



Treaty Series No. 38 (1958)

Consular Convention

between Her Majesty in respect of the
United Kingdom of Great Britain and
Northern Ireland and His Majesty the
King of the Hellenes

[with Agreed Minutes, Protocols of Signature and Exchanges of Notes]

Athens, April 17, 1953

[Ratifications were exchanged on January 15, 1954]

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
September 1958*

LONDON
HER MAJESTY'S STATIONERY OFFICE
THREE SHILLINGS NET

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 territories 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 (*consul missus*) or an honorary officer (*consul electus*);
- (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 defence 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 for 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 sending 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 provisions 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;

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- (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 taxes 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 evidence 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 *pratique*. 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; or
- (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 constitutes 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.

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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 Hellenes, 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,⁽¹⁾ and Articles 22, 23

(¹) "Greece No. 1 (1876)," C. 1414.

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and 24 of the Treaty of Commerce and Navigation between the United Kingdom and Greece, signed at London on the 16th July, 1926,⁽²⁾ 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⁽³⁾ 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:
(L.S.) CHARLES PEAKE.

For His Majesty The King of The
Hellenes:
(L.S.) STEPHANOPOULOS.

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. STEPHANOPOULOS.

Athens, 17th April, 1953.

SECOND AGREED MINUTE

With reference to the second sentence of Article 28 (1) of this Convention, it is understood that the expression "the appropriate consular officer" denotes, in the absence of specific notification to the contrary from the sending state to the receiving state in the case of any particular territory or territories, the principal consular officer of the sending state within whose district the port where the vessel lies is situated.

CHARLES PEAKE. STEPHANOPOULOS.

Athens, 17th April, 1953.

⁽²⁾ "Treaty Series No. 2 (1927)," Cmd. 2790.

⁽³⁾ The Convention entered into force on February 14, 1954.

FIRST PROTOCOL OF SIGNATURE

At the time of signing the Consular Convention of this day's date on behalf of Her Majesty The Queen of Great Britain, Ireland and the British Dominions beyond the Seas, in respect of the United Kingdom of Great Britain and Northern Ireland, and of His Majesty The King of The Hellenes, in respect of the Kingdom of Greece, the undersigned, being duly authorised thereto, declare as follows:—

The High Contracting Parties wish to put on record that in their view the following principles are applicable to consulates and consular officers under the general law of nations in the event of war or of the rupture of diplomatic relations:

- (1) in the event of war or of the rupture of relations between two states, either state shall be entitled to demand the closure of all or any of the consulates of the other state in its territory. It shall also be entitled to close all or any such consulates of the latter state as are situated in other countries which come under its military occupation;
- (2) in the event of the closure of all or any of the consulates of one state in the territory of another state or in territory which comes under the military occupation of the latter state, the consular officers (including honorary consular officers) and consular employees concerned of the former state who are nationals of the former state and are not nationals of the latter state, provided that their names have been duly notified through the appropriate channel, together with all members of their families, shall be given reasonable time and proper facilities to leave the territory for their own country. They shall be afforded considerate treatment and protection until the moment of their departure, which shall take place within a reasonable period, and they shall be permitted to take with them their archives and official papers together with their personal effects and furniture, or, if they prefer, to deposit them in safe custody in the territory. In either case their archives and official papers shall be inviolable and all practicable steps shall be taken to safeguard their furniture and personal effects.

In witness whereof, the respective Plenipotentiaries have signed this Protocol 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:
(L.S.) CHARLES PEAKE.

For His Majesty The King of The Hellenes:
(L.S.) STEPHANOPOULOS.

SECOND PROTOCOL OF SIGNATURE

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At the time of signing the Consular Convention of this day's date on behalf of Her Majesty The Queen of Great Britain, Ireland and the British Dominions beyond the Seas, in respect of the United Kingdom of Great Britain and Northern Ireland, and of His Majesty The King of The Hellenes, in respect of the Kingdom of Greece, the undersigned, being duly authorised thereto, declare as follows:

The High Contracting Parties have agreed that the provisions of Article 14 of the Convention shall not come into operation until such time as each High Contracting Party has given notice to this effect to the other.

In witness whereof, the respective Plenipotentiaries have signed this Protocol 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:
(L.S.) CHARLES PEAKE.

For His Majesty The King of The
Hellenes:

(L.S.) STEPHANOPOULOS.

FIRST EXCHANGE OF NOTES

No. 1

*The Royal Hellenic Minister for Foreign Affairs to Her Majesty's
Ambassador at Athens*

Your Excellency,

Athens, April 17, 1953.

I have the honour to refer to the Consular Convention of to-day's date and to request that you will be so good as to give me some explanation regarding the precise scope of Articles 2 (3) and 36 (1), as they affect the territories referred to in Article 1.

STEPHANOPOULOS.

No. 2

*Her Majesty's Ambassador at Athens to the Royal Hellenic Minister for
Foreign Affairs*

Your Excellency,

British Embassy,

Athens, April 17, 1953.

I have the honour to acknowledge the receipt of your note of to-day, regarding Articles 2 (3) and 36 (1) of the Consular Convention of to-day's date, which reads as follows:

[As in No. 1]

The provisions of paragraph (3) of Article 2 and paragraph (1) of Article 36 do not affect the territorial area covered by the Convention, which is set out in Article 1. Subject to the exception in respect of Article 9, embodied in the First Agreed Minute, all the Articles of the Convention apply to all the territories referred to in Article 1.

The object of Articles 2 (3) and 36 (1) is to enable either High Contracting Party to notify the other that certain territories or parts of territories or groups of territories falling within the area set out in Article 1, will constitute (pending any further notification in conformity with paragraph (2) of Article 36) separate administrative units for the purpose of the application of the Convention; they are not intended to enable either High Contracting Party to withdraw from the application of the Convention any of the territories referred to in Article 1.

I avail, &c.

CHARLES PEAKE.

SECOND EXCHANGE OF NOTES

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No. 3

Her Majesty's Ambassador at Athens to the Royal Hellenic Minister for Foreign Affairs

Your Excellency.

Athens, April 17, 1953.

I have the honour to refer to the Consular Convention between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of Greece, signed at Athens on the 17th April, 1953, Article 36 (1) of which reads as follows:—

“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.”

In respect of the territories referred to in Article 1 (1) of the Convention, I have the honour, upon instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, to notify Your Excellency for the information of the Royal Hellenic Government that, for the purpose of the Convention, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man are together to be regarded as a single territory and that all other territories for whose international relations Her Majesty's Government in the United Kingdom are responsible are each to be regarded as a separate territory; provided that for the purposes of Article 16, the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man are each to be regarded as a separate territory and that, for the purposes of Article 22, England and Wales, Scotland, Northern Ireland, the Channel Islands and the Isle of Man are each to be regarded as a separate territory.

I avail, &c.

CHARLES PEAKE.

No. 4

The Royal Hellenic Minister for Foreign Affairs to Her Majesty's Ambassador at Athens

Monsieur l'Ambassadeur,

Athens, October 14, 1953.

I have the honour to refer to the Consular Convention between the Kingdom of Greece and the United Kingdom of Great Britain and Northern Ireland signed in Athens on the 17th of April, 1953, Article 36 (1) of which reads:—

[As in No. 3]

I have the honour to state that the Kingdom of Greece is to be regarded as one territorial unit so far as all Articles of this Convention are concerned.

Accept, &c.

STEPHANOPOULOS.

ΠΡΟΣΕΝΙΚΗ ΣΥΜΒΑΣΙΣ ΜΕΤΑΞΥ ΤΟΥ ΗΝΩΜΕΝΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΜΕΓΑΛΗΣ
ΒΡΕΤΑΝΝΙΑΣ ΚΑΙ ΒΟΡΕΙΟΥ ΙΡΑΝΔΙΑΣ ΚΑΙ ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ

ΠΡΟΟΙΜΙΟΝ

Ἡ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων καὶ ἡ Αὐτῆς
Μεγαλειότης ἡ Βασίλισσα τῆς Μεγάλῃς Βρεταννίας, Ἱρλανδίας καὶ τῶν
Ἑπερποντιῶν Βρεταννικῶν Κτήσεων,

Ἐπιθυμοῦντες νὰ ρυθμίσωσι τὴν θέσιν τῶν προξένων τοῦ ἑνὸς
Μέρους εἰς τὰ ἔδραφά τοῦ ἑτέρου,

Ἀπεφάσισαν νὰ συνάψωσι Προξενικὴν Σύμβασιν, πρὸς τὸν σκοπὸν
δέ τοῦτον διώρισαν ὡς Πληρεξουσίους αὐτῶν:

Ἡ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων:

Διὰ τὸ Βασίλειον τῆς Ἑλλάδος.

Τὴν Αὐτοῦ Ἐξουχίτητα τὸν Κύριον Στέφανον Στεφανόπουλον,

Ἐπιτροπὸν ἐπὶ τῶν Ἑξωτερικῶν.

Ἡ Αὐτῆς Μεγαλειότης ἡ Βασίλισσα τῆς Μεγάλῃς Βρεταννίας, Ἱρ-
λανδίας καὶ τῶν Ἑπερποντιῶν Βρεταννικῶν Κτήσεων (ἀναγραφομένη ἐν τοῖς
ἔφεξις ὡς "Ἡ Αὐτῆς Βρεταννικὴ Μεγαλειότης"):

Διὰ τὸ Ἠνωμένον Βασίλειον τῆς Μεγάλῃς Βρεταννίας καὶ Βορείου
Ἱρλανδίας:

Τὴν Αὐτοῦ Ἐξουχίτητα τὸν Sir Charles Brinsley Pemberton

Peake, K.C.M.G., M.C., Ἐκτακτὸν Ἀπεσταλμένον καὶ Πληρεξούσιον Πρέ-
σβυν τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος ἐν Ἀθήναις.

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

Μ Ε Ρ Ο Σ Ι :

ἘΦΑΡΜΟΓΗ ΚΑΙ ΟΡΙΣΜΟΙ

Ἄρθρον 1ον

Ἡ Σύμβασις αὕτη ἔχει ἐφαρμογὴν

- 1) Ἐκ μέρους τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος, εἰς τὸ
Ἠνωμένον Βασίλειον τῆς Μεγάλῃς Βρεταννίας καὶ Βορείου
Ἱρλανδίας, ὡς καὶ εἰς ὅλα τὰ ἔδραφά διὰ τὰς διεθνέας
σχέσεις τῶν ὁποίων ἡ ἐν τῷ Ἠνωμένῳ Βασίλειῳ Κυβέρ-
νησις Αὐτῆς εἶναι ὑπεύθυνος.

- 2) Ἐκ μέρους τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν
Ἑλλήνων, εἰς τὸ Βασίλειον τῆς Ἑλλάδος.

Άρθρον 2ου

Πρός τοῦτο ἐν τῇ παρουσίᾳ Συμβάσει·

- 1) ὁ ὅρος "ἀποστέλλον κράτος" δηλοῦ, ἀναλόγως τοῦ κειμένου, τὸ Ἰψηλὸν Συμβαλλόμενον Μῆρος τὸ ὁποῖον διορίζει τὸν πρόξενον, ἢ ἅπαντα τὰ ἐδάφη τοῦ Μέρους ἐκείνου εἰς τὸ ὅπεσον ἢ Σύμβασις ἔχει ἐφαρμογὴν·
- 2) ὁ ὅρος "δεχομένον κράτος" δηλοῦ, ἀναλόγως τοῦ κειμένου, τὸ Ἰψηλὸν Συμβαλλόμενον Μῆρος ἐντός τῶν ἐδαφῶν τοῦ ὁποίου ὁ πρόξενος ἀσκεῖ τὰ ἐκ τοῦ λειτουργήματός του ἐπιβαλλόμενα καθήκοντα, ἢ ἅπαντα τὰ ἐδάφη τοῦ Μέρους ἐκείνου εἰς τὸ ὁποῖον ἢ Σύμβασις ἔχει ἐφαρμογὴν·
- 3) ὁ ὅρος "χώρα" δηλοῦ οἰουδήποτε 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 συνωδὰ ταῖς διατάξεσι τοῦ ἄρθρου 36 ταύτης·
- 4) ὁ ὅρος "ὑπήκοοι" δηλοῦ
 - α) καθ' ὅσον μὲν ἀφορᾷ εἰς τὴν Αὐτῆς Βρετανικὴν Μεγαλειότητα, πάντας τοὺς πολίτας τοῦ Ἰνωμένου Βασιλείου καὶ τῶν Ἰποικιῶν, πάντας τοὺς κολίτας τῆς Νοτίου Ἰρλανδίας ὡς καὶ πάντα τὰ ἀπολαμβάνοντα τῆς Βρετανικῆς προστασίας πρόσωπα, περιλαμβανομένων, ὅπουδήποτε τὸ κείμενον ἐπιτρέπει, πάντων τῶν νομικῶν προσώπων τὰ ὁποῖα προσηκόντως ἰδρύθησαν συμφώνως πρὸς τοὺς νόμους οἰουδήποτε τῶν ἐδαφῶν ἐφ' ὧν ἢ Σύμβασις ἔχει ἐφαρμογὴν·
 - β) καθ' ὅσον δὲ ἀφορᾷ εἰς τὴν Αὐτῆς Μεγαλειότητα τὸν Βασιλέα τῶν Ἰλλήνων, πάντας τοὺς Ἰλληνας Ἰπηκόους, περιλαμβανομένων, ὅπουδήποτε τὸ κείμενον ἐπιτρέπει, πάντων τῶν νομικῶν προσώπων τὰ ὁποῖα προσηκόντως ἰδρύθησαν συμφώνως πρὸς τοὺς νόμους τοῦ Βασιλείου τῆς Ἰλλάδος·

- 5) ὁ ὅρος "πλοτον" ἡ ἕψηλοῦ Συμβαλλομένου Μέρους δηλοῦ, ὡς πρὸς μὲν τὸ Μῆρος ΥἱΙ·τῆς Συμβάσεως, οἰονδήποτε πλοτον ἢ πλωτόν μέσον νηολογημένον εἰς λιμένα ὅκου-δηποτε τῶν ἐδαφῶν τοῦ ἕψηλοῦ Συμβαλλομένου Μέρους τούτου, εἰς τὰ ὅποτα ἢ Σύμβασις ἔχει ἐφαρμογήν, ὡς πρὸς δὲ τὰ ἄλλα μέρη τῆς Συμβάσεως, ὁ ὅρος "πλοτον" δηλοῦ οἰονδήποτε πλοτον ἢ πλωτόν μέσον (μὴ πολεμικόν) εἴτε ὡς ἄνω νηολογημένον εἴτε μὴ.
- 6) ὁ ὅρος "πρόξενος" δηλοῦ οἰονδήποτε πρόσωπον εἰς τὸ ὅποτον αἱ ἀρμοδίαι τῆς χώρας ἀρχαί ἐξεδώκαν ἐκτελεστήριον ἢ ἐτέραν ἀναγνώρισιν (περιλαμβανομένης καὶ τῆς προσωρινῆς τοιαύτης), ὅπως ἐνεργῆ ἐν τῇ ιδιότητι ταύτῃ· ὁ πρόξενος δύναται νὰ εἶναι εἴτε ἔμμισθος (Consul missus) εἴτε ἄμισθος (Consul electus).
- 7) ὁ ὅρος "προξενικός ὑπάλληλος" δηλοῦ πᾶν πρόσωπον τὸ ὅποτον, μὴ ὄν πρόξενος, ὑπηρετεῦ εἰς προξενετόν τι πρὸς ἐκτέλεσιν προξενικῶν καθηκόντων, ἐφ' ὅσον τὸ ὄνομα τοῦ ἀνεκοινώθη δεόντως εἰς τὰς ἀρμοδίας ἀρχὰς τῆς χώρας, συμφώνως πρὸς τὸ ἄρθρον 6 τῆς Συμβάσεως· ὁ ὅρος δὲν συμπεριλαμβάνει ὅμως τοὺς ὁδηγοὺς αὐτοκινήτων ἢ πρόσωπα ἐκτελοῦντα ἐν τῷ προξενικῷ καταστήματι ἀποκλειστικῶς αἰκιακὰς ἢ πρὸς συντήρησιν αὐτοῦ ὑπηρεσίας.
- 8) ὁ ὅρος "προξενικὸν γραφεῖον" δηλοῦ πᾶν κτίριον ἢ τμημα κτιρίου τὸ ὅποτον κατέχεται ἀποκλειστικῶς πρὸς τὸν σκοπὸν τῆς ἀσκήσεως τῶν ἐπισημῶν καθηκόντων τοῦ προξένου.
- 9) ὁ ὅρος "βαρὺ ἔγκλημα" δηλοῦ, ἐν τῇ ἐννοίᾳ τῶν ἄρθρων 14 καὶ 28 (2) τῆς Συμβάσεως,
- α) εἰς μὲν τὴν περίπτωσιν οἰονδήποτε τῶν ἀναφερομένων ἐν τῇ παραγράφῳ (1) τοῦ 1ου ἄρθρου τῆς Συμβάσεως ἐδαφῶν, ἔγκλημα διὰ τὸ ὅποτον δύναται νὰ ἐπιβληθῆ ποινὴ φυλακίσεως πέντε καὶ πλέον ἐτῶν.
- β) εἰς δὲ τὴν περίπτωσιν τοῦ Βασιλείου τῆς Ἑλλάδος, ἔγκλημα συνιστᾶν "κακούργημα" κατὰ τοὺς νόμους τοῦ Βασιλείου τῆς Ἑλλάδος.

