



ΕΦΗΜΕΡΙΣ ΤΗΣ ΚΥΒΕΡΝΗΣΕΩΣ

ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ

Ἐν Ἀθήναις
τῇ 9 Νοεμβρίου 1953

ΤΕΥΧΟΣ ΠΡΩΤΟΝ

Ἀριθμὸς φύλλου 310

ΠΕΡΙΕΧΟΜΕΝΑ

ΝΟΜΟΘΕΤΙΚΑ ΔΙΑΤΑΓΜΑΤΑ

- N. Δ. 2619. Περὶ κυρώσεως τῆς μετὰ τῆς Μεγάλης Βρετανίας Προξενικῆς Συμβάσεως, ὑπογραφείσης ἐν Ἀθήναις τὴν 17ην Ἀπριλίου 1953. 1
- N. Δ. 2672. Περὶ κυρώσεως τῆς διὰ τῆς ἀνταλλαγῆς ρηματικῶν διακοινώσεων καταρτισθείσης Συμφωνίας μετὰ τῆς Ἑλληνικῆς καὶ Ἀμερικανικῆς Κυβερνήσεως περὶ τῶν προνομίων, ἀτυλιῶν καὶ ἀπαλλαγῶν, αἵτινες θὰ παρέχωνται ὑπὸ τῆς Ἑλληνικῆς Κυβερνήσεως διὰ τὴν ἐκτέλεσιν τοῦ κοινῶν ἀμυντικοῦ προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν. 2

ΝΟΜΟΘΕΤΙΚΑ ΔΙΑΤΑΓΜΑΤΑ

(1)

* ΝΟΜΟΘΕΤΙΚΟΝ ΔΙΑΤΑΓΜΑ ὑπ' ἀρ.δ. 2619.

Περὶ κυρώσεως τῆς μετὰ τῆς Μεγάλης Βρετανίας Προξενικῆς Συμβάσεως, ὑπογραφείσης ἐν Ἀθήναις τὴν 17ην Ἀπριλίου 1953.

ΠΑΥΛΟΣ

ΒΑΣΙΛΕΥΣ ΤΩΝ ΕΛΛΗΝΩΝ

Ἐχόντες ὑπ' ὄψει τὰς διατάξεις τοῦ ἀρθροῦ 35 τοῦ Συντάγματος καὶ τὴν ἀπὸ 4 Σεπτεμβρίου 1953 σύμφωνον γνώμην τῆς κατὰ τὴν παράγραφον 2 τοῦ αὐτοῦ ἀρθροῦ 35 Εἰδικῆς

* Ἀναδημοσιεύεται ὡς ἐσφαλμένως δημοσιευθὲν εἰς τὸ ὑπ' ἀρ.δ. 268 τῆς 28 Σεπτεμβρίου 1953 φύλλον τοῦ παρόντος τεύχους τῆς Ἐφημερίδος Κυβερνήσεως.

κῆς Ἐπιτροπῆς ἐκ Βουλευτῶν, προτάσει τοῦ Ἡμετέρου Ὑπουργικοῦ Συμβουλίου, ἀπεφασίσαμεν καὶ διατάσσομεν :

Ἄρθρον Μόνον

Κυροῦται καὶ ἔχει πλήρη καὶ νόμιμον ἰσχὺν ἡ μετὰ τῆς Ἑλλάδος καὶ Μεγάλης Βρετανίας Προξενικῆς Σύμβασις ἣτις ὑπεγράφη ἐν Ἀθήναις τὴν 17ην Ἀπριλίου 1953, μετὰ τῶν προσηρτημένων αὐτῇ δύο συμφωνηθέντων Πρακτικῶν καὶ δύο Πρωτοκόλλων, καὶ ὧν τὸ κείμενον ἔπεται ἐν Ἀγγλικῶν καὶ Ἑλληνικῶν κειμένω.

Ἐν Ἀθήναις τῇ 17 Σεπτεμβρίου 1953.

ΠΑΥΛΟΣ

B.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Ο ΠΡΟΚΑΡΟΣ

ΑΛΕΞΑΝΔΡΟΣ ΠΑΠΑΓΟΣ

Τ Α Μ Ε Λ Η

Π. ΚΑΝΕΛΛΟΠΟΥΛΟΣ, ΣΤ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ, ΔΗΜ. ΜΠΑΜΠΑΚΟΣ, Π. ΛΥΚΟΤΡΕΖΟΣ, Κ. ΚΑΛΛΙΑΣ, Κ. ΠΑΠΑΓΙΑΝΝΗΣ, Α. ΑΠΟΣΤΟΛΙΔΗΣ, Α. ΛΑΜΠΡΙΑΝΙΔΗΣ, Ε. ΓΟΝΗΣ, Π. ΣΙΦΝΑΙΟΣ, Σ. ΔΗΜΑΡΑΤΟΣ, Σ. ΓΕΩΡΓΙΟΥΤΑΝΗΣ, Α. ΕΥΤΑΣΙΑΣ.

Ἐθεωρήθη καὶ ἐτίθη ἡ μεγάλη τοῦ Κράτους σφραγίς.

Ἐν Ἀθήναις τῇ 26 Σεπτεμβρίου 1953.

Ο ΕΠΙ ΤΗΣ ΔΙΚΑΙΟΣΥΝΗΣ ΥΠΟΥΡΓΟΣ

ΠΑΥΣ. ΛΥΚΟΥΡΕΖΟΣ

Consular Convention between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Greece

Athens, April 17, 1953.

PREAMBLE

Her Majesty The Queen of Great Britain, Ireland and The British Dominions beyond the Seas and His Majesty The King of The Hellenes;

Being desirous of regulating the position of consular officers of one party in the territories of the other;

Have decided to conclude a Consular Convention and for this purpose have appointed as their Plenipotentiaries:

Her Majesty The Queen of Great Britain, Ireland and the British Dominions beyond the Seas (hereinafter referred to as «Her Britannic Majesty»):

For the United Kingdom of Great Britain and Northern Ireland :

His Excellency Sir Charles Brinsley Pemberton Peake, K.C.M.G., M.C., Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary at Athens:

His Majesty The King of The Hellenes:

For the Kingdom of Greece:

His Excellency Monsieur Stephanos Stephanopoulos, Minister of Foreign Affairs:

Who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

PART I

Application and definitions

Article 1

This Convention applies

1. on the part of Her Britannic Majesty, to the United Kingdom of Great Britain and Northern Ireland, and to all territories for whose international relations Her Government in the United Kingdom are responsible;

2. on the part of His Majesty The King of The Hellenes, to the Kingdom of Greece.

Article 2

For the purpose of this Convention—

1. the term «sending state» means, according to the context, the High Contracting Party by whom the consular officer is appointed, or all the territories of that party to which the Convention applies;

2. the term «receiving state» means, according to the context, the High Contracting Party within whose territories the consular officer exercises the functions required by his office, or all the territories of that party to which the Convention applies;

3. the term «territory» means any part of the territories of the receiving state in which the whole or part of a consular officer's district is situated and which has been notified as constituting a territorial unit for the purpose of all or some of the Articles of the Convention, in conformity with the provisions of Article 36 of the Convention;

4. the term «nationals» means—

a) in relation to Her Britannic Majesty, all citizens of the United Kingdom and Colonies, all citizens of Southern Rhodesia and all British protected persons including, where the context permits, all juridical entities duly created under the law of any territory to which the Convention applies;

b) in relation to His Majesty The King of The Hellenes, all Greek subjects including, where the context permits, all juridical entities duly created under the law of the Kingdom of Greece;

5. the term «vessel» of a High Contracting Party means, for the purpose of Part VII of the Convention, any ship or craft registered at a port in any of the terri-

ories of that High Contracting Party to which the Convention applies, and, for the purpose of the other parts of the Convention, the word «vessel» means any ship or craft (not being a ship of war) whether so registered or not;

6. the term «consular officer» means any person who is granted an exequatur or other authorisation (including a provisional authorisation) to act in such capacity by the appropriate authorities of the territory; a consular officer may be a career officer (C o n s u l m i s s u s) or an honorary officer (c o n s u l e l e c t u s);

7. the term «consular employee» means any person, not being a consular officer, employed at a consulate for the performance of consular duties, provided that his name has been duly communicated in accordance with the provisions of Article 6 of the Convention to the appropriate authorities of the territory; the term does not, however, include any driver or any person employed solely on domestic duties at or in the upkeep of the consular premises;

8. the term «consular office» means any building or part of a building which is occupied exclusively for the purposes of the official business of a consular officer;

9. the term «grave offence» means, for the purpose of Articles 14 and 28 (2) of the Convention—

a) in the case of any of the territories referred to in paragraph (1) of Article 1 of the Convention, an offence for which a sentence of imprisonment for five years or over may be awarded;

b) in the case of the Kingdom of Greece, an offence which constitutes a «crime» (κακούργημα) under the law of the Kingdom of Greece.

PART II.

Appointments and Districts

Article 3.

1. The sending state may establish and maintain consulates in the territories of the receiving state at any place where any third state possesses a consulate and at any other place where the receiving state agrees to the establishment of a consulate. It shall be within the discretion of the sending state to determine whether the consulate shall be a consulate-general, consulate, vice-consulate or consular agency.

2. The sending state shall keep the receiving state informed of the district of each of its consulates and, subject to paragraph (3) of this Article, may prescribe the limits of these districts at its discretion.

3. The receiving state shall have the right to object to the inclusion within a consular district—

a) of any area which is not within a consular district, and is not open to the Trade Commissioners or commercial representatives, of a third state;

b) of any territory of a third state.

4. A consular officer may, upon notification to the receiving state, perform consular functions outside his consular district, unless the receiving state objects.

Article 4.

1. The sending state may assign to any of its consulates consular officers of such number and rank as it may deem necessary. The sending state shall notify the receiving state in writing of the appointment of a consular officer to a consulate. In the case of honorary consular officers who are nationals of the receiving state the latter may require that its consent to the appointment of such officers to a consulate should be obtained in advance through the diplomatic channel.

2. The exequatur or other authorisation shall be granted as soon as possible and free of charge by the

receiving state on presentation of the consular officer's commission or other notification of assignment. When necessary, a provisional authorisation shall be accorded, pending the grant of the exequatur or other authorisation.

3. The exequatur or other authorisation shall not be refused without good cause.

4. The receiving state shall not be deemed to have consented to a consular officer's acting as such, or to have extended to him the benefits of the provisions of this Convention, until the receiving state has granted him an exequatur or other authorisation.

Article 5.

1. The receiving state shall, upon request, inform without delay its appropriate authorities of the name of any consular officer entitled to act under this Convention.

2. As an official agent of the sending state, a consular officer shall be entitled to special protection and to the high consideration of all officials of the receiving state with whom he has official intercourse.

3. The receiving state may revoke the exequatur or other authorisation of a consular officer whose conduct has given serious cause for complaint. The reason for such revocation shall, upon request, be furnished to the sending state through the diplomatic channel.

Article 6.

The sending state shall be free to employ the necessary number of consular employees at its consulates, whether its own nationals or nationals of the receiving state or of a third state. Consular officers shall keep the government of the territory informed of the names and addresses of these employees. It will be for the government of the territory to designate the particular authority to whom this information is to be given.

Article 7.

A consular officer or employee may be assigned temporarily in an acting capacity to the duties of a consular officer who has died or is unable to act through illness, absence or other cause. Upon notification to the government of the territory, such acting officer may perform these duties and enjoy the benefits of the provisions of this Convention, pending the return to duty of the officer concerned or the appointment of a new consular officer.

Article 8.

The sending state may, with the permission of the receiving state, appoint to the work of a consulate situated at the seat of the central government of the receiving state one or more members of its diplomatic mission accredited to that state. Such appointments shall be made in accordance with the provisions of Article 4 of this Convention. The officers concerned shall continue to enjoy all those privileges and immunities which they derive from their diplomatic status, except that, in their consular capacity, they shall be subject to the provisions of the Convention.

PART III.

Legal Rights and Immunities

Article 9.

1. The sending state may, in accordance with such conditions as may be prescribed by the laws of the territory, acquire, hold and occupy, under any form of tenure which may exist under the laws of the territory, either in its own name or in the name of one or more natural or juridical persons acting on its behalf, land, buildings, parts of buildings and appurtenances situated in the territory and required by the sending state

for the purposes of a consulate, or of a residence for a career consular officer or for other purposes, to which the receiving state does not object, arising out of the operation of the consular establishment of the sending state. If, under the law of the territory, the permission of the authorities of the territory must be obtained as a prerequisite to any such acquisition, such permission shall be granted, provided that the necessary formalities have been complied with.

2. The sending state shall have the right to erect, for any of the purposes specified in paragraph (1) of this Article, buildings and appurtenances on land which it has so acquired.

3. It is understood that the sending state shall not be exempt from compliance with any building or town planning regulations or restrictions applicable to the area in which the land, buildings, parts of buildings and appurtenances referred to in paragraphs (1) and (2) of this Article are situated.

Article 10.

1. There may be placed, on the outer enclosure and outer wall of the building in which a consulate is installed, the coat-of-arms or national device of the sending state with an appropriate inscription designating the consulate in the official language of the sending state. It shall also be permitted to place such coat-of-arms or national device and inscription on or by the entrance door to the consulate.

2. The flag of the sending state and its consular flag may be flown at the consulate and also, on suitable occasions, at the consular officer's residence. In addition, a consular officer may place the coat-of-arms or device and fly the flag of the sending state and its consular flag on the vehicles, vessels and aircraft which he employs in the exercise of his duties.

3. A consular office shall not be entered by the police or other authorities of the territory except with the consent of the consular officer in charge, or, if such consent cannot be obtained, pursuant to appropriate writ or process and with the consent of the Secretary of State for Foreign Affairs in the case of the territories referred to in paragraph (1) of Article 1, or of the Minister for Foreign Affairs in the case of the Kingdom of Greece. The consent of such consular officer shall be assumed in the event of fire or other disaster or if the authorities of the territory have reasonable cause to believe that a crime of violence has been or is being or is about to be committed in the consular office. The provisions of this paragraph shall not apply to a consular office in the charge of a consular officer who is a national of the receiving state or who is not a national of the sending state.

4. A consulate shall not be used to afford asylum to fugitives from justice. If a consular officer shall refuse to surrender a fugitive from justice on the lawful demand of the authorities of the territory, these authorities, subject to the provisions of paragraph (3) of this Article in regard to the consular office, may, if necessary, enter to apprehend the fugitive.

5. Any entry into or search of a consular office pursuant to paragraphs 3 and 4 of this Article shall be conducted with due regard to the inviolability of the consular archives, as recognised in paragraph (1) of Article 12.

6. A consular officer shall not take advantage of the privileges accorded to the consular office by this Convention for any purpose not connected with the exercise of his consular functions.

Article 11

1. Land, buildings, parts of buildings and appurtenances, including the furniture and equipment thereof, held or occupied exclusively for any of the purposes specified in paragraph (1) of Article 9, together with the vehicles, vessels and aircraft of a consulate, shall not be subject to military requisitions or billeting. Such land, buildings, parts of buildings and appurtenances shall not be immune from expropriation or seizure for purposes of national defense or public utility in accordance with the laws of the territory, but, if it is necessary to take any such measure with regard to any such property, every consideration shall be shown to avoid interference with the performance of consular functions.

2. In addition, a consular officer or employee provided, in either case, that he complies with the conditions specified in paragraph (5) of this Article, his residence, furniture and other household articles, and all vehicles, vessels and aircraft held or possessed by him, shall enjoy exemption from all military requisitions, contributions or billeting. This privilege shall not be extended to other property belonging to him. The residence of a consular officer or employee shall not be immune from expropriation or seizure or purposes of national defence or public utility in accordance with the laws of the territory.

3. Further, due compensation for expropriation or seizure, payable at the official selling rate of exchange most favourable to the sending state at the time when the property was expropriated or seized, in a form readily convertible into the currency of and transferable to the sending state, in respect of all proprietary interests in a consulate (including all land, buildings, parts of buildings and appurtenances, held or occupied exclusively for any of the purposes specified in paragraph (1) of Article (9) owned by the sending state, or vested in a consular officer or employee or other natural or juridical person acting on behalf of the sending state, shall be paid not later than three months from the date on which the consulate or consular officer or employee is deprived of possession.

4. A consular officer, provided that he is not a national of the receiving state, and also a consular employee, provided that he complies with the conditions specified in paragraph (5) of this Article, shall enjoy exemption from military, naval, air, police, administrative or jury service of every kind.

5. The conditions referred to in paragraphs (2) and (4) of this Article are that the person concerned shall—

- a) be a national of the sending state and not possess the nationality of the receiving state; and
- b) not be engaged in any private occupation for gain in the territory; and
- c) not have been ordinarily resident in the territory at the time of his appointment to the consulate.

Article 12.

1. The archives and all other official documents and papers of a consulate shall at all times be inviolable and the authorities of the territory may not under any pretext examine or detain any of them.

2. Such archives and official documents and papers shall be kept separate from papers, books or correspondence of a consular officer or employee relating to other matters. This provision does not require the separation of diplomatic from consular archives and official papers when a consular office is situated on the premises of a diplomatic mission.

3. A consular officer shall be entitled to communicate with his government, with his superintending diplomatic mission or with other consulates of the sen-

ding state which are situated in the same territory by post, telegraph, telephone and other public services, and may send and receive official correspondence by sealed consular pouches, bags and other containers and may, in both cases, use secret language. When, however, the receiving state is at war, such right of communication and correspondence with the superintending diplomatic mission, if the latter is situated outside the territories of the receiving state, may be restricted. A consular officer may, in addition, similarly communicate and correspond with other diplomatic missions and consulates of the sending state or with the authorities of other territories of that state, provided that, when the receiving state is at war, this extended right may be restricted.

4. The official consular correspondence referred to in the preceding paragraph shall be inviolable and the authorities of the territory shall not examine or detain it. In exceptional cases they may, however, request that sealed consular pouches, bags and other containers should be opened by a consular officer in their presence in order to satisfy themselves that the containers do not hold anything but official correspondence.

5. A consular officer or employee shall be entitled to refuse a request from the courts or authorities of the territory to produce any documents from his archives or other official papers or to give evidence relating to matters within the scope of his official duties. Such a request shall, however, be complied with in the interests of justice if, in the judgment of the consular officer in charge, it is possible to do so without prejudice to the interests of the sending state.

6. A consular officer shall also be entitled to decline to give evidence as an expert witness with regard to the laws of the sending state.

Article 13

1. A consular officer or employee shall not be liable, in proceedings in the courts of the receiving state, in respect of acts performed in his official capacity, falling within the functions of a consular officer under international law, unless the sending state requests or assents to the proceedings through its diplomatic representative.

2. It is understood that the provisions of paragraph (1) of this Article do not preclude a consular officer or employee from being held liable in a civil action arising out of a contract concluded by him in which he did not expressly contract as agent for his government and in which the other party looked to him personally for performance, and that the provisions of paragraph (5) of Article 12 do not entitle a consular officer or employee to refuse to produce any document or to give evidence relating to such a contract.

3. A consular officer or employee may be required to give testimony in either a civil or a criminal case, except as provided for in paragraphs (5) and (6) of Article 12. The authority or court requiring his testimony shall take all reasonable steps to avoid interference with the performance of his official duties. In the case of a consular officer the authority or court shall, wherever permissible and possible, arrange for the taking of such testimony, orally or in writing, at his office or residence.

4. All motor vehicles, vessels and aircraft owned by the sending state and used for the purposes of a consulate or for the purposes of a consular officer or employee, and likewise all motor vehicles, vessels and aircraft owned by a consular officer or employee shall be adequately insured by policies against third party risks. Any action by a third party in respect of, any such risk shall be deemed to be an action involving liability as set out in paragraph (2) of this Article, and the provi-

sions of paragraph (5) of Article 12 shall not entitle a consular officer or employee to refuse to produce any document or to give evidence in connexion with such an action.

5. A consular officer and his wife and minor children residing with him shall be exempt from the requirements of the laws of the territory with regard to the registration of foreigners and permission to reside, and shall not be subject to deportation while the consular officer holds his exequatur or other authorisation.

Article 14.

Except at the request or with the consent of the sending state a career consular officer shall not be subjected in any territory of the receiving state to detention in custody pending trial, in respect of acts performed otherwise than in his official capacity, unless he is accused of a grave offence as defined in Article 2 (9) of this Convention.

PART IV.

Financial Privileges

Article 15.

No tax or other similar charge of any kind (national, state, provincial, municipal or other) shall, in the territory, be imposed on or collected from the sending state or any natural or juridical person acting on its behalf in respect of—

a) the ownership or occupation of land, buildings, parts of buildings or appurtenances used exclusively for any of the purposes specified in paragraph (1) of Article 9 of this Convention, except taxes or other assessments levied for services or for local public improvements to the extent that the said premises are benefited thereby ;

b) transactions or instruments relating to the acquisition of immovable property for any of the said purposes ;

c) the ownership, possession or use of movable property for consular purposes.

Article 16.

1. (a) No tax or other similar charge of any kind shall be imposed or collected in the territory by the receiving state, or by any state, province, municipality or other local subdivision thereof, in respect of fees received on behalf of the sending state in compensation for consular services, or in respect of any receipt given for the payment of such fees.

b) The sending state or a consular officer or employee thereof shall be exempt in the territory from all taxes or other similar charges of any kind imposed or collected by the receiving state, or by any state, province, municipality or other local subdivision thereof, in respect of acts performed in the course of the officer's or employee's official functions. This exemption shall not apply to taxes or other similar charges in respect of which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the sending state or the consular officer or employee.

2. No tax or other similar charge of any kind shall be imposed or collected in the territory by the receiving state, or by any state, province, municipality or other local subdivision thereof, in respect of the official emoluments, salary, wages or allowances received as compensation for his consular services by a consular officer.

3. The provisions of paragraph (2) of this Article shall also apply to the official emoluments, salary, wages or allowances received as compensation for his services at a consulate by a consular employee, unless such consular employee is a national of the receiving state.

4. A consular officer or employee shall, in addition, except as provided in paragraph (5) of this Article, be exempt in the territory from all taxes or other similar charges of any kind which are or may be imposed or collected by the receiving state, or by any state, province, municipality or other local subdivision thereof, other than taxes or duties imposed upon or by reason of importation into the territory, exemption from which is dealt with exclusively in Article 17, provided that such officer or employee is—

a) not a national of the receiving state ; and

b) not engaged in private occupation for gain in the territory ; and

c) a permanent employee of the sending state, or if not a permanent employee thereof, was not ordinarily resident in the territory at the time of his appointment to the consulate.

5. (a) The provisions of paragraph (4) of this Article shall apply only to taxes or other similar charges in respect of which the consular officer or employee would, in the absence of the exemption provided by this Article, be the person legally liable, and shall not apply to taxes or other similar charges in respect of which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the consular officer or employee. If, however, a consular officer or employee is entitled to income from sources outside the territory but that income is payable to him, or collected on his behalf, by a banker or other agent within the territory who is required to deduct income tax on payment of the income and to account for the tax so deducted, the consular officer or employee shall be entitled to repayment of the tax so deducted.

b) The provisions of paragraph (4) shall not apply to—

i) taxes imposed or collected on the ownership or occupation of immovable property situated within the territory ;

ii) taxes on income derived from other sources within the territory ;

iii) taxes imposed or collected within the territory on the passing of property on death, whether the consular officer or employee is the person who dies or the person to whom the property passes on death ;

iv) taxes on transactions or instruments effecting transactions, such as taxes on the sale or transfer of money or property, or stamp duties imposed or collected in connexion therewith ;

v) excise, consumption or other similar taxes, which shall not be deemed to include any such tax imposed or collected on the ownership, use or operation of vehicles, vessels or aircraft, or of any wireless or television set or on articles imported into the territory in accordance with the provisions of Article 17.

Article 17.

1. All furniture, equipment, supplies, building materials and other articles, including vehicles, vessels and aircraft, intended for official use in the territory in connexion with any of the purposes specified in paragraph (1) of Article 9 shall be permitted entry into the territory free of all taxes or duties imposed upon or by reason of importation.

2. Baggage and effects and other articles, including vehicles, vessels and aircraft, imported into the territory by a consular officer or employee, provided, in either case, that he fulfils the conditions specified in paragraph (4) of Article 16, exclusively for his personal use or the use of members of his family forming part of his household, shall be exempt from all

axes or duties (national, state, provincial, municipal or other) imposed upon or by reason of importation, whether accompanying him to his consular post, either upon first arrival or upon subsequent arrivals, or subsequently consigned to him at his post and imported at any time while he is assigned to or employed at such post.

3. It is, however, understood that—

a) the receiving state may, as a condition to the granting of the exemption provided in this Article, require that a notification of any importation or re-exportation be given in such manner as it may prescribe ;

b) the exemption provided in this Article, being in respect of articles imported for official or personal use only, does not extend to, *inter alia*, articles imported as an accommodation to others or for sale or for other commercial purposes. However, articles imported as samples of commercial products solely for display within a consulate and subsequently re-exported or destroyed shall not be regarded as excluded from the exemption provided in this Article ;

c) the receiving state may determine that the exemption provided in this Article does not apply in respect of articles grown, produced or manufactured in the territory which have been exported therefrom without payment of or upon repayment of taxes or duties which would have been chargeable but for such exportation;

d) nothing herein shall be construed so as to permit the entry into the territory of any article the importation of which is specifically prohibited by law.

PART V.

General Consular Functions

Article 18.

1. A consular officer shall be entitled, within his district, to protect the nationals of the sending state and their property and interests. For this purpose he may—

a) interview, communicate with and advise any national of the sending state ;

b) enquire into any incidents which have occurred affecting the interests of any such national ;

c) assist any such national in proceedings before or in relations with the authorities of the territory, arrange for legal assistance for him, where necessary, and act as interpreter on his behalf, or appoint an interpreter so to act, before the said authorities, at their request or with their consent ;

d) apply to and correspond with the appropriate authorities within his district and the appropriate departments of the central government of the territory. He shall not, however, be entitled to correspond with or to make diplomatic claims to the Foreign Office or the Ministry for Foreign Affairs, as the case may be, except in the absence of any diplomatic representative of the sending state. When any such representations are made in writing, a consular officer may be required by the authority or department concerned to attach a translation into the official language of the territory.

2. A national of the sending state shall have the right at all times to communicate with the appropriate consular officer and, unless subject to lawful detention, to visit him at his consulate.

Article 19

1. A consular officer shall be informed immediately by the appropriate authorities of the territory when any national of the sending state is confined in prison awaiting trial or is otherwise detained in custody within his district.

2. A consular officer shall be permitted to visit without delay, to converse privately with and to arrange

legal representation for, any national of the sending state who is so confined or detained for the purpose of any proceedings or interrogations or who is entitled to appeal under the ordinary rules as to the time within which an appeal may be made. Any communication from such a national to the consular officer shall be forwarded without delay by the authorities of the territory.

3. Without prejudice to the provisions of paragraph (2) of this Article, when a national of the sending state is detained in custody in pursuance of his sentence, the consular officer within whose district he is detained shall, upon notification to the appropriate authority, have the right to visit him. Any such visit shall be conducted in accordance with the regulations in force in the institution in which he is detained, it being understood, however, that such regulations shall permit reasonable access to and opportunity of conversing with such national.

Article 20

A consular officer may, within his district, further the commercial, artistic, scientific, professional and educational interests of the sending state.

