

No. 5862

**HUNGARY
and
CZECHOSLOVAKIA**

**Agreement concerning co-operation and mutual assistance
in customs matters (with Final Protocol and exchange
of letters). Signed at Budapest, on 8 May 1958**

Official texts: Hungarian and Czech.

Registered by Hungary on 26 September 1961.

**HONGRIE
et
TCHÉCOSLOVAQUIE**

**Accord relatif à la coopération et à l'aide mutuelle en ma-
tière douanière (avec Protocole final et échange de
lettres). Signé à Budapest, le 8 mai 1958**

Textes officiels hongrois et tchèque.

Enregistré par la Hongrie le 26 septembre 1961.

[TRANSLATION — TRADUCTION]

No. 5862. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE CZECHOSLOVAK REPUBLIC CONCERNING CO-OPERATION AND MUTUAL ASSISTANCE IN CUSTOMS MATTERS. SIGNED AT BUDAPEST, ON 8 MAY 1958

The Government of the Hungarian People's Republic and the Government of the Czechoslovak Republic, desiring to strengthen the lasting friendship between the two people's democratic States through intensified co-operation between the customs authorities as in other ways, have decided to conclude an Agreement concerning co-operation and mutual assistance in customs matters.

They have for this purpose appointed as their plenipotentiaries :

The Government of the Hungarian People's Republic :

Ernő Szemelka;

The Government of the Czechoslovak Republic :

Stanislav Saur;

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

CHAPTER I

Article 1

In order to protect their common interests, the customs authorities of the Contracting Parties shall exercise control over goods, currency, persons and luggage transported from the territory of one Contracting Party to the territory of the other Contracting Party, the purpose of such control being to prevent the passage of goods and currency in contravention of the laws of the Contracting Parties.

In exercising the said control, the two Contracting Parties shall render each other every assistance with a view to making it more effective.

Article 2

1. The customs administration of each Contracting Party shall ensure that its authorities on duty at the common State frontier have an adequate knowledge of those laws of the other Contracting Party with which they must be conversant in order to provide the assistance referred to in article 1.

¹ Came into force on 22 September 1958, thirty days after the exchange of notes signifying its approval, in accordance with article 19.

2. The customs administrations of the Contracting Parties shall exchange all those laws whose observance is supervised by their authorities and those service regulations which relate to the matters regulated by this Agreement, and shall thereafter inform each other forthwith of any amendments to the said laws and regulations.

Article 3

1. The passage of goods, currency and persons across the common State frontier shall be permitted only on the customs routes designated by agreement between the Contracting Parties.

2. The customs administrations of the Contracting Parties shall determine by agreement the hours of duty of the customs authorities stationed on the customs routes referred to in the preceding paragraph.

Article 4

Goods subject to customs control shall, on crossing the common State frontier, be accompanied by the prescribed international documents and by the documents needed for customs clearance.

Article 5

Goods crossing the common State frontier in transit shall as a rule be subject only to external customs inspection unless internal inspection is also required for reasons of security, health, veterinary hygiene or plant protection or for other serious reasons.

Article 6

1. The customs authorities of each Contracting Party shall recognize the customs seals used by the customs authorities of the other Contracting Party unless their own control measures require the removal of the said seals.

The customs authorities of each Contracting Party shall recognize documents authenticated and stamps and seals impressed by the customs authorities of the other Contracting Party.

2. The customs authorities of each Contracting Party shall recognize the official markings placed on vehicles and transport equipment by the customs authorities of the other Contracting Party to indicate their volumetric capacity, carrying capacity, weight and other particulars.

Article 7

1. The customs authorities of one Contracting Party shall withhold customs clearance from vehicles, goods or currency subject to customs control unless they have been cleared outwards by the customs authorities of the other Contracting Party.

2. Where the customs authorities of one Contracting Party find that vehicles, goods or currency declared to them for customs clearance have not been cleared outwards in the territory of the other Contracting Party, they shall detain the items concerned and inform the competent customs authority of the other Contracting Party accordingly. The vehicles, goods or currency detained shall be dealt with as the latter authority suggests.

Article 8

1. If the customs authorities of one Contracting Party refuse to clear goods on the grounds of failure to produce the prescribed documents or on other serious grounds, they shall enter the grounds for such refusal on the consignment note and, at the request of the customs authorities of the other Contracting Party, issue a special certificate concerning the refusal.

2. The customs authorities of the latter Contracting Party shall, if so requested by the customs authorities of the former Contracting Party, certify that the goods in question have been returned to their territory.

Article 9

1. The customs administrations of the Contracting Parties shall reach agreement on appropriate measures to expedite the movement of vehicles and to promote international road traffic between the two countries. In particular each of them may, with the prior consent of the competent authorities, examine persons, goods, currency and vehicles while the journey is in progress in the territory of the other Contracting Party.

2. The customs administrations of the Contracting Parties shall reach agreement on the use of uniform bilingual customs forms.

Article 10

The Contracting Parties agree that their customs administrations shall establish joint customs facilities in the territory of one Contracting Party where traffic conditions so require and where feasible.

Article 11

1. The customs administrations of the Contracting Parties shall conclude a special agreement on measures concerning traffic across the common State frontier, in order to simplify and expedite customs control over group travel organized by the competent organizations of the Contracting Parties for purposes of touring, sport and recreation.

2. The customs administrations of the Contracting Parties shall also conclude a special agreement on additional customs and foreign exchange measures relating to frontier traffic.

CHAPTER II

Article 12

1. The customs administrations of the Contracting Parties shall assist each other to prevent violations of the customs and foreign exchange regulations.

2. Such assistance shall relate to the interrogation of suspects, witnesses and experts, the transmittal of documents and material evidence, and the performance of other acts required in connexion with judicial proceedings.

3. In providing assistance, the customs administrations of the Contracting Parties shall proceed in accordance with the laws of their respective States.

4. Where an application for assistance cannot be executed, the customs administration applied to shall indicate the circumstances which prevented such execution.

Article 13

Assistance under this Agreement may be refused if the accused is a citizen of the Contracting Party applied to and resident in its territory.

Article 14

1. Goods or currency smuggled from the territory of one Contracting Party into the territory of the other Contracting Party shall be dealt with under the regulations of the Contracting Party in whose territory the smuggled articles are to be found.

2. Goods or currency dealt with as prescribed in the preceding paragraph shall, at the request of the competent authorities of the other Contracting Party, be returned at the conclusion of the criminal or customs proceedings if they were the object of an offence against property in the territory of that Contracting Party.

Article 15

1. The customs administration of each Contracting Party shall inform the customs administration of the other Contracting Party regarding any proceedings instituted against citizens or permanent residents of the latter Contracting Party for violation of the customs or foreign exchange regulations.

2. The customs administrations of the Contracting Parties shall exchange experience and information acquired in the prosecution of offenders against the customs and foreign exchange regulations.