Μ Ε Ρ Ο Σ Ι Ι :

ΔΙΟΡΙΣΜΟΙ ΚΑΙ ΠΕΡΙΦΕΡΕΙΑΙ

Άρθρον 3ον

1) Τό άποστέλλον κράτος δύναται νά ίδρύη καί διατηρή προξενεΐα εις τό έδάφη του δεχομένου κράτους όπουδήποτε τρίτον κράτος έχει προξενεΐον, καί όπουδήποτε άλλαχού τό δεχόμενον κράτος συναινέσει εις τήν ίδρυσιν προξενείου. Τό άποστέλλον κράτος δύναται, κατά τό δοκοῦν, νά όρίζη έάν τό προξενεΐόν θά εΐναι γενικόν προξενεΐον, προξενεΐον, ύποπροξενεΐον ή προξενικόν πρακτορεΐον.

2) Τό άποστέλλον κράτος πληροφορεΐ τό δεχόμενον κράτος περί τής περιφερείας έκάστου προξενείου του καί, ύπό τήν έπιβύλαξιν τής παραγράφου (3) του παρόντος άρθρου, δύναται νά καθορίζη κατά τό δοκοῦν τά όρια τής περιφερείας αὐτοῦ.

3) Τό δεχόμενον κράτος δικαιούται νά άρνηται τήν ύπαγωγήν ύπό προξενικήν τινα περιφέρειαν:

α) οίσαδήποτε περιοχής μή συμπεριλαμβανόμενης εις προξενικήν περιφέρειαν καί μή άνοικτής εις τούς Έμπορικούς Έπιτρόπους (Trade Commissioners) ή έμπορικούς άντιπροσώπους τρίτου κράτους.

β) οίωνδήποτε έδαφών τρίτου κράτους.

4) Ό πρόξενος δύναται, ρητόπιν γνωστοποιήσεως προς τό δεχόμενον κράτος, νά άσκη προξενικά καθήκοντα έξω τής προξενικής αὐτοῦ περιφερείας, πλην έάν τό δεχόμενον κράτος άντιτίθεται προς τούτο.

Άρθρον 4ον

1) Τό άποστέλλον κράτος δύναται νά διορίζη εις τό πρόξενεΐά του προξένου οίουνδήποτε βαθμού καί εις οίουνδήποτε αριθμόν κρίνει άναγκαΐον. Τό άποστέλλον κράτος άνακοινοΐ έγγραφως εις τό δεχόμενον κράτος τόν διορισμόν του προξένου εις τι προξενεΐον. Είς τήν περίπτωσιν άμίσθων προξένων, ύπηκόων του δεχομένου κράτους, τούτο δύναται νά ζητήση όπως ληφθῃ προηγουμένης διά τής διπλωματικής όδοῦ ή συναινέσεις αὐτοῦ εις τόν διορισμόν αὐτῶν.

2) Τό έκτελεστήριον ή άλλη άναγνώρισις όρίζεται παρά του δεχομένου κράτους ως οΐον τε τάχιστα καί άνευ καταβολής τέλους, επί τῆ προσκομίσει του διπλώματος ή άλλης άναγοινώσεως περί του διορισμού του προξένου. Έφ' όσον παρίσταται άναγκη παρέχεται προ-

σώρινή αν αγνώρισις μέχρι της έκδόσεως του έκτελεστηρίου ή έτέρας αναγνωρίσεως.

3) Άρνησις έκτελεστηρίου ή έτέρας αναγνωρίσεως δέν συ-
χωρεΐται άνευ εϋλόγου αιτίας.

4) Τό δεχόμενον κράτος δέν λογίζεται ως συναινέσαν εις
τήν άσκησιν των καθηκόντων του προξένου ή ως παραχωρησαν αυτόν
τά ευεργετήματα των διατάξεων της παρούσης Συμβάσεως μέχρι της
ιπ' αυτού έκδόσεως έκτελεστηρίου ή έτέρας αναγνωρίσεως.

*Άρθρον 5ον

1) Άμα τη λήψει αίτήσεως τό δεχόμενον κράτος όφείλει
νά γνωστοποιή άμελητέι εις τάς άρμοδίας αυτού αρχάς τό όνομα παν-
τός προξένου δικαιουμένου νά ένεργή κατά την παρούσαν Σύμβασιν.

2) Ός επίσημος έκπρόσωπος του άποστέλλοντος κράτους, ό
πρόξενος δικαιούται ίδιαιτέρας προστασίας καί της άκρας έκτιμή-
σεως πασών των αρχών του δεχομένου κράτους μεθ'ών διατελεΐ εις
έπίσημον έπικοινωνίαν.

3) Τό δεχόμενον κράτος δύναται νά άνακαλέση τό έκτελε-
στήριον ή έτέραν αν αγνώρισιν προξένου οϋτινος ή διαγωγή έδωκεν
σοβαράν άφορμήν παραπόνων. Ό λόγος της τοιαύτης άνακλήσεως γνω-
στοποιεΐται, κατόπιν αίτήσεως, εις τό άποστέλλον κράτος, διό της
διπλωματικής όδοϋ.

*Άρθρον 6ον

Τό άποστέλλον κράτος εΐναι έλεύθερον νά χρησιμοποιή τόν
άναγκατον αριθμόν προξενικών ύπαλλήλων εις τά προξενεία του, εΐ-
τε οϋτοι εΐναι ύπήκοοι αυτού, εΐτε ύπήκοοι του δεχομένου ή καί
 τρίτου κράτους. Οί πρόξενοι άνακοινοϋσι τά όνόματα καί διευθύ-
σεις των ύπαλλήλων τούτων πρός την Κυβέρνησιν της χώρας. Ή Κυ-
βέρνησις της χώρας εΐναι άρμοδία νά όρίζη την άρμοδίαν αρχήν
πρός την όποίαν θα γίνηται ή άνακοίνωσις αύτη.

*Άρθρον 7ον

Πρόξενος ή ύπάλληλος δύναται νά διορισθῆ προσωρινώς πρό
ένάσκησιν των καθηκόντων άποβιώσαντος προξένου ή άνικάνου λόγω
άσθενείας, άπουσίας ή άλλης αιτίας. Κατόπιν γνωστοποιήσεως πρός
την Κυβέρνησιν της χώρας, ό οϋτω όρισθείς άναπληρωτής δύναται νά
άσκη τά καθηκόντα ταυτα καί νά άπολαβῆ των ευεργετημάτων των δια-

τάξεων της παρουσίας Συμβάσεως μέχρι της είς τήν θέσιν του επι-
στροφής του προξένου ή του διορισμού νέου.

Άρθρον 8ου

Τό ἀποστέλλον κράτος δύναται, τῆ ἀδείᾳ τοῦ δεχομένου
κράτους, νά διορίζῃ ἐν ἡ πλειονα μέλη της διαπεπιστευμένης πα-
ρά τῷ κράτει τούτῳ διπλωματικῆς αὐτοῦ ἀποστολῆς πρὸς λειτουρ-
γίαν προξενελοῦ κειμένου ἐν τῇ ἔδρᾳ της κεντρικῆς Κυβερνήσεως
τοῦ δεχομένου κράτους. Οἱ τοιοῦτοι διορισμοί γίνονται συμφώνως
πρὸς τὰς διατάξεις τοῦ ἄρθρου 4 τῆς παρουσίας Συμβάσεως. Οἱ οὖ-
τω διοριζόμενοι προξένοι δέν παύουσιν ἀπολαθόντες ἀπάντων τῶν
ἐκ της διπλωματικῆς αὐτῶν ιδιότητος προνομίων καὶ ἀσυλιῶν, πλην
ὅμως, ὡς πρὸς τήν προξενικὴν αὐτῶν ιδιότητα, ὑπόκεινται εἰς τὰς
διατάξεις τῆς Συμβάσεως.

Μ Ε Ρ Ο Σ ΙΙΙ

ΝΟΜΙΚΑ ΔΙΚΑΙΩΜΑΤΑ ΚΑΙ ΑΣΥΛΙΑΙ

Άρθρον 9ου

1. Τό ἀποστέλλον κράτος δύναται, συμφώνως πρὸς τοὺς κα-
θοριζομένους ὑπὸ τῶν νόμων τῆς χώρας ὄρους, νά ἀποκτῇ, νέμηται
καὶ κατέχῃ ὑπὸ οἰονδήποτε τυχόν ὑφιστάμενον κατὰ τοὺς νόμους τῆς
χώρας τίτλον, εἴτε ἐπ' ὀνόματι αὐτοῦ εἴτε ἐπ' ὀνόματι ἐνός ἢ πλει-
όνων 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 προξενεῖτα
ἢ διὰ κατοικίαν ἐμμέσθων προξένων ἢ δι' ἄλλους σκοπούς, πρὸς τοὺς
ὁποίους τὸ δεχόμενον κράτος δέν ἀντιτίθεται, προκύπτοντας δ' ἐκ
τῆς λειτουργίας τῆς προξενικῆς ἀρχῆς τοῦ ἀποστέλλοντος κράτους.
Ἐάν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτῆται, πρὸ πάσης τοιαύτης
κτησεως, ἡ ἄδεια τῶν ἐγχωρῶν ἀρχῶν, ἡ ἄδεια αὕτη θά παρέχεται,
ἐφ' ὅσον ἐξεπληρώθησαν αἱ ἀναγκαῖαι διατυπώσεις.

2) Τό ἀποστέλλον κράτος δικαιούται νά ἀνεγείρῃ δι' οἰον-
δήποτε ἐκ τῶν καθοριζομένων ἐν τῇ 1ῃ παραγράφῳ τοῦ παρόντος ἄρ-
θρου σκοπῶν, κτίρια καὶ παραρτήματα ἐπὶ οὕτῳ ὑπ' αὐτοῦ κτηθέντος
ἐδάφους.

3) Ἐννοεῖται ὅτι τὸ ἀποστέλλον κράτος δέν ἐξαιρεῖται

της τηρήσεως των σχετικών με την άνοιχοδόμησιν και τὰ σχέδια πό-
λεων διατάξεων και περιορισμών, των εφαρμοζομένων εν τη περιοχῇ
εν τη ὁποίᾳ κείνται τὰ γήπεδα, τὰ κτίρια, μέρη κτιρίων και πα-
ραρτήματα, περί ὧν αἱ παραγράφοι 1 και 2 τοῦ παρόντος ἄρθρου.

Ἄρθρον 10ον

1) Δύνανται νά τίθενται ἐπὶ τοῦ ἐξωτερικοῦ περιβόλου και
ἐξωτερικοῦ τοίχου τοῦ κτιρίου ἐν ᾧ τὸ προξενεῖον εἶναι ἐγκατεστη-
μένον, ὁ θυρεὸς ἢ ἐθνικὸν ἔμβλημα τοῦ ἀποστέλλοντος κράτους μετα
καταλλήλου ἐπιγραφῆς προσδιοριζούσης τὸ προξενεῖον εἰς τὴν ἐπίση-
μον γλῶσσαν τοῦ ἀποστέλλοντος κράτους. Ἐπιτρέπεται ἐπίσης ὅπως
τίθενται οἱ τοιοῦτοι θυρεοὶ ἢ ἐθνικὰ ἔμβλήματα και ἐπιγραφαί
ἐπὶ της θύρας εἰσόδου τοῦ προξενείου ἢ παρ' αὐτήν.

2) Ἡ σημαία τοῦ ἀποστέλλοντος κράτους, ὡς και ἡ προξε-
νικὴ σημαία, δύνανται νά ὑψῶνται ἐπὶ τοῦ προξενικοῦ καταστήματος,
εἰς καταλλήλους δὲ εὐκαιρίας, και ἐπὶ της κατοικίας τοῦ προξένου.
Ἐπὶ πλέον ὁ πρόξενος δύναται νά ἀναρτῇ τὸν θυρεὸν ἢ τὸ ἔμβλημα
ὡς και νά ὑψοῖ τὴν σημαίαν τοῦ ἀποστέλλοντος κράτους και τὴν προ-
ξενικὴν σημαίαν, εἰς τὰ ὀχήματα, πλοῖα και ἀεροσκάφη τὰ ὁποῖα χρη-
σιμοποιεῖ ἐν τῇ ἐνασχῆσει τῶν καθηκόντων του.

3) Ἡ ἀστυνομία ἢ ἄλλαι ἀρχαὶ της χώρας δὲν δύνανται νά
εἰσέρχωνται εἰς τὸ προξενικὸν γραφεῖον ἄνευ της συναιρέσεως τοῦ
προϋσταμένου της προξενικῆς ἀρχῆς, ἢ, ἐάν δὲν δύναται νά ληφθῇ ἡ
τοιαύτη συναίνεσις, μόνον κατόπιν τοῦ προσήκοντος ἐντάλλματος ἢ δια-
δικασίας και τῇ συγκαταθέσει τοῦ οἴκελου ἐπὶ τῶν Ἐξωτερικῶν Ἰκουρ-
γοῦ. Ἡ συναίνεσις τοῦ προξένου ἐξυπακούεται εἰς τὴν περιπτώσιν κυρ-
καίᾳ ἢ ἄλλου ἀτυχήματος, ἢ ἐάν αἱ ἀρχαὶ της χώρας εὐλόγως πιστεύ-
ωσιν ὅτι διεπράχθη ἢ διαπράττεται ἢ πρόκειται νά διαπραχθῇ ἐν
τῷ προξενικῷ γραφεῖω βίαιον ἔγκλημα. Αἱ διατάξεις της παρούσης πα-
ραγράφου δὲν ἔχουσιν ἐφαρμογὴν προκειμένου περὶ προξενικοῦ γρα-
φείου διευθυνομένου ὑπὸ προξένου ἔχοντος τὴν ὑπηκοότητα τοῦ δεχο-
μένου κράτους ἢ μὴ ὄντος ὑπηκόου τοῦ ἀποστέλλοντος κράτους.

4) Τὸ προξενεῖον δὲν χρησιμοποιεῖται πρὸς κατοικίαν ἀσύλου
εἰς φυγοδίκους. Ἐάν ὁ πρόξενος ἀρνηθῇ νά παραδώσῃ φυγοδίκον ἐπὶ
τῇ νομίμῳ αἰτήσει τῶν ἀρχῶν της χώρας, αἱ ἀρχαὶ αὐταί, ἐπιφυλασσο-
μένων τῶν διατάξεων της παραγράφου (3) τοῦ παρόντος ἄρθρου, ἀφο-

ρώσων εἰς τὰ προξενικά γραφεῖα, δύνανται 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 δεδόντως ὑπ' ὄφιν τοῦ ἀπαραβιάστου τῶν προξενικῶν ἀρχέων, ὡς τοῦτο ἀναγνωρίζεται ἐν τῇ (1ῃ) παραγράφῃ τοῦ ἄρθρου 12.