Article 21

A consular officer may, within his district,

1. a) receive such declarations as may be required to be made under the nationality laws of the sending state;

b) issue such notices to, and receive such declarations from, a national of the sending state as may be required under the laws of the sending state with regard to compulsory national service;

c) register the birth or death of a national of the sending state and record a marriage celebrated under the laws of the territory, provided that at least one of the parties is a national of the sending state, but it is understood that such consular registration of a birth or death or the recording by a consular officer of such a marriage in no way exempts a private person from any obligation under the laws of the territory with regard to the notification and registration of births, deaths or marriages with the authorities of the territory;

d) issue passports and travel documents to nationals of the sending state and grant visas and other appropriate documents to persons seeking entry into the sending state;

e) issue, with regard to goods, certificates of origin and interest for use in the sending state;

f) serve judicial documents or take evidence on behalf of courts of the sending state in a manner permitted under special arrangements on this subject between the High Contracting Parties or otherwise not inconsistent with the laws of the territory;

2. draw up and receive declarations, and legalise, authenticate or certify signatures or documents, translate documents and perform other notarial acts in connexion with documents in any case where these services are required by a person of any nationality for use in the sending state or under the law in force in the sending state. If under that law the administration of an oath or affirmation is required, such oath or affirmation may be administered. A consular officer may also perform these functions in connexion with documents required by a national of the sending state for use elsewhere than in the sending state, but it is understood that this provision involves no obligation on the authorities of the receiving state to recognise the validity of such notarial and other acts, referred to in this paragraph, performed by a consular

officer in connexion with documents required under the laws of the receiving state.

PART VI.

Estates and Transfers of property

Article 22.

1. In any case where a deceased person leaves property in a territory and a legal or equitable interest in such property (for instance, as executor or beneficiary under a will or in cases of intestacy) is held or claimed by a national of the sending state who is not resident in the territory and is not legally represented there, the consular officer in whose district the estate of the deceased person is being administered or, if no administration has been instituted, his property is situated shall have the right to represent such national as regards his interests in the estate or property as if valid powers of attorney had been executed by him in favour of the consular officer. If subsequently such national becomes legally represented in the territory, the consular officer's position shall be as if he previously had a power of attorney from the national which has ceased to be operative as from the date when the consular officer is informed that such national is otherwise legally represented or, if a grant has already been made to the consular officer in accordance with the provisions of paragraph (3) of this Article, as from the date when a further grant is made to that national on his own application or on the application of his legal representative.

2. The provisions of paragraph (1) of this Article shall apply whatever the nationality of the deceased person and irrespective of the place of his death.

3. In any case where a consular officer has a right of representation under paragraph (1) of this Article, he shall have the right to take steps for the protection and preservation of the interests of the person whom he is entitled to represent. He shall also have the right to take possession of the estate or the property to the same extent as if he were the duly appointed attorney of the person whose interests he represents, unless another person, having equal or prior rights, has taken the necessary steps to assume possession thereof. If under the laws of the territory a grant of representation or order of a court is necessary for the purpose of enabling the consular officer to protect or to take possession of the property, any grant or order which would have been made in favour of the duly appointed attorney of the person whose interests are represented by the consular officer shall be made in favour of the consular officer on his application. On *prima facie* evidence of the necessity for the immediate protection and preservation of the estate and of the existence of persons with an interest which the consular officer has a right to represent, the court shall, if satisfied as to such necessity, make a grant or an order to the consular officer provisionally, limited to the protecting and preserving of the estate, until such time as a further grant of representation is made.

4. a) Subject to sub-paragraphs (b) and (c) of this paragraph, the consular officer shall have the right to full administration of the estate to the same extent as if he were the duly appointed attorney of the person whose interests he represents. If by the law of the territory a grant by a court is necessary, the consular officer shall have the same right to apply for and to receive a grant on his application as the duly appointed attorney of the person whose interests he represents.

b) The court may, if it thinks fit, postpone the making of a grant to the consular officer for such time as it deems necessary to enable the person represented

by the consular officer to be informed and to decide whether he desires to be represented otherwise than by the consular officer.

c) The court may, if it thinks fit, order the consular officer to furnish reasonable evidence of the receipt of the assets by the persons entitled to them by law or to repay or return those assets to the competent authority or person in the event of his being unable to furnish such evidence, or it may order that, the consular officer having otherwise fully administered the estate, the actual transmission of the assets to those persons shall be effected through such other channels as it may direct.

5. A consular officer shall, in addition, be entitled within his district to receive and distribute an estate of small value of a deceased national of the sending state without first obtaining a grant of representation, to the extent that, and subject to the conditions under which, this may be permitted under the laws of the territory.

6. If a national of the sending state dies while travelling in or passing through the territory without being either domiciled or resident there, the consular officer within whose district such national has died shall be permitted, for the purpose of safeguarding the money and effects in the personal possession of the deceased, to take immediate custody thereof, subject to the right of the administrative or judicial authorities of the territory to take possession of such money and effects in any case where the interests of justice or the investigation of crime so require. Any right to retain possession or to dispose of such money or effects shall be subject to the law of the territory and to the provisions of the preceding paragraphs of this Article.

7. If a consular officer exercises the rights referred to in the preceding paragraphs of this Article with regard to an estate, he shall in that matter be subject to the law of the territory and to the jurisdiction of the courts of the territory in the same manner as a national of the receiving state.

8. In any case where it is brought to the knowledge of the local authorities (administrative or judicial) of the territory that—

a) there is an estate in the territory with regard to which the consular officer may have a right to represent interests under the preceding paragraphs of this Article; or

b) a national of the sending state has died in the territory and it appears that there is not present or represented in the territory any person, other than a public administrator or similar official, entitled to claim administration of any property which the deceased may have left there, they shall inform the consular officer to this effect.

Article 23.

A consular officer may receive, for transmission to a national of the sending state who is not resident in the territory, from a court, agency or person, money or property to which such national is entitled as a consequence of the death of any person. Such money or property may include, but is not limited to, shares in an estate, payments made pursuant to workmen's compensation laws or any similar laws and the proceeds of life insurance policies. The court, agency or person making the distribution shall not be obliged to transmit such money or property through the consular officer, and the consular officer shall not be obliged to receive such money or property for transmission. If he does receive such money or property, he shall comply with any conditions laid down by such court, agency or person with regard to furnishing reasonable evi-

dence of the receipt of the money or property by the national to whom it is to be transmitted and with regard to returning the money or property in the event of his being unable to furnish such evidence.

Article 24.

Money or other property may be paid, delivered or transferred to a consular officer pursuant to the provisions of Articles 22 and 23 only to the extent that, and subject to the conditions under which, payment, delivery or transfer to the person whom the consular officer represents or on whose behalf he receives the money or property would be permitted under the laws and regulations of the receiving state. The consular officer shall acquire no greater rights in respect of any such money or other property than the person whom he represents or on whose behalf he receives the money or property would have acquired, if the money or property had been paid, delivered or transferred to such person directly.

PART VII.

Shipping

Article 25.

1. When a vessel of the sending state visits a port (which includes any place to which a vessel may come) in the receiving state, the master and the members of the crew of the vessel shall be permitted to communicate with the consular officer in whose district the port is situated and the consular officer shall be permitted freely to perform the duties enumerated in Article 26 without interference on the part of the authorities of the territory. For the purpose of performing any of these duties, the consular officer, accompanied, if he so desires, by consular employees on his staff, may proceed personally on board the vessel after she has received *p r a t i q u e*. In connexion with these duties the master and appropriate members of the crew may proceed to the consulate, unless the authorities of the territory shall object on the ground that it would not be practicable for the master and members of the crew concerned to rejoin the vessel before her departure. In the event of such objection being made the authorities of the territory shall immediately inform the appropriate consular officer.

2. The consular officer may invoke the assistance of the authorities of the territory in any matter pertaining to the performance of these duties, and they shall give the requisite assistance, unless they have special reasons which would fully warrant refusing it in a particular case.

Article 26.

1. The consular officer may question the master and members of the crew, examine the vessel's papers, take statements with regard to the vessel's voyage and her destination and generally facilitate the entry and departure of the vessel.

2. The consular officer or a consular employee may appear with the master or members of the crew before the local authorities and courts, may lend his assistance (including, where necessary, arranging for legal aid) and may act as interpreter in matters between them and these authorities. These rights may be withheld only in cases where questions of national security are involved.

3. Without prejudice to any right which the judicial authorities of the territory may possess to take jurisdiction in accordance with the provisions of Article 28 (1), the consular officer may decide disputes between the master and members of the crew, including disputes as to wages and contracts of service, arrange

for the engagement and discharge of the master and members of the crew, and take measures for the preservation of good order and discipline on the vessel.

4. The consular officer may take measures for the enforcement of the shipping law of the sending state.

5. Subject to compliance with any restrictions relating to admission into the territory, a consular officer may make arrangements to send seamen, who are nationals of the sending state, to ports in the territories of the receiving state, in order that they may join vessels of the sending state, and, for this purpose, may use seamen's papers in lieu of passports.

6. The consular officer may, where necessary, make arrangements for the treatment in a hospital and the repatriation of the master or members of the crew of the vessel.

7. The consular officer may receive, draw up or execute any declaration, transfer or other document prescribed by the law of the sending state in connexion with

a) the transfer to or the removal from the register of the sending state of any vessel ; or

b) the transfer from one owner to another of any vessel on that register ; or

c) the registration of any mortgage or charge on such a vessel.

Article 27.

1. If a seaman deserts from a vessel of the sending state in a port of the receiving state, the administrative and judicial authorities of the territory shall, at the request of the appropriate consular officer of the sending state, aid in apprehending the deserter and, on proof of the desertion, detain him and order him to be conveyed on board the vessel or delivered to the master or owner thereof or his agent to be so conveyed.

2. The authorities of the territory shall not, however, be obliged to take action as contemplated in paragraph (1) of this Article in respect of a seaman who is a national of the receiving state, and shall not be obliged in any other case to take such action except in accordance with the law of the territory.

3. If the deserter shall be accused of an offence (other than the desertion) which is cognisable under the law of the territory, or if he shall have been convicted of such an offence, the authorities of the territory shall not be obliged to order him to be conveyed on board the vessel or delivered to the master or owner thereof or his agent to be so conveyed, until he has been tried and has undergone any punishment which may have been awarded to him.

Article 28

1. Except at the request or with the consent of the consular officer, the administrative authorities of the territory shall not concern themselves with any matter relating to the internal management of the vessel. The judicial authorities of the territory shall not entertain any proceedings with regard to disputes as to wages and contracts of service between the master and members of the crew without giving notice to the appropriate consular officer and shall refuse to entertain the proceedings, if the consular officer objects. The administrative and judicial authorities shall not interfere with the detention in custody on the vessel of a seaman for disciplinary offences, provided that such detention is lawful under the law of the sending state and is not accompanied by unjustifiable severity or inhumanity.

2. Without prejudice to their right to take cognisance of offences committed on board any vessel in the ports or in the territorial waters of the territory

and cognisable under the local law or to enforce local laws applicable to such vessel or persons and property on board, the High Contracting Parties affirm their approval of the international practice under which the authorities of the territory should not, except at the request or with the consent of the consular officer.—

a) concern themselves with any matter taking place on board the vessel unless for the preservation of peace and order or in the interests of public health or safety;

b) institute prosecutions in respect of offences committed on board the vessel, unless—

i) they involve the tranquillity or safety of the port or the laws of the territory regarding public health, immigration, the safety of life at sea, customs or any similar matter; or

ii) they are committed by or against persons other than the master or members of the crew, or by or against persons possessing the nationality of the receiving state; or

iii) they constitute grave offences as defined in Article 2(9) of this Convention.

3. If, for the purpose of the exercise of the rights referred to in paragraph (2) of this Article, it is the intention of the authorities of the territory to arrest or question any person or to seize any property or to institute any formal enquiry on board the vessel, the master or other officer acting on his behalf shall be given an opportunity to inform the consular officer, and, unless this is impossible on account of the urgency of the matter, to inform him in such time as to enable the consular officer or a consular employee on his staff to be present, if he so desires. If the consular officer has not been present or represented, he shall be entitled, on his request, to receive from the authorities of the territory full information with regard to what has taken place. The provisions of this paragraph do not, however, apply to routine examinations by the authorities of the territory with regard to customs, health and the admission of foreigners, or to detention of the vessel or of any portion of her cargo arising out of civil or commercial proceedings in the courts of the territory.

Article 29.

1. The consular officer shall have the right to inspect, at ports within his consular district, a vessel of any flag destined to a port of the sending state, in order to enable him to procure the necessary information to prepare and execute such documents as may be required by the law of the sending state as a condition of entry of such vessel into its ports, and furnish the competent authorities of the sending state with such information with regard to sanitary or other matters as these authorities may require.

2. In exercising the rights conferred upon him by this Article, the consular officer shall act with all possible despatch.

Article 30.

1. If a vessel of the sending state is wrecked in the receiving state, the consular officer in whose district the wreck occurs shall be informed as soon as possible by the appropriate authorities of the territory of the occurrence of the wreck.

2. The appropriate authorities of the territory shall take all practicable measures for the preservation of the wrecked vessel, of the lives of persons on board, of the cargo and of other property on board, and for the prevention and suppression of plunder or disorder on the vessel. These measures shall also extend to articles belonging to the vessel or forming part of her cargo which have become separated from the vessel.

3. If the vessel is wrecked within a port or consti-

tutes a navigational hazard within the territorial waters of the receiving state, the authorities of the territory may also order any measures to be taken which they consider necessary with a view to avoiding any damage that might otherwise be caused by the vessel to the port facilities or to other vessels.

4. If neither the owner of the wrecked vessel, his agent (or the underwriters concerned) nor the master is in a position to make arrangements, the consular officer shall be deemed to be authorised to make, as agent for the owner, the same arrangements as the owner himself could have made, if he had been present, for the disposal of the vessel in accordance with the relevant provisions of the law of the territory.

5. No customs duties (including other duties imposed upon or by reason of the importation of goods into the territory) shall be levied by the authorities of the territory on the cargo, stores, equipment and fittings, or articles, carried by or forming part of the wrecked vessel, unless they are brought ashore for use or consumption in the territory. The authorities of the territory, however, if they think fit, may require security for the protection of the revenue in relation to such goods.

6. No charge (other than customs duties, when they are leviable in accordance with paragraph (5) of this Article) shall be levied by the authorities of the territory in connexion with the wrecked vessel, any property on board, or her cargo, other than charges of the same kind and amount as would be levied in similar circumstances upon or in connexion with vessels of the receiving state.

Article 31.

Where any articles belonging to or forming part of a wrecked vessel of any flag (not being a vessel of the receiving state) or belonging to or forming part of the cargo of any such vessel are found on or near the coast of the receiving state or are brought into any port of that state, the consular officer in whose district the articles are found or brought into port shall be deemed to be authorised to make, as agent of the owner of the articles, such arrangements relating to the custody and disposal of the articles as the owner himself could have made, if—

a) in the case of articles belonging to or forming part of the vessel, the vessel is a vessel of the sending state, or, in the case of cargo, the cargo is owned by nationals of the sending state; and

b) neither the owner of the articles, his agent, the underwriters nor the master of the vessel is in a position to make these arrangements.

Article 32.

1. If the master or a member of the crew of a vessel of the receiving state, being a national of the sending state, dies afloat or ashore in any country, the competent department of the receiving state shall furnish promptly to the appropriate consular officer of the sending state copies of the accounts which may be received by it with respect to the wages and effects of the deceased master or seaman, together with any particulars at the disposal of the department likely to facilitate the tracing of persons legally entitled to succeed to the property of the deceased.

2. In any case where the value of the wages and effects of the deceased master or seaman, together with any other property of his which comes into the control of the competent department, does not exceed £100 sterling, where the competent department is an authority of Her Britannic Majesty, or the equivalent sum in drachmae, where the competent department is an authority of His Majesty The King of The Hel-

lenes, and the competent department is satisfied that there is any person entitled to succeed to the property of the deceased, otherwise than as a creditor, and that this person is resident in the sending state, the competent department shall hand over the wages, effects and property in its custody of the deceased master or seaman to the consular officer. However, the competent department shall have the right, before handing over, to meet out of the master's or seaman's assets under its control any claim against his estate of any person resident elsewhere than in the sending state which it considers to be legally due. Any claim against the estate of the deceased master or seaman which is received by that department after handing over shall be referred to the competent department of the sending state. In the case of Her Britannic Majesty, the competent department shall be the Ministry of Transport of the United Kingdom. In the case of His Majesty The King of The Hellenes, the competent department shall be the Royal Ministry for Foreign Affairs.

3. In any case where the competent department does not hand over to the consular officer the wages and effects and other property under its control of a deceased master or seaman, when the conditions for this purpose stated in paragraph (2) of this Article are fulfilled, the competent department shall, before delivering the assets to any person considered to be entitled to succeed to the property of the deceased, give notice to the consular officer of its intention, stating the person to whom it is proposed to deliver them, in order to give the consular officer a reasonable opportunity to furnish information which may be relevant for the final decision as to the person entitled to receive the property or to the existence of other claims on the estate of which the competent department may be unaware.

4. The provisions of paragraphs (2) and (3) of this Article shall not apply where the competent department delivers assets under its control to a person who has obtained a grant of representation from a court in the receiving state, but in this case it shall promptly inform the consular officer to this effect.

PART VIII.

General Provisions Relating to Consular

Functions

Article 33.

1. The provisions of Articles 18 to 32 relating to the functions which a consular officer may perform are not exhaustive. A consular officer shall also be permitted to perform other functions, provided that —

a) they are in accordance with international law or practice relating to consular officers as recognised in the territory ;or

b) they involve no conflict with the laws of the territory and the authorities of the territory raise no objection to them.

2. It is understood that in any case where any Article of this Convention gives a consular officer the right to perform any functions, it is for the sending state to determine to what extent its consular officers shall exercise such right.

Article 34.

A consular officer may, within his district, levy the fees prescribed by the sending state for the performance of consular services.

PART IX.

Final Provisions

Article 35.

Any dispute which may arise between the High Contracting Parties as to the proper interpretation or application of any of the provisions of this Convention shall, at the request of either of them, be referred to the International Court of Justice, unless in any particular case the parties agree to submit the dispute to some other tribunal or to dispose of it by some other form of procedure.

Article 36.

1. Each High Contracting Party shall, before the entry into force of this Convention, inform the other by notification in writing through the diplomatic channel which parts of his territories are to be regarded as territorial units for the purpose of all or some of the Articles of the Convention, and, in the latter case, for the purpose of which Articles they are to be so regarded.

2. Either High Contracting Party may, by a further notification or notifications in writing, inform the other of his decision to modify the arrangements previously notified and each such notification shall take effect six months after the date of its receipt by the latter High Contracting Party.

Article 37.

Upon the entry into force of this Convention the provisions of the Agreement between the United Kingdom and Greece relative to Merchant Seamen Deserters, signed at Athens on the 19th August, 1875, and Articles 22, 23 and 24 of the Treaty of Commerce and Navigation between the United Kingdom and Greece, signed at London on the 16th July, 1926, shall be terminated in respect of the territories to which the Convention applies.

Article 38.

This Convention shall be ratified and the instruments of ratification shall be exchanged at London. The Convention shall enter into force on the thirtieth day after the date of exchange of the instruments of ratification and shall continue in force until six months from the date on which either High Contracting Party shall have given to the other notice of termination.

In WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed this Convention and affixed thereto their seals.

DONE, in duplicate, at Athens, this 17th day of April 1953, in the English and Greek languages, both texts being equally authoritative.

For Her Britannic Majesty: CHARLES PEAKE
For His Majesty The King of The Hellenes: STEFANOPOULOS

FIRST AGREED MINUTE

It is understood that the provisions of paragraph (1) of Article 9 of this Convention shall not apply to the Island of Jersey or to any territory of Her Britannic Majesty where under the laws at present in force the acquisition of land in full ownership is restricted to the indigenous inhabitants of the territory in question, unless and until Her Britannic Majesty, in respect of the United Kingdom of Great Britain and Northern Ireland, shall have caused His Majesty The King of The Hellenes to be notified that the law of the Island of Jersey or of any such territory, as the case may be, has been amended to permit of effect being given to the said provisions.

CHARLES PEAKE

STEFANOPOULOS

Athens, April 17th 1953

ΠΡΟΞΕΝΙΚΗ ΣΥΜΒΑΣΙΣ

μεταξύ του 'Ηνωμένου Βασιλείου τῆς Μεγάλης Βρεταννίας καὶ Βορείου 'Ιρλανδίας καὶ τοῦ Βασιλείου τῆς 'Ελλάδος.

ΠΡΟΟΙΜΙΟΝ

'Η Α' τοῦ Μεγαλειότητος ὁ Βασιλεὺς τῶν 'Ελλήνων καὶ ἡ Αὐτῆς Μεγαλειότητος ἡ Βασίλισσα τῆς Μεγάλης Βρεταννίας, 'Ιρλανδίας καὶ τῶν 'Υπερποντίων Βρεταννικῶν Κτήσεων,

'Επιθυμοῦντες νὰ ρυθμίσωσι τὴν θέσιν τῶν προξένων τοῦ ἐνὸς Μέρους εἰς τὰ ἐδάφη τοῦ ἑτέρου,

'Απεφάσισαν νὰ συνάψωσι Προξενικὴν Σύμβασιν, πρὸς τὸν σκοπὸν δὲ τοῦτον διώρισαν ὡς Πληρεξούσιους αὐτῶν :

'Η Α' τοῦ Μεγαλειότητος ὁ Βασιλεὺς τῶν 'Ελλήνων :

Διὰ τὸ Βασίλειον τῆς 'Ελλάδος :

Τὴν Α' τοῦ 'Εξοχότητος τὸν κύριον Στέφανον Στεφανόπουλον, 'Υπουργὸν ἐπὶ τῶν 'Εξωτεριῶν,

'Η Αὐτῆς Μεγαλειότητος ἡ Βασίλισσα τῆς Μεγάλης Βρεταννίας, 'Ιρλανδίας καὶ τῶν 'Υπερποντίων Βρεταννικῶν Κτήσεων (ἀναγραφομένη ἐν τοῖς ἐφεξῆς ὡς «'Η Α' τῆς Βρεταννικῆς Μεγαλειότητος») :

Διὰ τὸ 'Ηνωμένον Βασίλειον τῆς Μεγάλης Βρεταννίας καὶ Βορείου 'Ιρλανδίας :

Τὴν Α' τοῦ 'Εξοχότητος τὸν Sir Charles Brinsley Pemberton Peake, K.C.M.G., M.C. Ἐκτακτὸν Ἀπεσταλλόμενον καὶ Πληρεξούσιον Πρέσβυν τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος ἐν Ἀθήναις,

οἵτινες ἀνακοινώσαντες ἀλλήλοις τὰ οἰκτεῖα αὐτῶν πληρεξούσια, εὐρεθέντα ἐν τάξει, συνεφώνησαν τὰ ἀκόλουθα :

ΜΕΡΟΣ I.

'Εφαρμογὴ καὶ ὄρισμοί.

"Ἀρθρον 1ον.

'Η Σύμβασις αὕτη ἔχει ἐφαρμογὴν.

1) Ἐκ μέρους τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος, εἰς τὸ 'Ηνωμένον Βασίλειον τῆς Μεγάλης Βρεταννίας καὶ Βορείου 'Ιρλανδίας, ὡς καὶ εἰς ὅλα τὰ ἐδάφη διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων ἢ ἐν τῷ 'Ηνωμένῳ Βασιλείῳ Κυβέρνησις Αὐτῆς εἶναι ὑπεύθυνος.

2) Ἐκ μέρους τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν 'Ελλήνων, εἰς τὸ Βασίλειον τῆς 'Ελλάδος.

"Ἀρθρον 2ον.

Πρὸς τοῦτο ἐν τῇ παρουσίᾳ Συμβάσει :

1) ὁ ὅρος «ἀποστέλλον Κράτος» δηλοῖ, ἀναλόγως τοῦ κειμένου, τὸ Ὑψηλὸν Συμβαλλόμενον Μῆρος τὸ ὁποῖον διορίζει τὸν πρόξενον, ἢ ἅπαντα τὰ ἐδάφη τοῦ Μέρους ἐκείνου εἰς τὸ ὁποῖον ἡ Σύμβασις ἔχει ἐφαρμογὴν.

2) ὁ ὅρος «δεχόμενον Κράτος» δηλοῖ, ἀναλόγως τοῦ κειμένου, τὸ Ὑψηλὸν Συμβαλλόμενον Μῆρος ἐντὸς τῶν ἐδαφῶν τοῦ ὁποίου ὁ πρόξενος ἀσχεῖ τὰ ἐκ τοῦ λειτουργήματός του ἐπιβαλλόμενα καθήκοντα, ἢ ἅπαντα τὰ ἐδάφη τοῦ Μέρους ἐκείνου εἰς τὸ ὁποῖον ἡ Σύμβασις ἔχει ἐφαρμογὴν.

3) ὁ ὅρος «χώρα» δηλοῖ οἰονδήποτε τμήμα τῶν ἐδαφῶν τοῦ δεχομένου Κράτους ἐν τῷ ὁποίῳ κεῖται ἐν ὅλῳ ἢ ἐν μέρει ἢ περιφέρεια τοῦ προξένου, καὶ περὶ τοῦ ὁποίου ἐγένετο ἀνακοίνωσις, ὅτι ἀποτελεῖ ἐδαφικὴν μονάδα ὡς πρὸς τινὰ ἢ πάντα τὰ ἄρθρα τῆς Συμβάσεως συνωδᾷ ταῖς διατάξεις τοῦ ἀρθρου 36 ταύτης.

4) ὁ ὅρος «ἀπὸ πηκοῦς» δηλοῖ

α) καθ' ὅσον μὲν ἀφορᾷ εἰς τὴν Αὐτῆς Βρεταννικῆς Μεγαλειότητος, πάντας τοὺς πολίτας τοῦ 'Ηνωμένου Βασιλείου καὶ τῶν Ἀποικιῶν, πάντας τοὺς πολίτας τῆς Νοτίου Ρωδεσίας ὡς καὶ πάντα τὰ ἀπολαμβάνοντα τῆς Βρεταννικῆς προστασίας πρόσωπα περιλαμβανομένων, ὅπουδήποτε τὸ κείμενον ἐπιτρέπει, πάντων τῶν νομικῶν προσώπων τὰ ὁποῖα προσηκόντως ἰδρύθησαν συμφώνως πρὸς τοὺς νόμους οἰονδήποτε τῶν ἐδαφῶν ἐφ' ὧν ἡ Σύμβασις ἔχει ἐφαρμογὴν.

β) καθ' ὅσον δὲ ἀφορᾷ εἰς τὴν Αὐτοῦ Μεγαλειότητος τὸν Βασιλέα τῶν 'Ελλήνων, πάντας τοὺς Ἑλληνας ὑπηκόους,

περιλαμβανομένων, ὅπουδήποτε τὸ κείμενον ἐπιτρέπει, πάντων τῶν νομικῶν προσώπων τὰ ὁποῖα προσηκόντως ἰδρύθησαν συμφώνως πρὸς τοὺς νόμους τοῦ Βασιλείου τῆς 'Ελλάδος.

