

No. 7516

**POLAND
and
ROMANIA**

**Consular Convention. Signed at Bucharest, on 5 October
1962**

Official texts: Polish and Romanian.

Registered by Poland on 14 December 1964.

**POLOGNE
et
ROUMANIE**

Convention consulaire. Signée à Bucarest, le 5 octobre 1962

Textes officiels polonais et roumain.

Enregistrée par la Pologne le 14 décembre 1964.

[TRANSLATION — TRADUCTION]

No. 7516. CONSULAR CONVENTION¹ BETWEEN THE
POLISH PEOPLE'S REPUBLIC AND THE ROMANIAN
PEOPLE'S REPUBLIC. SIGNED AT BUCHAREST, ON
5 OCTOBER 1962

The Council of State of the Polish People's Republic and the Council of State of the Romanian People's Republic, desiring to regulate and develop consular relations between the two States in a spirit of friendship and fraternal co-operation, have decided to conclude a Consular Convention, and for that purpose have appointed as their plenipotentiaries :

The Council of State of the Polish People's Republic :

Janusz Zambrowicz, Ambassador Extraordinary and Plenipotentiary of the
Polish People's Republic in the Romanian People's Republic;

The Council of State of the Romanian People's Republic :

Aurel Mălnășan, Under-Secretary of State in the Ministry of Foreign
Affairs,

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

CHAPTER I

ESTABLISHMENT OF CONSULATES AND APPOINTMENT OF CONSULS

Article 1

1. Each Contracting Party may establish consulates in the territory of the other Contracting Party in accordance with this Convention.

2. Consular districts shall be established by agreement in each case between the Contracting Parties.

Article 2

Consuls and members of the consular staff performing responsible consular functions must be nationals of the sending State. They may not engage in the territory of the receiving State in any employment other than their work at the consulate.

¹ Came into force on 31 August 1963, thirty days after the exchange of the instruments of ratification which took place at Warsaw on 1 August 1963, in accordance with article 27.

Article 3

1. Consuls may enter upon their official duties after presentation of the consular commission and receipt of an exequatur from the receiving State. The consular commission shall show the consul's surname, first name and consular rank, the location of the consulate and the consular district.

2. The receiving State may grant a consul provisional authorization to perform his official duties pending his receipt of an exequatur.

3. As soon as the consul receives the exequatur or provisional authorization, the authorities of the receiving State shall make all necessary arrangements to enable him to carry out his duties official and enjoy the privileges and immunities to which he is entitled.

Article 4

A consulate may employ the necessary number of staff. Personal particulars and particulars relating to the functions of such staff shall be communicated in writing to the authorities of the receiving State.

Article 5

1. If a consul is unable to carry out his official duties, temporary charge of the consulate may be entrusted to an officer of one of the consulates or of the diplomatic mission of the sending State in the receiving State; the name of such officer shall be communicated in advance to the authorities of the receiving State.

2. The person authorized to take temporary charge of the consulate shall enjoy the privileges and immunities accorded to a consul.

CHAPTER II

PRIVILEGES AND IMMUNITIES

Article 6

1. A plaque bearing the coat-of-arms of the sending State and the designation of the consulate may be affixed to the building in which the consulate has its premises.

2. The flag of the sending State may be flown from the building in which the consulate has its premises. The flag of that State may also be flown on vehicles while they are being used by the consul in the performance of his official duties.

Article 7

1. Consular premises and the residence of the consul shall be inviolable.

2. The consular archives shall be inviolable. Private papers and objects may not be kept in the archives.

3. Consular correspondence dispatched by or addressed to the consulate shall be inviolable and may not be detained.

4. Consulates may use the services of diplomatic couriers and may employ codes.

Article 8

1. Consuls and members of the consular staff who are nationals of the sending State shall not be subject to the jurisdiction of the receiving State in matters connected with their official functions.

2. If a consul performs an act, not connected with his official functions, which is punishable under the laws of the receiving State, proceedings of any kind to be taken against him shall in all cases be agreed beforehand between the Contracting Parties.

Article 9

1. Consuls and members of the consular staff may be summoned by the authorities of the receiving State to give evidence in civil, criminal and administrative cases. They may refuse to give evidence concerning matters connected with their official functions or to produce correspondence and other official documents.

2. Summonses addressed to consuls or members of the consular staff who are nationals of the sending State shall be drawn up in writing and must contain no threat of penalties for failure to appear.

3. The authority issuing the summons shall take the necessary steps to ensure that the hearing does not interfere with the performance by the persons referred to in paragraph 1 of their official duties.

4. A consul or member of the consular staff who is a national of the sending State may ask for his evidence to be taken at a later date, or at the consular premises or his residence. If the laws of the receiving State permit, he may make a deposition in writing.

5. Consuls and members of the consular staff appearing as witnesses shall not be required to take the oath if they are nationals of the sending State.

Article 10

Consuls and members of the consular staff and their spouses and minor children residing with them who are nationals of the sending State shall not be