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

Ἄρθρον 11ον

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

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

3) Ἐπὶ πλέον καταβάλλεται, οὐχὶ βραδύτερον τῶν τριῶν

μηνών ἀπὸ τῆς ἡμερομηνίας καθ' ἣν τὸ προξενεῖον, ὃ πρόξενος ἢ ὁ ὑπάλληλος ἐστρεφθήσασθ τῆς νομῆς, ἢ προσήκουσα ἀποζημίωσι διὰ τὴν ἀπαλλοτριώσιν ἢ κατάληψιν, πληρωτέα εἰς τὴν μῆλλον εὐνοικήν διὰ τὸ ἀποστέλλον κράτος ἐπίσημον τιμὴν πωλήσεως συναλλαγματος κατὰ τὸν χρόνον τῆς ἀπαλλοτριώσεως ἢ καταλήψεως τῆς ἰδιοκτησίας καὶ ὑπὲρ μισθῶν ἐνδερώς μετατρέψιμον εἰς τὸ νόμισμα τοῦ ἀποστέλλοντος κράτους ἀπὸ βεβαίως ἐπιβεβημένοι εἰς αὐτὸ, διὰ πάντα τὰ ἐν τῷ προξενεῖ ὡς συμφέραντα κυριότητος συμπεριλαμβανομένων τῶν χώρων, κτιρίων, μερῶν κτιρίων καὶ παραρτημάτων αὐτῶν, τῶν ἀνηκόντων εἰς αὐτοὺς ἢ κατεχομένων παρ' αὐτῶν ἀποκλειστικῶς δι' ἕνα ἐκ τῶν σκοπῶν τῶν καθοριζομένων ἐν τῇ παραγράφῳ (1) τοῦ ἄρθρου (9), τὰ ὅποια ἀνήκουσι κατὰ κυριότητα εἰς τὸ ἀποστέλλον κράτος ἢ τυγχάνουσιν ἐμπειστευμένα παρὰ τῷ προξενῷ ἢ ὑπαλλήλῳ ἢ ἑτέρῳ φυσικῷ ἢ νομικῷ προσώπῳ ἐνεργοῦντι διὰ λογαριασμὸν τοῦ ἀποστέλλοντος κράτους.

4) Ὁ πρόξενος, ἐφ' ὅσον δὲν εἶναι ὑπήκοος τοῦ δεχομένου κράτους, ὡς καὶ ὁ προξενικός ὑπάλληλος, ἐφ' ὅσον κληρῶν τοὺς ἐν τῇ παραγράφῳ (5) τοῦ παρόντος ἄρθρου ὄρους, ἐξαιροῦνται πᾶσης ὑπηρεσίας στρατιωτικῆς, ναυτικῆς, ἀεροπορικῆς, ἀστυνομικῆς, δι-οικητικῆς καὶ τῆς ὑποχρεώσεως νὰ ὑπηρετῶσιν ὡς ἐνορκοί.

5) Ὡς πρὸς τοὺς ἐν τῷ παραγράφῳ (2) καὶ (4) τοῦ παρόντος ἄρθρου ὄρους, οὗτοι ὑποφῶσι τὰ κράσῳπα ἅτινα:

- α) εἶναι ὑπήκοοι τοῦ ἀποστέλλοντος κράτους καὶ δὲν κέκτηνται τὴν ἐθνικότητα τοῦ δεχομένου κράτους.
- β) δὲν μετέρχονται ἰδιωτικόν τι ἐπάγγελμα πρὸς πορισμὸν κέρδους ἐν τῇ χώρῃ καὶ
- γ) δὲν ἦσαν τακτικοὶ κάτοικοι τῆς χώρας κατὰ τὸν χρόνον τοῦ διορισμοῦ των εἰς τὸ προξενεῖον.

ἄρθρον 12ον

1) Τὰ ἀρχεῖα ὡς καὶ λοιπὰ ἐπίσημα ἔγγραφα τοῦ προξενεῖου 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 φυλάσ-

σονται κεχωρισμένως ἀπὸ τῶ ἔγγραφο, βιβλία ἢ ἀλληλογραφίαν τοῦ προξένου ἢ ὑπαλλήλου, τὰ ἀναφερόμενα εἰς ἄλλα ζητήματα. Ἡ ἄσταξις αὕτη δὲν ἀπαιτεῖ τὸν διαχωρισμὸν τῶν διπλωματικῶν ἀπὸ τῶν προξενικῶν ἀρχείων καὶ ἐπισήμων ἔγγραφων ὡςκίς τὸ προξενικὸν γραφεῖον κεῖται ἐν τῷ κτιρίῳ τῆς διπλωματικῆς ἀποστολῆς.

3) Ὁ πρόξενος δικαιούται νὰ ἐπικοινωνῇ μετὰ τῆς Κυβερνήσεως του, μετὰ τῆς προϊσταμένης αὐτοῦ διπλωματικῆς ἀποστολῆς ἢ μετ' ἄλλων ἐν τῇ αὐτῇ χώρᾳ κειμένων προξενίων τοῦ ἀποστέλλοντος κράτους, ταχυδρομικῶς, τηλεγραφικῶς, τηλεφωνικῶς καὶ δι' ἄλλων δημοσίων μέσων, δύναται ἐξ νῦ ἀποστέλλη καὶ λαμβάνη ἐπίσημον ἀλληλογραφίαν δι' ἐνσφραγίστων προξενικῶν φακέλων, σάκκων καὶ ἄλλων περιβλημάτων καὶ νὰ χρησιμοποιῇ εἰς ἀμφοτέρας τὰς περιπτώσεις μυστικὴν γλῶσσαν. Ὅσκις ὅμως τὸ δεχόμενον κράτος εὑρίσκειται ἐν πολέμῳ, τὸ δικαίωμα τοῦτο ἐπικοινωνίας καὶ ἀλληλογραφίας μετὰ τῆς προϊσταμένης διπλωματικῆς ἀποστολῆς, ἐὰν αὕτη εὑρίσκηται ἐκτὸς τῶν ἑδαφῶν τοῦ δεχομένου κράτους, δύναται νὰ περιορίζηται. Ἐπί πλέον ὁ πρόξενος δύναται ὁμοίως νὰ ἐπικοινωνῇ καὶ ἀλληλογραφῇ μετ' ἄλλων διπλωματικῶν ἀποστολῶν καὶ προξενίων τοῦ ἀποστέλλοντος κράτους ἢ μετὰ τῶν ἀρχῶν ἄλλων ἑδαφῶν τοῦ κράτους τούτου, ἐκτὸς ἐὰν τὸ δεχόμενον κράτος εὑρίσκηται ἐν πολέμῳ, ὅποτε τὸ κατ' ἐπέκτασιν τοῦτο δικαίωμα δύναται νὰ περιορίζηται.

4) Ἡ ἐν τῇ προηγουμένη παραγράφῳ ἀναφερομένη ἐπίσημος προξενικὴ ἀλληλογραφία τυγχάνει ἀπαραβίαστος, αἱ δὲ ἀρχαὶ τῆς χώρας δὲν θά ἐξετάζωσιν ἢ κατακρατῶσι ταύτην. Εἰς ἐξαιρετικὰς ὅμως περιπτώσεις, δύναται αὐταὶ νὰ ζητήσωσιν ὅπως ἐνσφραγίστοι προξενικοὶ φάκελλοι, σάκκοι καὶ ἄλλα περιβλήματα, ἀνοίγωνται παρουσίᾳ τῶν ὑπὸ τοῦ προξένου, ἵνα βεβαιωθῶσιν ὅτι ταῦτα δὲν περιέχουσιν ἄλλο τι πλὴν τῆς ἐπίσημου ἀλληλογραφίας.

5) Ὁ πρόξενος καὶ ὑπάλληλος δικαιούσιν νὰ ἀρνῶνται αἴτησιν τῶν δικαστηρίων ἢ τῶν ἀρχῶν τῆς χώρας ὅπως οὗτοι προσκομίσωσιν ἔγγραφα ἐκ τῶν ἀρχείων τῶν ἢ ἄλλα ἐπίσημα ἔγγραφα ἢ ὅπως προβαίνωσιν εἰς καταθέσεις ἐπὶ θεμάτων ἐντὸς τοῦ κύκλου

των επίσημων 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 ἀρνηται μαρτυρικὴν καταθέσειν ὡς ἐμπειρογνώμων ὅσον ἀφορᾷ τὴν νομοθεσίαν τοῦ ἀποστέλλοντος κράτους.

Ἄρθρον 13ον

1) Ὁ πρόξενος ἢ ὑπάλληλος δέν ὑπόκεινται εἰς τὴν δικαιοδοσίαν τῶν δικαστηρίων τοῦ δεχομένου κράτους διὰ πράξεις τελεσθεῖσας ὑπὸ τὴν ἐπίσημον αὐτῶν ιδιότητα καὶ ὑπαγομένας κατὰ τὸ διεθνὲς δίκαιον εἰς τὰ καθήκοντα αὐτῶν ὡς προξένων, ἐκτός 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 δέν ἀποκλείουσι τὴν ὑπαγωγὴν τοῦ προξένου καὶ ὑπαλλήλου εἰς ὁστικὴν δίκην συνεπεῖρά συναφθέντος ὑπ' αὐτῶν συμβολαίου, ἐν τῷ ὅποιῳ δέν συνεβλήθησαν ῥητῶς ὡς ἀντιπρόσωποι τῆς Κυβερνήσεως των καὶ ἐν τῷ ὅποιῳ τὸ ἕτερον μέρος ἀπέβλεπε προσωπικῶς πρὸς αὐτοὺς διὰ τὴν ἐκτέλεσιν, καὶ ὅτι αἱ διατάξεις τῆς 5ης παραγράφου τοῦ 12ου ἄρθρου δέν παρέχουσι τὸ δικαίωμα εἰς τὸν πρόξενον ἢ ὑπάλληλον νὰ ἀρνώνται τὴν προσαγωγὴν ἐγγράφου τινὸς ἢ τὴν μαρτυρίαν των ἐν σχέσει πρὸς τὸ τοιοῦτον συμβόλαιον.

3) Δύναται νὰ ζητηται ἀπὸ τὸν πρόξενον ἢ ὑπάλληλον νὰ καταθέτωσιν ὡς μάρτυρες ἐν ὁστικῇ ἢ ποινικῇ δίκῃ, ἐξαιρέσει τῶν ἐν ταῖς παραγράφαις (5) καὶ (6) τοῦ 12ου ἄρθρου προβλεπομένων περιπτώσεων. Ἡ Ἀρχὴ ἢ τὸ δικαστήριον τὰ ὁποῖα ζητοῦσι τὴν μαρτυρίαν των λαμβάνουσι πᾶν λογικὸν μέτρον πρὸς ὁποσυχὴν ἀναμείξεως εἰς τὴν ἀσκήσιν τῶν ἐπίσημων αὐτῶν καθηκόντων. Προκειμένου περὶ προξένου, ἢ Ἀρχῆ ἢ τὸ δικαστήριον θά μεριμνώσιν, ὅπου τοῦτο εἶναι ἐπιτρεπτόν καὶ δυνατόν, πρὸς λήψιν τῆς τοιαύτης μαρτυρίας, προφορικῶς ἢ ἐγγράφως, εἰς τὸ γραφεῖον ἢ τὴν κατοικίαν αὐτῶν.

4) Ἄπαντα τὰ αὐτοκίνητα ὀχήματα, πλοῖα καὶ ἀεροσκάφη, τὰ ἀνήκοντα εἰς τὸ ἀποστέλλον κράτος καὶ χρησιμοποιούμενα διὰ τοὺς σκο-

πούς του προξενείου, του προξένου ή υπαλλήλου, ως επίσης και άπαντα τά αυτοκίνητα όχηματα, πλοία και αεροσκάφη τά άνήκοντα εις πρόξενον ή υπάλληλον, δέον να ασφαλιζονται έπαρκώς δι' ασφαλιστηρίων συμβολαίων κατά κινδύνων εναντι τρίτων. Άγωγαί εκ μέρους τρίτων σχετικώς με τοιούτους κινδύνους θεωρούνται ως ανεπαρόμεναι τήν έν τη 2η παραγράφω του παρόντος άρθρου εύθύνην, αι δε διατάξεις της 5ης παραγράφου του άρθρου 12. δέν παρέχουσι δικαίωμα εις τόν πρόξενον ή υπάλληλον να άρνώνται τήν προσαγωγήν έγγράφου ή τήν μαρτυρικήν αυτών κατάθεσιν σχετικώς με τοιαύτας άγωγάς.

5) Ο πρόξενος, ή σύζυγος αυτού και τά συνοικοῦντα άνήλικα τέκνα του έξαιρουñται τών διατυπώσεων περί έγγραφης και άδειας παραμονής τών άλλοδαπών ου μώνως προς τούς νόμους της χώρας, και δέν υπόκεινται εις άπελασιν έφ' όσον ο πρόξενος έχει τό έκτελεστήριον αυτού ή έτέραν άναγνώρισιν.

Άρθρον 14ον

Έξαιρέσει τη αίτήσει ή τη συναινέσει του άποστέλλοντος κράτους, ο έμμισθος πρόξενος δέν υποβάλλεται έντός τών έδαφών του δεχομένου κράτους εις προφυλάκισιν διά πράξεις μη τελεσθείσας υπό τήν επίσημον αυτού ιδιότητα, εκτός εάν κατηγορηται διά βαρύ έγκλημα ως τουτο καθορίζεται έν άρθρω 2 (3) της παρούσης Συμβάσεως.

Μ Ε Ρ Ο Σ Ι Υ

ΟΙΚΟΝΟΜΙΚΑ ΠΡΟΝΟΜΙΑ

Άρθρον 15ον

Ουδέίς φόρος ή έτερον παρόμοιον τέλος οίασδήποτε φύσεως (έθνικης, κρατικης, έπαρχιακης, δημοτικης ή άλλης) επιβάλλεται ή εισπράττεται έν τη χώρα από τό άποστέλλον κράτος, ή από φυσικόν ή νομικόν πρόσωπον ένεργοῦν εκ μέρους του, έν σχέσει με

- α) τήν κυριότητα ή κατοχήν χώρων, κτιρίων, μερών κτιρίων ή παραρτημάτων αυτών χρησιμοποιουμένων άποκλειστικώς διά τινα τών έν παραγράφω (1) του άρθρου 9 της παρούσης Συμβάσεως καθοριζομένων σκοπών, πλην φόρων ή έτέρων άνω επισταλλομένων δι' ύπηρεσίας ή διά τοπικά δημόσια βελτιωτικά έργα, καθ' ό μέτρον τά ως άνω

ἀκίνητα ὠφελοῦνται ἐξ αὐτῶν.

- β) δικαιοπραξίας ἢ δικαιόγραφα σχετιζόμενα μὲ τὴν κτη-
σιν ἀκινήτου περιουσίας πρὸς τινα τῶν ἐν λόγῳ σκο-
πῶν.
- γ) τὴν κυριότητα, νομὴν ἢ χρῆσιν κινήτης περιουσίας
διὰ προξενικούς σκοπούς.

Ἄρθρον 16ον.

1) α) Οὐδεὶς φόρος ἢ ἕτερον παρόμοιον τέλος οἰασθήποτε φύ-
σεως ἐπιβάλλεται ἢ εἰσπράττεται ἐν τῇ χώρῃ ὑπὸ τοῦ
δεχομένου κράτους, ἢ ὑπὸ οἰασθήποτε πολιτείας, ἐπαρ-
χίας, δήμου ἢ ἐτέρας τοπικῆς ὑποδιαιρέσεως αὐτῶν, ἐν
σχέσει πρὸς τὰ διὰ λογαριασμόν τοῦ ἀποστέλλοντος κρά-
τους εἰσπραττόμενα τέλη ἕνεκα προξενικῶν ὑπηρεσιῶν, ἢ
ἐν σχέσει πρὸς οἰανδήποτε ἀπόδειξιν εἰσπράξεως τῶν τε-
λῶν τούτων.