5) ὁ ὅρος «πλοῖον» Ὑψηλοῦ Συμβαλλομένου Μέρους δηλοῖ, ὡς πρὸς μὲν τὸ Μῆρος ὙΠ τῆς Συμβάσεως, οἰονδήποτε πλοῖον ἢ πλωτὸν μέσον νηολογημένον εἰς λιμένα ὅπουδήποτε τῶν ἐδαφῶν τοῦ Ὑψηλοῦ Συμβαλλομένου Μέρους τούτου, εἰς τὰ ὁποῖα ἡ Σύμβασις ἔχει ἐφαρμογὴν, ὡς πρὸς δὲ τὰ ἄλλα μέρη τῆς Συμβάσεως, ὁ ὅρος «πλοῖον» δηλοῖ οἰονδήποτε πλοῖον ἢ πλωτὸν μέσον (μὴ πολεμικόν) εἴτε ὡς ἀνω νηολογημένον εἴτε μὴ.

6) ὁ ὅρος «πρόξενος» δηλοῖ οἰονδήποτε πρόσωπον εἰς τὸ ὁποῖον αἱ ἀρμοδίαι τῆς χώρας ἀρχαί ἐξέδωσαν ἐκτελεστήριον ἢ ἑτέραν ἀναγνώρισιν (περιλαμβανομένης καὶ τῆς προσωρινῆς τοιαύτης), ὅπως ἐνεργῆ ἐν τῇ ιδιότητι ταύτῃ ὁ πρόξενος δύναται νὰ εἶναι εἴτε ἔμμισθος (Consul missus) εἴτε ἀμισθος (Consul electus).

7) ὁ ὅρος «προξενικὸς ὑπάλληλος» δηλοῖ πᾶν πρόσωπον τὸ ὁποῖον, μὴ ὂν πρόξενος, ὑπηρετεῖ εἰς Προξενεῖόν τι πρὸς ἐκτέλεσιν προξενικῶν καθηκόντων, ἐφ' ὅσον τὸ ὄνομά του ἀνεκοινώθη δεόντως εἰς τὰς ἀρμοδίας ἀρχὰς τῆς χώρας, συμφώνως πρὸς τὸ ἄρθρον 6 τῆς Συμβάσεως ὁ ὅρος δὲν συμπεριλαμβάνει ὁμοῦς τοὺς ὁδηγούς αὐτοκινήτων ἢ πρόσωπα ἐκτελοῦντα ἐν τῷ προξενικῷ καταστήματι ἀποκλειστικῶς οἰκιακὰς ἢ πρὸς συντήρησιν αὐτοῦ ὑπηρεσίας.

8) ὁ ὅρος «προξενικὸν γραφεῖον» δηλοῖ πᾶν κτίριον ἢ τμήμα κτιρίου τὸ ὁποῖον κατέχεται ἀποκλειστικῶς πρὸς τὸν σκοπὸν τῆς ἀσκήσεως τῶν ἐπισήμων καθηκόντων τοῦ προξένου.

9) ὁ ὅρος «βαρὺ ἐγκλημα» δηλοῖ, ἐν τῇ ἐννοίᾳ τῶν ἀρθρων 14 καὶ 28 (2) τῆς Συμβάσεως,

α) εἰς μὲν τὴν περίπτωσιν οἰονδήποτε τῶν ἀναφερομένων ἐν τῇ παραγράφῳ (1) τοῦ 1ου ἀρθρου τῆς Συμβάσεως ἐδαφῶν, ἐγκλημα διὰ τὸ ὁποῖον δύναται νὰ ἐπιβληθῆ ποινὴ φυλακίσεως πέντε καὶ πλέον ἐτῶν.

β) εἰς δὲ τὴν περίπτωσιν τοῦ Βασιλείου τῆς 'Ελλάδος, ἐγκλημα συνιστῶν «κακούργημα» κατὰ τοὺς νόμους τοῦ Βασιλείου τῆς 'Ελλάδος.

ΜΕΡΟΣ II.

Διορισμοὶ καὶ Περιφέρειαι

"Ἀρθρον 3ον.

1) Τὸ ἀποστέλλον Κράτος δύναται νὰ ἰδρῆ καὶ διατηρῆ Προξενεῖα εἰς τὰ ἐδάφη τοῦ δεχομένου Κράτους ὅπουδήποτε τρίτον Κράτος ἔχει Προξενεῖον, καὶ ὅπουδήποτε ἀλλαχού τὸ δεχόμενον Κράτος συναινέσῃ εἰς τὴν ἰδρυσιν Προξενεῖου. Τὸ ἀποστέλλον Κράτος δύναται, κατὰ τὸ δοκοῦν, νὰ ὀρίξῃ ἐὰν τὸ Προξενεῖον θὰ εἶναι Γενικὸν Προξενεῖον, Προξενεῖον, Ὑποπροξενεῖον ἢ Προξενικὸν Πρακτορεῖον.

2) Τὸ ἀποστέλλον Κράτος πληροφορεῖ τὸ δεχόμενον Κράτος περὶ τῆς περιφέρειας ἐκάστου Προξενεῖου του καὶ, ὑπὸ τὴν ἐπιφύλαξιν τῆς παραγράφου (3) τοῦ παρόντος ἀρθρου, δύναται νὰ καθορίξῃ κατὰ τὸ δοκοῦν τὰ ὄρια τῆς περιφέρειας αὐτοῦ.

3) Τὸ δεχόμενον Κράτος δικαιούται νὰ ἀρνήται τὴν ὑπαγωγὴν ὑπὸ προξενικὴν τινὰ περιφέρειαν. :

α) οἰονδήποτε περιοχῆς μὴ συμπεριλαμβανομένης εἰς προξενικὴν περιφέρειαν καὶ μὴ ἀνοικτῆς εἰς τοὺς Ἐμπορικὸς Ἐπιτρόπους (Trade Commissioners) ἢ ἔμπορικὸς ἀντιπροσώπους τρίτου Κράτους.

β) οἰονδήποτε ἐδαφῶν τρίτου Κράτους.

4) Ὁ πρόξενος δύναται κατόπιν γνωστοποιήσεως πρὸς τὸ δεχόμενον Κράτος, νὰ ἀσκήσῃ προξενικὰ καθήκοντα ἐξω τῆς προξενικῆς αὐτοῦ περιφέρειας, πλὴν ἐὰν τὸ δεχόμενον Κράτος ἀντιτίθεται πρὸς τοῦτο.

"Ἀρθρον 4ον

1) Τὸ ἀποστέλλον Κράτος δύναται νὰ διορίξῃ εἰς τὰ Προξενεῖα του προξένους οἰονδήποτε βαθμοῦ καὶ εἰς οἰονδήποτε ἀριθμὸν κρίνει ἀναγκαῖον. Τὸ ἀποστέλλον Κράτος ἀνακοινεῖ ἐγγράφως εἰς τὸ δεχόμενον Κράτος τὸν διο-

ρισμόν τοῦ προξένου εἰς τι Προξενεῖον. Εἰς τὴν περίπτωσιν ἀμίσθων προξένων, ὑπηκόων τοῦ δεχομένου Κράτους, τοῦτο δύναται νὰ ζητήσῃ ὅπως ληφθῇ προηγουμένως διὰ τῆς διπλωματικῆς ὁδοῦ ἢ συναίνεσις αὐτοῦ εἰς τὸν διορισμόν αὐτῶν.

2) Τὸ ἐκτελεστήριον ἢ ἄλλη ἀναγνώρισις δίδεται παρὰ τοῦ δεχομένου Κράτους ὡς οἶον τε τάχιστα καὶ ἄνευ καταβολῆς τέλους, ἐπὶ τῇ προσκομίσει τοῦ διπλώματος ἢ ἄλλης ἀνακοινώσεως περὶ τοῦ διορισμοῦ τοῦ προξένου. Ἐφ' ὅσον παρίσταται ἀνάγκη παρέχεται προσωρινῇ ἀναγνώρισις μέχρι τῆς ἐκδόσεως τοῦ ἐκτελεστηρίου ἢ ἐτέρας ἀναγνωρίσεως.

3) Ἄρνησις ἐκτελεστηρίου ἢ ἐτέρας ἀναγνωρίσεως δὲν συγχωρεῖται ἄνευ εὐλόγου αἰτίας.

4) Τὸ δεχόμενον Κράτος δὲν λογίζεται ὡς συναινέσαν εἰς τὴν ἀσκησιν τῶν καθηκόντων τοῦ προξένου ἢ ὡς παραχωρῆσαν αὐτῷ τὰ εὐεργετήματα τῶν διατάξεων τῆς παρούσης Συμβάσεως μέχρι τῆς ὑπ' αὐτοῦ ἐκδόσεως ἐκτελεστηρίου ἢ ἐτέρας ἀναγνωρίσεως.

Ἄρθρον 5ον

1) Ἄμα τῇ λήψει αἰτήσεως τὸ δεχόμενον Κράτος ὀφείλει νὰ γνωστοποιῇ ἀμελητέι εἰς τὰς ἀρμόδιαις αὐτοῦ Ἀρχὰς τὸ ὄνομα παντὸς προξένου δικαιουμένου νὰ ἐνεργῇ κατὰ τὴν παρούσαν Σύμβασιν.

2) Ὡς ἐπίσημος ἐκπρόσωπος τοῦ ἀποστέλλοντος Κράτους, ὁ πρόξενος δικαιούται ἰδιαιτέρας προστασίας καὶ τῆς ἀκρας ἐκτιμήσεως πασῶν τῶν ἀρχῶν τοῦ δεχομένου Κράτους μεθ' ὧν διατελεῖ εἰς ἐπίσημον ἐπικοινωνίαν.

3) Τὸ δεχόμενον Κράτος δύναται νὰ ἀνακαλέσῃ τὸ ἐκτελεστήριον ἢ ἐτέραν ἀναγνώρισιν προξένου οὐτινος ἢ διαγωγή ἔδωκεν σοβαρὰν ἀφορμὴν παραπόνων. Ὁ λόγος τῆς τοιαύτης ἀνακλήσεως γνωστοποιεῖται, κατόπιν αἰτήσεως, εἰς τὸ ἀποστέλλον Κράτος, διὰ τῆς διπλωματικῆς ὁδοῦ.

Ἄρθρον 6ον.

Τὸ ἀποστέλλον Κράτος εἶναι ἐλεύθερον νὰ χρησιμοποιῇ τὴν ἀναγκαῖον ἀριθμὸν προξενικῶν ὑπαλλήλων εἰς τὰ προξενεῖα του, εἴτε οὗτοι εἶναι ὑπήκοοι αὐτοῦ, εἴτε ὑπήκοοι τοῦ δεχομένου ἢ καὶ τρίτου Κράτους. Οἱ πρόξενοι ἀνακινεῦσι τὰ ὀνόματα καὶ διευθύνσεις τῶν ὑπαλλήλων τούτων πρὸς τὴν Κυβέρνησιν τῆς χώρας. Ἡ Κυβέρνησις τῆς χώρας εἶναι ἠρμοδία νὰ ὀρίξῃ τὴν ἠρμοδίαν ἀρχὴν πρὸς τὴν ὁποίαν θὰ γνηται ἢ ἀνακοίνωσις αὐτή.

Ἄρθρον 7ον

Πρόξενος ἢ ὑπάλληλος δύναται νὰ διορισθῇ προσωρινῶς πρὸς ἐνάσκησιν τῶν καθηκόντων ἀπεβίωσαντος προξένου ἢ ἠνικάνου λόγῳ ἀσθενείας, ἀπουσίας ἢ ἄλλης αἰτίας. Κατόπιν γνωστοποιήσεως πρὸς τὴν Κυβέρνησιν τῆς χώρας, ὁ οὕτω ὀρισθεὶς ἀναπληρωτὴς δύναται νὰ ἀσκή τὰ καθήκοντα ταῦτα καὶ νὰ ἀπολαύῃ τῶν εὐεργετημάτων τῶν διατάξεων τῆς παρούσης Συμβάσεως μέχρι τῆς εἰς τὴν θέσιν του ἐπιστροφῆς τοῦ προξένου ἢ τοῦ διορισμοῦ νέου.

Ἄρθρον 8ον

Τὸ ἀποστέλλον Κράτος δύναται, τῇ ἀδείᾳ τοῦ δεχομένου Κράτους, νὰ διορίζῃ ἐν τῇ πλείονα μέλῃ τῆς διαπεπιστευμένης παρὰ τῷ Κράτει τούτῳ διπλωματικῆς αὐτοῦ ἀποστολῆς πρὸς λειτουργίαν Προξενεῖου κειμένου ἐν τῇ ἔδρᾳ τῆς κεντρικῆς Κυβερνήσεως τοῦ δεχομένου Κράτους. Οἱ τοιοῦτοι διορισμοὶ γίνονται συμφώνως πρὸς τὰς διατάξεις τοῦ ἄρθρου 4 τῆς παρούσης Συμβάσεως. Οἱ οὕτω διοριζόμενοι πρόξενοι δὲν παύουσιν ἀπολαύοντες ἀπάντων τῶν ἐκ τῆς διπλωματικῆς αὐτῆς ιδιότητος προνομίων καὶ ἀσυλιῶν, πλὴν ὅμως, ὡς πρὸς τὴν προξενικὴν αὐτῶν ιδιότητα, ὑπόκεινται εἰς τὰς διατάξεις τῆς Συμβάσεως.

ΜΕΡΟΣ III.

Νομικὰ Δικαιώματα καὶ Ἀσυλία.

Ἄρθρον 9ον

1) Τὸ ἀποστέλλον Κράτος δύναται, συμφώνως πρὸς τοὺς καθοριζομένους ὑπὸ τῶν νόμων τῆς χώρας ὄρους, νὰ ἀποκτᾷ,

νέμηται καὶ κατέχῃ ὑπὸ οἰονδήποτε τυχόν ὑφιστάμενον κατὰ τοὺς νόμους τῆς χώρας τίτλον, εἴτε ἐπ' ὀνόματι αὐτοῦ εἴτε ἐπ' ὀνόματι ἑνὸς ἢ πλείονων φυσικῶν ἢ νομικῶν προσώπων ἐνεργούντων διὰ λογαριασμόν του, γῆπεδα, κτίρια, μέρη κτιρίων καὶ παραρτήματα αὐτῶν, κείμενα ἐν τῇ χώρᾳ καὶ ἀναγκαιοῦντα εἰς τὸ ἀποστέλλον Κράτος διὰ Προξενεῖα ἢ διὰ κατοικίαν ἐμμίσθων προξένων ἢ δι' ἄλλους σκοποὺς, πρὸς τοὺς ὁποίους τὸ δεχόμενον Κράτος δὲν ἀντιτίθεται, προκύπτοντας δ' ἐκ τῆς λειτουργίας τῆς προξενικῆς ἀρχῆς τοῦ ἀποστέλλοντος Κράτους. Ἐὰν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτεῖται, πρὸ πάσης τοιαύτης κτήσεως, ἡ ἀδεία τῶν ἐγγυωρίων ἀρχῶν, ἢ ἀδεία αὕτη θὰ παρέχεται, ἐφ' ὅσον ἐξεπληρώθησαν αἱ ἀναγκαῖαι διατυπώσεις.

2) Τὸ ἀποστέλλον Κράτος δικαιούται νὰ ἀνεγείρῃ δι' οἰονδήποτε ἐκ τῶν καθοριζομένων ἐν τῇ 1ῃ παραγράφῳ τοῦ παρόντος ἄρθρου σκοπῶν, κτίρια καὶ παραρτήματα ἐπὶ οὕτῳ ὑπ' αὐτοῦ κτηθέντος ἐδάφους.

3) Ἐννοεῖται ὅτι τὸ ἀποστέλλον Κράτος δὲν ἐξαιρεῖται τῆς τηρήσεως τῶν σχετικῶν μὲ τὴν ἀνοιχοδόμησιν καὶ τὰ σχέδια πόλεως διατάξεων καὶ περιορισμῶν, τῶν ἐφαρμοζομένων ἐν τῇ περιοχῇ ἐν τῇ ὁποίᾳ κείνται τὰ γῆπεδα, τὰ κτίρια, μέρη κτιρίων καὶ παραρτήματα, περὶ ὧν αἱ παράγραφοι 1 καὶ 2 τοῦ παρόντος ἄρθρου.

Ἄρθρον 10ον

1) Δύναται νὰ τίθενται ἐπὶ τοῦ ἐξωτερικοῦ περιβόλου καὶ ἐξωτερικοῦ τοίχου τοῦ κτιρίου ἐν ᾧ τὸ προξενεῖον εἶναι ἐγκατεστημένον ὁ θυρεὸς ἢ ἐθνικὸν ἐμβλημα τοῦ ἀποστέλλοντος Κράτους μετὰ καταλλήλου ἐπιγραφῆς προσδιορίζουσας τὸ Προξενεῖον εἰς τὴν ἐπίσημον γλῶσσαν τοῦ ἀποστέλλοντος Κράτους. Ἐπιτρέπεται ἐπίσης ὅπως τίθῃνται οἱ τοιοῦτοι θυρεοὶ ἢ ἐθνικὰ ἐμβλήματα καὶ ἐπιγραφαὶ ἐπὶ τῆς θύρας εἰσόδου τοῦ προξενεῖου ἢ παρ' αὐτήν.

2) Ἡ σημαία τοῦ ἀποστέλλοντος Κράτους, ὡς καὶ ἡ προξενικὴ σημαία, δύναται νὰ ὑψῶνται ἐπὶ τοῦ Προξενικοῦ καταστήματος, εἰς καταλλήλους δὲ εὐκαιρίας, καὶ ἐπὶ τῆς κατοικίας τοῦ προξένου. Ἐπὶ πλείον ὁ πρόξενος δύναται νὰ ἀναρτᾷ τὸν θυρεὸν ἢ τὸ ἐμβλημα ὡς καὶ νὰ ὑψοῖ τὴν σημαίαν τοῦ ἀποστέλλοντος Κράτους καὶ τὴν προξενικὴν σημαίαν, εἰς τὰ ὄχηματα, πλοῖα καὶ ἀεροσκάφη τὰ ὑποῖα χρησιμοποιεῖ ἐν τῇ ἐνασκήσει τῶν καθηκόντων του.

3) Ἡ ἀστυνομία ἢ ἄλλαι ἀρχαὶ τῆς χώρας δὲν δύναται νὰ εἰσέρχωνται εἰς τὸ προξενικὸν γραφεῖον ἄνευ τῆς συναίνεσεως τοῦ προϊσταμένου τῆς προξενικῆς ἀρχῆς, ἢ, ἐὰν δὲν δύναται νὰ ληφθῇ ἡ τοιαύτη συναίνεσις, μόνον κατόπιν τοῦ προσήκοντος ἐντάλματος ἢ διαδικασίας καὶ τῇ συγκαταθέσει τοῦ οἰκείου ἐπὶ τῶν Ἐξωτερικῶν Ὑπουργοῦ. Ἡ συναίνεσις τοῦ προξένου ἐξυπακούεται εἰς τὴν περίπτωσιν πυρκαϊᾶς ἢ ἄλλου ἀτυχήματος, ἢ ἐὰν αἱ ἀρχαὶ τῆς χώρας εὐλόγως πιστεύωσιν ὅτι διεπράχθη ἢ διαπράττεται ἢ πρόκειται νὰ διαπραχθῇ ἐν τῷ προξενικῷ γραφείῳ βίαιον ἐγκλημα. Αἱ διατάξεις τῆς παρούσης παραγράφου δὲν ἔχουσιν ἐφαρμογὴν προκειμένου περὶ προξενικοῦ γραφείου διευθυνομένου ὑπὸ προξένου ἔχοντος τὴν ὑπηκοότητα τοῦ δεχομένου Κράτους ἢ μὴ ὄντος ὑπηκόου τοῦ ἀποστέλλοντος Κράτους.

4) Τὸ Προξενεῖον δὲν χρησιμοποιεῖται πρὸς παροχὴν ἀσύλου εἰς φυγοδίκους. Ἐὰν ὁ πρόξενος ἀρνηθῇ νὰ παραδώσῃ φυγόδικον ἐπὶ τῇ νομίμῳ αἰτήσει τῶν ἀρχῶν τῆς χώρας, αἱ ἀρχαὶ αὗται, ἐπιφυλασσομένων τῶν διατάξεων τῆς παραγράφου (3) τοῦ παρόντος ἄρθρου, ἀφωρωσῶν εἰς τὰ προξενικὰ γραφεῖα, δύναται ἐν ἀνάγκῃ, νὰ εἰσέλθωσιν ὅπως συλλάβωσι τὸν φυγάδα.

5) Ἡ εἰσόδος ἢ ἔρευνα εἰς προξενικὸν γραφεῖον κατὰ τὰς παραγράφους (3) καὶ (4) τοῦ παρόντος ἄρθρου διεξάγεται λαμβανομένου δεόντως ὑπ' ὄψιν τοῦ ἀπαραβιάστου τῶν προξενικῶν ἀρχείων, ὡς τοῦτο ἀναγνωρίζεται ἐν τῇ (1ῃ) παραγράφῳ τοῦ ἄρθρου 12.

6) Ὁ πρόξενος δὲν θὰ ἐπωφελεῖται τῶν ὑπὸ τῆς παρούσης Συμβάσεως παρεχομένων εἰς τὸ προξενικὸν γραφεῖον προνομίων πρὸς οἰονδήποτε σκοπὸν μὴ σχετιζόμενον μὲ τὴν ἀσκησιν τῶν προξενικῶν αὐτοῦ καθηκόντων.

Άρθρον 11ον

1) Χώροι, κτίρια, μέρη κτιρίων και παραρτήματα αὐτῶν, συμπεριλαμβανομένων τῶν ἐπίπλων καὶ τῆς οἰκοσκευῆς αὐτῶν, ἀνήκοντα ἢ κατεχόμενα ἀποκλειστικῶς πρὸς οἰονδήποτε τῶν καθοριζομένων ἐν τῇ παραγράφῳ (1) τοῦ 9ου ἄρθρου σκοπῶν, ὡς καὶ τὰ ὄχηματα, πλοῖα καὶ ἀεροσκάφη τῶν προξενείων, δὲν ὑπόκεινται εἰς στρατιωτικὰ ἐπιτάξεις ἢ παροχὴν καταυλισμῶν. Οἱ χώροι οὗτοι, τὰ κτίρια, καὶ παραρτήματα αὐτῶν δὲν ἐξαιροῦνται ἀπαλλοτριώσεως ἢ καταλήψεως διὰ σκοποῦς ἐθνικῆς ἀμύνης ἢ δημοσίας ὠφελείας συμφώνως πρὸς τοὺς νόμους τῆς χώρας, πλὴν ὅμως, ἐὰν παραστῇ ἀνάγκη λήψεως παρομοίου μέτρου ἀφορῶντος τὴν τοιαύτην ἰδιοκτησίαν, δέον νὰ λαμβάνηται πᾶσα μέριμνα ὅπως μὴ παρεμποδίζηται ἡ διεξαγωγὴ τῆς προξενικῆς ὑπηρεσίας.

2) Ὡσαύτως, ὁ πρόξενος ἢ προξενικὸς ὑπάλληλος, ἐφ' ὅσον εἰς ἑκατέραν τῶν περιπτώσεων πληροῦσι τοὺς ἐν τῇ παραγράφῳ (5) τοῦ παρόντος ἄρθρου καθοριζομένους ὅρους, ἢ κατοικία, τὰ ἐπιπλα καὶ ἄλλα οἰκιακὰ ἀντικείμενα, ὡς καὶ τὰ εἰς αὐτοὺς ἀνήκοντα ἢ παρ' αὐτῶν κατεχόμενα ὄχηματα, πλοῖα καὶ ἀεροσκάφη, ἐξαιροῦνται πάσης στρατιωτικῆς ἐπιτάξεως, εἰσφορᾶς ἢ παροχῆς καταυλισμῶν. Τὸ πρόνομιον τοῦτο δὲν ἐκτείνεται ἐπὶ ἄλλης περιουσίας ἀνηκούσης αὐτοῖς. Ἡ κατοικία τοῦ προξένου ἢ τοῦ ὑπαλλήλου δὲν ἐξαιρεῖται ἀπαλλοτριώσεως ἢ καταλήψεως διὰ σκοποῦς ἐθνικῆς ἀμύνης ἢ δημοσίας ὠφελείας συμφώνως πρὸς τοὺς νόμους τῆς χώρας.

3) Ἐπὶ πλέον καταβάλλεται, οὐχὶ βραδύτερον τῶν τριῶν μηνῶν ἀπὸ τῆς ἡμερομηνίας καθ' ἣν τὸ Προξενεῖον, ὁ πρόξενος ἢ ὁ ὑπάλληλος ἐστερήθησαν τῆς νομῆς, ἢ προσήκουσα ἀποζημίωσις διὰ τὴν ἀπαλλοτριώσιν ἢ κατάληψιν, πληρωτέα εἰς τὴν μᾶλλον εὐνοϊκὴν διὰ τὸ ἀποστέλλον Κράτος ἐπίσημον τιμὴν πωλήσεως συναλλάγματος κατὰ τὸν χρόνον τῆς ἀπαλλοτριώσεως ἢ καταλήψεως τῆς ἰδιοκτησίας καὶ ὑπὸ μορφὴν εὐχερῶς μετατρέψιμον εἰς τὸ νόμισμα τοῦ ἀποστέλλοντος Κράτους καὶ μεταβιβάσιμον εἰς αὐτό, διὰ πάντα τὰ ἐν τῷ Προξενεῖῳ συμφέροντα κυριότητος συμπεριλαμβανομένων τῶν χώρων, κτιρίων, μερῶν κτιρίων καὶ παραρτημάτων αὐτῶν, τῶν ἀνηκόντων εἰς αὐτοὺς ἢ κατεχομένων παρ' αὐτῶν ἀποκλειστικῶς δι' ἓνα ἐκ τῶν σκοπῶν τῶν καθοριζομένων ἐν τῇ παραγράφῳ (1) τοῦ ἄρθρου (9), τὰ ὅποια ἀνήκουσι κατὰ κυριότητα εἰς τὸ ἀποστέλλον Κράτος ἢ τυγχάνωσι ἐμπεπιστευμένα παρὰ τῷ προξένῳ ἢ ὑπαλλήλῳ ἢ ἑτέρῳ φυσικῷ ἢ νομικῷ προσώπῳ ἐνεργοῦντι διὰ λογαριασμὸν τοῦ ἀποστέλλοντος Κράτους.

4) Ὁ πρόξενος, ἐφ' ὅσον δὲν εἶναι ὑπῆκοος τοῦ δεχομένου Κράτους, ὡς καὶ ὁ προξενικὸς ὑπάλληλος, ἐφ' ὅσον πληροῖ τοὺς ἐν τῇ παραγράφῳ (5) τοῦ παρόντος ἄρθρου ὅρους, ἐξαιροῦνται πάσης ὑπηρεσίας στρατιωτικῆς, ναυτικῆς, ἀεροπορικῆς, ἀστυνομικῆς, διοικητικῆς καὶ τῆς ὑποχρεώσεως νὰ ὑπηρετῶσιν ὡς ἔνορκοι.

5) Ὡς πρὸς τοὺς ἐν τοῖς παραγράφοις (2) καὶ (4) τοῦ παρόντος ἄρθρου ὅρους, οὗτοι ἀφορῶσι τὰ πρόσωπα ἅτινα :

α) εἶναι ὑπῆκοοι τοῦ ἀποστέλλοντος Κράτους καὶ δὲν κέκτηνται τὴν ἐθνικότητα τοῦ δεχομένου Κράτους·

β) δὲν μετέρχονται ἰδιωτικῶν τι ἐπάγγελμα πρὸς πορισμὸν κέρδους ἐν τῇ χώρᾳ καὶ

γ) δὲν ἦσαν τακτικοὶ κάτοικοι τῆς χώρας κατὰ τὸν χρόνον τοῦ διορισμοῦ τῶν εἰς τὸ Προξενεῖον.

