 554, 555 and 600. – The percentage of silk threads in the cotton fabrics mentioned in Note ad No. 2 and 3, ad Nos. 552 to 555 and in No. 2 ad No. 600 shall be calculated by taking the number of threads in the warp and weft contained in a square covering the full extent of the design and ground of the fabric.

The present Protocol, which shall be regarded as approved and sanctioned by the Contracting Parties without further special ratification, by the mere fact of the exchange of ratifications of the Treaty to which it refers, has been drawn up in duplicate at Rome, this fourth day of July one thousand nine hundred and twenty-eight.

Benito MUSSOLINI.

HORY.

NICKL.

[Quelle: League of Nations, Treaty Series, 1929/1930, vol. 92, p. 119-159.]