β) Τὸ ἀποστέλλον κράτος, ἢ ὁ πρόξενος ἢ ὑπάλληλος αὐτοῦ,
ἀπαλλάσσονται ἐν τῇ χώρῃ πάντων τῶν φόρων ἢ ἐτέρων πα-
ρομοίων τελῶν οἰασθήποτε φύσεως, τῶν ἐπιβαλλομένων ἢ
εἰσπραττομένων ὑπὸ τοῦ δεχομένου κράτους, ἢ ὑπὸ οἰασ-
θήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἐτέρας τοπικῆς
ὑποδιαιρέσεως αὐτοῦ, ἐν σχέσει πρὸς πράξεις τελεσθεί-
σας ἐν τῇ ἐνασκήσει τῶν ἐπισήμων καθηκόντων τοῦ προ-
ξένου ἢ ὑπαλλήλου. Ἡ ἀπαλλαγή αὕτη δὲν ἰσχύει ἐπὶ φό-
ρων ἢ ἐτέρων παρομοίων τελῶν εἰς τὰ ὅποια τρίτον πρό-
σωπον κατὰ νόμον ὑπόκειται, καίτοι τὸ βῆρος τοῦ φόρου
ἢ ἐτέρου παρομοίου τέλους δυνατὸν νὰ ἐπιπέσῃ ἐπὶ τοῦ
ἀποστέλλοντος κράτους ἢ τοῦ προξένου ἢ τοῦ ὑπαλλήλου.

2) Οὐδεὶς φόρος ἢ ἕτερον παρόμοιον τέλος οἰασθήποτε φύσεως
ἐπιβάλλεται ἐν τῇ χώρῃ ὑπὸ τοῦ δεχομένου κράτους, ἢ ὑπὸ οἰασθήποτε
πολιτείας, ἐπαρχίας, δήμου ἢ ἐτέρας τοπικῆς ὑποδιαιρέσεως αὐτοῦ,
ἐν σχέσει πρὸς τὰς κρατικὰς ἀποδοχάς, μισθοὺς, ἡμερομίσθια ἢ ἐπι-
δόματα τὰ ὅποια ὁ πρόξενος λαμβάνει ὡς ἀμοιβὴν τῶν προξενικῶν αὐ-
τοῦ ὑπηρεσιῶν.

3) Αἱ διατάξεις τῆς παραγράφου (2) τοῦ παρόντος ἄρθρου ἰσχύ-

ουσιν ὡσαύτως ἐπὶ τῶν κρατικῶν ἀποδοχῶν, μισθῶν, ἡμερομισθίων ἢ ἐπιδομάτων τὰ ὅποια οἱ προξενικοί ὑπάλληλοι λαμβάνουσιν ὡς ἀμοιβὴν τῶν ὑπηρεσιῶν αὐτῶν εἰς τι προξενεῖον, ἐκτός ἐάν οἱ προξενικοί οὗτοι ὑπάλληλοι εἶναι ἠπήκοοι τοῦ δεχομένου κράτους.

4) Ὁ πρόξενος ἢ ὑπάλληλος ἀπαλλάσσονται ἐπιπροσθέτως ἐν τῇ χώρᾳ, ἐξαιρέσει τῶν προβλεπομένων ἐν παραγράφῳ (5) τοῦ παρόντος ἄρθρου περιπτώσεων, παντός φόρου ἢ ἐτέρων παρομοίων τελῶν οἰασδήποτε φύσεως, ἐπιβαλλομένων ἢ τυχόν εἰσπρατταμένων ὑπὸ τοῦ δεχομένου κράτους, ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἐτέρας τοπικῆς ὑποδιαίρεσεως αὐτοῦ, ἐξαιρέσει τῶν δι' εἰσαγωγῆν εἰς τὴν χώραν ἢ ἐξ αἰτίας αὐτῶν ἐπιβαλλομένων φόρων καὶ δασμῶν, περὶ τῆς ἀπὸ τῶν ὁποίων ἀπαλλαγῆς προβλέπει ἀποκλειστικῶς τὸ ἄρθρον 17ον, ἐφ' ὅσον ὁ πρόξενος οὗτος ἢ ὑπάλληλος

α) δέν εἶναι ἠπήκοοι τοῦ δεχομένου κράτους καί

β) δέν μετέρχονται ἐν τῇ χώρᾳ ἰδιωτικόν ἐπάγγελμα πρὸς πορισμὸν κέρωυς καί

γ) εἶναι μόνιμοι ὑπάλληλοι τοῦ ἀποστέλλοντος κράτους, ἢ ἐάν δέν εἶναι μόνιμοι ὑπάλληλοι τούτου, δέν ἦσαν τακτικοὶ κάτοικοι τῆς χώρας κατὰ τὸν χρόνον τοῦ διορισμοῦ των εἰς τὸ προξενεῖον.

5) α) Αἱ διατάξεις τῆς 4ης παραγράφου τοῦ παρόντος ἄρθρου ἰσχύουσι μόνον προκειμένοι περὶ τῶν φόρων ἢ ἐτέρων παρομοίων τελῶν διὰ τὰ ὅποια, ἔλλειψει τῆς προβλεπομένης ὑπὸ τοῦ παρόντος ἄρθρου ἀπαλλαγῆς, ὁ πρόξενος ἢ ὑπάλληλος θά ἦσαν τὰ κατὰ νόμον ὑπόχρεα πρόσωπα, δέν ἔχουσι δὲ ἰσχὺν προκειμένου περὶ φόρων ἢ ἐτέρων παρομοίων τῶν διὰ τὰ ὅποια τρίτον τι πρόσωπον εἶναι κατὰ νόμον ὑπόχρεον, καίτοι τὸ βᾶρος τοῦ φόρου ἢ ἐτέροι παρομοίου τέλους δυνατὸν νά ἐπιπίπτῃ ἐπὶ τοῦ προξένου ἢ ὑπάλλου. Ἐάν ὅμως ὁ πρόξενος ἢ ὑπάλληλος δικαιούνται εἰσοδήματος τινός ἐκ πηγῶν ἐκτός τῆς χώρας, τὸ δὲ εἰσόδημα τοῦτο εἶναι πληρωτέον αὐτοῖς ἢ εἰσπράττεται διὰ λογαριασμὸν αὐτῶν ὑπὸ τραπεζῆς ἢ ἐτέρου πρῶκτορος ἐν τῇ χώρᾳ, ὑποχρέων εἰς κρά-

τησιν τοῦ φόρου εἰσοδήματος κατὰ τὴν πληρωμὴν τοῦ εἰσοδήματος καὶ ἀπόδοσιν λογαριασμοῦ διὰ τὸν οὕτω κρατηθέντα φόρον, ὁ πρόξενος ἢ ὑπάλληλος δικαιούνται εἰς ἐπιστροφὴν τοῦ οὕτω κρατηθέντος φόρου.

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

- I) φόρων ἐπιβαλλομένων ἢ εἰσπραττομένων ἐξ αἰτίας τῆς κυριότητος ἢ κατοχῆς ἀκινήτων κειμένων ἐν τῇ χώρᾳ·
- II) φόρων εἰσοδήματος προερχομένων ἐξ ἄλλων ἐν τῇ χώρᾳ πόρων·
- III) φόρων ἐπιβαλλομένων ἢ εἰσπραττομένων ἐν τῇ χώρᾳ κατὰ τὴν μεταβίβασιν περιουσίας αἰτίᾳ θανάτου, εἴτε ὁ πρόξενος ἢ ὑπάλληλος εἶναι οἱ ἀποθνήσκοντες εἴτε τὰ πρόσωπα εἰς ἃ ἡ περιουσία μεταβιβάζεται κατὰ τὸν θάνατον·
- IV) φόρων ἐπὶ δικαιοπραξιῶν ἢ δικαιογράφων συνιστάντων δικαιοπραξίας ὡς οἱ φόροι ἐπὶ τῆς πωλήσεως ἢ μεταβιβάσεως χρημάτων ἢ περιουσίας, ἢ τελῶν χαρτοσήμου ἐπιβαλλομένων ἢ εἰσπραττομένων ἀναφορικῶς μέ ταύτας·
- V) ἀδειῶν, φόρων καταναλώσεως, ἢ ἐτέρων παρομοίως φύσεως, μὴ θεωρουμένων ὡς περιλαμβανόντων φόρους, οἷοι 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 ἄρθρου 17.

Ἄρθρον 17ον

1) Ἐπιτρέπεται ἡ ἐλευθέρᾳ παντός φόρου καὶ εἰσαγωγικοῦ δασμοῦ εἰσαγωγή τῶν ἐπίπλων, τῆς οἰκοσκευῆς, ἐφοδίων, οἰκοδομικῶν ὑλικῶν καὶ ἄλλων εἰδῶν, περιλαμβανομένων 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 ἀεροσκαφαί, τὰ πρᾶγματα καὶ ἄλλα εἶδη, συμπεριλαμβανομένων τῶν ὀχημάτων, πλοίων καὶ ἀεροσκαφῶν, εἰσαγομένων ἐν τῇ χώρᾳ

ὑπό προξένου ἢ ὑπαλλήλου, ἐφ' ὅσον οὗτοι εἰς ἀμφοτέρας τὰς περιπτώσεις, πληροῦσι τοὺς καθοριζομένους ἐν παραγράφῳ (4) τοῦ άρθρου 16 ὄρους, ἀποκλειστικῶς πρὸς ἀτομικὴν αὐτῶν χρῆσιν ἢ πρὸς χρῆσιν τῶν μελῶν τῆς οἰκογενείας αὐτῶν, τῶν ἀποτελούντων μέρος τοῦ οἴκου αὐτῶν, ἀπαλλάσσονται παντός φόρου ἢ εἰσαγωγικοῦ δασμοῦ (ἐθνικοῦ, κρατικοῦ, ἐπαρχιακοῦ, δημοτικοῦ ἢ ἄλλου), εἴτε ταῦτα κατὰ τὴν πρώτην ἄφισιν συνοδεύουσιν αὐτοὺς εἰς τὴν θέσιν των, ἢ κατὰ μεταγενεστέρως ἀφίξεις, εἴτε μεταγενεστέρως ἀποστέλλονται αὐτοῖς εἰς τὴν θέσιν των καὶ εἰσάγονται καθ' οἷονδήποτε χρόνον διαρκούντος τοῦ διορισμοῦ ἢ τῆς ὑπηρεσίας αὐτῶν ἐν τῇ θέσει ταύτῃ.

3) Ἐννοεῖται ὁμως ὅτι:

- α) τὸ δεχόμενον κράτος δύναται νὰ ζητήῃ ὡς ὄρον πρὸς παροχὴν τῆς προβλεπομένης ἐν τῷ παρόντι άρθρῳ ἀπαλλαγῆς, ὅπως τῷ γνωστοποιηθῆται, καθ' ὅν τρόπον τοῦτο καθορίζει, πᾶσα εἰσαγωγή ἢ ἐπανεξαγωγή.
- β) ἡ παρεχομένη ἐν τῷ παρόντι άρθρῳ ἀπαλλαγή, ἀφορῶσα εἰς εἶδη εἰσαγόμενα μόνον πρὸς ἐπίσημον ἢ ἀτομικὴν χρῆσιν, δέν ἐπεκτείνεται, μεταξύ ἄλλων, καὶ εἰς εἶδη εἰσαγόμενα πρὸς διευκόλυνσιν τρίτων ἢ πρὸς πώλησιν ἢ ἄλλους ἐμπορικοὺς σκοπούς. Ὅπωςδὴποτε, εἶδη εἰσαγόμενα ὡς δείγματα ἐμπορικῶν προϊόντων ἀποκλειστικῶς καὶ μόνον πρὸς ἔκθεσιν ἔν τινι Προξενείῳ καὶ μεταγενεστέρως ἐπανεξαγόμενα ἢ καταστρεφόμενα, δέν θεωροῦνται ὡς ἐξαιρούμενα τῆς παρεχομένης ἐν τῷ παρόντι άρθρῳ ἀπαλλαγῆς.
- γ) τὸ δεχόμενον κράτος δύναται νὰ ὀρίζη ὅτι ἡ παρεχομένη ἐν τῷ παρόντι άρθρῳ ἀπαλλαγή δέν ἰσχύει ἐπὶ εἰδῶν φυσικῶν, παραγομένων ἢ βιομηχανοποιουμένων ἐν τῇ χώρᾳ καὶ τὰ ὅποια ἐξήχθησαν ἐξ αὐτῆς ἄνευ καταβολῆς ἢ ἐπὶ ἐπιστροφή τῶν φόρων ἢ δασμῶν οἱ ὅποιοι θὰ ἐπεβάλλοντο ἐάν δέν ἐγένετο ἡ ἐξαγωγή αὕτη.

- δ) οὐδεμία διάταξις τοῦ παρόντος ἐρμηνεύεται κατὰ τρόπον ὥστε νά ἐπιτρέπηται ἡ εἰσαγωγή ἐν τῇ χώρᾳ οἰουδήποτε εἴδους, τοῦ ὁποῦου ὁ νόμος εἰδικῶς ἀπαγορεύει τήν εἰσαγωγήν.

Μ Ε Ρ Ο Σ Υ'

ΠΡΟΞΕΝΙΚΑ ΚΑΘΗΚΟΝΤΑ ΓΕΝΙΚΩΣ

Ἄρθρον 18ον

1) Ὁ πρόξενος δικαιοῦται, ἐντός τῆς περιφερείας του, νά προστατεύῃ τοὺς ὑπηκόους τοῦ ἀποστέλλοντος κράτους, ὡς καί τήν περιουσίαν καί τά συμφέροντα αὐτῶν. Πρὸς τόν σκοπόν τοῦτον δύναται νά:

- α) ἔχῃ συνεντεύξεις, ἐπικοινωνῶν καί συμβουλευῇ τοὺς ὑπηκόους τοῦ ἀποστέλλοντος κράτους.
- β) ἐξετάζῃ πᾶν συμβεβηκὸς θῆγον τά συμφέροντα τῶν ὑπηκόων τούτων.
- γ) συντρέχῃ τοὺς τοιοῦτους ὑπηκόους εἰς δικαστικὰ ὑποθέσεις ἢ εἰς τὰς μετὰ τῶν ἀρχῶν τῆς χώρας σχέσεις αὐτῶν, μεριμνῇ δέ πρὸς παροχὴν εἰς αὐτοὺς νομικῆς βοήθειας, ὡσάκις παρίσταται ἀνάγκη, καί ἐνεργῇ ὡς διερμηνεὺς διὰ λογαριασμόν αὐτῶν, ἢ διορίζῃ πρὸς τοῦτο διερμηνεὺς ἐνώπιον τῶν εἰρημένων Ἀρχῶν, τῇ αἰτήσῃ ἢ τῇ συναίνεσει αὐτῶν.
- δ) ἀπευδύνηται καί ἀλληλογραφῇ μέ τὰς ἀρμοδίας ἀρχάς τῆς περιφερείας του ὡς καί μέ τὰ ἀρμοδία ὑπουργεῖα τῆς κεντρικῆς κυβερνήσεως τῆς χώρας. Δέν διηγόρεται ὅμως νά ἀλληλογραφῇ μετὰ τοῦ οἰκείου Ὑπουργείου ἐπὶ τῶν Ἐξωτερικῶν, ἢ νά προβαίη εἰς διπλωματικά διαβήματα, εἰμὴ μόνον ἐλλείψῃ διπλωματικοῦ ἀντιπροσώπου τοῦ ἀποστέλλοντος κράτους. Εἰς ἅς περιπτώσεις τοιαῦτα παραστάσεις γίνονται ἐγγράφως, ἡ ἀρμοδία ἀρχὴ ἢ τὸ ὑπουργεῖον δύναται νά ζητήσῃ ὅπως ὁ πρόξενος ἐπισυνάψῃ μετάφρασιν εἰς τήν ἐπίσημον γλῶσσαν τῆς χώρας.