Άρθρον 12.ον

1. Τὰ ἀρχεῖα ὡς καὶ λοιπὰ ἐπίσημα ἔγγραφα τοῦ Προξενείου εἶναι ἐν παντὶ χρόνῳ ἀπαραβίαστα, αἱ δὲ ἀρχαὶ τῆς χώρας ἐπ' οὐδενὶ λόγῳ δύνανται νὰ ἐξετάζωσιν ἢ κατακρατῶσιν οἰαδήποτε ἐξ αὐτῶν.

2) Τὰ τοιαῦτα ἀρχεῖα καὶ λοιπὰ ἐπίσημα ἔγγραφα φυλάσσονται κεχωρισμένως ἀπὸ τὰ ἔγγραφα, βιβλία ἢ ἀλληλογραφίαν τοῦ προξένου ἢ ὑπαλλήλου, τὰ ἀναφερόμενα εἰς ἄλλα ζητήματα. Ἡ διάταξις αὕτη δὲν ἀπαίτεῖ τὸν διαχωρισμὸν τῶν διπλωματικῶν ἀπὸ τῶν προξενικῶν ἀρχείων καὶ ἐπίσημων ἔγγραφων ὡσάκις τὸ προξενικὸν γραφεῖον κεῖται ἐν τῷ κτιρίῳ τῆς διπλωματικῆς ἀποστολῆς.

3) Ὁ πρόξενος δικαιούται νὰ ἐπικοινωνῇ μετὰ τῆς Κυβερνήσεώς του, μετὰ τῆς προϊσταμένης αὐτοῦ διπλωματικῆς ἀποστολῆς ἢ μετ' ἄλλων ἐν τῇ αὐτῇ χώρᾳ κειμένων προξενείων τοῦ ἀποστέλλοντος Κράτους, ταχυδρομικῶς, τηλεγραφικῶς, τηλεφωνικῶς καὶ δι' ἄλλων δημοσίων μέσων, δύναται δὲ νὰ ἀποστέλλῃ καὶ λαμβάνῃ ἐπίσημον ἀλληλογραφίαν δι' ἐνσφραγίστων προξενικῶν φακέλλων, σάκκων καὶ ἄλλων περιβλημάτων καὶ νὰ χρησιμοποιοῖ εἰς ἀμοτέρας τὰς περιπτώσεις μυστικὴν γλῶσσαν. Ὡσαύτως ὁ δεχόμενος Κράτος εὐρίσκεται ἐν πολέμῳ, τὸ δικαίωμα τοῦτο ἐπικοινωνίας καὶ ἀλληλογραφίας μετὰ τῆς προϊσταμένης διπλωματικῆς ἀποστολῆς, ἐὰν αὕτη εὐρίσκηται ἐκτὸς τῶν ἐδαφῶν τοῦ δεχομένου Κράτους, δύναται νὰ περιορίζηται. Ἐπὶ πλέον ὁ πρόξενος δύναται ὁμοίως νὰ ἐπικοινωνῇ καὶ ἀλληλογραφῇ μετ' ἄλλων διπλωματικῶν ἀποστολῶν καὶ προξενείων τοῦ ἀποστέλλοντος Κράτους ἢ μετὰ τῶν ἀρχῶν ἄλλων ἐδαφῶν τοῦ Κράτους τούτου, ἐκτὸς ἐὰν τὸ δεχόμενον Κράτος εὐρίσκεται ἐν πολέμῳ, ὅπότε τὸ κατ' ἐπέκτασιν τοῦτο δικαίωμα δύναται νὰ περιορίζηται.

4) Ἡ ἐν τῇ προηγουμένῃ παραγράφῳ ἀναφερομένη ἐπίσημος προξενικὴ ἀλληλογραφία τυγχάνει ἀπαραβίαστος, αἱ δὲ ἀρχαὶ τῆς χώρας δὲν θὰ ἐξετάζωσιν ἢ κατακρατῶσι ταύτην. Εἰς ἐξαρετικὰς ὅμως περιπτώσεις, δύνανται αὗται νὰ ζητήσωσιν ὅπως ἐνσφραγίστοι προξενικοὶ φακέλλοι, σάκκοι καὶ ἄλλα περιβλήματα, ἀνοίγῃνται παρουσία τῶν ὑπὸ τοῦ προξένου, ἢνα βεβαιωθῶσιν ὅτι ταῦτα δὲν περιέχουσιν ἄλλο τι πλὴν τῆς ἐπισήμου ἀλληλογραφίας.

5) Ὁ πρόξενος καὶ ὑπάλληλος δικαιούνται νὰ ἀρνῶνται αἴτησιν τῶν δικαστηρίων ἢ τῶν ἀρχῶν τῆς χώρας ὅπως οὗτοι προσκομίζωσιν ἔγγραφα ἐκ τῶν ἀρχείων τῶν ἢ ἄλλα ἐπίσημα ἔγγραφα ἢ ὅπως προβαίνωσιν εἰς καταθέσεις ἐπὶ θεμάτων ἐντὸς τοῦ κύκλου τῶν ἐπισήμων αὐτῶν καθηκόντων. Τοιαύτη ὅμως αἴτησις γίνεται δεκτὴ μόνον πρὸς τὸ συμφέρον τῆς δικαιοσύνης καὶ ἐὰν κατὰ τὴν κρίσιν τοῦ προϊσταμένου τῆς προξενικῆς ἀρχῆς τοῦτο εἶναι δυνατόν ἄνευ βλάβης τῶν συμφερόντων τοῦ ἀποστέλλοντος Κράτους.

6) Ὁ πρόξενος δικαιούται ὡσαύτως νὰ ἀρνῆται μαρτυρικὴν κατάθεσιν ὡς ἐμπειρογνώμων ὅσον ἀφορᾷ τὴν νομοθεσίαν τοῦ ἀποστέλλοντος Κράτους.

Άρθρον 13ον

1) Ὁ πρόξενος ἢ ὑπάλληλος δὲν ὑπόκεινται εἰς τὴν δικαιοδοσίαν τῶν δικαστηρίων τοῦ δεχομένου κράτους διὰ πράξεις τελεσθείσας ὑπὸ τὴν ἐπίσημον αὐτῶν ἰδιότητα καὶ ὑπαγομένας κατὰ τὸ διεθνὲς δίκαιον εἰς τὰ καθήκοντα αὐτῶν ὡς πρόξενων, ἐκτὸς ἐὰν τὸ ἀποστέλλον Κράτος ζητήσῃ ἢ συγκατατεθῇ διὰ τοῦ διπλωματικοῦ αὐτοῦ ἀντιπροσώπου εἰς τὴν δικαιοδοσίαν ταύτην.

2) Ἐννοεῖται ὅτι αἱ διατάξεις τῆς 1ης παραγράφου τοῦ παρόντος ἄρθρου δὲν ἀποκλείουσι τὴν ὑπαγωγὴν τοῦ προξένου καὶ ὑπαλλήλου εἰς ἀστικὴν δίκην συνεπεῖα συναφθέντος ὑπ' αὐτῶν συμβολαίου, ἐν τῷ ὁποίῳ δὲν συνεβλήθησαν ρητῶς ὡς ἀντιπρόσωποι τῆς Κυβερνήσεώς των καὶ ἐν τῷ ὁποίῳ τὸ ἕτερον μέρος ἀπέβλεπε προσωπικῶς πρὸς αὐτοὺς διὰ τὴν ἐκτέλεσιν, καὶ ὅτι αἱ διατάξεις τῆς 5ης παραγράφου τοῦ 12ου ἄρθρου δὲν παρέχουσι τὸ δικαίωμα εἰς τὸν πρόξενον ἢ ὑπάλληλον νὰ ἀρνῶνται τὴν προσαγωγὴν ἔγγραφου τινὸς ἢ τὴν μαρτυρίαν τῶν ἐν σχέσει πρὸς τὸ τοιοῦτον συμβόλαιον.

3) Δύναται νὰ ζητῆται ἀπὸ τὸν πρόξενον ἢ ὑπάλληλον νὰ καταθέτωσιν ὡς μάρτυρες ἐν ἀστικῇ ἢ ποινικῇ δίκῃ, ἐξαιρέσει τῶν ἐν τοῖς παραγράφοις (5) καὶ (6) τοῦ 12ου ἄρθρου προβλεπομένων περιπτώσεων. Ἡ Ἀρχὴ ἢ τὸ δικαστήριον τὰ ὅποια ζητοῦσι τὴν μαρτυρίαν τῶν λαμβάνουσι πᾶν λογικὸν μέτρον πρὸς ἀποφυγὴν ἀναμίξεως εἰς τὴν ἄσκησιν τῶν ἐπισήμων αὐτῶν καθηκόντων. Προκειμένου περὶ προξένου ἢ Ἀρχῆς ἢ τὸ δικαστήριον θὰ μεριμνῶσιν, ὅπου τοῦτο εἶναι ἐπιτρεπτόν καὶ δυνατόν, πρὸς λήψιν τῆς τοιαύτης μαρτυρίας, προφορικῶς ἢ ἔγγραφως, εἰς τὸ γραφεῖον ἢ τὴν κατοικίαν αὐτῶν.

4) Ἀπαντὰ τὰ αὐτοκίνητα ὄχηματα, πλοῖα καὶ ἀεροσκάφη, τὰ ἀνήκοντα εἰς τὸ ἀποστέλλον κράτος καὶ χρησι-

μποιούμενα διὰ τούς σκοπούς τοῦ Προξενείου, τοῦ προξένου ἢ υπάλληλου, ὡς ἐπίσης καὶ ἅπαντα τὰ αὐτοκίνητα ὀχήματα, πλοῖα καὶ ἀεροσκάφη τὰ ἀνήκοντα εἰς πρόξενον ἢ υπάλληλον δέον, νὰ ἀσφαλίζονται ἐπαρκῶς δι' ἀσφαλιστηρίων συμβολαίων κατὰ κινδύνων ἐναντι τρίτων. Ἀγωγαὶ ἐκ μέρους τρίτων σχετικῶς μὲ τοιοῦτους κινδύνους θεωροῦνται ὡς συνεπαγόμεναι τὴν ἐν τῇ 2ᾳ παραγράφῳ τοῦ παρόντος ἀρθροῦ εὐθύνην, αἱ δὲ διατάξεις τῆς 5ης παραγράφου τοῦ ἀρθροῦ 12 δὲν παρέχουσι δικαίωμα εἰς τὸν πρόξενον ἢ υπάλληλον νὰ ἀρνῶνται τὴν προσαγωγὴν ἐγγράφου ἢ τὴν μαρτυρικὴν αὐτῶν κατάθεσιν σχετικῶς μὲ τοιαύτας ἀγωγὰς.

5) Ὁ πρόξενος, ἡ σύζυγος αὐτοῦ καὶ τὰ συνοικοῦντα ἀνήλικα τέκνα του ἐξαιροῦνται τῶν διατυπώσεων περὶ ἐγγραφῆς καὶ ἀδείας παραμονῆς τῶν ἀλλοδαπῶν συμφώνως πρὸς τοὺς νόμους τῆς χώρας, καὶ δὲν ὑπόκεινται εἰς ἀπέλασιν ἐφ' ὅσον ὁ πρόξενος ἔχει τὸ ἐκτελεστήριον αὐτοῦ ἢ ἐτέραν ἀναγνώρισιν.

Ἄρθρον 14ον

Ἐξαιρέσει τῇ αἰτήσῃ ἢ τῇ συναινέσει τοῦ ἀποστέλλοντος Κράτους, ὁ ἐμισθοσ πρόξενος δὲν ὑποβάλλεται ἐντὸς τῶν ἐδαφῶν τοῦ δεχομένου Κράτους εἰς προφυλάκισιν διὰ πράξεις μὴ τελεσθείσας ὑπὸ τὴν ἐπίσημον αὐτοῦ ιδιότητα, ἐκτὸς ἐὰν κατηγορηθῇ διὰ βαρὺ ἔγκλημα ὡς τοῦτο καθορίζεται ἐν ἀρθρῷ 2 (3) τῆς παρούσης Συμβάσεως.

ΜΕΡΟΣ ΙΥ.

Οἰκονομικὰ Προνόμια

Ἄρθρον 15ον

Οὐδεὶς φόρος ἢ ἕτερον παρόμοιον τέλος οἰασδήποτε φύσεως (ἐθνικῆς, κρατικῆς, ἐπαρχιακῆς, δημοτικῆς ἢ ἄλλης) ἐπιβάλλεται ἢ εἰσπράττεται ἐν τῇ χώρᾳ ἀπὸ τοῦ ἀποστέλλοντος Κράτους, ἢ ἀπὸ φυσικὸν ἢ νομικὸν πρόσωπον ἐνεργοῦν ἐκ μέρους του, ἐν σχέσει μὲ

α) τὴν κυριότητα ἢ κατοχὴν χώρων, κτιρίων, μερῶν κτιρίων ἢ παραρτημάτων αὐτῶν χρησιμοποιουμένων ἀποκλειστικῶς διὰ τινὰ τῶν ἐν παραγράφῳ (1) τοῦ ἀρθροῦ 9 τῆς παρούσης Συμβάσεως καθοριζομένων σκοπῶν, πλὴν φόρων ἢ ἐτέρων βαρῶν ἐπιβαλλομένων δι' ὑπηρεσίας ἢ διὰ τοπικὰ δημόσια βελτιωτικὰ ἔργα, καθ' ὃ μέτρον τὰ ὡς ἄνω ἀκίνητα ὠφελοῦνται ἐξ αὐτῶν.

β) δικαιοπραξίας ἢ δικαιόγραφα σχετιζόμενα μὲ τὴν κτήσιν ἀκινήτου περιουσίας πρὸς τινὰ τῶν ἐν λόγῳ σκοπῶν.

γ) τὴν κυριότητα, νομὴν ἢ χρῆσιν κινητῆς περιουσίας διὰ προξενικὸς σκοπούς.

Ἄρθρον 16ον

1) α) Οὐδεὶς φόρος ἢ ἕτερον παρόμοιον τέλος οἰασδήποτε φύσεως ἐπιβάλλεται ἢ εἰσπράττεται ἐν τῇ χώρᾳ ὑπὸ τοῦ δεχομένου Κράτους, ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἐτέρας τοπικῆς ὑποδιαιρέσεως αὐτῶν, ἐν σχέσει πρὸς τὰ διὰ λογαριασμὸν τοῦ ἀποστέλλοντος Κράτους εἰσπραττόμενα τέλη ἕνεκα προξενικῶν ὑπηρεσιῶν, ἢ ἐν σχέσει πρὸς οἰασδήποτε ἀπόδειξιν εἰσπράξεως τῶν τελῶν τούτων.

β) Τὸ ἀποστέλλον Κράτος ἢ ὁ πρόξενος ἢ υπάλληλος αὐτοῦ, ἀπαλλάσσονται ἐν τῇ χώρᾳ πάντων τῶν φόρων ἢ ἐτέρων παρομοίων τελῶν οἰασδήποτε φύσεως, τῶν ἐπιβαλλομένων ἢ εἰσπραττομένων ὑπὸ τοῦ δεχομένου κράτους ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἐτέρας, τοπικῆς ὑποδιαιρέσεως αὐτοῦ, ἐν σχέσει πρὸς πράξεις τελεσθείσας ἐν τῇ ἐνασκήσει τῶν ἐπισήμων καθηκόντων τοῦ προξένου ἢ υπάλληλου. Ἡ ἀλλαγὴ αὕτη δὲν ἰσχύει ἐπὶ φόρων ἢ ἐτέρων παρομοίων τελῶν εἰς τὰ ὅποια τρίτον πρόσωπον κατὰ νόμον ὑπόκειται, καίτοι τὸ βᾶρος τοῦ φόρου ἢ ἐτέρου παρομοίου τέλους δυνατόν νὰ ἐπιπίπτῃ ἐπὶ τοῦ ἀποστέλλοντος κράτους ἢ τοῦ προξένου ἢ τοῦ υπάλληλου.

2) Οὐδεὶς φόρος ἢ ἕτερον παρόμοιον τέλος οἰασδήποτε φύσεως ἐπιβάλλεται ἐν τῇ χώρᾳ ὑπὸ τοῦ δεχομένου Κράτους, ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου, ἢ ἐτέρας το-

πικῆς ὑποδιαιρέσεως αὐτοῦ, ἐν σχέσει πρὸς τὰς κρατικὰς ἀποδοχὰς, μισθοῦς, ἡμερομισθία ἢ ἐπιδόματα τὰ ὅποια ὁ πρόξενος λαμβάνει ὡς ἀμοιβὴν τῶν προξενικῶν αὐτοῦ ὑπηρεσιῶν.

3) Αἱ διατάξεις τῆς παραγράφου (2) τοῦ παρόντος ἀρθροῦ ἰσχύουσιν ὡσαύτως ἐπὶ τῶν κρατικῶν ἀποδοχῶν, μισθῶν, ἡμερομισθίων ἢ ἐπιδωμάτων τὰ ὅποια οἱ προξενικοὶ υπάλληλοι λαμβάνουσιν ὡς ἀμοιβὴν τῶν ὑπηρεσιῶν αὐτῶν εἰς τὴν Προξενεῖον, ἐκτὸς ἐὰν οἱ προξενικοὶ οὗτοι υπάλληλοι εἶναι ὑπῆκοοι τοῦ δεχομένου Κράτους.

4) Ὁ πρόξενος ἢ υπάλληλος ἀπαλλάσσονται ἐπιπροσθέτως ἐν τῇ χώρᾳ, ἐξαιρέσει τῶν προβλεπομένων ἐν παραγράφῳ (5) τοῦ παρόντος ἀρθροῦ περιπτώσεων, παντὸς φόρου ἢ ἐτέρων παρομοίων τελῶν οἰασδήποτε φύσεως, ἐπιβαλλομένων ἢ τυχόν εἰσπραττομένων ὑπὸ τοῦ δεχομένου Κράτους, ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἐτέρας τοπικῆς ὑποδιαιρέσεως αὐτοῦ, ἐξαιρέσει τῶν δι' εἰσαγωγὴν εἰς τὴν χώραν ἢ ἐξ αἰτίας αὐτῶν ἐπιβαλλομένων φόρων καὶ δασμῶν περὶ τῆς ἀπὸ τῶν ὁσίων ἀπαλλαγῆς προβλέπει ἀποκλειστικῶς τὸ ἀρθρον 17ον, ἐφ' ὅσον ὁ πρόξενος οὗτος ἢ υπάλληλος.

α) δὲν εἶναι ὑπῆκοοι τοῦ δεχομένου Κράτους καὶ

β) δὲν μετέρχονται ἐν τῇ χώρᾳ ἰδιωτικὸν ἐπάγγελμα πρὸς πορισμὸν κέρδους καὶ

γ) εἶναι μόνιμοι υπάλληλοι τοῦ ἀποστέλλοντος Κράτους, ἢ ἐὰν δὲν εἶναι μόνιμοι υπάλληλοι τούτου, δὲν ἦσαν τακτικοὶ κάτοικοι τῆς χώρας κατὰ τὸν χρόνον τοῦ διορισμοῦ των εἰς τὸ Προξενεῖον.

5) α) Αἱ διατάξεις τῆς 4ης παραγράφου τοῦ παρόντος ἀρθροῦ ἰσχύουσι μόνον προκειμένου περὶ τῶν φόρων ἢ ἐτέρων παρομοίων τελῶν διὰ τὰ ὅποια ἐλλείπει τῆς προβλεπομένης ὑπὸ τοῦ παρόντος ἀρθροῦ ἀπαλλαγῆς, ὁ πρόξενος ἢ υπάλληλος θὰ ἦσαν τὰ κατὰ νόμον ὑπόχρεα πρόσωπα, δὲν ἔχουσι δὲ ἰσχύον προκειμένου περὶ φόρων ἢ ἐτέρων παρομοίων τελῶν διὰ τὰ ὅποια τρίτον τι πρόσωπον εἶναι κατὰ νόμον ὑπόχρεον, καίτοι τὸ βᾶρος τοῦ φόρου ἢ ἐτέρου παρομοίου τέλους δυνατόν νὰ ἐπιπίπτῃ ἐπὶ τοῦ προξένου ἢ υπάλληλου. Ἐὰν ὅμως ὁ πρόξενος ἢ υπάλληλος δικαιῶνται εἰσοδήματος τινὸς ἐκ πηγῶν ἐκτὸς τῆς χώρας, τὸ δὲ εἰσόδημα τοῦτο εἶναι πληρωτέον αὐτοῖς ἢ εἰσπράττεται διὰ λογαριασμὸν αὐτῶν ὑπὸ Τραπεζῆς ἢ ἐτέρου πράκτορος ἐν τῇ χώρᾳ ὑποχρέων εἰς κράτησιν τοῦ φόρου τοῦ εἰσοδήματος κατὰ τὴν πληρωμὴν τοῦ εἰσοδήματος καὶ ἀπόδοσιν λογαριασμοῦ διὰ τὸν οὕτω κρατηθέντα φόρον, ὁ πρόξενος ἢ υπάλληλος δικαιῶνται εἰς ἐπιστροφὴν τοῦ οὕτω κρατηθέντος φόρου.

β) Αἱ διατάξεις τῆς παραγράφου (4) δὲν ἰσχύουσι προκειμένου περὶ

Ι) φόρων ἐπιβαλλομένων ἢ εἰσπραττομένων ἐξ αἰτίας τῆς κυριότητος ἢ κατοχῆς ἀκινήτων κειμένων ἐν τῇ χώρᾳ·

ΙΙ) φόρων εἰσοδήματος προερχομένων ἐξ ἄλλων ἐν τῇ χώρᾳ πόρων·

ΙΙΙ) φόρων ἐπιβαλλομένων ἢ εἰσπραττομένων ἐν τῇ χώρᾳ κατὰ τὴν μεταβίβασιν περιουσίας αἰτία θανάτου, εἴτε ὁ πρόξενος ἢ υπάλληλος εἶναι οἱ ἀποθνήσκοντες εἴτε τὰ πρόσωπα εἰς ἃ ἡ περιουσία, μεταβιβάζεται κατὰ τὸν θάνατον·

ΙV) φόρων ἐπὶ δικαιοπραξιῶν ἢ δικαιογράφων συνιστάμενων δικαιοπραξίας ὡς οἱ φόροι ἐπὶ τῆς πωλήσεως ἢ μεταβιβάσεως χρημάτων ἢ περιουσίας, ἢ τελῶν χαρτοσήμου ἐπιβαλλομένων ἢ εἰσπραττομένων ἀναφορικῶς μὲ ταύτας·

Υ) ἀδειῶν, φόρων καταναλώσεως, ἢ ἐτέρων παρομοίας φύσεως μὴ θεωρουμένων ὡς περιλαμβανόντων φόρους, οἳ οἱ ἐπιβαλλόμενοι ἢ εἰσπραττόμενοι ἐν σχέσει πρὸς τὴν κυριότητα, χρῆσιν ἢ λειτουργίαν ὀχημάτων, πλοίων ἢ ἀεροσκαφῶν, ἢ συσκευῶν ραδιοφώνου ἢ τηλεοράσεως, ἢ εἰδῶν εἰσαγομένων ἐν τῇ χώρᾳ συμφώνως πρὸς τὰς διατάξεις τοῦ ἀρθροῦ 17.

Ἄρθρον 17ον

1) Ἐπιτρέπεται ἡ ἐλευθέρως παντὸς φόρου καὶ εἰσαγωγικοῦ δασμοῦ εἰσαγωγὴ τῶν ἐπίπλων, τῆς οἰκοσκευῆς, ἐφοδίων, οἰκοδομικῶν ὑλικῶν καὶ ἄλλων εἰδῶν, περιλαμβανομέ-

νων τῶν ὀχημάτων, πλοίων καὶ ἀεροσκαφῶν τῶν προοριζομένων πρὸς ἐπίσημον ἐν τῇ χώρᾳ χρῆσιν δι' οἰονδήποτε τῶν καθοριζομένων ἐν τῇ παραγράφῳ (1) τοῦ ἄρθρου 9 σκοπῶν.

2) Αἱ ἀποσκευαὶ, τὰ πράγματα καὶ ἄλλα εἶδη, συμπεριλαμβανομένων τῶν ὀχημάτων, πλοίων καὶ ἀεροσκαφῶν, εἰσαγομένον ἐν τῇ χώρᾳ ὑπὸ πρόξενου ἢ ὑπαλλήλου, ἐφ' ὅσον οὗτοι εἰς ἀμφοτέρας τὰς περιπτώσεις, πληροῦσι τοὺς καθοριζομένους ἐν παραγράφῳ (4) τοῦ ἄρθρου 16 ὅρους, ἀποκλειστικῶς πρὸς ἀτομικὴν αὐτῶν χρῆσιν ἢ πρὸς χρῆσιν τῶν μελῶν τῆς οἰκογενείας αὐτῶν τῶν ἀποτελούντων μέρος τοῦ οἴκου αὐτῶν, ἀπαλλάσσονται παντὸς φόρου ἢ εἰσαγωγικοῦ δασμοῦ (ἐθνικοῦ, κρατικοῦ, ἐπαρχιακοῦ, δημοτικοῦ ἢ ἄλλου), εἴτε ταῦτα κατὰ τὴν πρώτην ἀφίξιν συνοδεύουσιν αὐτοὺς εἰς τὴν θέσιν των, ἢ κατὰ μεταγενεστέρως ἀφίξεις, εἴτε μεταγενεστέρως ἀποστέλλονται αὐτοῖς εἰς τὴν θέσιν των καὶ εἰσάγονται καθ' οἰονδήποτε χρόνον διαρκούντος τοῦ διορισμοῦ ἢ τῆς ὑπηρεσίας αὐτῶν ἐν τῇ θέσει ταύτῃ.

3) Ἐννοεῖται ὅμως ὅτι:

α) τὸ δεχόμενον Κράτος δύναται νὰ ζητῇ ὡς ὄρον πρὸς παροχὴν τῆς προβλεπομένης ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγῆς, ὅπως τῷ γνωστοποιῆται, καθ' ὃν τρόπον τοῦτο καθορίσει, πᾶσα εἰσαγωγή ἢ ἐπανεξαγωγή.

β) ἡ παρεχομένη ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγὴ, ἀφορῶσα εἰς εἶδη εἰσαγόμενα μόνον πρὸς ἐπίσημον ἢ ἀτομικὴν χρῆσιν, δὲν ἐπεκτείνεται, με τ α ξ ὀ ἄ λ λ ω ν, καὶ εἰς εἶδη εἰσαγόμενα πρὸς διευκολύνειν τρίτων ἢ πρὸς πώλησιν ἢ ἄλλους ἐμπορικοὺς σκοποὺς. Ὅπωςδήποτε, εἶδη εἰσαγόμενα ὡς δείγματα ἐμπορικῶν προϊόντων ἀποκλειστικῶς καὶ μόνον πρὸς ἔκθεσιν ἐν τινι Προξενεῖῳ καὶ μεταγενεστέρως ἐπανεξαγόμενα ἢ καταστρεφόμενα, δὲν θεωροῦνται ὡς ἐξαιρούμενα τῆς παρεχομένης ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγῆς.