2) Οἱ ὑπήκοοι τοῦ ἀποστέλλοντος κράτους δικαιοῦνται ἐν παντὶ χρόνῳ νά ἐπικοινωνῶσι μετὰ τοῦ ἀρμοδίου προξένου καί ἐπισκέπτωνται αὐτόν ἐν τῇ προξενίῳ του, ἐκτός ἐάν διατελῶσιν ὑπὸ νόμιμον κράτησιν.

Άρθρον 19ον

1) Αί αρμοδίαι αρχάί τῆς χώρας εἰδοποιοῦσιν ἀμέσως τόν πρόξενον περί τῆς προφυλακίσεως ἢ τῆς φυλακίσεως ἐντός τῆς περιφερείας αὐτοῦ ὑπηκόου τοῦ ἀποστέλλοντος κράτους.

2) Ἐπιτρέπεται εἰς τόν πρόξενον νά ἐπισκέπτηται ἄνευ ἀναβολῆς, νά συνομιλῇ ἰδιαιτέρως καί μεριμνῇ περί νομικῆς παραστάσεως παντός ὑπηκόου τοῦ ἀποστέλλοντος κράτους τελοῦντος ὑπό τοιοῦτον περιορισμόν ἢ κράτησιν πρός τόν σκοπόν δίκης ἢ ἀνακρίσεως, ἢ δικαίουμένου νά ὑποβάλλῃ ἔφεσιν κατά τάς ἰσχυούσας διατάξεις, ὡς πρός τήν προθεσμίαν ἐντός τῆς ὁποίας ἡ ἔφεσις δύναται νά ἀσκηθῇ. Πᾶσα εἰδοποίησις ἐκ μέρους τοῦ τοιοῦτου ὑπηκόου πρός τόν πρόξενον διαβιβάζεται ἄνευ ἀναβολῆς ἐπὶ τῶν ἀρχῶν τῆς χώρας.

3) Τηρουμένων τῶν διατάξεων τῆς 2ας παραγράφου τοῦ παρόντος ἄρθρου, ὁσάκις ὑπήκοος τοῦ ἀποστέλλοντος κράτους κρατεῖται συνεπελά καταδίκης του, ὁ πρόξενος ἐντός τῆς περιφερείας τοῦ ὁποίου οὔτος κρατεῖται, δικαιούται, κατόπιν γνωστοποίησεως πρός τήν ἀρμοδίαν ἀρχήν, νά ἐπισκέπτηται τοῦτον. Πᾶσα τοιαύτη ἐπίσκεψις γίνεται συμφώνως πρός τοὺς ἰσχύοντας ἐν τῇ ἰδρύματι ἐν ᾧ οὔτος κρατεῖται κανονισμούς, ἐξυπακουομένου πάντως ὅτι οἱ κανονισμοί οὔτοι ἐπιτρέπουσι λογικὴν ἐπικοινωνίαν καί εὐκαιρίαν συναλλαγῆς μετὰ τοῦ ὑπηκόου τούτου.

Άρθρον 20ον

Ὁ πρόξενος δύναται ἐν τῇ περιφερείᾳ αὐτοῦ νά προάγῃ τὰ ἐμπορικὰ, καλλιτεχνικά, ἐπιστημονικά, ἐπαγγελματικά καί ἐκπαιδευτικά συμφέροντα τοῦ ἀποστέλλοντος κράτους.

Άρθρον 21ον

Ὁ πρόξενος δύναται ἐν τῇ περιφερείᾳ του

- 1) α) νά δέχεται τάς συμφώνως πρός τοὺς περί ἰθαγενείας νόμους τοῦ ἀποστέλλοντος κράτους ἐνδεχομένως ἀπαιτουμένας δηλώσεις.
- β) νά ἐκδίδῃ πρός τοὺς ὑπηκόους τοῦ ἀποστέλλοντος κράτους τάς εἰδοποιήσεις καί δέχεται ἐκ μέρους των τάς δηλώσεις τάς κατά τοὺς νόμους τοῦ ἀποστέλλοντος κράτους ἐνδεχομένως ἀπαιτουμένας ἐν σχέσει πρός τήν

ὀποχρεωτικὴν θητείαν·

γ) νά καταχωρίζῃ ἐν τοῖς μητρώοις γεννήσεως ἢ θανάτους ὑπηκόων τοῦ ἀποστέλλοντος κράτους καί γάμους τελεσθέντας κατὰ τοὺς νόμους τῆς χώρας, ἐφ' ὅσον τό ἐν τοῖς ἁπλοῦστον τῶν μερῶν εἶναι ὑπήκοος τοῦ ἀποστέλλοντος κράτους· ἐννοεῖται ὁμοίως ὅτι ἡ τοιαύτη προξενική καταχώρησις γεννήσεων ἢ θανάτων ἢ τοιοῦτων γάμων, οὐδόπως ἀπαλλάσσει τοὺς ἰδιώτας τῆς συμφώνως πρὸς τοὺς νόμους τῆς χώρας ὑποχρέωσης αὐτῶν πρὸς δηλώσιν καί καταχώρισιν γεννήσεων, θανάτων καί γάμων εἰς τὰς ἀρχάς τῆς χώρας·

δ) νά ἐκδίδῃ διαβατήρια καί ταξιδιωτικὰ ἔγγραφα εἰς ὑπηκόους τοῦ ἀποστέλλοντος κράτους καί νά χορηγῇ θεωρήσεις καί ἄλλα προσήκοντα ἔγγραφα εἰς πρόσωπα αἰτούντα τὴν εἰσοδὸν εἰς τό ἀποστέλλον κράτος·

ε) νά ἐκδίδῃ, ὅσον ἀφορᾷ εἰς ἐμπρεύματα, πιστοποιητικὰ προελεύσεως καί συμφέροντος πρὸς χρῆσιν ἐν τῷ ἀποστέλλοντι κράτει·

στ) νά κοινοποιῇ δικόγραφα ἢ δέχεται μαρτυρικὰ καταθέσεις ἐκ μέρους δικαστηρίων τοῦ ἀποστέλλοντος κράτους κατὰ τρόπον ἐπιτρεπόμενον συμφώνως πρὸς σχετικὰ εἰδικὰ συμφωνία μεταξύ τῶν Ὑψηλῶν Συμβολομένων Μερῶν ἢ ἄλλως μὴ ἀντιβαίνοντα πρὸς τοὺς νόμους τῆς χώρας·

2) νά συντάσσῃ καί δέχεται δηλώσεις καί νά ἐπικυροῦ, ἐπισημοποιῇ ἢ πιστοποιῇ ὑπογραφὰς ἢ ἔγγραφα, μεταφράζῃ ἔγγραφα καί ἐκτελεῇ ἄλλας συμβολαιογραφικὰς πράξεις σχετικῶς πρὸς ἔγγραφα εἰς πᾶσαν περίπτωσιν καθ' ἣν αἱ ὑπηρεσίαι αὐταὶ ζητοῦνται ὑπὸ προσώπου οἰασθήποτε ἐθνικότητος πρὸς χρῆσιν ἐν τῷ ἀποστέλλοντι κράτει ἢ κατὰ τοὺς ἰσχύοντας ἐν τῷ ἀποστέλλοντι κράτει νόμους· Πάν κατὰ τοὺς νόμους τούτους ἀπαιτῆται ἡ δόσις ὄρκου ἢ ἡ διαβεβαίωσις, ὃ τοιοῦτος ὄρκος ἢ διαβεβαίωσις δύνανται νά δοθῇ. Ὁ πρόξενος δύναται ὡσαύτως νά ἀσκή

τάς λειτουργίας ταύτας προκειμένοι περί έγγραφων
 αναγκών εις ύπηκοον τοῦ ἀποστέλλοντος κράτους
 πρὸς χρήσιν ἐκτός τοῦ ἀποστέλλοντος κράτους· ἐν-
 νοεῖται ὅμως ὅτι ἡ διάταξις αὕτη δὲν συνεπέγεται
 ὑποχρέωσιν τῶν ἀρχῶν τοῦ δεχομένου κράτους ὅπως
 ἂν σγυρῶνίῳσι τὸ κῆρος τῶν ἀναφερομένων ἐν τῇ πα-
 ρούσῃ παραγράφῃ τοιούτων συμβολαιογραφικῶν καὶ ἄλ-
 λων πράξεων, ἐκτελουμένων ὑπὸ τοῦ προξένου σχετικῶς
 πρὸς ἔγγραφα ἀπαιτούμενα κατὰ τοὺς νόμους τοῦ δε-
 χομένου κράτους.

Μ Ε Ρ Ο Σ Υ Ι.

ΚΛΗΡΟΝΟΜΙΑΙ ΚΑΙ ΜΕΤΑΒΙΒΑΣΕΙΣ ΠΕΡΙΟΥΣΙΑΣ

ἄρθρον 22ον

1) Εἰς πᾶσαν περίπτωσιν καθ' ἣν ἀποβιοῦν πρόσωπον καταλεί-
 πει περιουσίαν εἰς χώραν τινά, ἰπῆκοος δέ τοῦ ἀποστέλλοντος κρά-
 τος μὴ κατοικῶν ἐν τῇ χώρῃ 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 ὀδισθέτου διαδοχῆς, ὁ
 πρόξενος εἰς τὴν περιφέρειαν τοῦ ὁποίου γίνεται ἡ διαχείρισις τῆς
 κληρονομίας τοῦ ἀποβιώσαντος ἢ, ἐάν δὲν ἔχει συσταθῆ διαχειρίσις,
 κεῖται ἡ περιουσία αὐτοῦ, δικαιοῦται νά ἀντιπροσωπεύῃ τὸν ἰπῆκοον
 τοῦτον ὡς πρὸς τὰ συμφέροντα αὐτοῦ ἐν τῇ κληρονομίῃ ἢ περιουσίῃ,
 ὡς ἐάν εἶχε δοθῆ ὑπ' αὐτοῦ εἰς τὸν πρόξενον ἔγκληρον πληρεξούσιον.
 Ἐάν μεταγενεστέρως ὁ ἰπῆκοος οὗτος ἀντιπροσωπευθῆ νομίμως ἐν τῇ
 χώρῃ, ὁ πρόξενος θεωρεῖται ὡς ἐάν εἶχε προηγουμένως πληρεξούσιον
 τοῦ ἰπῆκοου, τὸ ὅποτον ἔπαυσεν ἰσχύον ἀφ' ἧς ἡμέρας ὁ πρόξενος
 ἐπληροφορήθη ὅτι ὁ ἰπῆκοος οὗτος ἀντιπροσωπεύεται νομίμως παρ' ἄλ-
 λου, 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 ἰπῆκοου τούτου τῇ οἰτήσῃ τοῦ ἰδίου
 ἢ τοῦ νομίμου αὐτοῦ ἀντιπροσώπου.

2) Αἱ διατάξεις τῆς παραγράφου (1) τοῦ παρόντος ἄρθρου
 ἰσχύουσιν οἰαδήποτε καὶ ἂν εἶναι ἡ ἰπῆκοότης τοῦ ἀποβιώσαντος
 καὶ ὁσκέτως τοῦ τόπου τοῦ θανάτου του.

3) Είς πάσαν περίπτωσιν καθ' ἣν ὁ πρόξενος ἔχει δικαίωμα ἀντιπροσωπεύσεως κατὰ τὴν παράγραφον (1) τοῦ παρόντος ἄρθρου, ἔχει τὸ δικαίωμα νὰ λαμβάνη μέτρα πρὸς προστασίαν καὶ διαφυλάξιν τῶν συμφερόντων τοῦ προσώπου τὸ ὅποτον δικαιούται νὰ ἀντιπροσωπεύῃ. Ἔχει ἐπίσης τὸ δικαίωμα νὰ λαμβάνη ὑπὸ τὴν κατοχὴν αὐτοῦ τὴν κληρονομίαν ἢ περιουσίαν ἐν ᾧ μέτρῳ θὰ ἔπραττον τοῦτο οἱ προσηκόντως διωρισμένοι πληρεξούσιοι τοῦ προσώπου τοῦ ὁποίου τὰ συμφέροντα ἀντιπροσωπεύει, ἐκτός ἐάν ἕτερον πρόσωπον ἔχον ἴσα ἢ προγενέστερα δικαιώματα, ἔλαβεν ἤδη τὰ ἀπαιτούμενα μέτρα ὅπως λάβῃ ταῦτα ὑπὸ τὴν κατοχὴν του. Ἐάν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτῆται διορισμός ἢ διαταγὴ δικαστηρίου ἵνα δυννηθῇ ὁ πρόξενος νὰ προστατεύσῃ ἢ λάβῃ τὴν περιουσίαν ὑπὸ τὴν κατοχὴν του, οἰοσδήποτε διορισμός ἢ διαταγὴ ἤδελεν ἐκδοθῆ ὑπὲρ τοῦ προσηκόντως διωρισμένου πληρεξουσίου τοῦ προσώπου τοῦ ὁποίου τὰ συμφέροντα ἀντιπροσωπεύονται κατὰ τοῦ προξένου, θὰ ἐκδίδεται ὑπὲρ τοῦ προξένου τῆ αἰτήσεϊ του. Διαπιστουμένης ἐκ πρώτης ὄψεως τῆς ἀνάγκης ἀμέσου προστασίας καὶ διαφυλάξεως τῆς κληρονομίας ὡς καὶ τῆς ὑπάρξεως προσώπων ἐχόντων συμφέρον τὰ ὅποτα ὁ πρόξενος δικαιοῦται νὰ ἀντιπροσωπεύσῃ, τὸ δικαστήριον, ἐφ' ὅσον ἤθελε πελοθῆ περὶ τῆς τοιαύτης ἀνάγκης, προβαίνει εἰς τὸν διορισμόν τοῦ προξένου ἢ ἐκδίδει διαταγὴν πρὸς αὐτὸν προσωρινῶς μετὰ τὸν περιορισμόν τῆς προστασίας καὶ διαφυλάξεως τῆς κληρονομίας, μέχρις οὗ γίνει περαιτέρω διορισμός ὡς πρὸς τὴν ἐκπροσώπησιν.

4) α) Τηρουμένων τῶν ἔδαφῶν (β) καὶ (γ) τῆς παρουσίας παραγράφου, ὁ πρόξενος δικαιοῦται εἰς πλήρη διαχείρισιν τῆς κληρονομίας εἰς ἣν ἔκτασιν θὰ ἔπραττε τοῦτο ἐάν ἦτο ὁ προσηκόντως διωρισμένος πληρεξούσιος τοῦ οὕτινος τὰ συμφέροντα ἀντιπροσωπεύει προσώπου. Ἐάν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτῆται διορισμός ὑπὸ δικαστηρίου, ὁ πρόξενος ἔχει τὸ αὐτὸ δικαίωμα νὰ ζητῆ καὶ λαμβάνῃ διορισμόν τῆ αἰτήσεϊ του ὡς καὶ ὁ προσηκόντως διωρισμένος πληρεξούσιος τοῦ οὕτινος τὰ συμφέροντα ἀντιπροσωπεύει προσώπου.

- β) Τό δικαστήριον δύναται, ἐάν κρίνη τοῦτο σκόπιμον, νά ἀναβάλῃ τόν διορισμόν τοῦ προξένου δι' ὅσον χρόνον θεωρεῖ τοῦτο ἄναγκαῖον ὅπως δυνηθῇ τό ἑξῆς τοῦ προξένου ἀντιπροσωπευόμενον πρόσωπον νά πληροφορηθῇ καί ἀποφασίσῃ ἐάν ἐπιθυμῇ νά ἀντιπροσωπευθῇ ἄλλως ἢ παρά τοῦ προξένου.
- γ) Τό δικαστήριον δύναται, ἐάν κρίνη τοῦτο σκόπιμον, νά διατάξῃ τήν ὑπό τοῦ προξένου προσαγωγήν εὐλόγων ἀποδείξεων περί τῆς παραλαβῆς τῶν περιουσιακῶν στοιχείων ὑπό τῶν κατά νόμον δικαιουμένων πρὸς τοῦτο προσώπων ἢ τήν ἐπαναπληρωμήν ἢ ἐπιστροφήν τῶν περιουσιακῶν τούτων στοιχείων εἰς τήν ἀρμοδίαν ἀρχήν ἢ πρόσωπον, ἐν ᾗ περιπτώσει οὗτος ἀδυνατεῖ νά προσάγῃ τοιαύτας ἀποδείξεις, ἢ δύναται νά διατάξῃ ἕνα, ἐφ' ὅσον ὁ πρόξενος εἶχε κατ' ἄλλον τρόπον ἐκκαθαρίσει τήν κληρονομίαν, ἢ πραγματική μεταβίβασις τῶν περιουσιακῶν στοιχείων εἰς τὰ πρόσωπα ταῦτα ἐνεργηθῇ δι' οἴου ἑτέρου τρόπου ἥθελε τοῦτο διατάξῃ.

5) Ἐπιπροσθέτως, ὁ πρόξενος δικαιούται ἐν τῇ περιφερείᾳ του νά παραλαμβάνῃ καί διανέμῃ κληρονομίας μικρᾶς ἀξίας ἀποβιώσαντων ὑπηκόων τοῦ ἀποστέλλοντος κράτους ἄνευ προηγουμένου δικαστικοῦ διορισμοῦ του, μέχρι τοῦ ἐπιτρεπομένου ὑπό τῶν νόμων τῆς χώρας ὁρίων καί τηρουμένων τῶν διατάξεων τῶν νόμων τούτων.

6) Ἐάν ὑπήκοος τοῦ ἀποστέλλοντος κράτους καί μονίμως ἐγκατεστημένος ἢ κύτοικος ἐν τῇ χώρᾳ ἀποβιώσῃ ἐν αὐτῇ κατά τήν διάρκειαν ταξιδίου του ἢ διελεύσεώς του ἐκ αὐτῆς, ἐπιτρέπεται εἰς τόν πρόξενον ἐν τῇ περιφερείᾳ τοῦ ὀποίου ὁ ὑπήκοος οὗτος ἀπεβίωσεν, ὅπως, πρὸς τόν σκοπόν διαφυλάξεως τῶν εἰς τήν προσωπικήν κατοχήν τοῦ ἀποβιώσαντος χρημάτων καί εἰδῶν, λαμβάνῃ τοῦτο ἀμέσως ὑπό τήν φύλαξίν του, ἐπιφυλασσομένου τοῦ δικαιώματος τῶν διοικητικῶν ἢ δικαστικῶν ἀρχῶν τῆς χώρας νά λαμβάνωσι ὑπό τήν κατοχήν των τὰ χρήματα ταῦτα καί εἶδη εἰς πᾶσαν περίπτωση καθ' ἣν τοῦτο ὑπαγορεύει τό συμφέρον τῆς δικαιοσύνης ἢ ἡ ἔρευνα ἐγγλήματος. Πᾶν δικαίωμα κατοχῆς ἢ διαθέσεως τῶν χρη-

μάτων τούτων καὶ εἰδῶν ὑπόκειται εἰς τοὺς νόμους τῆς χώρας καὶ τὰς διατάξεις τῶν προηγουμένων παραγράφων τοῦ παρόντος ἄρθρου.

7) Ἐν ἡ περιπτώσει ὁ πρόξενος ἀσκήσῃ τὰ ἀναφερόμενα ἐν ταῖς προηγουμέναις παραγραφοῖς τοῦ παρόντος ἄρθρου δικαιώματα ἐν σχέσει πρὸς κληρονομίαν τινά, ὑπόκειται ὡς πρὸς αὐτήν εἰς τοὺς νόμους τῆς χώρας καὶ τὴν δικαιοδοσίαν τῶν δικαστηρίων αὐτῆς καθ'ὸν τρόπον καὶ οἱ ὑπήκοοι τοῦ δεχομένου κράτους.

8) Εἰς πᾶσαν περίπτωσιν καθ' ἣν περιέρχεται εἰς γνώσιν 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 νά εἶναι παρὸν; ἢ νά ἀντιπροσωπεύηται ἐν τῇ χώρᾳ, πρόσωπόν δικαιοῦμενον νά ἀπαιτήσῃ τὴν διαχείρισιν τῆς τυχόν ἐκεῖ καταλειφθείσης ἰσὺ τοῦ ἀποβιώσαντος περιουσίας, ἐξαιρέσει δημοσίου διαχειριστοῦ ἢ παρομοίου λειτουργοῦ, ὀφελουσί νά εἰδοποιῶσι περὶ τούτου τὸν πρόξενον.

Ἄρθρον 23ον

Ὁ πρόξενος δύναται νά παραλαμβάνῃ παρὰ δικαστηρίου, πρᾶκτορος ἢ ἰδιώτου, πρὸς διαβίβασιν εἰς ὑπήκοον τοῦ ἀποστέλλοντος κράτους μὴ ὄντα κάτοικον τῆς χώρας, χρήματα ἢ περιουσιακὰ στοιχεῖα τῶν ὁποίων ὁ ὑπήκοος οὗτος δικαιούται ἕνεκα θανάτου προσώπου τινός. Τὰ χρήματα καὶ περιουσιακὰ ταῦτα στοιχεῖα δύνονται νά περιλαμβάνωσι, χωρὶς καὶ νά περιορίζωνται εἰς ταῦτα καὶ μόνον, κληρονομικὰ μερίδια, πληρωμὰς γενομένας, κατὰ τὴν περὶ ἐργατικῶν ἀποζημιώσεων νομοθεσίαν ἢ ἄλλην παρομοίαν τοιαύτην, ὡς καὶ τὸ προῖόν ἀσφαλειῶν ζωῆς. Τὸ ἐνεργοῦν τὴν διανομὴν δικαστηρίου, ὁ πρᾶκτωρ ἢ ἰδιώτης, δὲν ὑποχρεοῦται νά μεταβιβάσῃ τὰ χρήματα ταῦτα ἢ περιουσιακὰ στοιχεῖα μέσῳ τοῦ προξένου οὔτε δὲ καὶ οὗτος ὑποχρεοῦται νά παραλάβῃ τὰ χρήματα ταῦτα ἢ περιουσιακὰ στοιχεῖα πρὸς μεταβίβασιν. Ἐάν ὅμως οὗτος παραλάβῃ τὰ ἐν λόγῳ χρή-

ματα ἢ περιουσιακὰ στοιχεῖα, ὀφείλει νά συμμορφοῦται πρὸς τοὺς τιθεμένους ὑπὸ τοῦ δικαστηρίου τούτου, τοῦ πράκτορος ἢ ἰδιώ-
τοι ὄρους, τοὺς ἀφορῶντας εἰς τὴν παροχὴν ἐυλόγων ἀποδείξεων πε-
ρὶ τῆς παραλαβῆς τῶν χρημάτων ἢ περιουσιακῶν στοιχείων παρὰ
τοῦ ἑπικράτου πρὸς τὸν ὁποῖον ἀποστέλλονται, ὡς καὶ τοὺς ἀφορῶν-
τας εἰς τὴν ἐπιστροφὴν τῶν χρημάτων ἢ περιουσιακῶν στοιχείων,
εἰς ἣν περίπτωσιν δύνανται νά παρῶσχη τοιαύτας ἀποδείξεις.

Ἄρθρον 24ον

Χρήματα ἢ ἕτερα περιουσιακὰ στοιχεῖα δύνανται νά κατα-
βάλλωνται, παραδίδωνται ἢ μεταβιβάζωνται εἰς τὸν πρόξενον κα-
τὰ τὰς διατάξεις τῶν ἄρθρων 22 καὶ 23 μόνον καθ' ὃ μέτρον καὶ
ὑφ' οὓς ὅρους θά ἐπιτρέπεται, κατὰ τοὺς νόμους καὶ κανονισμοὺς
τοῦ δεχομένου κράτους, ἡ πληρωμῆ, παράδοσις ἢ μεταβίβασις εἰς
τὸ πρόσωπον τὸ ὁποῖον ὁ πρόξενος ἀντιπροσωπεύει ἢ διὰ λογαρι-
ασμῶν τοῦ ὁποίου παραλαμβάνει τὰ χρήματα ἢ περιουσιακὰ στοιχεῖα.
Ὁ πρόξενος δὲν ἀποκτῆ μέζονα δικαιώματα, ὅσον ἀφορᾷ εἰς τὰ
χρήματα ταῦτα ἢ ἄλλα περιουσιακὰ στοιχεῖα, ἐκείνων ἅτινα θά ἀ-
πέκτα τὸ πρόσωπον τὸ ὁποῖον ἀντιπροσωπεύει ἢ διὰ λογαριασμῶν
τοῦ ὁποίου παραλαμβάνει τὰ χρήματα ἢ περιουσιακὰ στοιχεῖα, ἐάν
τὰ χρήματα ἢ τὰ περιουσιακὰ ταῦτα στοιχεῖα κατεβῶλλοντο, παρε-
δίδοντο ἢ μετεβιβάζοντο ἀπ' εὐθείας εἰς τὸ πρόσωπον τοῦτο.

Μ Ε Ρ Ο Σ Υ Ι Ι

Ν Α Υ Τ Ι Α Ι Α

Ἄρθρον 25ον

1) Ὁσάκις πλοῖον τοῦ ἀποστέλλοντος κράτους προσεγγίζει λι-
μένα τοῦ δεχομένου κράτους, (ὁ ὅρος περιλαμβάνει πάντα τόπον
εἰς τὸν ὁποῖον τὸ πλοῖον δυνατὸν νά προσεγγίσῃ) ἐπιτρέπεται εἰς
τὸν πλοῦσαρχον καὶ εἰς τὰ μέλη τοῦ πληρώματος νά ἐπικοινωνῶσι
μετὰ τοῦ προξένου ἐν τῇ περιφερείᾳ τοῦ ὁποίου κεῖται ὁ λιμὴν
καὶ ἐπιτρέπεται εἰς τὸν πρόξενον νά ἐκτελῇ ἐλευθέρως τὰ ἐν ἄρ-
θρῳ 26 ἀριθμούμενα καθήκοντα ἄνευ ἀναμείξεως τῶν ἀρχῶν τῆς χῶ-
ρας. Πρὸς τὸν σκοπὸν τῆς ἐνασχίσεως οἰωνόδηποτε τῶν καθηκόντων
τούτων, ὁ πρόξενος, συναδεδυμένος, ἐάν ἐπιθυμῇ, ὑπὸ ὑπαλλήλων

τοῦ προξενείου, δύναται νά ἀνέρχεται προσωπικῶς ἐπὶ τοῦ πλοίου μετὰ τὴν ἐλευθεροκοινωνίαν αὐτοῦ. Σχετικῶς πρὸς τὰ καθήκοντα ταῦτα ὁ πλοίαρχος καὶ ἀρμόδια μέλη τοῦ πληρώματος δύναται νά μεταβαίνωσιν εἰς τὸ προξενεῖον, ἐκτός ἔάν αἱ ἀρχαὶ τῆς χώρας ἔχωσιν ἀντίρρησην ἐπὶ τῷ λόγῳ ὅτι θά ἦτο πρακτικῶς ἀδύνατον νά ἐπιστρέψωσιν εἰς τὸ πλοῖον ὁ πλοίαρχος καὶ τὰ ἐνδιαφερόμενα μέλη τοῦ πληρώματος πρὸ τῆς ἀναχωρήσεώς του. Ἐν περιπτώσει τοιαύτης ἀντιρρήσεως αἱ ἀρχαὶ τῆς χώρας εἰδοποιοῦσιν ἀμέσως τὸν ἀρμόδιον πρόξενον.

2) Ὁ πρόξενος δύναται νά ἐπικαλεῖται τὴν συνδρομὴν τῶν ἀρχῶν τῆς χώρας εἰς πᾶν ζήτημα σχετιζόμενον πρὸς τὴν ἐκτέλεσιν τῶν καθηκόντων τούτων, αὗται δὲ παρέχουσι τὴν ἀπαιτουμένην συνδρομὴν, ἐκτός ἔάν ἐν δεδομένη περιπτώσει ἔχωσιν εἰδικούς λόγους δικαιολογοῦντας πλήρως τὴν ἀρνησίν ταύτης.

ἄρθρον 26ον

1) Ὁ πρόξενος δύναται νά ἐρωτᾷ τὸν πλοίαρχον καὶ τὰ μέλη τοῦ πληρώματος, νά ἐξετάσῃ τὰ ναυτιλιακὰ ἔγγραφα, νά δέχεται δηλώσεις περὶ τοῦ ταξιδίου καὶ προορισμοῦ τοῦ πλοίου καὶ ἐν γένει νά διευκολύνῃ τὴν ὄψιν καὶ ἀναχώρησιν αὐτοῦ.

2) Ὁ πρόξενος ἢ ὁ προξενικός ὑπάλληλος δύναται νά προσέρχεται μετὰ τοῦ πλοίαρχου ἢ μελῶν τοῦ πληρώματος ἐνώπιον τῶν τοπικῶν ἀρχῶν καὶ δικαστηρίων, νά παρέχῃ τὴν συνδρομὴν αὐτοῦ (συμπεριλαμβανομένης, ὡς ἂν καὶ παρὶσταται ἀνάγκη, μερίμνης πρὸς παροχὴν νομικῆς συμπαράστασης) καὶ νά ἐνεργῇ ὡς διερμηνεὺς εἰς ὑποθέσεις μεταξὺ αὐτῶν καὶ τῶν ἀρχῶν τούτων. Τὰ δικαιώματα ταῦτα δίδονται νά ἀναστέλλωνται μόνον εἰς περιπτώσεις θιγούσας ζητήματα ἐθνικῆς ἀσφαλείας.

3) Τηρουμένων τῶν δικαιωμάτων δικαιοδοσίας τὰ ὅποια αἱ δικαστικαὶ ἀρχαὶ τῆς χώρας ζυγατῶν νά ἔχωσι συμφάνως πρὸς τὰς διατάξεις τοῦ ἁρθροῦ 28 (1), ὁ πρόξενος δύναται νά ἀποφασίσῃ ἐπὶ διαφορῶν μεταξὺ τοῦ πλοίαρχου καὶ τῶν μελῶν τοῦ πληρώματος, περιλαμβανομένων τῶν περὶ μισθῶν καὶ συμβολαίων ἐργασίας διαφορῶν, νά ρυθμίσῃ τὰ τῆς προσήψεως καὶ ἀπολύσεως τοῦ πλοίαρχου καὶ μελῶν τοῦ πληρώματος καὶ λαμβάνῃ μέτρα πρὸς τήρησιν τῆς τάξεως.

καὶ πειθαρχίας ἐπὶ τοῦ πλοίου.

4) Ὁ πρῶτος δύναται νὰ λαμβάνη μέτρα πρὸς ἐφαρμογὴν τῆς ναυτιλιακῆς νομοθεσίας τοῦ ἀποστέλλοντος κράτους.

5) Τηρουμένων τῶν περιορισμῶν τῶν σχετικῶν μὲ τὴν εἴσοδον εἰς τὴν χώραν, ὁ πρῶτος δύναται νὰ ἐπιμεληται τῆς ἀποστολῆς ναυτικῶν, ὑπηκόων τοῦ ἀποστέλλοντος κράτους, εἰς λιμένας ἐντός τῶν ἑδαφῶν τοῦ δεχομένου κράτους, πρὸς ἐπιβίβασιν ἐπὶ πλοίων τοῦ ἀποστέλλοντος κράτους, καὶ πρὸς τὸν σκοπὸν τοῦτον δύναται νὰ χρησιμοποιεῖ ναυτικά φυλλάδια ἀντὶ διαβατηρίων.

6) Ὁ πρῶτος δύναται, ὡς ἀνάγκη, νὰ μεριμνῇ διὰ τὴν νοσηλείαν ἐν νοσοκομείῳ καὶ διὰ τὸν ἐπιπέμωσιν αὐτῶν τοῦ πλοιάρχου ἢ τῶν μελῶν τοῦ πληρώματος τοῦ πλοίου.