γ) τὸ δεχόμενον κράτος δύναται νὰ ὀρίξη ὅτι ἡ παρεχομένη ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγὴ δὲν ἰσχύει ἐπὶ εἰδῶν φυομένων, παραγομένων ἢ βιομηχανοποιουμένων ἐν τῇ χώρᾳ καὶ τὰ ὁποῖα ἐξήχθησαν ἐξ αὐτῆς ἄνευ καταβολῆς ἢ ἐπὶ ἐπιστροφῇ τῶν φόρων ἢ δασμῶν οἱ ὁποῖοι θὰ ἐπεβάλλοντο ἐὰν δὲν ἐγένετο ἡ ἐξαγωγή αὐτῆ.

δ) οὐδεμία διάταξις τοῦ παρόντος ἐρμηνεύεται κατὰ τρόπον ὥστε νὰ ἐπιτρέπηται ἡ εἰσαγωγή ἐν τῇ χώρᾳ οἰονδήποτε εἶδους, τοῦ ὁποῖου ὁ νόμος εἰδικῶς ἀπαγορεύει τὴν εἰσαγωγήν.

ΜΕΡΟΣ Υ.

Προξενικὰ Καθήκοντα Γενικῶς

Ἄρθρον 18ον

1) Ὁ πρόξενος δικαιούται, ἐντὸς τῆς περιφέρειας τοῦ, νὰ προστατεύῃ τοὺς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους, ὡς καὶ τὴν περιουσίαν καὶ τὰ συμφέροντα αὐτῶν. Πρὸς τὸν σκοπὸν τοῦτον δύναται νὰ

α) ἔχη συνεντεύξεις, ἐπικοινωνῆ καὶ συμβουλεύῃ τοὺς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους.

β) ἐξετάζη πᾶν συμβεβηκὸς θῆγον τὰ συμφέροντα τῶν ὑπηκόων τούτων.

γ) συντρέχη τοὺς τοιοῦτους ὑπηκόους εἰς δικαστικὰς ὑποθέσεις ἢ εἰς τὰς μετὰ τῶν ἀρχῶν τῆς χώρας σχέσεις αὐτῶν, μεριμνᾷ δὲ πρὸς παροχὴν εἰς αὐτοὺς νομικῆς βοήθειας, ὡς ἂν παρίσταται ἀνάγκη, καὶ ἐνεργῆ ὡς διερμηνεὺς διὰ λογαριασμὸν αὐτῶν, ἢ διορίζῃ πρὸς τοῦτο διερμηνεὺς, ἐνώπιον τῶν εἰρημένων Ἀρχῶν, τῇ αἰτήσει ἢ τῇ συναινέσει αὐτῶν.

δ) ἀπευθύνεται καὶ ἀλληλογραφῇ μετὰ τὰς ἀρμοδίαις ἀρχαῖς τῆς περιφέρειας τοῦ ὡς καὶ μετὰ τὰ ἀρμοδία Ἰπουργεῖα τῆς κεντρικῆς Κυβερνήσεως τῆς χώρας. Δὲν δικαιούται ὅμως νὰ ἀλληλογραφῇ μετὰ τοῦ οἰκείου Ἰπουργείου ἐπὶ τῶν Ἐξωτερικῶν, ἢ νὰ προβαίη εἰς διπλωματικὰ διαβήματα, εἰμὴ μόνον ἐλλείψει διπλωματικοῦ ἀντιπροσώπου τοῦ ἀποστέλλοντος Κράτους. Εἰς ἅς περιπτώσεις τοιαῦτα παραστάσεις γίνονται ἐγγράφως, ἢ ἀρμοδία ἀρχὴ ἢ τὸ Ἰπουργεῖον δύναται νὰ ζητῇ ὅπως ὁ πρόξενος ἐπισυνάπτῃ μετὰ φρασιν εἰς τὴν ἐπίσημον γλῶσσαν τῆς χώρας.

2) Οἱ ὑπήκοοι τοῦ ἀποστέλλοντος κράτους δικαιούνται ἐν παντὶ χρόνῳ νὰ ἐπικοινωνῶσι μετὰ τοῦ ἀρμοδίου προξέ-

νου καὶ ἐπισκέπτονται αὐτὸν ἐν τῷ Προξενεῖῳ του, ἐκτὸς ἐὰν διατελοῖσιν ὑπὸ νόμιμον κράτησιν.

Ἄρθρον 19ον

1) Αἱ ἀρμοδίαι ἀρχαὶ τῆς χώρας εἰδοποιοῦσιν ἀμέσως τὸν πρόξενον περὶ τῆς προφυλακίσεως ἢ τῆς φυλακίσεως ἐντὸς τῆς περιφέρειας αὐτοῦ ὑπηκόου τοῦ ἀποστέλλοντος Κράτους.

2) Ἐπιτρέπεται εἰς τὸν πρόξενον νὰ ἐπισκέπτηται ἄνευ ἀναβολῆς, νὰ συνομιλῇ ἰδιαίτερος καὶ μεριμνᾷ περὶ νομικῆς παραστάσεως παντὸς ὑπηκόου τοῦ ἀποστέλλοντος Κράτους τελούντος ὑπὸ τοιοῦτον περιορισμὸν ἢ κράτησιν πρὸς τὸν σκοπὸν δίκης ἢ ἀνακρίσεως, ἢ δικαιουμένου νὰ ὑποβάλλῃ ἔφεσιν κατὰ τὰς ἰσχυοῦσας διατάξεις, ὡς πρὸς τὴν προθεσμίαν ἐντὸς τῆς ὁποίας ἡ ἔφεσις δύναται νὰ ἀσκηθῇ. Πᾶσα εἰδοποίησις ἐκ μέρους τοῦ τοιοῦτου ὑπηκόου πρὸς τὸν πρόξενον διαβιβάζεται ἄνευ ἀναβολῆς ὑπὸ τῶν ἀρχῶν τῆς χώρας.

3) Τηρουμένων τῶν διατάξεων τῆς 2ας παραγράφου τοῦ παρόντος ἄρθρου, ὡς ἂν ὑπήκοος τοῦ ἀποστέλλοντος Κράτους κρατεῖται συνεπεία καταδίκης του, ὁ πρόξενος ἐντὸς τῆς περιφέρειας τοῦ ὁποῖου οὗτος κρατεῖται, δικαιούται, κατόπιν γνωστοποιήσεως πρὸς τὴν ἀρμοδίαν ἀρχὴν, νὰ ἐπισκέπτηται τοῦτον. Πᾶσα τοιαύτη ἐπίσκεψις γίνεται συμφώνως πρὸς τοὺς ἰσχύοντας ἐν τῷ ἰδρύματι ἐν ᾧ οὗτος κρατεῖται κανονισμοὺς, ἐξυπνοκούμενου πάντως ὅτι οἱ κανονισμοὶ οὗτοι ἐπιτρέπουσι λογικὴν ἐπικοινωνίαν καὶ εὐκαιρίαν συνδιαλέξεως μετὰ τοῦ ὑπηκόου τούτου.

Ἄρθρον 20ον

Ὁ πρόξενος δύναται ἐν τῇ περιφερείᾳ αὐτοῦ νὰ προάγῃ τὰ ἐμπορικὰ, καλλιτεχνικὰ, ἐπιστημονικὰ, ἐπαγγελματικὰ καὶ ἐκπαιδευτικὰ συμφέροντα τοῦ ἀποστέλλοντος Κράτους.

Ἄρθρον 21ον

Ὁ πρόξενος δύναται ἐν τῇ περιφερείᾳ του

1) α) νὰ δέχεται τὰς συμφώνως πρὸς τοὺς περὶ ἰθαγενείας νόμους τοῦ ἀποστέλλοντος Κράτους ἐνδεχομένως ἀπαιτούμενας δηλώσεις.

β) νὰ ἐκδίδῃ πρὸς τοὺς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους τὰς εἰδοποιήσεις καὶ δέχεται ἐκ μέρους των τὰς δηλώσεις τὰς κατὰ τοὺς νόμους τοῦ ἀποστέλλοντος Κράτους ἐνδεχομένως ἀπαιτούμενας ἐν σχέσει πρὸς τὴν ὑποχρεωτικὴν θητείαν.

γ) νὰ καταχωρίζῃ ἐν τοῖς μητρώοις γεννήσεις ἢ θανάτους ὑπηκόων τοῦ ἀποστέλλοντος Κράτους καὶ γάμους τελεσθέντας κατὰ τοὺς νόμους τῆς χώρας, ἐφ' ὅσον τὸ ἐν τοῦλάχιστον τῶν μερῶν εἶναι ὑπήκοος τοῦ ἀποστέλλοντος Κράτους. Ἐννοεῖται ὅμως ὅτι ἡ τοιαύτη προξενικὴ καταχώρησις γεννήσεων ἢ θανάτων ἢ τοιοῦτων γάμων, οὐδόπως ἀπαλλάσσει τοὺς ἰδιώτας τῆς συμφώνως πρὸς τοὺς νόμους τῆς χώρας ὑποχρέωσεως αὐτῶν πρὸς δήλωσιν καὶ καταχώρισιν γεννήσεων, θανάτων καὶ γάμων εἰς τὰς ἀρχὰς τῆς χώρας.

δ) νὰ ἐκδίδῃ διαβατήρια καὶ ταξιδιωτικὰ ἔγγραφα εἰς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους καὶ νὰ χορηγῇ θεωρήσεις καὶ ἄλλα προσήκοντα ἔγγραφα εἰς πρόσωπα αὐτοῦντα τὴν εἴσοδον εἰς τὸ ἀποστέλλον Κράτος.

ε) νὰ ἐκδίδῃ, ὅσον ἀφορᾷ εἰς ἐμπορεύματα, πιστοποιητικὰ προελεύσεως καὶ συμφέροντος πρὸς χρῆσιν ἐν τῷ ἀποστέλλοντι Κράτει.

στ) νὰ κοινοποιῇ δικόγραφα ἢ δέχεται μαρτυρικὰς καταθέσεις ἐκ μέρους δικαστηρίων τοῦ ἀποστέλλοντος Κράτους κατὰ τρόπον ἐπιτρεπόμενον συμφώνως πρὸς σχετικὰς εἰδικὰς συμφωνίας μετὰ τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ἢ ἄλλως μὴ ἀντιβαίοντα πρὸς τοὺς νόμους τῆς χώρας.

2) νὰ συντάσῃ καὶ δέχεται δηλώσεις καὶ νὰ ἐπικυροῖ, ἐπισημοποιῇ ἢ πιστοποιῇ ὑπογραφὰς ἢ ἔγγραφα, μεταφράζῃ ἔγγραφα καὶ ἐκτελῇ ἄλλας συμβολαιογραφικὰς πράξεις σχετικῶς πρὸς ἔγγραφα εἰς πᾶσαν περίπτωσιν καθ' ἣν αἱ ὑπηρεσίαι αὐταὶ ζητοῦνται ὑπὸ προσώπου οἰασδήποτε ἐθνικότητος πρὸς χρῆσιν ἐν τῷ

ἀποστέλλονται Κράτει ἢ κατὰ τοὺς ἰσχύοντας ἐν τῷ ἀποστέλλοντι Κράτει νόμους. Ἐὰν κατὰ τοὺς νόμους τούτους ἀπαιτῆται ἢ δόσις ἔρκου ἢ διαβεβαίωσις, ὁ τοιοῦτος ἔρκος ἢ διαβεβαίωσις δύναται νὰ δοθῇ. Ὁ πρόξενος δύναται ὡσαύτως νὰ ἀσκήσῃ τὰς λειτουργίας ταύτας προκειμένου περὶ ἐγγράφων ἀναγκαίων εἰς ὑπήκοον τοῦ ἀποστέλλοντος Κράτους πρὸς χρῆσιν ἐκτὸς τοῦ ἀποστέλλοντος Κράτους· ἐννοεῖται ὅμως ὅτι ἡ διάταξις αὕτη δὲν συνεπάγεται ὑποχρέωσιν τῶν ἀρχῶν τοῦ δεχομένου Κράτους ὅπως ἀναγνωρίζωσι τὸ κύρος τῶν ἀναφερομένων ἐν τῇ παρούσῃ παραγράφῳ τριού των συμβολαιογραφικῶν καὶ ἄλλων πράξεων, ἐκτελούμεναι ὑπὸ τοῦ προξένου σχετικῶς πρὸς ἐγγράφα ἀπαιτούμενα κατὰ τοὺς νόμους τοῦ δεχομένου Κράτους.

ΜΕΡΟΣ ΥΙ.

Κληρονομίαι καὶ Μεταβιβάσεις Περιουσίας.

Ἄρθρον 22ον

1. Εἰς πᾶσαν περίπτωσιν καθ' ἣν ἀποβιοῦν πρόσωπον καταλείπει περιουσίαν εἰς χώραν τινά, ὑπήκοος δὲ τοῦ ἀποστέλλοντος Κράτους μὴ κατοικῶν ἐν τῇ χώρᾳ καὶ μὴ ἀντιπροσωπευόμενος νομίμως ἐν αὐτῇ, ἔχει ἢ διεκδικεῖ ἐπὶ τῆς περιουσίας ταύτης συμφέρον ἐκ τοῦ νόμου ἢ τῶν ἀρχῶν τῆς ἐπιεικειᾶς (π.χ. ὡς ἐκτελεστής διαθήκης ἢ τιμώμενος δι' αὐτῆς) ἢ εἰς περιπτώσεις ἐξ ἀδιαθέτου διαδοχῆς, ὁ πρόξενος εἰ τὴν περιφέρειαν τοῦ ὁποῖο γίνεται ἢ διαχειρίσις τῆς κληρονομίας τοῦ ἀποβιώσαντος ἢ, ἐὰν δὲν ἔχει συσταθῆ διαχείρισις, κεῖται ἢ περιουσία αὐτοῦ, δικαιοῦται νὰ ἀντιπροσωπεύῃ τὸν ὑπήκοον τούτον ὡς πρὸς τὰ συμφέροντα αὐτοῦ ἐν τῇ κληρονομίᾳ ἢ περιουσίᾳ, ὡς ἐὰν εἶχε δοθῇ ὑπ' αὐτοῦ εἰς τὸν πρόξενον ἔγκυρον πληρεξούσιον. Ἐὰν μεταγενεστέρως ὁ ὑπήκοος οὗτος ἀντιπροσωπευθῇ νομίμως ἐν τῇ χώρᾳ, ὁ πρόξενος θεωρεῖται ὡς ἐὰν εἶχε προηγουμένως πληρεξούσιον τοῦ ὑπήκοου, τὸ ὁποῖον ἔπαυσεν ἰσχύον ἀφ' ἧς ἡμέρας ὁ πρόξενος ἐπληροφορήθη ὅτι ὁ ὑπήκοος οὗτος ἀντιπροσωπεύεται νομίμως παρ' ἄλλου, ἢ ἐφ' ὅσον εἶχε προηγηθῆ διορισμὸς τοῦ προξένου συμφώνως πρὸς τὰς διατάξεις τῆς παραγράφου (3) τοῦ παρόντος ἄρθρου, ἀπὸ τῆς ἡμέρας τοῦ νέου διορισμοῦ τοῦ ὑπήκοου τούτου τῇ αἰτήσῃ τοῦ ἰδίου ἢ τοῦ νομίμου αὐτοῦ ἀντιπροσώπου.

2. Αἱ διατάξεις τῆς παραγράφου (1) τοῦ παρόντος ἄρθρου ἰσχύουσιν οἰαδήποτε καὶ ἂν εἶναι ἢ ὑπήκοότης τοῦ ἀποβιώσαντος καὶ ἀσχέτως τοῦ τόπου τοῦ θανάτου του.

3. Εἰς πᾶσαν περίπτωσιν καθ' ἣν ὁ πρόξενος ἔχει δικαίωμα ἀντιπροσωπεύσεως κατὰ τὴν παράγραφον (1) τοῦ παρόντος ἄρθρου, ἔχει τὸ δικαίωμα νὰ λαμβάνῃ μέτρα πρὸς προστασίαν καὶ διαφύλαξιν τῶν συμφερόντων τοῦ προσώπου τὸ ὁποῖον δικαιοῦται νὰ ἀντιπροσωπεύσῃ. Ἐχει ἐπίσης τὸ δικαίωμα νὰ λαμβάνῃ ὑπὸ τὴν κατοχὴν αὐτοῦ τὴν κληρονομίαν ἢ περιουσίαν ἐν ᾧ μέτρῳ θὰ ἔπραττον τοῦτο οἱ προσηκόντως διορισμένοι πληρεξούσιοι τοῦ προσώπου τοῦ ὁποῖου τὰ συμφέροντα ἀντιπροσωπεύει, ἐκτὸς ἐὰν ἕτερον πρόσωπον ἔχον ἴσα ἢ προγενέστερα δικαίωματα, ἔλαβεν ἤδη τὰ ἀπαιτούμενα μέτρα ὅπως λάβῃ ταῦτα ὑπὸ τὴν κατοχὴν του. Ἐὰν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτῆται διορισμὸς ἢ διαταγὴ δικαστηρίου ἵνα δυνηθῇ ὁ πρόξενος νὰ προστατεύσῃ ἢ λάβῃ τὴν περιουσίαν ὑπὸ τὴν κατοχὴν του, οἰοσδήποτε διορισμὸς ἢ διαταγὴ ἤθελεν ἐκδοθῆ ὑπὲρ τοῦ προσηκόντως διορισμένου πληρεξουσίου τοῦ προσώπου τοῦ ὁποῖου τὰ συμφέροντα ἀντιπροσωπεύονται παρὰ τοῦ προξένου, θὰ ἐκδίδεται ὑπὲρ τοῦ προξένου τῇ αἰτήσῃ του. ἰαπιστουμένης ἐκ πρώτης ὀψέως τῆς ἀνάγκης ἀμέσου προστασίας καὶ διαφυλάξεως τῆς κληρονομίας ὡς καὶ τῆς ὑπάρξεως προσώπων ἐχόντων συμφέρον τὰ ὁποῖα ὁ πρόξενος δικαιοῦται νὰ ἀντιπροσωπεύσῃ, τὸ Δικαστήριον, ἐφ' ὅσον ἤθελε πεισθῆ περὶ τῆς τοιαύτης ἀνάγκης, προβαίνει εἰς τὸν διορισμὸν τοῦ προξένου ἢ ἐκδίδει διαταγὴν πρὸς αὐτὸν προσωρινῶς μὲ τὸν περιορισμὸν τῆς προστασίας καὶ διαφυλάξεως τῆς κληρονομίας, μέχρις οὗ γίνῃ περαιτέρω διορισμὸς ὡς πρὸς τὴν ἐκπροσώπησιν.

4) α) Τηρουμένων τῶν ἐδαφίων (β) καὶ (γ) τῆς παραγράφου, ὁ πρόξενος δικαιοῦται εἰς πλήρη δια-

χείρισιν τῆς κληρονομίας εἰς τὴν ἔκτασιν θὰ ἔπραττε τοῦτο ἐὰν ἦτο ὁ προσηκόντως διορισμένος πληρεξούσιος τοῦ οὐτινος τὰ συμφέροντα ἀντιπροσωπεύει προσώπου. Ἐὰν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτῆται διορισμὸς ὑπὸ Δικαστηρίου, ὁ πρόξενος ἔχει τὸ αὐτὸ δικαίωμα νὰ ζητῇ καὶ λαμβάνῃ διορισμὸν τῇ αἰτήσῃ του ὡς καὶ ὁ προσηκόντως διορισμένος πληρεξούσιος τοῦ οὐτινος τὰ συμφέροντα ἀντιπροσωπεύει προσώπου.

β) Τὸ Δικαστήριον δύναται, ἐὰν κρίνῃ τοῦτο σκόπιμον, νὰ ἀναβάλῃ τὸν διορισμὸν τοῦ προξένου δι' ὅσον χρόνον θεωρεῖ τοῦτο ἀναγκαῖον ὅπως δυνηθῇ τὸ ὑπὸ τοῦ προξένου ἀντιπροσωπευόμενον πρόσωπον νὰ πληροφορηθῇ καὶ ἀποφασίσῃ ἐὰν ἐπιθυμῇ νὰ ἀντιπροσωπευθῇ ἄλλως ἢ παρὰ τοῦ προξένου.

γ) Τὸ Δικαστήριον δύναται, ἐὰν κρίνῃ τοῦτο σκόπιμον, νὰ διατάξῃ τὴν ὑπὸ τοῦ προξένου προσαγωγὴν εὐλόγων ἀποδείξεων περὶ τῆς παραλαβῆς τῶν περιουσιακῶν στοιχείων ὑπὸ τῶν κατὰ νόμον δικαιουμένων πρὸς τοῦτο προσώπων ἢ τὴν ἐπαναπληρωμὴν ἢ ἐπιστροφὴν τῶν περιουσιακῶν τούτων στοιχείων εἰς τὴν ἀρμοδιαν ἀρχὴν ἢ πρόσωπον, ἐν ἣ περιουσιᾶσιν οὗτος ἀδυνατεῖ νὰ προσαγγῆ τοιαύτας ἀποδείξεις, ἢ δύναται νὰ διατάξῃ ἵνα, ἐφ' ὅσον ὁ πρόξενος εἶχε κατ' ἄλλον τρόπον ἐκκαθαρίσει τὴν κληρονομίαν, ἢ πραγματικῇ μεταβιβάσει τῶν περιουσιακῶν στοιχείων εἰς τὰ πρόσωπα ταῦτα ἐνεργηθῇ δι' οἴου ἑτέρου τρόπου ἢθελε τοῦτο διατάξῃ.

5) Ἐπιπροσθέτως, ὁ πρόξενος δικαιοῦται ἐν τῇ περιφέρειᾳ του νὰ παραλαμβάνῃ καὶ διανέμῃ κληρονομίας μικρᾶς ἀξίας ἀποβιωσάντων ὑπήκοων τοῦ ἀποστέλλοντος κράτους ἄνευ προηγουμένου δικαστικοῦ διορισμοῦ του, μέχρι τοῦ ἐπιτρεπομένου ὑπὸ τῶν νόμων τῆς χώρας ὀρίων καὶ τηρουμένων τῶν διατάξεων τῶν νόμων τούτων.

6) Ἐὰν ὑπήκοος τοῦ ἀποστέλλοντος Κράτους καὶ μονίμως ἐγκατεστημένος ἢ κάτοικος ἐν τῇ χώρᾳ ἀποβίωσῃ ἐν αὐτῇ κατὰ τὴν διάρκειαν ταξιδίου του ἢ διελεύσεώς του ἐκ ταύτης, ἐπιτρέπεται εἰς τὸν πρόξενον ἐν τῇ περιφέρειᾳ τοῦ ὁποῖου ὁ ὑπήκοος οὗτος ἀπεβίωσεν, ὅπως, πρὸς τὸν σκοπὸν διαφυλάξεως τῶν εἰς τὴν προσωπικὴν κατοχὴν τοῦ ἀποβιώσαντος χρημάτων καὶ εἰδῶν, λαμβάνῃ ταῦτα ἀμέσως ὑπὸ τὴν φύλαξιν του, ἐπιφυλασσομένου τοῦ δικαιώματος τῶν δικαιοκτικῶν ἢ δικαστικῶν ἀρχῶν τῆς χώρας νὰ λαμβάνωσιν ὑπὸ τὴν κατοχὴν των τὰ χρήματα ταῦτα καὶ εἶδη εἰς πᾶσαν περίπτωση καθ' ἣν τοῦτο ὑπαγορεύει τὸ συμφέρον τῆς δικαιοσύνης ἢ ἢ ἔρευνα ἐγκλήματος. Πᾶν δικαίωμα κατοχῆς ἢ διαθέσεως τῶν χρημάτων τούτων καὶ εἰδῶν ὑπόκειται εἰς τοὺς νόμους τῆς χώρας καὶ τὰς διατάξεις τῶν προηγουμένων παραγράφων τοῦ παρόντος ἄρθρου.

7) Ἐν ἣ περιπτώσει ὁ πρόξενος ἀσκήσῃ τὰ ἀναφερόμενα ἐν ταῖς προηγουμένους παραγράφους τοῦ παρόντος ἄρθρου δικαίωματα ἐν σχέσει πρὸς κληρονομίαν τινά, ὑπόκειται ὡς πρὸς αὐτὴν εἰς τοὺς νόμους τῆς χώρας καὶ τὴν δικαιοδοσίαν τῶν δικαστηρίων αὐτῆς καθ' ὃν τρόπον καὶ οἱ ὑπήκοοι τοῦ δεχομένου κράτους.

8) Εἰς πᾶσαν περίπτωσιν καθ' ἣν περιέρχεται εἰς γ ῶσιν τῶν τοπικῶν Ἀρχῶν (διοικητικῶν ἢ δικαστικῶν) τῆς χώρας ὅτι

α) ὑφίσταται ἐν τῇ χώρᾳ κληρονομία ἐν σχέσει πρὸς τὴν ὁποίαν ὁ πρόξενος ἔχει ἐνδεχομένως δικαίωμα ὅπως ἀντιπροσωπεύσῃ συμφέροντα κατὰ τὰς προηγουμένας παραγράφους τοῦ παρόντος ἄρθρου· ἢ

β) ὑπήκοος τοῦ ἀποστέλλοντος Κράτους ἀπεβίωσεν ἐν τῇ χώρᾳ δὲν φαίνεται δὲ νὰ εἶναι παρ' ἑν, ἢ νὰ ἀντιπροσωπεύεται ἐν τῇ χώρᾳ, πρόσωπον δικαιούμενον νὰ ἀπαιτήσῃ τὴν διαχείρισιν τῆς τυχόν ἐκεῖ καταλειφθείσης ὑπὸ τοῦ ἀποβιώσαντος περιουσίας, ἐξαιρέσει δημοσίου διαχειριστοῦ ἢ παρομοίου λειτουργοῦ, ὀφείλουσι νὰ εἰδοποιῶσιν περὶ τούτου τὸν πρόξενον.

Ἄρθρον 23ον

Ὁ πρόξενος δύναται νὰ παραλαμβάνῃ παρὰ Δικαστηρίου, πράκτορος ἢ ἰδιώτου, πρὸς διαβίβασιν εἰς ὑπήκοον τοῦ ἀποστέλλοντος Κράτους μὴ ὄντα κάτοικον τῆς χώρας, χρήματα ἢ περιουσιακὰ στοιχεῖα τῶν ὁποίων ὁ ὑπήκοος οὗτος δικαιοῦται ἕνεκα θανάτου προσώπου τινός. Τὰ χρήματα καὶ

περιουσιακά ταῦτα στοιχεῖα δύνανται νὰ περιλαμβάνωσι, χωρὶς καὶ νὰ περιορίζωνται εἰς ταῦτα καὶ μόνον, κληρονομικά μερίδια, πληρωμὰς γενομένης κατὰ τὴν περί ἐργατικῶν ἀποζημιώσεων νομοθεσίᾳ ἢ ἄλλῃν παρομοίαν τοιαύτην, ὡς καὶ τὸ πρότερον ἀσφαλείων ζωῆς. Τὸ ἐνεργεῖν τὴν διανομὴν δικαστήριον, ὁ πράκτωρ ἢ ἰδιώτης, δὲν ὑποχρεοῦται νὰ μεταβιβάσῃ τὰ χρήματα ταῦτα ἢ περιουσιακά στοιχεῖα μέσω τοῦ προξένου οὔτε δὲ καὶ οὗτος ὑποχρεοῦται νὰ παραλαμβάνῃ τὰ χρήματα ταῦτα ἢ περιουσιακά στοιχεῖα πρὸς μεταβίβασιν. Ἐὰν ὅμως οὗτος παραλάβῃ τὰ ἐν λόγῳ χρήματα ἢ περιουσιακά στοιχεῖα, ὑφείλει νὰ συμμορφοῦται πρὸς τοὺς τιθεμένους ὑπὸ τοῦ Δικαστηρίου τούτου, τοῦ πράκτορος ἢ ἰδιώτου ὄρους, τοὺς ἀφορῶντας εἰς τὴν παροχὴν εὐλόγων ἀποδείξεων περὶ τῆς παραλαβῆς τῶν χρημάτων ἢ περιουσιακῶν στοιχείων παρὰ τοῦ ὑπηκόου πρὸς τὸν ὁποῖον ἀποστέλλονται, ὡς καὶ τοὺς ἀφορῶντας εἰς τὴν ἐπιστροφὴν τῶν χρημάτων ἢ περιουσιακῶν στοιχείων, εἰς τὴν περίπτωσιν ἀδυνατεῖ νὰ παράσῃ τοιαύτας ἀποδείξεις.

Ἄρθρον 24ον

Χρήματα ἢ ἕτερα περιουσιακά στοιχεῖα δύνανται νὰ καταβάλλωνται, παραδίδωνται ἢ μεταβιβάζωνται εἰς τὸν πρόξενον κατὰ τὰς διατάξεις τῶν ἀρθρῶν 22 καὶ 23 μόνον καθ' ὃ μέτρον καὶ ὑφ' οὗς ὄρους θὰ ἐπετρέπετο, κατὰ τοὺς νόμους καὶ κανονισμοὺς τοῦ δεχομένου κράτους, ἢ πληρωμῆ, παράδοσις ἢ μεταβίβασις εἰς τὸ πρόσωπον τὸ ὁποῖον ὁ πρόξενος ἀντιπροσωπεύει ἢ διὰ λογαριασμὸν τοῦ ὁποῖου παραλαμβάνει τὰ χρήματα ἢ περιουσιακά στοιχεῖα. Ὁ πρόξενος δὲν ἀποκτᾷ μείζονα δικαιώματα, ὅσον ἀφορᾷ εἰς τὰ χρήματα ταῦτα ἢ ἄλλα περιουσιακά στοιχεῖα, ἐκείνων ἅτινα θὰ ἀπέκτα τὸ πρόσωπον τὸ ὁποῖον ἀντιπροσωπεύει ἢ διὰ λογαριασμὸν τοῦ ὁποῖου παραλαμβάνει τὰ χρήματα ἢ περιουσιακά στοιχεῖα, ἐὰν τὰ χρήματα ἢ τὰ περιουσιακά ταῦτα στοιχεῖα κατεβάλλοντο, παρεδίδοντο ἢ μετεβιβάζοντο ἀπ' εὐθείας εἰς τὸ πρόσωπον τοῦτο.

ΜΕΡΟΣ VII.

Ναυτιλία.

Ἄρθρον 25ον.

1. Ὁσάκις πλοῖον τοῦ ἀποστέλλοντος Κράτους προσεγγίζει λιμένα τοῦ δεχομένου Κράτους, (ὁ ὄρος περιλαμβάνει πάντα τὸν ὁποῖον τὸ πλοῖον δυνατὸν νὰ προσεγγίσῃ) ἐπιτρέπεται εἰς τὸν πλοίαρχον καὶ εἰς τὰ μέλη τοῦ πληρώματος νὰ ἐπικοινωνῶσι μετὰ τοῦ προξένου ἐν τῇ περιφερείᾳ τοῦ ὁποῖου κεῖται ὁ λιμὴν καὶ ἐπιτρέπεται εἰς τὸν πρόξενον νὰ ἐκτελῇ ἐλευθέρως τὰ ἐν ἀρθρῷ 26 ἀριθμούμενα καθήκοντα ἀνευ ἀναμειξέως τῶν ἀρχῶν τῆς χώρας. Πρὸς τὸν σκοπὸν τῆς ἐνασχίσεως οἰωνδήποτε τῶν καθηκόντων τούτων, ὁ πρόξενος συνοδευόμενος, ἐὰν ἐπιθυμῇ ὑπὸ ὑπαλλήλων τοῦ Προξενείου, δύνανται νὰ ἀνέρχεται προσωπικῶς ἐπὶ τοῦ πλοίου μετὰ τὴν ἐλευθεροκοινωνίαν αὐτοῦ.

Σχετικῶς πρὸς τὰ καθήκοντα ταῦτα ὁ πλοίαρχος καὶ ἀρμόδια μέλη τοῦ πληρώματος δύνανται νὰ μεταβαίνωσιν εἰς τὸ Προξενεῖον, ἐκτός ἐὰν αἱ ἀρχαὶ τῆς χώρας ἔχωσιν ἀντίρρησην ἐπὶ τῷ λόγῳ ὅτι θὰ ἦτο πρακτικῶς ἀδύνατον νὰ ἐπιστρέψωσιν εἰς τὸ πλοῖον ὁ πλοίαρχος καὶ τὰ ἐνδιαφερόμενα μέλη τοῦ πληρώματος πρὸ τῆς ἀναχωρήσεώς του. Ἐν περιπτώσει τοιαύτης ἀντίρρησης αἱ ἀρχαὶ τῆς χώρας εἰδοποιοῦσιν ἀμέσως τὸν ἀρμόδιον πρόξενον.

2. Ὁ πρόξενος δύνανται νὰ ἐπικαλῆται τὴν συνδρομὴν τῶν ἀρχῶν τῆς χώρας εἰς πᾶν ζήτημα σχετιζόμενον πρὸς τὴν ἐκτέλεσιν τῶν καθηκόντων τούτων, αὗται δὲ παρέχουσι τὴν ἀπαιτουμένην συνδρομὴν, ἐκτός ἐὰν ἐν δεδομένη περιπτώσει ἔχωσιν εἰδικοὺς λόγους δικαιολογοῦντας πλήρως τὴν ἀρνησιν ταύτης.

Ἄρθρον 26ον.

1. Ὁ πρόξενος δύνανται νὰ ἐρωτᾷ τὸν πλοίαρχον καὶ τὰ μέλη τοῦ πληρώματος, νὰ ἐξετάσῃ τὰ ναυτιλιακά ἔγγραφα, νὰ δέχῃται δηλώσεις περὶ τοῦ ταξειδίου καὶ προορισμοῦ τοῦ πλοίου καὶ ἐν γένει νὰ διευκολύνῃ τὴν ἀφίξιν καὶ ἀναχώρησιν αὐτοῦ.

2. Ὁ πρόξενος ἢ ὁ προξενικὸς ὑπάλληλος δύνανται νὰ προσέρχονται μετὰ τοῦ πλοίαρχου ἢ μελῶν τοῦ πληρώ-

ματος ἐνώπιον τῶν τοπικῶν ἀρχῶν καὶ δικαστηρίων, νὰ παρέχῃ τὴν συνδρομὴν αὐτοῦ (συμπεριλαμβανομένης, ὡσάκις παρίσταται ἀνάγκη, μεριμνῆς πρὸς παροχὴν νομικῆς συμπαράστασως) καὶ νὰ ἐνεργῇ ὡς διεργηθεὺς εἰς ὑποθέσεις μεταξὺ αὐτῶν καὶ τῶν ἀρχῶν τούτων. Τὰ δικαιώματα ταῦτα δύνανται νὰ ἀναστέλλωνται μόνον εἰς περιπτώσεις ὀγρούσας ζητήματα ἐθνικῆς ἀσφαλείας.

3. Τηρουμένων τῶν δικαιωμάτων δικαιοδοσίας τὰ ὁποῖα αἱ δικαστικαὶ ἀρχαὶ τῆς χώρας δυνατὸν νὰ ἔχωσι συμφώνως πρὸς τὰς διατάξεις τοῦ ἀρθροῦ 28 (1), ὁ πρόξενος δύνανται νὰ ἀποφασίζῃ ἐπὶ διαφορῶν μεταξὺ τοῦ πλοίαρχου καὶ τῶν μελῶν τοῦ πληρώματος, περιλαμβανομένων τῶν περὶ μισθῶν καὶ συμβολαίων ἐργασίας διαφορῶν, νὰ ρυθμίξῃ τὰ τῆς προσλήψεως καὶ ἀπολύσεως τοῦ πλοίαρχου καὶ μελῶν τοῦ πληρώματος καὶ λαμβάνῃ μέτρα πρὸς τήρησιν τῆς τάξεως καὶ πειθαρχίας ἐπὶ τοῦ πλοίου.

4. Ὁ πρόξενος δύνανται νὰ λαμβάνῃ μέτρα πρὸς ἐφαρμογὴν τῆς ναυτιλικῆς νομοθεσίας τοῦ ἀποστέλλοντος Κράτους.

5. Τηρουμένων τῶν περιορισμῶν τῶν σχετικῶν μετὰ τὴν εἴσοδον εἰς τὴν χώραν, ὁ πρόξενος δύνανται νὰ ἐπιμελῆται τῆς ἀποστολῆς ναυτικῶν, ὑπηκόων τοῦ ἀποστέλλοντος Κράτους, εἰς λιμένας ἐντὸς τῶν ἐδαφῶν τοῦ δεχομένου Κράτους, πρὸς ἐπιβίβασιν ἐπὶ πλοίων τοῦ ἀποστέλλοντος Κράτους, καὶ πρὸς τὸν σκοπὸν τοῦτον δύνανται νὰ χρησιμοποιοῦν ναυτικὰ φυλλάδια ἀντὶ διαβατηρίων.

6. Ὁ πρόξενος δύνανται, ὡσάκις παρίσταται ἀνάγκη, νὰ μεριμνᾷ διὰ τὴν νοσηλείαν ἐν νοσοκομείῳ καὶ διὰ τὸν ἐπαναπαρισμὸν τοῦ πλοίαρχου ἢ τῶν μελῶν τοῦ πληρώματος τοῦ πλοίου.

7. Ὁ πρόξενος δύνανται νὰ δέχῃται, συντάσῃ ἢ ἐπικυροῦ πᾶσαν δῆλωσιν, μεταβίβασιν ἢ ἕτερον ἔγγραφον προβλεπόμενον ὑπὸ τῆς νομοθεσίας τοῦ ἀποστέλλοντος Κράτους ὅσον ἀφορᾷ εἰς

α) τὴν μεταβίβασιν εἰς τὸ νηολόγιον τοῦ ἀποστέλλοντος Κράτους ἢ τὴν διαγραφὴν ἐξ αὐτοῦ παντὸς πλοίου ἢ

β) τὴν μεταβίβασιν παρ' ἑνὸς πλοιοκτῆτου εἰς ἕτερον παντὸς πλοίου μεταγεγραμμένου ἐν τῷ εἰρημένῳ νηολογίῳ ἢ

γ) τὴν ἔγγραφον πάσης ὑποθήκης ἢ βάρους ἐπὶ τοιούτων πλοίων.

Ἄρθρον 27ον.

1. Ἐν τῇ περιπτώσει ναυτικὸς τις ἤθελεν λιποτακτῆσθαι ἐκ πλοίου τοῦ ἀποστέλλοντος Κράτους ἐν λιμένι τοῦ δεχομένου Κράτους, αἱ διοικητικαὶ καὶ δικαστικαὶ ἀρχαὶ τῆς χώρας, τῇ αἰτήσει τοῦ ἀρμοδίου προξένου τοῦ ἀποστέλλοντος Κράτους, παρέχουσι τὴν συνδρομὴν των πρὸς σύλληψιν τοῦ λιποτάκτου, ἀποδεικνυομένης δὲ τῆς λιποταξίας, κρατοῦσι τοῦτον καὶ διατάσσουσι τὴν μεταγωγὴν αὐτοῦ ἐπὶ τοῦ πλοίου ἢ τὴν παράδοσιν αὐτοῦ εἰς τὸν πλοίαρχον ἢ τὸν πλοιοκτῆτην ἢ τὸν πράκτορα αὐτοῦ πρὸς τοιαύτην μεταγωγὴν του.

2. Αἱ ἀρχαὶ ὅμως τῆς χώρας δὲν ὑποχρεοῦνται νὰ λαμβάνωσι τὰ ἐν τῇ παραγράφῳ τοῦ παρόντος ἀρθροῦ προβλεπόμενα μέτρα, προκειμένου περὶ ναυτικοῦ ὑπηκόου τοῦ δεχομένου Κράτους, οὔτε δὲ ὑποχρεοῦνται εἰς παρομοίαν περίπτωσην πρὸς λήψιν τοιούτων μέτρων εἰμὴ συμφώνως πρὸς τοὺς νόμους τῆς χώρας.

3. Ἐὰν ὁ λιποτάκτης κατηγορῆται δι' ἀδικημά τι (πλὴν τοῦ τῆς λιποταξίας) διωκτέον κατὰ τοὺς νόμους τῆς χώρας, ἢ εὐρεθῇ ἔνοχος τοιούτου ἀδικήματος, αἱ ἀρχαὶ τῆς χώρας δὲν ὑποχρεοῦνται νὰ διατάξωσι τὴν μεταγωγὴν αὐτοῦ ἐπὶ τοῦ πλοίου ἢ τὴν παράδοσιν αὐτοῦ εἰς τὸν πλοίαρχον ἢ τὸν πλοιοκτῆτην ἢ τὸν πράκτορα αὐτοῦ, πρὸς τοιαύτην μεταγωγὴν του, μέχρις οὗ οὗτος δικασθῇ καὶ ἐκτίσῃ τὴν ἐνδεχομένως ἐπιβληθησομένην αὐτῷ ποινὴν.

Ἄρθρον 28ον.

1. Αἱ διοικητικαὶ ἀρχαὶ τῆς χώρας δὲν ἀσχολοῦνται μετὰ οἰωνδήποτε ζήτημα ἀφορῶν εἰς τὴν ἐσωτερικὴν διοίκησιν τοῦ πλοίου, εἰμὴ τῇ αἰτήσει ἢ τῇ συναινέσει τοῦ προξένου. Αἱ δικαστικαὶ ἀρχαὶ τῆς χώρας δὲν ἐπιλαμβάνονται διαφορῶν περὶ μισθῶν καὶ συμβάσεων ἐργασίας μεταξὺ τοῦ πλοί-

άρχου και μελών του πληρώματος άνευ γνωστοποιήσεως πρὸς τὸν ἀρμόδιον πρόξενον, ἐν περιπτώσει ἀντιρρήσεων τοῦ ὁποίου θὰ ἀρνῶνται νὰ ἐπιλαμβάνωνται αὐτῶν.

Αἱ διοικητικαὶ καὶ δικαστικαὶ ἀρχαὶ δὲν ἀναμειγνύονται προκειμένου περὶ κρατήσεως ἐπὶ τοῦ πλοίου ναυτικοῦ τινος διὰ πειθαρχικὰ παραπτώματα, ἐφ' ὅσον ἡ τοιαύτη κράτησις εἶναι νόμιμος κατὰ τὴν νομοθεσίαν τοῦ ἀποστέλλοντος Κράτους καὶ δὲν εἶναι παραλόγως ἀσύστηρά καὶ ἀπάνθρωπος.

2) Ἐπιφυλασσομένου τοῦ δικαιώματος αὐτῶν ὅπως ἐπιλαμβάνωνται ἐγκλημάτων διαπραττομένων ἐπὶ πλοίου εὐρισκομένου ἐντὸς λιμένος ἢ τῶν χωρικῶν ὑδάτων τῆς χώρας καὶ δικατέων κατὰ τοὺς ἐγκωρίους νόμους, ἢ ὅπως ἐφαρμοζῶσιν ἐγκωρίους νόμους ἰσχύοντας ἀναφορικῶς μὲ τὸ τοιοῦτον πλοῖον ἢ τὰ ἐπ' αὐτοῦ πρόσωπα καὶ περιουσιακὰ στοιχεῖα, τὰ Ὑψηλὰ Συμβαλλόμενα Μέρη διαδηλοῦσι τὴν ὑπ' αὐτῶν ἐγκρισιν τῆς διεθνοῦς πρακτικῆς, καθ' ἣν αἱ ἀρχαὶ τῆς χώρας, ἐκτὸς τῆ αἰτήσεως τοῦ προξένου ἢ τῆ συναινέσεως αὐτοῦ:

α) δὲν θὰ ἡσχολοῦντο μὲ τὰ ἐπὶ τοῦ πλοίου συμβαινόντα εἰμὴ πρὸς διαφύλαξιν τῆς ἡσυχίας καὶ τάξεως ἢ πρὸς τὸ συμφέρον τῆς δημοσίας ὑγείας ἢ ἀσφαλείας· ἢ

β) δὲν θὰ ἡσχοῦν διώξιν προκειμένου περὶ ἐγκλημάτων διαπραττομένων ἐπὶ τοῦ πλοίου, ἐκτὸς ἂν ταῦτα

I) θίγῃσι τὴν ἡσυχίαν ἢ τὴν ἀσφάλειαν τοῦ λιμένος, ἢ τοὺς νόμους τῆς χώρας περὶ δημοσίας ὑγείας, μεταναστεύσεως, ἀσφαλείας τῆς ζωῆς ἐν θαλάσῃ, τελωνείων ἢ ἐτέρων παρομοίων θεμάτων· ἢ

II) διαπράττωνται ὑπὸ ἢ κατὰ προσώπων ἄλλων ἐκτὸς τοῦ πλοίαρχου καὶ τῶν μελῶν τοῦ πληρώματος, ἢ ὑπὸ ἢ κατὰ προσώπων ἐχόντων τὴν ἐθνικότητα τοῦ δεχομένου Κράτους· ἢ

III) συνιστῶσι βαρέα ἐγκλήματα κατὰ τὸν ὅρισμὸν τοῦ ἀρθροῦ 2 (9) τῆς παρούσης Συμβάσεως.

3) Ἐάν, πρὸς τὸν σκοπὸν ἐνασχέσεως τῶν ἐν τῇ παραγράφῳ (2) τοῦ παρόντος ἀρθροῦ ἀναφερομένων δικαιωμάτων, αἱ ἀρχαὶ τῆς χώρας προτίθενται νὰ συλλάβωσιν ἢ ἐξετάσωσι πρόσωπόν τι ἢ νὰ κατάσχῃσι περιουσίαν τινὰ ἢ νὰ ἐνεργήσωσιν ἐπίσημον ἀνάκρισιν ἐπὶ τοῦ πλοίου, παρέχεται ἡ εὐκαιρία εἰς τὸν πλοίαρχον ἢ ἕτερον ἀξιωματικὸν ἐνεργοῦντα ἐκ μέρους του, νὰ εἰδοποιῇ τὸν πρόξενον, ἐάν δὲ τοῦτο εἶναι ἀδύνατον λόγῳ τοῦ ἐπείγοντος τῆς ὑποθέσεως, νὰ εἰδοποιῇ τοῦτον ἐν χρόνῳ ἐπιτρέποντα εἰς τὸν πρόξενον ἢ εἰς ὑπάλληλον τοῦ προξενείου νὰ παρασταθῇ, ἐάν ἐπιθυμῇ. Ἐάν ὁ πρόξενος δὲν παρέστη ἢ δὲν ἀντεπροσωπεύθη, δικαιούται νὰ λάβῃ, τῇ αἰτήσεσι του, παρὰ τῶν ἀρχῶν τῆς χώρας πᾶσαν πληροφορίαν περὶ τῶν γενομένων. Αἱ διατάξεις ὅμως τῆς παρούσης παραγράφου δὲν ἰσχύουσι προκειμένου περὶ συνήθους ἐξετάσεως ὑπὸ τῶν ἀρχῶν τῆς χώρας σχετικῶς πρὸς τελωνειακὰ καὶ ὑγειονομικὰ ζητήματα ὡς καὶ περὶ εἰσδοχῆς τῶν ξένων, ἢ περὶ κρατήσεως τοῦ πλοίου ἢ μέρους τινὸς τοῦ φορτίου αὐτοῦ συνεπείᾳ ἀστικῶν ἢ ἐμπορικῶν δικῶν ἐνώπιον τῶν δικαστηρίων τῆς χώρας.

*Ἀρθρον 29ον

1) Ὁ πρόξενος δικαιούται νὰ ἐπιθεωρῇ, εἰς λιμένας τῆς προξενικῆς αὐτοῦ περιφερείας, πλοῖα οἰασδήποτε σημαίας προοριζόμενα ἢ διὰ λιμένα τοῦ ἀποστέλλοντος Κράτους, ἵνα δύναται νὰ λαμβάνῃ τὰς ἀναγκαίας πληροφορίες ὅπως ἐτοιμάσῃ καὶ ἐπικυρώσῃ τὰ κατὰ τοὺς νόμους τοῦ ἀποστέλλοντος Κράτους ἀπαιτούμενα ἐγγράφα, τῶν ὁποίων ἢ ὑπαρξίς τίθεται ὡς ὅρος διὰ τὴν εἰσόδον τῶν πλοίων τούτων εἰς τοὺς λιμένας] του, καὶ παράσῃ εἰς τὰς ἀρμοδίας ἀρχὰς τοῦ ἀποστέλλοντος Κράτους οἰασδήποτε πληροφορίας τῶν ὁποίων αὐταὶ ἔχουσι χρεῖαν ἐν σχέσει πρὸς ὑγειονομικὰ ἢ ἄλλα θέματα.

2) Κατὰ τὴν ἐνάσκησιν τῶν παρεχομένων αὐτῷ ὑπὸ τοῦ παρόντος ἀρθροῦ δικαιωμάτων, ὁ πρόξενος θὰ ἐνεργῇ μὲ πᾶσαν δυνατὴν ταχύτητα.

*Ἀρθρον 30ον

1) Ἐάν πλοῖον τι τοῦ ἀποστέλλοντος Κράτους ναυαγήσῃ ἐν τῷ δεχομένῳ Κράτει, ὁ πρόξενος, ἐν τῇ περιφερείᾳ τοῦ ὁποίου συνέβη τὸ ναυάγιον, εἰδοποιεῖται ὡς οἶον τε

τάχιστα περὶ τοῦ συμβάντος ὑπὸ τῶν ἀρμοδίων ἀρχῶν τῆς χώρας.

2) Αἱ ἀρμοδία ἀρχαὶ τῆς χώρας λαμβάνουσι πάντα τὰ δυνατὰ μέτρα πρὸς διαφύλαξιν τοῦ ναυαγήσαντος πλοίου, τῆς ζωῆς τῶν ἐπιβαινόντων προσώπων, τοῦ ἐν αὐτῷ φορτίου καὶ ἄλλων περιουσιακῶν στοιχείων, ὡς καὶ πρὸς πρόληψιν καὶ καταστολὴν διαρπαγῆς καὶ ταραχῶν ἐπὶ τοῦ πλοίου. Τὰ μέτρα ταῦτα ἐπεκτείνονται καὶ εἰς ἀντικείμενα ἀνήκοντα εἰς τὸ πλοῖον ἢ ἀποτελοῦντα μέρος τοῦ φορτίου αὐτοῦ καὶ ἀποχωρισθέντα τοῦ πλοίου.

3) Ἐάν τὸ πλοῖον ναυαγήσῃ ἐντὸς λιμένος ἢ ἀποτελῇ κίνδυνον διὰ τὴν ἐντὸς τῶν χωρικῶν ὑδάτων τοῦ δεχομένου Κράτους ναυσιπλοΐαν, αἱ ἀρχαὶ τῆς χώρας δικαιούνται ὡσαύτως νὰ διατάξωσιν ὅπως ληφθῇ πᾶν μέτρον τὸ ὁποῖον θεωροῦσιν ἀναγκαῖον πρὸς ἀποφυγὴν οἰασδήποτε ζημίας, ἢ ὅποια ἄλλως θὰ ἠδύνατο νὰ προξενηθῇ ὑπὸ τοῦ πλοίου εἰς τὴν ἐλευθέραν κίνησιν τοῦ λιμένος ἢ εἰς ἄλλα πλοῖα.

4) Ἐάν οὔτε ὁ ἰδιοκτήτης τοῦ ναυαγήσαντος πλοίου, οὔτε ὁ πράκτωρ αὐτοῦ (ἢ οἱ ἐνδιαφερόμενοι ἀσφαλισταὶ) οὔτε ὁ πλοίαρχος εἶναι εἰς θέσιν νὰ λάβωσιν τὰ πρὸς τοῦτο μέτρα, ὁ πρόξενος θεωρεῖται ὡς ἐξουσιοδοτημένος ἵνα μεριμνήσῃ ὡς πράκτωρ τοῦ πλοιοκτήτου, κατὰ τὸν αὐτὸν καθ' ὃν καὶ αὐτὸς οὗτος ὁ πλοιοκτήτης τρόπον, ἐάν ἦτο παρὼν, πρὸς διάθεσιν τοῦ πλοίου συμφώνως πρὸς τὰς σχετικὰς διατάξεις τῆς νομοθεσίας τῆς χώρας.

5) Αἱ ἀρχαὶ τῆς χώρας δὲν ἐπιβάλλουσι τελωνειακοὺς δασμοὺς (συμπεριλαμβανομένων καὶ τῶν δασμῶν ἐκείνων οἵτινες ἐπιβάλλονται ἐν τῇ χώρᾳ κατὰ τὴν εἰσαγωγὴν ἐμπορευμάτων ἢ συνεπείᾳ ταύτης) ἐπὶ τοῦ φορτίου, τῶν ἐφοδίων, τοῦ ἐξοπλισμοῦ καὶ ἐξαρτημάτων, ἢ τῶν ἀντικειμένων τῶν φερομένων ὑπὸ τοῦ ναυαγήσαντος πλοίου ἢ ἀποτελούντων μέρος αὐτοῦ, ἐκτὸς ἐάν κομίζωνται εἰς τὴν ξηρὰν πρὸς χρῆσιν ἢ κατανάλωσιν ἐν τῇ χώρᾳ. Αἱ ἀρχαὶ ὅμως τῆς χώρας δύναται, ἐάν κρίνωσι σκόπιμον, νὰ ζητῶσι ἐγγύησιν πρὸς προστασίαν τῶν σχετικῶν πρὸς τὰ εἰρημένα ἀγαθὰ προσόδων.

6) Αἱ ἀρχαὶ τῆς χώρας δὲν ἐπιβάλλουσι βάρη (πλὴν τῶν τελωνειακῶν δασμῶν, ὅσας οἱ εἶναι εἰσπρακτέαι συμφώνως πρὸς τὴν παράγραφον 5 τοῦ παρόντος ἀρθροῦ) ἐν σχέσει πρὸς τὸ ναυαγήσαν πλοῖον, πᾶν ἐπ' αὐτοῦ περιουσιακὸν στοιχεῖον ἢ τὸ φορτίον αὐτοῦ, πλὴν τῶν βαρῶν τοῦ αὐτοῦ εἶδους καὶ ποσοῦ ἅτινα θὰ εἰσπραττόντο εἰς παρομοίας περιστάσεις ἐπὶ πλοίων ἢ σχετικῶς πρὸς πλοῖα τοῦ δεχομένου Κράτους.