7) Ὁ πρῶτος δύναται νὰ δέχεται, συντάσῃ ἢ ἐπικυροῦσιν πᾶσαν δήλωσιν, 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' ἐνός πλοιοκτῆτου εἰς ἕτερον παντὸς πλοίου μεταγεγραμμένου ἐν τῷ εἰρημένῳ νηολόγιῳ· ἢ
- γ) τὴν ἐγγραφὴν πάσης ὑποθήκης ἢ βάρους ἐπὶ τοιούτων πλοίων.

Ἄρθρον 27ον

1) Ἐν τῇ περιπτώσει ναυτικῆς τῆς ἠθελον λιποτακτικῆς 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 τῶν 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 πρῶτον αὐτοῦ πρὸς τοιαύτην μεταγωγὴν του.

2) Αἱ ἀρχαὶ ὅμως τῆς χώρας δὲν ὑποχρεοῦνται νὰ λαμβάνωσι τὰ ἐν τῇ 1ῃ παραγράφῳ τοῦ παρόντος ἀρθροῦ προβλεπόμενα μέτρα, προκειμένου περὶ ναυτικοῦ ὑπηκόου τοῦ δεχομένου κράτους, οὔτε δὲ

ὕποχρεοῦνται εἰς παρομοίαν περὶ πτωσῶν πρὸς λήψιν τοιοῦτων μέτρων εἰμὴ συμφώνως πρὸς τοὺς νόμους τῆς χώρας.

3) Ἐάν ὁ λιποτάκτης κατηγορηθῆ δι' ἀδίκημά τι (πλὴν τοῦ τῆς λιποταξίας) διωκτέον κατὰ τοὺς νόμους τῆς χώρας, ἢ εὐρεθῆ ἔνοχος τοιοῦτου ἀδικήματος, αἱ ἀρχαὶ τῆς χώρας δέν ὑποχρεοῦνται νά διατάξωσι τὴν μεταγωγὴν αὐτοῦ ἐπὶ τοῦ πλοίου ἢ τὴν παράδοσιν αὐτοῦ εἰς τὸν πλοίαρχον ἢ τὸν πλοιοκτήτην ἢ τὸν πρᾶκτορα αὐτοῦ, πρὸς τοιαύτην μεταγωγὴν του, μέχρις οὗ οὗτος δικασθῆ καὶ ἐκτίσῃ τὴν ἐνδεχομένως ἐπιβληθησομένην αὐτῷ ποινὴν.

Ἄρθρον 28ον

1) Αἱ διοικητικαὶ ἀρχαὶ τῆς χώρας δέν ἀσχολοῦνται μετ' οἰονδήποτε ζήτημα ἀφορῶν εἰς τὴν ἐσωτερικὴν διοίκησιν τοῦ πλοίου, εἰμὴ τῆ αἰτήσῃ ἢ τῆ συναινέσει τοῦ προξένου. Αἱ δικαστικαὶ ἀρχαὶ τῆς χώρας δέν ἐπιλαμβάνονται διαφορῶν περὶ μισθῶν καὶ συμβάσεων ἐργασίας μεταξύ τοῦ πλοίαρχου καὶ μελῶν τοῦ πληρώματος ἄνευ γνωστοποιήσεως πρὸς τὸν ἀρμόδιον προξένον, ἐν περιπτώσει ἀντιρρήσεων τοῦ ὁποῦρου θά ἀρνῶνται νά ἐπιλαμβάνονται αὐτῶν.

Αἱ διοικητικαὶ καὶ δικαστικαὶ ἀρχαὶ δέν ἀναρειγνύονται προκειμένου περὶ κρατήσεως ἐπὶ τοῦ πλοίου ναυτικοῦ τινος διὰ πειθαρχικά παραπτώματα, ἐφ' ὅσον ἡ τοιαύτη κράτησις εἶναι νόμιμος κατὰ τὴν νομοθεσίαν τοῦ ἀποστέλλοντος κράτους καὶ δέν εἶναι παραλόγως αὐστηρά καὶ ἀπάνθρωπος.

2) Ἐπιφυλασσομένου τοῦ δικαιώματος αὐτῶν ὅπως ἐπιλαμβάνονται ἐγκλημάτων διαπραττομένων ἐπὶ πλοίου εὐρισκομένου ἐντός λιμένος ἢ τῶν χωρικῶν ὑδάτων τῆς χώρας καὶ διωκτέων κατὰ τοὺς ἐγχωρικούς νόμους, ἢ ὅπως ἐφαρμόζωσιν ἐγχωρικούς νόμους ἰσχύοντας ἀναφορικῶς μετ' αὐτοῦ πλοίου ἢ τὰ ἐπ' αὐτοῦ πρόσωπα καὶ περιουσιακὰ στοιχεῖα, τὰ ἕψηλά Συμβαλλόμενα Μέρη διαδουλοῦσι τὴν ὑπ' αὐτῶν ἔγκρισιν τῆς διεθνούς πρακτικῆς, καθ' ἣν αἱ ἀρχαὶ τῆς χώρας, ἐκτός τῆ αἰτήσεως τοῦ προξένου ἢ τῆ συναινέσεως αὐτοῦ

α) δέν θά ἰσχυλοῦντο μετ' αὐτῶν ἐπὶ τοῦ πλοίου συμβαίοντα εἰμὴ πρὸς διαφύλαξιν τῆς ἡσυχίας καὶ τάξεως ἢ πρὸς

τό συμφέρον της δημοσίας υγείας ή ασφαλείας· ή
β) δέν θά ήσικουν: δέωξιν προκειμένου περι έγκλημάτων
διαπραττομένων επί του πλοίου, έντός αν ταύτα

I) έλγωσι τήν ήσυχίαν ή τήν ασφάλειαν του λιμέ-
νος, ή τούς νόμους της χώρας περι δημοσίας υ-
γείας, μεταναστεύσεως, ασφαλείας της ζωής έν
θαλάσση, τελωνείων ή άλλων παρομοίων θεμάτων·
ή

II) διαπρατίωνται υπό ή κατά προσώπων άλλων έντός
του πλοιάρχου καί των μελών του πληρώματος, ή
υπό ή κατά προσώπων έχόντων τήν έθνικότητα του
δεχομένου κράτους· ή

III) συνιστάσι βαρέα έγκλήματα κατά τόν όρισμόν του
άρθρου 2(9) της παρούσης Συμβάσεως.

3) Έάν, πρós τόν σκοπόν ένασκήσεως των έν τη παραγρά-
φω (2) του παρόντος άρθρου άναφερομένων δικαιωμάτων, αί άρχαί
της χώρας προτίθενται νά συλλάβωσιν ή έξετάσωσι πρόσωπόν τι ή
νά κατάσχωσι περιουσίαν τινά ή νά ενεργήσωσιν έπίσημον άνάκρι-
σιν επί του πλοίου, παρέχεται ή εύκαιρία είς τόν πλοίαρχον ή έ-
τερον αξιωματικόν ενεργούντα έκ μέρους του, νά είδοποιή τόν πρό-
ξενον, εάν δέ τουτο είναι άδύνατον λόγω του έπελγοντος της ύπο-
θέσεως, νά είδοποιή τουτον έν χρόνω έπιτρέποντι είς τόν πρόξε-
νον ή είς υπάλληλον του προξενείου νά παρασταθ, εάν έπιθυμή.
Έάν ό πρόξενος δέν παρέστη ή δέν άντεπροσωπεύθη, δικαιοσύται νά
λάβη, τη αίτήσει του, παρά των άρχών της χώρας πάσαν πληροφορί-
αν περι των γενομένων. Αί διατάξεις όμως της παρούσης παραγράφου
δέν ισχύουσι προκειμένου περι συνήθους έξετάσεως υπό των άρχών
της χώρας σχετικώς πρós τελωνειακά καί υγειονομικά ζητήματα ώς
καί περι είσοχής των ξένων, ή περι κρατήσεως του πλοίου ή μέ-
ρους τινός του φορτίου αύτου συνεπέα άστικών ή έμπορικών δικών
ένώπιον των δικαστηρίων της χώρας.

Άρθρον 29ον

1) Ό πρόξενος δικαιοσύται νά έπιθεωρή, είς λιμένας της

προξενικής αὐτοῦ περιφέρειας, πλοῦτα οἰασθήποτε σημαίας προοριζόμενα διὰ λιμένα. τοῦ ἀποστέλλοντος κράτους, ἵνα δύναται νὰ λαμβάνῃ τὰς ἀναγκαίας πληροφορίες ὅπως ἐτοιμὰς καὶ ἐπικυρώσῃ τὰ κατὰ τοὺς νόμους τοῦ ἀποστέλλοντος κράτους ἀπαιτούμενα ἔγγραφα, τῶν ὁποίων ἢ ὑπαρξίς τίθεται ὡς ὄρος διὰ τὴν εἴσοδον τῶν πλοίων τοῦτων εἰς τοὺς λιμένας του, καὶ παράσχη εἰς τὰς ἀρμοδίας ἀρχάς τοῦ ἀποστέλλοντος κράτους οἰασθήποτε πληροφορίες τῶν ὁποίων αὐταὶ ἔχουσι χρεῖαν ἐν σχέσει πρὸς ὑγειονομικά ἢ ἄλλα θέματα.

2) Κατὰ τὴν ἐνδόκησιν τῶν παρεχομένων αὐτῷ ὑπὸ τοῦ παρόντος ἄρθρου δικαιωμάτων, ὁ πρόξενος θά ἐνεργῇ μέ πᾶσαν δυνατὴν ταχύτητα.

Ἄρθρον 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 ὅλον τε τάχιστα περὶ τοῦ συμβάντος ὑπὸ τῶν ἀρμοδίων ἀρχῶν τῆς χώρας.

2) Αἱ ἀρμόδιαι ἀρχαὶ τῆς χώρας λαμβάνουσι πάντα τὰ δυνατὰ μέτρα πρὸς διαφύλαξιν τοῦ ναυαγήσαντος πλοίου, τῆς ζωῆς τῶν ἐπιβαινόντων προσώπων, τοῦ ἐν αὐτῷ φορτίου καὶ ἄλλων περιούσιακῶν 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 ἀποτελούντα 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 ναυσιπλοῦσαν, αἱ ἀρχαὶ τῆς χώρας δικαιούσονται ὡσαύτως νὰ διατάξωσιν ὅπως ληφθῇ πᾶν μέτρον τὸ ὅποσον θεωροῦσιν ἀναγκαῖον πρὸς ἀποφυγὴν οἰασθήποτε ζημίας, ἢ ὅποια ἄλλως θά ἠδύνατο νὰ προξενηθῇ ὑπὸ τοῦ πλοίου εἰς τὴν ἐλευθέραν κίνησιν τοῦ λιμένος ἢ εἰς ἄλλα πλοῦτα.

4) Ἐάν οὔτε ὁ ἰδιοκτήτης τοῦ ναυαγήσαντος πλοίου, οὔτε ὁ πράκτωρ αὐτοῦ (ἢ οἱ ἐνδιαφερόμενοι ἀσφαλισταί) οὔτε ὁ πλοίαρχος εἶναι εἰς θέσιν νὰ λάβωσι τὰ πρὸς τοῦτο μέτρα, ὁ πρόξενος θεωρεῖται ὡς ἐξουσιοδοτημένος ἵνα μεριμνήσῃ ὡς πράκτωρ τοῦ πλοιοκλήτου, κατὰ τὸν αὐτὸν καθ' ὄν καὶ αὐτός οὔτος ὁ πλοιοκλήτης τρῶ-

πον, εάν ητο παρών, προς διάθεσιν του πλοίου συμφώνως προς τας σχετικὰς διατάξεις της νομοθεσίας της χώρας.

5) Αι άρχαι της χώρας δέν επιβάλλουσι τελωνειακούς δασμούς (συμπεριλαμβανομένων καλ των δασμών εκείνων ούτινες επιβάλλονται έν τη χώρα κατά τήν εισαγωγήν έμπορευμάτων ή συνεπειά ταύτης) επί του φορτίου, των εφοδίων, του έξοπλισμού καλ έξαρτημάτων, ή των αντικειμένων των φερομένων υπό του ναυαγήσαντος πλοίου ή αποτελούντων μέρος αυτού, εκτός εάν κομίζονται εις τήν ξηράν προς χρήσιν ή κατανάλωσιν έν τη χώρα. Αι άρχαι όμως της χώρας δύνανται, εάν κρίνωσι σκόπιμον, νά ζητήσωσι έγγήσιν προς προστασίαν των σχετικών προς τά ειρημένα αγαθά προσόδων.

6) Αι άρχαι της χώρας δέν επιβάλλουσι βάρη (πλήν των τελωνειακών δασμών, όσάκις ούτοι είναι είσπρακτέοι συμφώνως προς τήν παράγραφον 5 του παρόντος άρθρου) έν σχέσει προς τό ναυαγήσαν πλοϊον, πών έπ' αυτού περιουσιακόν στοιχείον ή τό φόρτιον αυτού, πλήν των βαρών του αυτού είδους καλ ποσού άτινα θά είσπρατίοντο εις παρομοίας περιστάσεις επί πλοίων ή σχετικώς προς πλοια του δεχαμένου κράτους.

Άρθρον 31ον

Προκειμένου περί αντικειμένων άνηκόντων εις ναυαγήσαν πλοϊον οιάσθηκατε σημαίας (έξαιρέσει πλοίου του δεχομένου κράτους) ή αποτελούντων μέρος αυτού, ή άνηκόντων εις τό φορτίον ή αποτελούντων μέρος του φορτίου τοιούτου πλοίου, καλ άνευρισκομένων εις τας άκτάς του δεχαμένου κράτους ή παρ' αυτάς, ή κομιζομένων εις λιμένας του κράτους τούτου, ό πρόξενος έν τη περιφερεία του όπολου άνευρισκονται τά αντικείμενα ή εις λιμένα της όπολας κομίζονται, θεωρεται ώς έξουσιοδοτημένος νά μεριμνήσθ, ώς αντιπρόσωπος του ίδιοκίτη του αντικειμένων, προς φύλαξιν καλ διάθεσιν των αντικειμένων, ώς θά ήδύνατο νά μεριμνήσθ αυτός ούτος ό ίδιοκίτης, εάν,

- α) τό πλοϊον, προκειμένου μέν περί αντικειμένων άνηκόντων εις αυτό ή αποτελούντων μέρος αυτού, τυγχάνη πλοϊον του άποστέλλοντος κράτους, προκειμένου δε περί φορτίου, εάν τοϋτο άνήκη εις ύπηκόους του άπο-

στέλλοντος κράτους·

- β) ούτε ο ιδιοκτήτης των αντικειμένων, η ο πράκτωρ αυτού, ούτε οι ασφαλισταί η ο πλοίαρχος του πλοίου είναι εις θέσιν νά μεριμνήσωσι.

Άρθρον 32ον

1) Εάν ο πλοίαρχος η μέρος του πληρώματος πλοίου του δεχομένου κράτους, υπήκοοι του αποστέλλοντος κράτους, αποβιώσωσιν επί του πλοίου η έν τη ξηρῃ έν οίφδηποτε χώρα, η αρμοδία υπηρεσία του δεχομένου κράτους διαβιβάζει άμελητέι εις τον αρμόδιον πρόξενον του αποστέλλοντος κράτους αντίγραφα των λογαριασμών τούς δόλους αυτή ένδεχομένως έλαβεν έν σχέσει προς τούς μισθούς και τά πράγματα του αποβιώσαντος πλοιάρχου η ναυτικού, ώς και πάσαν έν γνώσει της υπηρεσίας πληροφοριαν ητις ένδέχεται νά διευκολύνη την άνεύρεσιν προσώπων νομίμως δικαιουμένων εις την διαδοχήν της περιουσίας του θανόντος.