*Ἀρθρον 31ον

Προκειμένου περὶ ἀντικειμένων ἀνήκοντων εἰς ναυαγήσαν πλοῖον οἰασδήποτε σημαίας (ἐξαίρεσει πλοίου τοῦ δεχομένου Κράτους) ἢ ἀποτελούντων μέρος αὐτοῦ, ἢ ἀνήκοντων εἰς τὸ φορτίον ἢ ἀποτελούντων μέρος τοῦ φορτίου τοιοῦτου πλοίου, καὶ ἀνευρισκομένων εἰς τὰς ἀκτὰς τοῦ δεχομένου Κράτους ἢ παρ' αὐτάς, ἢ κομιζομένων εἰς λιμένας τοῦ Κράτους τούτου, ὁ πρόξενος ἐν τῇ περιφερείᾳ τοῦ ὁποίου ἀνευρίσκονται τὰ ἀντικείμενα ἢ εἰς λιμένα τῆς ὁποίας κομίζονται, θεωρεῖται ὡς ἐξουσιοδοτημένος νὰ μεριμνήσῃ, ὡς ἀντιπρόσωπος τοῦ ἰδιοκτήτου τῶν ἀντικειμένων, πρὸς φύλαξιν καὶ διάθεσιν τῶν ἀντικειμένων, ὡς θὰ ἠδύνατο νὰ μεριμνήσῃ αὐτὸς οὗτος ὁ ἰδιοκτήτης, ἐάν,

α) τὸ πλοῖον, προκειμένου μὲν περὶ ἀντικειμένων ἀνήκοντων εἰς αὐτὸ ἢ ἀποτελούντων μέρος αὐτοῦ, τυγχάνῃ πλοῖον τοῦ ἀποστέλλοντος Κράτους, προκειμένου δὲ περὶ φορτίου, τοῦτο ἀνήγῃ εἰς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους·

β) οὔτε ὁ ἰδιοκτήτης τῶν ἀντικειμένων, ἢ ὁ πράκτωρ αὐτοῦ, οὔτε οἱ ἀσφαλισταὶ ἢ ὁ πλοίαρχος τοῦ πλοίου εἶναι εἰς θέσιν νὰ μεριμνήσωσι.

*Ἀρθρον 32ον

1. Ἐάν ὁ πλοίαρχος ἢ μέρος τοῦ πληρώματος πλοίου τοῦ δεχομένου Κράτους, ὑπῆκοι τοῦ ἀποστέλλοντος Κράτους, ἀποβιώσωσιν ἐπὶ τοῦ πλοίου ἢ ἐν τῇ ξηρᾷ ἐν οἰασδήποτε χώρᾳ, ἢ ἀρμόδια ὑπηρεσία τοῦ δεχομένου κράτους διαβιβάζει ἀμελητέι εἰς τὸν ἀρμόδιον πρόξενον τοῦ ἀποστέλλοντος Κράτους ἀντίγραφα τῶν λογαριασμῶν τοὺς ὁποίους αὕτη ἐνδεχομένως ἔλαβεν ἐν σχέσει πρὸς τοὺς μισθοὺς καὶ

τὰ πράγματα τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ, ὡς καὶ πᾶσαν ἐν γνώσει τῆς ὑπηρεσίας πληροφορίαν ἦτις ἐνδέχεται νὰ διευκολύνη τὴν ἀνεύρεσιν προσώπων νομίμως δικαιουμένων εἰς τὴν διαδοχὴν τῆς περιουσίας τοῦ θανόντος.

2. Εἰς ἕν περιπτώσιν ἢ ἀξία τῶν μισθῶν καὶ πραγμάτων τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ, συμπεριλαμβανομένων οἰωνδήποτε ἄλλων περιουσιακῶν στοιχείων αὐτῶν, ἅτινα περιέρονται ὑπὸ τὸν ἔλεγχον τῆς ἀρμοδίας ὑπηρεσίας, δὲν ὑπερβαίνει τὰς £ 100 στερλίνας, ὡς ἂν ἢ ἀρμοδία ὑπηρεσία εἶναι ἀρχὴ τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος, ἢ τὸ ἰσότιμον εἰς δραχμὰς, ὡς ἂν ἢ ἀρμοδία ὑπηρεσία εἶναι ἀρχὴ τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, ἢ δὲ ἀρμοδία ὑπηρεσία βεβαιωθῆ ὅτι ὑπάρχει πρόσωπον δικαιούμενον εἰς τὴν διαδοχὴν τῆς περιουσίας τοῦ θανόντος, ὑπὸ ἰδιότητα ὅμως διάφορον τῆς τοῦ πιστωτοῦ, καὶ ὅτι τὸ πρόσωπον τοῦτο εἶναι κάτοικος τοῦ ἀποστέλλοντος Κράτους, ἢ ἀρμοδία ὑπηρεσία θὰ παραδίδῃ τοὺς ὑπὸ τὴν φύλαξιν αὐτῆς μισθοὺς, ἢ πράγματα καὶ περιουσιακὰ στοιχεῖα τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ εἰς τὸν πρόξενον. Δικαιοῦται ὅμως ἢ ἀρμοδία ὑπηρεσία πρὸ τῆς παραδόσεως νὰ ἱκανοποιηθῆ ἐκ τοῦ ὑπὸ τὸν ἔλεγχον αὐτῆς ἐνεργητικοῦ τοῦ πλοιάρχου ἢ τοῦ ναυτικοῦ, πᾶσαν ἀπαίτησιν ἐπὶ τῆς κληρονομίας οἰωνδήποτε προσώπου κατοικοῦντος ὀπουδήποτε ἀλλαγῆς ἐκτὸς τοῦ ἀποστέλλοντος Κράτους, τὴν ὁποῖαν θεωρεῖ νομίμως ὀφειλομένην. Πᾶσα ἀπαίτησις ἐπὶ τῆς κληρονομίας τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ λαμβανομένη ὑπὸ τῆς ὑπηρεσίας ταύτης μετὰ τὴν παράδοσιν, παραπέμπεται εἰς τὴν ἀρμοδίαν ὑπηρεσίαν τοῦ ἀποστέλλοντος Κράτους. Διὰ τὴν περίπτωσιν τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος, ἀρμοδία ὑπηρεσία εἶναι τὸ Ὑπουργεῖον Μεταφορῶν τοῦ Ἠνωμένου Βασιλείου. Διὰ τὴν περίπτωσιν τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, ἀρμοδία ὑπηρεσία εἶναι τὸ Βασιλικὸν ἐπὶ τῶν Ἐξωτερικῶν Ὑπουργεῖον.

3. Εἰς ἕν περιπτώσιν ἢ ἀρμοδία ὑπηρεσία δὲν παραδώσῃ εἰς τὸν πρόξενον τοὺς ὑπὸ τὸν ἔλεγχον αὐτῆς μισθοὺς, πράγματα καὶ ἄλλα περιουσιακὰ στοιχεῖα ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ, ὡς ἂν πληροῦνται οἱ ἐν παραγράφῳ (2) τοῦ παρόντος ἀρθροῦ ἐκτιθέμενοι σχετικοὶ ὅροι, ἢ ἀρμοδία ὑπηρεσία, πρὶν ἢ προβῆ εἰς τὴν παράδοσιν τοῦ ἐνεργητικοῦ εἰς οἰωνδήποτε πρόσωπον θεωρούμενον ὡς δικαιούμενον εἰς τὴν διαδοχὴν τῆς περιουσίας τοῦ θανόντος, εἰδοποιεῖ τὸν πρόξενον περὶ τῆς προθέσεως αὐτῆς, ἀναφέρουσα καὶ τὸ πρόσωπον εἰς τὸ ὁποῖον προτίθεται νὰ παραδώσῃ ταῦτα, ἵνα οὕτω παρασχη εἰς τὸν πρόξενον εὐλογον εὐκαιρίαν ὅπως προσκομίσῃ πληροφορίας ἐνδεχομένης συναφεῖς διὰ τὴν τελικὴν ἀπόφασιν περὶ τοῦ προσώπου τοῦ δικαιούμενου νὰ λάβῃ τὴν περιουσίαν ἢ περὶ τῆς ὑπάρξεως ἐτέρων ἀπαιτήσεων ἐπὶ τῆς κληρονομίας, τῶν ὁποίων ἢ ἀρμοδία ὑπηρεσία ἐνδέχεται νὰ μὴ ἔχη γνώσιν.

4. Αἱ διατάξεις τῶν παραγράφων (2) καὶ (3) τοῦ παρόντος ἀρθροῦ δὲν ἰσχύουσιν ὡς ἂν ἢ ἀρμοδία ὑπηρεσία παραδίδει περιουσιακὰ στοιχεῖα εὐρισκόμενα ὑπὸ τὸν ἔλεγχον αὐτῆς εἰς πρόσωπα τυχόντα ἐντολῆς ἐκ μέρους δικαστηρίων τοῦ δεχομένου Κράτους, ἐν τοιαύτῃ ὅμως περιπτώσει πληροφορεῖ περὶ τούτου τὸν πρόξενον ἀμελητέι.

ΜΕΡΟΣ ΥΠΗ.

Γενικαὶ διατάξεις περὶ προξενικῆς ὑπηρεσίας

Ἄρθρον 33ον

1. Αἱ σχετικαὶ πρὸς τὰ καθήκοντα τὰ ὁποῖα δύνανται νὰ ἐκτελῶσιν οἱ πρόξενοι διατάξεις τῶν ἀρθρῶν 18 μέχρι 32, δὲν εἶναι περιοριστικαί. Ἐπιτρέπεται οἱ πρόξενοι νὰ ἐκτελῶσιν καὶ ἕτερα καθήκοντα ὑπὸ τὸν ὄρον

α) ὅτι εἶναι σύμφωνα μὲ τὸ περὶ προξένων διεθνὲς δίκαιον καὶ πρακτικὴν, ὡς ταῦτα ἀναγνωρίζονται ἐν τῇ χώρῃ καὶ

β) ὅτι δὲν ἀντίκεινται εἰς τοὺς νόμους τῆς χώρας, αἱ δὲ ἀρχαὶ ταύτης δὲν ἀντιτίθενται.

2. Ἐννοεῖται ὅτι ὡς ἂν ἢ ἀρθρον τι τῆς παρούσης Συμβάσεως παρέχει εἰς τοὺς προξένους τὸ δικαίωμα ὅπως ἐκτελῶσιν οἰωνδήποτε καθήκοντα, τὸ ἀποστέλλον κράτος εἶναι ἀρμόδιον νὰ καθορίξῃ μέχρι τίνος σημείου θὰ ἀσκῶσιν τὸ δικαίωμα τοῦτο.

Ἄρθρον 34ον

Ἄρθρον 34ον, ἐντὶς τῆς περιφέρειας αὐτοῦ, δύναται νὰ εἰσπράττῃ τὰ ὀριζόμενα ὑπὸ τοῦ ἀποστέλλοντος Κράτους τέλη διὰ τὴν ἐκτέλεσιν προξενικῶν ὑπηρεσιῶν.

ΜΕΡΟΣ ΙΧ.

Τελικαὶ διατάξεις.

Ἄρθρον 35ον

Πᾶσα ἀμφισβήτησις ἀναφυομένη μετὰξὺ τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ὡς πρὸς τὴν ὀρθὴν ἐρμηνείαν ἢ τὴν ἐφαρμογὴν οἰωνδήποτε τῶν διατάξεων τῆς παρούσης Συμβάσεως, παραπέμπεται τῇ αἰτήσει ἐκατέρου αὐτῶν εἰς τὸ Διεθνὲς Δικαστήριον, ἐκτὸς ἐὰν ἐν εἰδικῇ τινι περιπτώσει τὰ Μέρη συμφωνήσωσιν νὰ ὑποβάλωσιν τὴν διαφορὰν εἰς ἕτερον δικαστήριον ἢ νὰ ἐπιλύσωσιν ταύτην δι' ἄλλου τινὸς τρόπου διαδικασίας.

Ἄρθρον 36ον

1. Πρὸ τῆς θέσεως ἐν ἰσχύϊ τῆς παρούσης Συμβάσεως, ἐκάτερον Ὑψηλὸν Συμβαλλόμενον Μέρος θὰ γνωστοποιῆ εἰς τὸ ἕτερον δι' ἐγγράφου ἀνακοινώσεως μὲσω τῆς διπλωματικῆς ὁδοῦ, τίνα μέρη τῶν ἐδαφῶν αὐτοῦ θὰ θεωρῶνται ὡς ἐδαφικαὶ μοναδες ἐν τῇ ἐννοίᾳ ἀπάντων ἢ τινῶν τῶν ἀρθρῶν τῆς παρούσης Συμβάσεως, ἐν τῇ δευτέρᾳ δὲ περιπτώσει, ὡς πρὸς τίνα ἀρθρα δέον νὰ θεωρῶνται ὡς τοιαῦτα.

2. Ἐκάτερον τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν δύναται διὰ μεταγενεστέρως ἐγγράφου ἀνακοινώσεως ἢ ἀνακοινώσεως νὰ γνωστοποιῆ εἰς τὸ ἕτερον τὴν ἀπόφασιν αὐτοῦ ὅπως τροποποιήσῃ τοὺς προηγουμένως ἀνακοινωθέντας (ἐδαφικοὺς) διακανονισμοὺς, ἢ δὲ ἰσχύς ἐκάστης τοιαύτης ἀνακοινώσεως ἀρχεται ἐξ μῆνας ἀπὸ τῆς ἡμέρας τῆς λήξεως αὐτῆς ὑπὸ τοῦ ἐτέρου Ὑψηλοῦ Συμβαλλομένου Μέρους.

Ἄρθρον 37ον

Ἄρθρον 37ον, Ἀμὰ τῇ ἐνάρξει τῆς ἰσχύος τῆς παρούσης Συμβάσεως καταργοῦνται, ὡς πρὸς τὰ ἐδάφη εἰς τὰ ὁποῖα αὐτὴ ἔχει ἐφαρμογὴν, αἱ διατάξεις τῆς ἐν Ἀθήναις ὑπογραφείσης τὴν 19ην Αὐγούστου 1875 μετὰξὺ τοῦ Ἠνωμένου Βασιλείου καὶ τῆς Ἑλλάδος Συμφωνίας περὶ λιποτακτῶν τοῦ Ἐμπορικοῦ Ναυτικοῦ, ὡς καὶ τὰ ἀρθρα 22, 23 καὶ 24 τῆς περὶ Ἐμπορίας καὶ Ναυτιλίας Συνθήκης μετὰξὺ τοῦ Ἠνωμένου Βασιλείου καὶ τῆς Ἑλλάδος, τῆς ὑπογραφείσης ἐν Λονδίῳ τὴν 16ην Ἰουλίου 1926.

Ἄρθρον 38ον

Ἄρθρον 38ον, Ἡ παρούσα Σύμβασις θὰ κυρωθῆ καὶ τὰ ὄργανα τῆς ἐπικυρώσεως θὰ ἀνταλλαγῶσιν ἐν Λονδίῳ. Τῆς παρούσης Συμβάσεως ἢ ἰσχύς ἀρχεται τὴν τριακοστὴν ἡμέραν ἀπὸ τῆς ἡμερομηνίας τῆς ἀνταλλαγῆς τῶν ὀργάνων ἐπικυρώσεως, θὰ ἐξακολουθῆ δὲ ἰσχύουσα ἐπὶ ἐξ μῆνας ἀπὸ τῆς ἡμέρας καθ' ἣν ἐκάτερον τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ἐπιδώσῃ εἰς τὸ ἄλλο προειδοποίησιν περὶ καταγγελίας αὐτῆς.

Εἰς πίστωση τῶν ἀνωτέρω οἱ ὡς ἀνω ἀναφερόμενοι Πληρεξούσιοι ὑπέγραψαν τὴν Σύμβασιν ταύτην ἐπιθέσαντες τὰς σφραγίδας των.

Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις, τῇ 17ῃ Ἀπριλίου 1953 ἐν τε τῇ Ἀγγλικῇ καὶ Ἑλληνικῇ γλώσσῃ, ἀμφοτέρων τῶν κειμένων ἔχοντων τὸ αὐτὸ κῆρος.

Διὰ τὴν Αὐτῆς Βρεταννικὴν Μεγαλειότητα

Διὰ τὴν Αὐτοῦ Μεγαλειότητα τῶν Βασιλέα τῶν Ἑλλήνων
Σ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ

ΓΕΩΡΓΙΟΣ ΠΗΚ

ΠΡΩΤΟΝ ΣΥΜΦΩΝΗΘΕΝ ΠΡΑΚΤΙΚΟΝ

Γίνεται δεκτό ότι αι διατάξεις τῆς παραγράφου (1) τοῦ ἄρθρου 9 τῆς παρούσης Συμβάσεως δὲν ἔχουσιν ἐφαρμογὴν εἰς τὴν Νῆσον Τζέρσεϋ ἢ εἰς οἰαδήποτε ἐδάφη τῆς Αὐτῆς Βρετανικῆς Μεγαλειότητος εἰς τὰ ὅποια, κατὰ τοὺς κειμένους νόμους, ἢ κτῆσις ἐγγείου ἰδιοκτησίας κατὰ πλήρη κυριότητα περιορίζεται εἰς τοὺς ἰθαγενεῖς κατοίκους τῶν ἐν λόγῳ ἐδαφῶν, πλην ἐὰν καὶ μέχρις οὗ ἡ Αὐτῆς Βρετανικῆς Μεγαλειότητος, διὰ τὸ Ἠνωμένον Βασιλεῖον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, προκαλέσῃ ἀνακοίνωσιν εἰς τὴν Αὐτοῦ Μεγαλειότητα τὸν Βασιλέα τῶν Ἑλλήνων ὅτι ἡ νομοθεσία τῆς Νήσου Τζέρσεϋ ἢ ἐτέρων τοιούτων ἐδαφῶν, ἀναλόγως τῆς περιπτώσεως, τροποποιηθεῖσα ἐπιτρέπει τὴν θέσιν ἐν ἰσχύϊ τῶν εἰρημῶν διατάξεων.

ΤΣΑΡΑΣ ΠΗΚ Σ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ

Ἀθῆναι, 17 Ἀπριλίου 1953

ΔΕΥΤΕΡΟΝ ΣΥΜΦΩΝΗΘΕΝ ΠΡΑΚΤΙΚΟΝ

Ἀναφορικῶς πρὸς τὴν δευτέραν φράσιν τοῦ ἄρθρου 28 (1) τῆς παρούσης Συμβάσεως, γίνεται δεκτόν ὅτι ἡ ἐκφρασις «ὁ ἀρμόδιος πρόξενος» ὑποδηλοῦ, ἐλλείψει ἐιδικῆς γνωστοποιήσεως περὶ τοῦ ἐναντίου ἐκ μέρους τοῦ ἀποστέλλοντος Κράτους πρὸς τὸ δεχόμενον Κράτος σχετικῶς πρὸς ὠρισμένην περιοχὴν ἢ περιοχάς, τὸν προϊστάμενον τοῦ προξενείου τοῦ ἀποστέλλοντος Κράτους ἐν τῇ περιφερείᾳ τοῦ ὁποίου κεῖται ὁ λιμὴν ἐνθα τὸ πλοῖον εἶναι ἠγκυροβολημένον.

ΤΣΑΡΑΣ ΠΗΚ Σ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ

Ἀθῆναι, 17 Ἀπριλίου 1953

ΠΡΩΤΟΝ ΠΡΩΤΟΚΟΛΛΟΝ ΥΠΟΓΡΑΦΗΣ

Κατὰ τὴν στιγμὴν τῆς υπογραφῆς τῆς ὑπὸ σημερινῆν χρονολογίαν Προξενικῆς Συμβάσεως ἐκ μέρους τῆς Αὐτῆς Μεγαλειότητος τῆς Βασιλείας τῆς Μεγάλης Βρετανίας, Ἰρλανδίας καὶ τῶν Ὑπερποντίων Βρετανικῶν Κτήσεων, διὰ τὸ Ἠνωμένον Βασιλεῖον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, καὶ τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, διὰ τὸ Βασιλεῖον τῆς Ἑλλάδος, οἱ ὑπογεγραμμένοι, δεόντως πρὸς τοῦτο ἐξουσιοδοτημένοι, δηλοῦσι τὰ ἑξῆς :

Τὰ Ὑψηλὰ Συμβαλλόμενα Μέρη ἐπιθυμοῦσι νὰ υπογραμμίσωσιν ὅτι κατὰ τὴν ἀπόψιν αὐτῶν αἱ ἀκόλουθοι ἀρχαὶ εἶναι ἐφαρμοστέαι ἐπὶ Προξενείων καὶ προξένων κατὰ τοὺς κανόνας τοῦ διεθνoῦς δικαίου ἐν περιπτώσει πολέμου ἢ διακοπῆς τῶν διπλωματικῶν σχέσεων :

1) Ἐν περιπτώσει πολέμου ἢ διακοπῆς τῶν διπλωματικῶν σχέσεων μεταξύ δύο Κρατῶν, ἐκάστου τούτων δικαιοῦται νὰ ἀπαιτήσῃ τὸ κλεισίμον ἀπάντων ἢ τινῶν τῶν ἐν τῇ χώρᾳ του Προξενείων τοῦ ἐτέρου κράτους. Δικαιοῦται ὡσαύτως νὰ κλείσῃ ἅπαντα ἢ τινὰ τῶν Προξενείων τοῦ Κράτους τούτου κείμενα ἐν ἄλλαις χώραις περιερχομέναις ὑπὸ τὴν στρατιωτικὴν κατοχὴν αὐτοῦ.

2) Ἐν περιπτώσει κλεισίματος ἀπάντων ἢ τινῶν τῶν Προξενείων ἐνὸς Κράτους εἰς τὰ ἐδάφη ἐτέρου Κράτους ἢ εἰς ἐδάφη περιερχόμενα ὑπὸ τὴν στρατιωτικὴν κατοχὴν τοῦ

τελευταίου τούτου, θέλουσι παρασχεθῆ εἰς τοὺς ἐνδιαφερομένους προξένους (συμπεριλαμβανομένων καὶ τῶν ἀμίσθων τοιούτων) καὶ εἰς τοὺς προξενικοὺς ὑπαλλήλους τοῦ πρώτου Κράτους τοὺς ὄντας ὑπηκόους τοῦ δευτέρου Κράτους, ἐφ' ὅσον τὰ ὀνόματα αὐτῶν ἔχουσι προσηκόντως ἀνακοινωθῆ μέσῳ τῆς ἀρμοδίας ἀρχῆς, ὡς καὶ εἰς ἅπαντα τὰ μέλη τῶν οικογενειῶν αὐτῶν, λογικὴ προθεσμία καὶ αἱ προσήκουσαι διευκολύνσεις ὅπως ἐγκαταλείψωσι τὴν χώραν καὶ ἐπιστρέψωσιν εἰς τὴν πατρίδα αὐτῶν. Θέλει παρασχεθῆ αὐτοῖς ἡ δέουσα μετὰχείρισις καὶ προστασία μέχρι τῆς στιγμῆς τῆς ἀναχωρήσεως αὐτῶν, συντελουμένης ἐντὸς λογικῆς προθεσμίας, ἢ ἐπιτρέπεται δὲ αὐτοῖς νὰ συναποκομίσωσι τὰ ἀρχεῖα καὶ ἐπίσημα αὐτῶν ἐγγραφα μετὰ τῶν ἀτομικῶν αὐτῶν εἰδῶν καὶ ἐπίπλων, ἢ, ἐὰν προτιμᾶσι, νὰ παραδίδωσι ταῦτα πρὸς ἀσφαλῆ ρύλαξιν ἐν τῇ χώρᾳ. Εἰς ἀμφοτέρας τὰς περιπτώσεις τὰ ἀρχεῖα καὶ ἐπίσημα ἐγγραφα αὐτῶν ἢ εἶναι ἀπαραβίβαστα, ἢ λαμβάνεται δὲ πᾶν δυνατόν μέτρον πρὸς διαφύλαξιν τῶν ἐπίπλων καὶ τῶν ἀτομικῶν εἰδῶν αὐτῶν.

Εἰς πίστωσιν τῶν ἀνωτέρω οἱ οἰκείοι Πληρεξούσιοι ὑπέγραψαν τὸ παρὸν Πρωτόκολλον ἐπιθέσαντες τὰς σφραγίδας αὐτῶν.

Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις, τῇ 17 Ἀπριλίου 1953. Ἐν τε τῇ Ἀγγλικῇ καὶ Ἑλληνικῇ γλώσσῃ, ἀμφοτέρων τῶν κειμένων ἐχόντων τὸ αὐτὸ κῆρος.

Διὰ τὴν Αὐτῆς Βρετανικῆς

Μεγαλειότητος :

ΤΣΑΡΑΣ ΠΗΚ

Διὰ τὴν Αὐτοῦ Μεγαλειότητα

τῶν Βασιλέα τῶν Ἑλλήνων :

Σ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ

ΔΕΥΤΕΡΟΝ ΠΡΩΤΟΚΟΛΛΟΝ ΥΠΟΓΡΑΦΗΣ

Κατὰ τὴν στιγμὴν τῆς υπογραφῆς τῆς ὑπὸ σημερινῆν χρονολογίαν Προξενικῆς Συμβάσεως ἐκ μέρους τῆς Αὐτῆς Μεγαλειότητος τῆς Βασιλείας τῆς Μεγάλης Βρετανίας, Ἰρλανδίας καὶ τῶν Ὑπερποντίων Βρετανικῶν Κτήσεων, διὰ τὸ Ἠνωμένον Βασιλεῖον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, καὶ τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, διὰ τὸ Βασιλεῖον τῆς Ἑλλάδος, οἱ ὑπογεγραμμένοι, δεόντως πρὸς τοῦτο ἐξουσιοδοτημένοι, δηλοῦσι τὰ ἑξῆς :

Τὰ Ὑψηλὰ Συμβαλλόμενα Μέρη συμφώνησαν ὅτι αἱ διατάξεις τοῦ 14ου ἄρθρου τῆς Συμβάσεως δὲν θέλουσι τεθῆ ἐν ἐφαρμογῇ μέχρις οὗ ἐκάστων τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ἤθελεν εἰδοποιήσῃ περὶ τούτου τὸ ἕτερον.

Εἰς πίστωσιν τῶν ἀνωτέρω, οἱ οἰκείοι Πληρεξούσιοι ὑπέγραψαν τὸ παρὸν Πρωτόκολλον ἐπιθέσαντες τὰς σφραγίδας αὐτῶν.

Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις τῇ 17 Ἀπριλίου 1953. Ἐν τε τῇ Ἀγγλικῇ καὶ Ἑλληνικῇ γλώσσῃ, ἀμφοτέρων τῶν κειμένων ἐχόντων τὸ αὐτὸ κῆρος.

Διὰ τὴν Αὐτῆς Βρετανικῆς

Μεγαλειότητος :

ΤΣΑΡΑΣ ΠΗΚ

Διὰ τὴν Αὐτοῦ

Μεγαλειότητα τῶν Βασιλέα

τῶν Ἑλλήνων :

Σ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ

(2)

ΝΟΜΟΘΕΤΙΚΟΝ ΔΙΑΤΑΓΜΑ υπ' αριθ. 2672.

Περί κωρύσεως τῆς διὰ τῆς ἀνταλλαγῆς ρηματικῶν διακοινώσεων καταριοθείσης Συμφωνίας μεταξὺ τῆς Ἑλληνικῆς καὶ Ἀμερικανικῆς Κυβερνήσεως περὶ τῶν προνομίων, ἀουλιῶν καὶ ἀπαλλαγῶν, αἵτινες θὰ παρέχονται ὑπὸ τῆς Ἑλληνικῆς Κυβερνήσεως διὰ τὴν ἐκτέλεσιν τοῦ κοινῶν ἀμυντικοῦ προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν.

ΠΑΥΛΟΣ

ΒΑΣΙΛΕΥΣ ΤΩΝ ΕΛΛΗΝΩΝ

Ἐχόντες ὑπ' ὄψει τὰς διατάξεις τοῦ ἀρθροῦ 35 τοῦ Συντάγματος καὶ τὴν ἀπὸ 29 Σεπτεμβρίου 1953 σύμφωνον γνώμη τῆς κατὰ τὴν παράγραφον 2 τοῦ αὐτοῦ ἀρθροῦ 35 Εἰδικῆς Ἐπιτροπῆς ἐκ Βουλευτῶν, προτάσει τοῦ Ἡμετέρου Ὑπουργικοῦ Συμβουλίου, ἀπεφασίσαμεν καὶ διατάσσομεν:

Ἄρθρον 1.

Κυροῦνται καὶ ἔχουν πλήρη καὶ νόμιμον ἰσχὺν αἱ ἐν Ἀθήναις ἀνταλλαγεῖσαι μεταξὺ τῆς Ἑλληνικῆς καὶ Ἀμερικανικῆς Κυβερνήσεως Ρηματικαὶ Διακοινώσεις, μετὰ τῆς συνημμένης αὐταῖς Συμφωνίας, ἥτις ἀφορᾷ τὰ προνόμια, ἀουλίαν καὶ ἀπαλλαγὰς αἵτινες θὰ παρέχονται ὑπὸ τῆς Ἑλληνικῆς Κυβερνήσεως, διὰ τὴν ἐκτέλεσιν τοῦ Κοινῶν Ἀμυντικοῦ Προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν καὶ ὧν ἔπονται τὰ ἀγγλικά κείμενα μετὰ μεταφράσεως εἰς τὴν ἑλληνικὴν.

Ἄρθρον 2.

Ἐν τῇ ἐννοίᾳ τοῦ ἀναφερομένου εἰς τὸ ἀρθρον 1ον Κοινῶν Ἀμυντικοῦ Προγράμματος, περιλαμβάνεται καὶ τὸ πρόγραμμα τῶν ἐκτελουμένων ἐν Ἑλλάδι κατασκευῶν κοινῆς ὑποδομῆς ἐπὶ τοῦ ὁποῖου ἐφαρμόζονται ἐπίσης αἱ διατάξεις τῆς ἐν λόγω Συμφωνίας.

Διὰ τοῦ ὅρου («κατασκευαὶ κοινῆς ὑποδομῆς») νοοῦνται, κατὰ τὴν ἐφαρμογὴν τοῦ παρόντος νόμου, αἱ ἐκάστοτε δι' ἀποφάσεως τοῦ Συμβουλίου τοῦ Βορειοατλαντικοῦ Ὄργανισμοῦ χαρακτηριζόμεναι ὡς τοιαῦται καὶ ἐκτελούμεναι ἐν Ἑλλάδι βασικαὶ στρατιωτικαὶ ἐγκαταστάσεις κοινῆς, διὰ τὰ Κράτη—Μέλη τοῦ Ὄργανισμοῦ, χρησιμότητος, ὡς λ.χ. κτίρια διὰ τὴν στέγασιν στρατηγείων, ἀεροδρόμια, ἀποθῆκαι καὶ ἀγωγοὶ κωσιμῶν, ἔργα τηλεπικοινωνιῶν κλπ.

Ἐργαλεῖα, ὄργανα ἐπιστημονικὰ καὶ μηχανήματα εἰσαγόμενα ἀποκλειστικῶς διὰ μελέτας καὶ δοκιμῆς ἀναλήψεως καὶ ἐκτελέσεως βασικῶν ἐγκαταστάσεων τῆς προηγουμένης παραγράφου, κατὰ τὴν περὶ τούτων βεβαίωσιν τῆς ἐποπτευσῆς τὴν διενεργεῖ τῆς μελέτης ἢ δοκιμῆς, δημοσίας ὑπηρεσίας, παραδίδονται ἀπ' εὐθείας παρὰ τῶν ἀρμοδίων Τελωνειακῶν Ἀρχῶν εἰς ἐλευθέρην χρῆσιν ἐπὶ ἐξάμηνον καὶ ἐπὶ τῇ παροχῇ ἀξιοχρεῶν προσωπικῆς ἐγγυήσεως. Ἡ προθεσμία αὕτη δύναται νὰ παρατείνεται δι' ἀποφάσεως τοῦ Ὑπουργείου τῶν Οἰκονομικῶν.

Ἄρθρον 3.

1. Κατὰ τοὺς ὅρους τῆς κυρουμένης συμφωνίας οἱ κατασκευασταί, προμηθευταὶ οἱ ἐκτελοῦντες συμβάσεις μετὰ τῆς Ἀμερικανικῆς Κυβερνήσεως, συμπεριλαμβανομένων καὶ τῶν ὑποκατασκευαστῶν ἢ ὑποπρομηθευτῶν, εἰς οὓς οἱ κατασκευασταὶ ἢ προμηθευταὶ ἀναθέτουν ὑπεργολαβικῶς ἐκτέλεσιν μέρους τῶν ἔργων ἢ προμηθειῶν ἀπαλλάσσονται ἀπὸ παντὸς ἐν γένει ἁμέσου ἢ ἐμμέσου φόρου, δασμῶν, τέλους (περιλαμβανομένου τοῦ τέλους χαρτοσήμου), δικαιώματος, κλητήσεως ἢ εἰσφορᾶς ἐν γένει ὑπὲρ τοῦ Δημοσίου, ὀργάνων τῆς τοπικῆς ἀυτοδιοικήσεως, ἄλλων νομικῶν προσώπων δημοσίου δικαίου καὶ ἐν γένει ὑπὲρ οἰουδήποτε τρίτου.

Εἰς τὴν ἀνωτέρω ἀπαλλαγὴν δὲν περιλαμβάνονται οἱ κατὰ τὰς ἰσχυρῶσας ἐκάστοτε διατάξεις φόροι κληρῶν προ-

σόδων, ἀναλυτικῶν κληρονομιῶν, καὶ συνθετικοῦ, ἐπὶ τῶν κερδῶν τῶν προμηθευτῶν ἐργολάβων κλπ., τὸ πάγιον τέλος ἀσκήσεως ἐπιτηδεύματος, ὡς καὶ αἱ ὑπὲρ τοῦ ΙΚΑ εἰσφοραὶ.

2. Εἰδικώτερον ὅσον ἀφορᾷ τὴν δασμολογικὴν ἀτέλειαν (εἰς τὴν περιλαμβάνονται καὶ πάντες οἱ μετὰ τῶν δασμῶν συμβεβαιοῦμενοι καὶ συνεισπραττόμενοι πάσης φύσεως φόροι, τέλη, συμπεριλαμβανομένου τοῦ τέλους χαρτοσήμου, ἢ δικαιώματα), ταύτης ἀπολαμβάνουν αἱ διὰ τὴν ἐκτέλεσιν τῶν συμβάσεων κατασκευῆς ἢ προμηθειᾶς ἀναγκαῖαι πρώται ὕλαι ἢ τμήματα τοῦ τελικοῦ προϊόντος. Τὰ πρὸς ἐκτέλεσιν τῶν συμβάσεων εἰσαγόμενα μηχανήματα, τὰ ἀνταλλακτικὰ αὐτῶν καὶ ἐργαλεῖα, τὰ χρησιμοποιούμενα ἀποκλειστικῶς καὶ μόνον διὰ τὴν ἐκτέλεσιν τῶν συμβάσεων, ἀπολαμβάνουν κατὰ τὴν εἰσαγωγὴν τῶν τῆς αὐτῆς ἀτελείας, ἀλλὰ μετὰ τὴν ὀλοσχερῆ ἐκτέλεσιν τῶν ἐν παραγράφῳ 1 συμβάσεων, τὰ ἐν τῇ αὐτῇ παραγράφῳ ἀναφερόμενα πρόσωπα δύνανται εἴτε νὰ τὰ ἐπανεξαγάγουν εἰς τὸ ἐξωτερικὸν ἐντὸς ἐξαμήνου προθεσμίας ἀπὸ τῆς ὀλοσχεροῦς, ὡς ἄνω, ἐκτελέσεως τῶν συμβάσεων, καταβάλλοντα τότε τὸ ἐν τέταρτον τοῦ δασμοῦ, οὔτινος ἀπηλλάγησαν κατὰ τὴν εἰσαγωγὴν, εἴτε νὰ ζητήσουν τὴν ὀριστικὴν εἰσαγωγὴν τῶν ἐπὶ καταβολῇ τοῦ κατὰ τὸν ἐκτελωνισμόν εἰς ἀνάλωσιν ἰσχύοντο δασμοῦ, ὑπολογιζομένου ὅμως ὡς ἐπὶ μεταχειρισμένων μηχανημάτων μετ' ἀπόσβεσιν τῆς ἐκ τῆς χρήσεως αὐτῶν φθορᾶς.

3. Ἡ ἰσχὺς τοῦ παρόντος ἀρθροῦ ἀρχεται ἀπὸ 4 Φεβρουαρίου 1953, περιλαμβάνει ὅμως καὶ τὰ πρὸ τῆς ἡμέρας ἐκείνης εἰσαχθέντα μηχανήματα, ἐργαλεῖα, πρώτας ὕλας ἢ τμήματα τελικοῦ προϊόντος, ἐφ' ὅσον ταῦτα εἰσῆχθησαν εἰς ἐκτέλεσιν συμβάσεων μετὰ τῆς Ἀμερικανικῆς Κυβερνήσεως προγενεστέρων τῆς ἡμερομηνίας ταύτης.

4. Διὰ Β. Διαταγμάτων ἐκδιδόμενων προτάσει τῶν Ὑπουργῶν Συντονισμοῦ καὶ Οἰκονομικῶν θέλουν ρυθμίζεσθαι πᾶσαι αἱ ἀναγκαῖαι διὰ τὴν ἐκτέλεσιν τοῦ παρόντος ἀρθροῦ λεπτομέρειαι.

5. Κυροῦνται πᾶσαι αἱ κατὰ παρέκκλισιν τῆς ἰσχύουσας νομοθεσίας ἐκδοθεῖσαι μετὰ τὴν 4 Φεβρουαρίου 1953 ἀποφάσεις τοῦ Ὑπουργείου Οἰκονομικῶν αἱ ἀναφερόμεναι εἰς προσωρινὴν ἀτελῆ εἰσαγωγὴν τῶν ἐν παρ. 2 τοῦ παρόντος ἀρθροῦ εἰδῶν.

Ἄρθρον 4.

Ἡ ἰσχὺς τοῦ παρόντος ἀρχεται ἀπὸ τῆς ἐν τῇ Ἐφημερίδι τῆς Κυβερνήσεως δημοσεύσεώς του, ἐπιφυλασσομένων τῶν ἐν τῷ προηγουμένῳ ἀρθρῷ ὀριζομένων.

Ἐν τῇ Β. Ἑλληνικῇ Πρεσβείᾳ Παρισίων 17 Ὀκτωβρίου 1953.

ΠΑΥΛΟΣ

Β.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Ο ΠΡΟΕΔΡΟΣ

ΑΛΕΞΑΝΔΡΟΣ ΠΑΠΑΓΟΣ

Τ Α Μ Ε Λ Η

II. ΚΑΝΕΛΛΟΠΟΥΛΟΣ, ΣΤ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ, ΔΗΜ. ΜΠΑΜΠΑΚΟΣ, Π. ΛΥΚΟΤΡΕΖΟΣ, Κ. ΚΑΛΛΙΑΣ, Κ. ΠΑΠΑΓΙΑΝΝΗΣ, Α. ΠΡΩΤΟΠΑΠΑΔΑΚΗΣ, Α. ΑΠΟΣΤΟΛΙΔΗΣ, Α. ΛΑΜΠΡΙΑΝΙΔΗΣ, Π. ΣΙΦΝΑΙΟΣ, Σ. ΔΗΜΑΡΑΤΟΣ, Σ. ΓΥΤΑΛΙΣΤΡΑΣ, Α. ΕΥΤΑΣΙΑΣ, Α. ΚΑΡΑΘΟΔΩΡΟΣ.

Ἐθεωρήθη καὶ ἐτέθη ἡ μεγάλη τοῦ Κράτους σφραγίς

Ἐν Ἀθήναις τῇ 9 Νοεμβρίου 1953.

Ο ΕΠΙ ΤΗΣ ΔΙΚΑΙΟΣΥΝΗΣ ΥΠΟΥΡΓΟΣ

Δ. ΜΠΑΜΠΑΚΟΣ

Embassy of the
United States of America

No 252

The Embassy of the United States of America presents its compliments to the Royal Ministry of Foreign Affairs, and has the honor to refer to the Embassy's note No. 160, dated November 3, 1952 and to subsequent discussions between representatives of the Greek Government and the Government of the United States regarding the privileges, immunities and exemptions from taxes or other levies and charges which shall be accorded by the Government of Greece in the interest of facilitating and expediting the implementation of the common defense program and any and all foreign programs of the United States.

There is transmitted herewith a Memorandum of Understanding dated February 4, 1953, incorporating the agreements reached in the course of the aforementioned discussions.

It is respectfully requested that the Ministry confirm that the Memorandum of February 4 transmitted with this note is acceptable to the Government of Greece.

The Embassy avails itself of this opportunity to renew to the Royal Ministry of Foreign Affairs the assurances of its highest consideration.

Enclosure :

Memorandum of Understanding
Athens, February 4, 1953.
To the
Royal Ministry of Foreign Affairs
A t h e n s

Memorandum of Understanding between the Government of Greece and the Government of the United States Re Implementation of the common defense program and any and all foreign aid programs of the United States

Privileges, immunities and exemptions from taxes or other levies and charges

The Government of the United States, by virtue of common defense agreements, is presently engaged in a variety of expenditures for the common defense effort, including construction and/or procurement in Europe of military supplies, materials and equipment, facilities and so-called common-use items required by the United States and by countries participating in the North Atlantic Treaty Organization. Such programs may be implemented by agreements to which the United States Government is a party entered into directly with the governments of member countries or with manufacturers and/or suppliers in the member countries, or by agreements to which the United States Government is not a party but which are financed in whole or in part by the United States Government. The United States Government is also bringing into member countries materials, equipment, supplies, and goods required for such common defense.

Consequently, in the interest of facilitating and expediting implementation of the common defense program and any and all foreign aid programs of the United States, the Government of Greece agrees that property to which the United States has acquired title or a lien shall be accorded extraterritoriality (immunity from the jurisdiction of the Greek civil and criminal courts), and that any expenditures of the United States Government for equipment, materials, facilities, or services connected with such common defense pro-

gram and such foreign aid programs of the United States Government will be exempt from taxes, dues, or fees which might affect such expenditures. This exemption will be afforded to the United States Government pursuant to mutually satisfactory arrangements and procedures developed in consultation between the two Governments and implemented by decisions of the Minister of Finance.

In addition, the Government of Greece will extend to the United States, its property, and the contracts, sub-contracts, and activities entered into, undertaken or financed in whole or in part by the United States in Greece in connection with the common defense or any foreign aid programs, the same privileges and immunities and exemptions from taxes or other levies and charges as have heretofore been granted to the American Mission for Aid to Greece by the provisions of Legislative Decree 694/1948 re settlement of matters regarding the American program for aid to Greece.

Athens, February 4, 1953

Ministère Royal des
Affaires Etrangères
No. 408

NOTE VERBALE

The Royal Ministry for Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to acknowledge receipt of its note 252 and of a Memorandum of Understanding between the Government of Greece and the Government of the United States dated February 4, 1953, concerning the implementation of the Common Defence Program and any and all foreign aid programs of the United States.

The Ministry for Foreign Affairs confirms that the provisions contained in the Memorandum quoted above are acceptable to the Government of Greece.

The Royal Ministry avails itself of this opportunity to renew to the Embassy of the United States the assurances of its highest consideration.

Athens, February 4, 1953

To the
Embassy of the United States of America
Athens

ΠΡΕΣΒΕΙΑ ΤΩΝ ΗΝΩΜΕΝΩΝ ΠΟΛΙΤΕΙΩΝ
ΤΗΣ ΑΜΕΡΙΚΗΣ

Αριθμ. 252

Ἡ Πρεσβεία τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς ὑποβάλλει τοὺς χαιρετισμούς της εἰς τὸ Βασιλικὸν Ὑπουργεῖον τῶν Ἐξωτερικῶν καὶ ἔχει τὴν τιμὴν νὰ ἀναφερθῇ εἰς τὴν Ῥηματικὴν Διακοίνωσιν της ὑπ' ἀριθ. 160 ἀπὸ 3-11-1952 καὶ εἰς τὰς ἐπακολουθησάσας συζητήσεις μεταξὺ ἀντιπροσώπων τῆς Ἑλληνικῆς Κυβερνήσεως καὶ τῆς Κυβερνήσεως τῶν Ἠνωμένων Πολιτειῶν, αἰτινες ἀφαιρῶν τὰ προνόμια, τὰς ἀσυλίας καὶ τὰς ἀπαλλαγὰς ἀπὸ φόρους καὶ λοιπὰς εἰσφορὰς καὶ ἐπιβαρύνσεις αἰτινες θὰ παρέχωνται ὑπὸ τῆς Ἑλληνικῆς Κυβερνήσεως πρὸς τὸν σκοπὸν τῆς διευκολύνσεως καὶ ταχυτέρας ἐκτελέσεως τοῦ κοινοῦ ἀμυντικοῦ προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν.

Διὰ τῆς παρούσης διαβιβάζεται Ὑπόμνημα ἀπὸ 4-2-53 διὰ τὴν συνάψιν Συμφωνίας εἰς τὴν περιλαμβανόντι

ὅλαι αἱ συμφωνίαι εἰς ἃς κατέβησαν κατὰ τὴν διάρκειαν τῶν προαναφερθεῶν συζητήσεων.

Παρακαλούμεν ὅθεν ὅποιος τὸ Ὑπουργεῖον εὐχεσθεῖται νὰ ἐπιβεβαιώσῃ ὅτι τὸ διαβεβαίωμενον διὰ τῆς παρούσης διακοινώσεως ἀπὸ 4-2-1953 Ὑπόμνημα γίνεται δεκτὸν ὑπὸ τῆς Ἑλληνικῆς Κυβερνήσεως.

Ἡ Πρεσβεία δράττεται τῆς εὐκαιρίας ταύτης ἵνα ἀνανεώσῃ τὴν πρὸς τὸ Β. Ὑπουργεῖον τῶν Ἐξωτερικῶν διαβεβαίωσιν τῆς ὑψηλῆς τῆς ἐκτιμῆσεως.

Συνημ. Ὑπόμνημα Συμφωνίας.

Ἀθῆναι 4 Φεβρουαρίου 1953

Πρὸς τὸ

Β. Ὑπουργεῖον τῶν Ἐξωτερικῶν

Ἀθῆναι

Ὑπόμνημα διὰ τὴν σύναψιν Συμφωνίας μεταξὺ τῆς Κυβερνήσεως τῆς Ἑλλάδος καὶ τῆς Κυβερνήσεως τῶν Ἠνωμένων Πολιτειῶν σχετικῶς πρὸς τὴν ἐκτέλεσιν τοῦ Κοινοῦ Ἀμυντικοῦ Προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν.

ΠΡΟΝΟΜΙΑ, ΛΕΥΓΙΑΙ ΚΑΙ ΑΠΑΛΛΑΓΑΙ ΑΠΟ ΦΟΡΟΥΣ ΚΑΙ ΛΑΛΑΣ ΕΙΣΦΟΡΑΣ & ΕΠΙΒΑΡΥΝΣΕΙΣ

Ἡ Κυβέρνησις τῶν Ἠνωμένων Πολιτειῶν, δυνάμει τῶν συμφωνιῶν κοινῆς Ἀμύνης ἔχει ἤδη ἀναλάβει διαφόρους δαπάνης διὰ τὴν κοινὴν ἀμυντικὴν προσπάθειαν, περιλαμβανομένων τῶν κατασκευῶν ὡς καὶ τῆς προμηθείας πρὸς τὴν Εὐρώπην στρατιωτικῶν ἐφοδίων, ὑλικῶν, εἰδῶν τεχνικοῦ ἐξοπλισμοῦ, εὐκολιῶν καὶ τῶν οὕτω καλουμένων εἰδῶν κοινῆς χρήσεως ἀναγκαζούντων εἰς τὰς Ἠνωμένας Πολιτείας καὶ τὰς χώρας τῆς συμμετεχούσας εἰς τὴν Ὀργάνωσιν τῆς Βθραιοσταντικῆς Συμμαχίας. Τὰ τοιαύτης φύσεως προγράμματα δύνανται νὰ ἐκτελῶνται εἴτε διὰ συμφωνιῶν ἢ καὶ ἡ Κυβέρνησις τῶν Ἠνωμένων Πολιτειῶν συνάπτει ἀπ' εὐθείας μετὰ τὰς Κυβερνήσεις τῶν χωρῶν-μελῶν ἢ καὶ μετὰ κατασκευαστῶν ἢ προμηθευτῶν τῶν αὐτῶν χωρῶν εἴτε διὰ συμφωνιῶν εἰς ἃς δὲν μετέχει ἡ Ἀμερικανικὴ Κυβέρνησις ἄλλ' αἰτίνας χρηματοδοτοῦνται ἐξ ὀλοκλήρου ἢ ἐν μέρει ὑπὸ τῆς Κυβερνήσεως τῶν Ἠνωμένων Πολιτειῶν. Ἡ Κυβέρνησις τῶν Ἠνωμένων Πολιτειῶν εἰσάγει ἐπίσης εἰς τὰ Κράτη-Μέλη ἐφόδια, ὑλικά, εἶδη τεχνικοῦ ἐξοπλισμοῦ καὶ ἀγαθὰ ἀναγκαζούντα διὰ τὴν Κοινὴν Ἀμυναν.

Κατὰ συνέπειαν, πρὸς τὸν σκοπὸν τῆς διευκολύνσεως καὶ ταχυτέρας ἐκτελέσεως τοῦ κοινῶν ἀμυντικοῦ προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν ἡ Ἑλληνικὴ Κυβέρνησις συμφωνεῖ ὅπως ἡ ἰδιοκτησία ἐπ' ἧς ἡ Κυβέρνησις τῶν Ἠνωμένων Πολιτειῶν ἀπέκτησε κυριότητα ἢ ἕτερον ἐμπράγματον δικαίωμα ἀπολαύῃ ἑτεροδικίας (ἀπαλλαγῆς ἀπὸ τῆς δικαιοδοσίας τῶν ἐλληνικῶν πολιτικῶν καὶ ποινικῶν δικαστηρίων) καὶ ὅτι πᾶσαι αἱ δαπάναι τῆς Κυβερνήσεως τῶν Ἠνωμένων Πολιτειῶν διὰ τεχνικῶν ἐξοπλισμῶν, ὑλικῶν εὐκολίας ἢ ὑπηρεσίας συνδεσμένας πρὸς τὸ κοινὸν

ἀμυντικὸν πρόγραμμα καὶ πρὸς τὰ προγράμματα ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν θὰ ἀπαλλάσσονται τῶν φόρων, δατυῶν καὶ τελῶν αἰτίνας ἄλλως θὰ ἐπιβέβηοντο.

Ἡ ἐν λόγῳ ἀπαλλαγὴ θὰ χορηγῆται εἰς τὴν Κυβέρνησιν τῶν Ἠνωμένων Πολιτειῶν κατόπιν ἀμοιβαίως ἰκανοποιητικῶν συμφωνιῶν καὶ διαδικασιῶν αἰτίνας θὰ καταρτίζονται ἀπὸ κοινῶν μεταξὺ τῶν δύο Κυβερνήσεων καὶ θὰ ἐκτελῶνται δι' ἀποφάσεων τοῦ Ὑπουργοῦ τῶν Οἰκονομικῶν.

Ἐπιπροσθέτως ἡ Ἑλληνικὴ Κυβέρνησις θὰ ἐπεκτείνῃ εἰς τὰς Ἠνωμένας Πολιτείας, τὴν ἰδιοκτησίαν τῶν, τὰ Συμβόλαια ἀναθέσεως ἐργολαβιῶν καὶ ὑπεργολαβιῶν καὶ τὰς οἰκονομικὰς ἐνεργείας εἰς ἃς συμμετέχει ἢ ἀναλαμβάνει ἢ χρηματοδοτεῖ ἐξ ὀλοκλήρου ἢ ἐν μέρει ἡ Κυβέρνησις τῶν Ἠνωμένων Πολιτειῶν, ἐν Ἑλλάδι, ἐντὸς τοῦ πλαισίου τοῦ κοινῶν ἀμυντικοῦ προγράμματος ἢ καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας, τὰ αὐτὰ πρόνομια καὶ τὰς αὐτὰς ἀπαλλαγὰς καὶ ἀσυλίας ἀπὸ φόρους ἢ ἄλλας εἰσφορὰς καὶ ἐπιβαρύνσεις αἰτίνας ἔχουν παρασχεθῆναι μέχρι τοῦδε εἰς τὴν AMAG δυνάμει τῶν διατάξεων τοῦ Ν. Δ. 694 [1948] περὶ ρυθμίσεως τῶν ζητημάτων τῶν ἀφορώντων τὸ πρόγραμμα Ἀμερικανικῆς βοήθειας πρὸς τὴν Ἑλλάδα.

Ἀθῆναι 4 Φεβρουαρίου 1953

ΥΠΟΥΡΓΕΙΟΝ ΕΞΩΤΕΡΙΚΩΝ

Ἀριθ. 408

ΡΗΜΑΤΙΚΗ ΔΙΑΚΟΙΝΩΣΙΣ

Τὸ Β. Ὑπουργεῖον τῶν Ἐξωτερικῶν ὑποβάλλει τοὺς χαιρετισμούς του εἰς τὴν Πρεσβείαν τῶν Ἠνωμένων Πολιτειῶν τῆς Ἀμερικῆς καὶ ἔχει τὴν τιμὴν νὰ γνωρίσῃ τὴν λήψιν τῆς Ῥηματικῆς τῆς Διακοινώσεως ὑπ' ἀριθ. 252 καὶ ἐνὸς Ὑπομνήματος, διὰ τὴν σύναψιν Συμφωνίας μεταξὺ τῆς Ἑλληνικῆς Κυβερνήσεως καὶ τῆς Κυβερνήσεως τῶν Ἠνωμένων Πολιτειῶν, ἀπὸ 4ης Φεβρουαρίου 1953, ἀφορώντος τὴν ἐκτέλεσιν τοῦ κοινῶν ἀμυντικοῦ προγράμματος ὡς καὶ παντὸς ἄλλου προγράμματος ἐξωτερικῆς βοήθειας τῶν Ἠνωμένων Πολιτειῶν.

Τὸ Ὑπουργεῖον τῶν Ἐξωτερικῶν ἐπιβεβαιοῖ ὅτι ὅλαι αἱ διατάξεις αἱ περιεχόμεναι εἰς τὸ προαναφερθὲν Ὑπόμνημα γίνονται δεκταὶ ὑπὸ τῆς Ἑλληνικῆς Κυβερνήσεως.

Τὸ Β. Ὑπουργεῖον δράττεται τῆς εὐκαιρίας ταύτης ἵνα ἀνανεώσῃ τὴν πρὸς τὴν Πρεσβείαν τῶν Ἠνωμένων Πολιτειῶν διαβεβαίωσιν τῆς ὑψηλῆς τῆς ἐκτιμῆσεως.

Ἀθῆναι 4 Φεβρουαρίου 1953

Πρὸς

τὴν Πρεσβείαν τῶν Ἠνωμένων Πολιτειῶν

τῆς Ἀμερικῆς

Ἀθῆναι