2) Είς ην περίπτωσιν η αξία των μισθών και πραγμάτων του αποβιώσαντος πλοιάρχου η ναυτικού, συμπεριλαμβανομένων οίωνόηποτε άλλων περιουσιακών στοιχείων αυτών, άτινα περιέρχονται υπό τον έλεγχον της αρμοδίας υπηρεσίας, δέν υπερβαίνει τας £ 100 στερλίνας, όσακις η αρμοδία υπηρεσία είναι αρχή της Αύτης Βρεταννικης Μεγαλειότητος, η τó ισότιμον εις δραχμάς, όσακις η αρμοδία υπηρεσία είναι αρχή της Αύτου Μεγαλειότητος του Βασιλέως των Έλληνων, η δέ αρμοδία υπηρεσία βεβαιωθη ότι υπάρχει πρόσωπον δικαιούμενον εις την διαδοχήν της περιουσίας του θανόντος, υπό ιδιότητα όμως διάφορον της του πιστωτού, και ότι τó πρόσωπον τουτο είναι κάτοικος του αποστέλλοντος κράτους, η αρμοδία υπηρεσία θα παραδίδη τούς υπό την φύλαξίν αυτής μισθούς η πράγματα και περιουσιακά στοιχεία του αποβιώσαντος πλοιάρχου η ναυτικού εις τον πρόξενον. Δικαιοϋται όμως η αρμοδία υπηρεσία, πρό της παραδόσεως, νά ικανοποιηση έκ του υπό τον έλεγχον αυτής ενεργητικού του πλοιάρχου η του ναυτικού, πάσαν απαίτησιν επί της κληρονομίας οίουδήποτε προσώπου κατοικοϋντος όπουδήποτε άλλαχου εκτός του αποστέλλοντος κράτους, την όποσαν θεωρετ νομίμως όφειλομένην. Πάσα απαίτησις επί της κληρονομίας του αποβιώσαντος πλοιάρχου η ναυτικού 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 Ἵπουργεῖον Μεταφορῶν τοῦ Ἡνωμένου Βασιλείου. Διὰ τὴν περίπτωσιν τῆς αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, ἀρμοδία ὑπηρεσία εἶναι τὸ Βασιλικὸν ἐπὶ τῶν Ἐξωτερικῶν Ἵπουργεῖον.

3) Εἰς ἣν περίπτωσιν ἡ ἀρμοδία ὑπηρεσία δὲν παραδώσῃ εἰς τὸν πρόξενον τοὺς ὑπὸ τὸν ἔλεγχον αὐτῆς μισθοὺς, πράγματα καὶ ἄλλα περιουσιακὰ στοιχεῖα ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ, ὁσάκις πληροῦνται οἱ ἐν παραγράφῳ (2) τοῦ παρόντος ἄρθρου ἐκτιθέμενοι σχετικοὶ ὅροι, ἡ ἀρμοδία ὑπηρεσία, πρὶν ἢ προβῇ εἰς τὴν παράδοσιν τοῦ ἐνεργητικοῦ εἰς οἰονδήποτε πρόσωπον θεωρούμενον ὡς δικαιούμενον εἰς τὴν διαδοχὴν τῆς περιουσίας τοῦ θανόντος, εἰδοποιεῖ τὸν πρόξενον περὶ τῆς προθέσεως αὐτῆς, ἀναφέρουσα καὶ τὸ πρόσωπον εἰς τὸ ὅποτον προτίθεται νὰ παραδώσῃ ταῦτα, ἵνα αὐτῷ παράσῃ εἰς τὸν πρόξενον εὐλογον εὐκαιρίαν ὅπως προσκομίσῃ πληροφορίας ἐνδεχομένως συναφεῖς διὰ τὴν τελικὴν ἀπόφασιν περὶ τοῦ προσώπου τοῦ δικαιουμένου νὰ λάβῃ τὴν περιουσίαν ἢ περὶ τῆς υπάρξεως ἐτέρων ἀπαιτήσεων ἐπὶ τῆς κληρονομίας, τῶν ὁποίων ἡ ἀρμοδία ὑπηρεσία ἐνδέχεται νὰ μὴ ἔχῃ γνῶσιν.

4) Αἱ διατάξεις τῶν παραγράφων (2) καὶ (3) τοῦ παρόντος ἄρθρου δὲν ἰσχύουσιν ὁσάκις ἡ ἀρμοδία ὑπηρεσία παραδίδει περιουσιακὰ στοιχεῖα εὐρισκόμενα ὑπὸ τὸν ἔλεγχον αὐτῆς εἰς πρόσωπα τυχόντα ἐντολῆς ἐκ μέρους δικαστηρίων τοῦ δεχομένου κράτους, ἐν τοιαύτῃ ὁμως περιπτώσει πληροφορεῖ περὶ τοῦτου τὸν πρόξενον ἀμελητέως.

Μ Ε Ρ Ο Σ VIII

ΓΕΝΙΚΑΙ ΔΙΑΤΑΞΕΙΣ ΠΕΡΙ ΠΡΟΞΕΝΙΚΗΣ ΥΠΗΡΕΣΙΑΣ

Ἄρθρον 33ον

1) Αἱ σχετικαὶ πρὸς τὰ καθήκοντα τὰ ὅποια δίδονται νὰ ἐκτελῶσιν οἱ πρόξενοι διατάξεις τῶν ἄρθρων 18 μέχρι 32, δὲν εἶναι περιοριστικαί. Ἐπιτρέπεται οἱ πρόξενοι νὰ ἐκτελῶσι καὶ ἕτερα καθήκοντα ὑπὸ τὸν ὄρον

- α) ότι είναι σύμφωνα με το περί προξένων διεθνές δικαίωμα και πρακτική, ως ταυτα αναγνωρίζονται εν τη χώρα και
- β) ότι δεν αντίκεινται εις τους νόμους της χώρας, αι δε αρχαι ταύτης δεν αντιτίθενται.
- 2) Έννοείται ότι οσάκις άρθρον τι της παρούσης Συμβάσεως παρέχει εις τους προξένους το δικαίωμα όπως εκτελέσωσι οιασδήποτε καθήκοντα, το αποστέλλον κράτος είναι αρμόδιον να καθορίζη μέχρι τίνος σημείου θα ασκήσι το δικαίωμα τούτα.

Άρθρον 34ον

Ο πρόξενος, εντός της περιφέρειας αυτού, δύναται να εισπράτη τα όριζόμενα υπό του αποστέλλοντος κράτους τέλη διά την εκτέλεσιν προξενικών υπηρεσιών.

Μ Ε Ρ Ο Σ ΙΧ

ΤΡΑΙΚΑΙ ΔΙΑΤΑΞΕΙΣ

Άρθρον 35ον

Πάσα άμφισβήτησις άναφουμένη μετά τών Υψηλών Συμβαλλομένων Μερών ως προς την όρθήν έρμηνείαν ή την έφαρμογήν οιασδήποτε τών διατάξεων της παρούσης Συμβάσεως, παραπέμπεται τη αίτησει έκάτερου αυτών εις το Διεθνές Δικαστήριον, εκτός εάν έν είδική τινι περιπτώσει τά Μέρη συμφωνήσωσι να υποβάλωσι την διαφοράν εις έτερον δικαστήριον ή να επιλύσωσι ταύτην δι' άλλου τινός τρόπου διαδικασίας.

Άρθρον 36ον

1) Προς της θέσεως έν ισχύι της παρούσης Συμβάσεως, έκάτερον Υψηλόν Συμβαλλόμενον Μέρος θα γνωστοποιή εις το έτερον δι' έγγραφου άνακοινώσεως μέσω της διπλωματικής όδοϋ, τίνα μέρη τών έδαφών αυτου θα θεωρώνται ως έδαφικαι μονάδες έν τη έννοιά άπάντων ή τινών τών άρθρων της παρούσης Συμβάσεως, έν τη δευτέρω δε περιπτώσει, ως προς τίνα άρθρα δεόν να θεωρώνται ως τοιαυται.

2) Ήδιότερον τών Υψηλών Συμβαλλομένων Μερών δύναται διά μεταγενεστέρως έγγραφου άνακοινώσεως ή άνακοινώσεων να γνωστοποιή εις το έτερον την άπόφασιν αυτου όπως τροποποιήση τους προηγουμένως άνακοινωθέντας (έδαφικούς) διακανονισμούς, ή δε ισχύς έκάστης

τοιαύτης ανακοινώσεως ἄρχεται ἕξ μῆνας ἀπὸ τῆς ἡμέρας τῆς λή-
ψεως αὐτῆς ὑπὸ τοῦ ἐτέρου Ἰψήλου Συμβαλλομένου Μέρους.

Ἄρθρον 37ον

Ἄμα τῇ ἐνάρξει τῆς ἰσχύος τῆς παροῦσης Συμβάσεως κα-
ταργούνται, ὡς πρὸς τὰ ἐδόθη εἰς τὰ ὅποια αὕτη ἔχει ἐφαρμογὴν,
αἱ διατάξεις τῆς ἐν Ἀθήναις ὑπογραφείσης τῆν 19ην Αὐγοῦστοῦ
1875 μεταξὺ τοῦ Ἠνωμένου Βασιλείου καὶ τῆς Ἑλλάδος Συμφωνίας
περὶ λικοτακτῶν τοῦ Ἐμπορικοῦ Ναυτικοῦ, ὡς καὶ τὰ ἄρθρα 22,
23 καὶ 24 τῆς περὶ Ἐμπορίας καὶ Ναυτιλίας Συνθήκης μεταξὺ τοῦ
Ἠνωμένου Βασιλείου καὶ τῆς Ἑλλάδος, τῆς ὑπογραφείσης ἐν Λον-
δίνῳ τῆν 16ην Ἰουλίου 1926.

Ἄρθρον 38ον

Ἡ παρούσα Σύμβασις θὰ κυρωθῇ καὶ τὰ ὄργανα τῆς ἐπικυ-
ρώσεως θὰ ἀνταλλαγῶσιν ἐν Λονδίνῳ. Τῆς παροῦσης Συμβάσεως ἡ ἰ-
σχὺς ἄρχεται τῆν τριακοστὴν ἡμέραν ἀπὸ τῆς ἡμερομηνίας τῆς ἀν-
ταλλαγῆς τῶν ὀργάνων ἐπικυρώσεως, θὰ ἐξακολουθῇ δὲ ἰσχύουσα ἐπὶ
ἕξ μῆνας ἀπὸ τῆς ἡμέρας καθ' ἣν ἐκάτερον τῶν Ἰψήλων Συμβαλλομένων
Μερῶν ἐπιδώσῃ εἰς τὸ ἄλλον προειδοποίησιν περὶ καταγγελίας αὐτῆς.

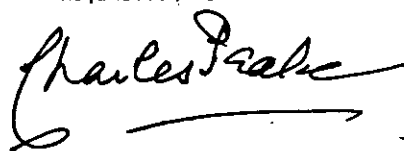
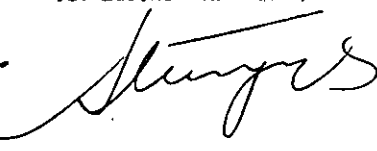
Εἰς πίστῳσιν τῶν ἀνωτέρω οἱ ὡς ἄνω ἀναφερόμενοι Πληρεξού-
σιοι ὑπέγραψαν τὴν Σύμβασιν ταύτην ἐπιθέσαντες τὰς σφραγίδας των.

Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις τῇ 17 Ἀπριλίῳ, 1952,

ἐν τε τῇ Ἀγγλικῇ καὶ Ἑλληνικῇ γλώσσῃ, ἀμφοτέρων τῶν κειμένων
ἔχόντων τὸ αὐτὸ κῦρος.


Διὰ τὴν Αὐτῆς Βρετανικὴν
Μεγαλειότητα

Διὰ τὴν Αὐτοῦ Μεγαλειότητα
τὸν Βασιλέα τῶν Ἑλλήνων

ΠΡΩΤΟΝ ΣΥΜΦΩΝΗΣΗΝ ΠΡΑΚΤΙΚΟΝ

Γίνεται δεκτόν ὅτι αἱ διατάξεις τῆς παραγράφου (1) τοῦ ἄρθρου 9 τῆς παρούσης Συμβάσεως δέν ἔχουσιν ἐφαρμογήν εἰς τὴν Νῆσον Τζέρσεϋ ἢ εἰς οἰαδήποτε ἐδάφη τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος εἰς τὰ ὅμοια, κατὰ τοὺς κειμένους νόμους, ἢ κτήσεις ἐγγελοῦ ἰδιοκτησίας κατὰ πλήρη κυριότητα περιορίζεται εἰς τοὺς ἰθαγενεῖς κατοίκους τῶν ἐν λόγῳ ἐδαφῶν, πλὴν ἐάν καὶ μέχρις οὗ ἡ Αὐτῆς Βρεταννικῆς Μεγαλειότητος, διὰ τὸ Ἕνωμένον Βασίλειον τῆς Μεγάλῃς Βρεταννίας καὶ Βορείου Ἰρλανδίας, προκαλέσῃ ἀνακοίνωσιν εἰς τὴν αὐτοῦ Μεγαλειότητα τῶν Βασιλέα τῶν Ἑλλήνων ὅτι ἡ νομοθεσία τῆς Νῆσου Τζέρσεϋ ἢ ἐτέρων τοιούτων ἐδαφῶν, ἀναλόγως τῆς περιπτώσεως, τροποποιηθεῖσα ἐπιτρέπει τὴν θέσιν ἐν ἰσχύϊ τῶν εἰρημένων διατάξεων.-

Ἀθήναι, 17 Ἀπριλίου, 1953

Αναφορικώς πρὸς τὴν δευτέραν φράσιν τοῦ ἀρθροῦ 28 (1) τῆς παρούσης Συμβάσεως, γίνεται δεκτὸν ὅτι ἡ ἔκφρασις "ὁ ἀρμόδιος πρὸξενος" ὑποδηλοῦ, ἐλλείπει εἰδικῆς γνωστοποιήσεως περὶ τοῦ ἐναντίου ἐκ μέρους τοῦ ἀποστέλλοντος κράτους πρὸς τὸ δεχόμενον κράτος σχετικῶς πρὸς ὠρισμένην περιοχὴν ἢ περιοχάς, τὸν προστατάμενον τῶν προξενείου τοῦ ἀποστέλλοντος κράτους ἐν τῇ περιφερείᾳ τῆς ὁποῦ κατεῖται ὁ λιμὴν ἔνθα τὸ πλοῖον εἶναι ἠγκυροβολημένον.-

Ἀθήναι, 17 Ἀπριλίου, 1953

ΠΡΩΤΟΝ ΠΡΩΤΟΚΟΛΛΟΝ ΥΠΟΓΡΑΦΗΣ

Κατά τήν στιγμήν τῆς ὑπογραφῆς τῆς ὑπό σημερινήν χρονολογίαν Προξενικῆς Συμβάσεως ἐκ μέρους τῆς Αὐτῆς Μεγαλειότητος τῆς Βασιλείας τῆς Μεγάλῃς Βρεταννίας, Ἰρλανδίας καί τῶν Ὑπερποντιῶν Βρεταννικῶν Κτήσεων, διὰ τὸ Ἠνωμένον Βασίλειον τῆς Μεγάλῃς Βρεταννίας καί Βορείου Ἰρλανδίας, καί τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, διὰ τὸ Βασίλειον τῆς Ἑλλάδος, οἱ ὑπογεγραμμένοι, δεόντως πρὸς τοῦτο ἐξουσιοδοτημένοι, δηλοῦσι τὰ ἑξῆς:

Τὰ Ὑψηλὰ Συμβαλλόμενα Μέρη ἐπιθυμοῦσι νά ὑπογραμμώσιν ὅτι κατά τήν ἄποψιν αὐτῶν αἱ ἀκόλουθοι ἀρχαί εἶναι ἐφαρμοστέαι ἐπὶ προξενείων καί προξένων κατά τοὺς κανόνας τοῦ διεθνοῦς δικαίου ἐν περιπτώσει πολέμου ἢ διακοπῆς τῶν διπλωματικῶν σχέσεων:

1) ἐν περιπτώσει πολέμου ἢ διακοπῆς τῶν διπλωματικῶν σχέσεων μεταξύ δύο Κρατῶν, ἑκάτερον τούτων δικαιούται νά ἀπαίτησῃ τὸ κλεισίμον ἀπάντων ἢ τινῶν τῶν ἐν τῇ χώρᾳ του προξενείων τοῦ ἑτέρου κράτους. Δικαιούται ὡσαύτως νά κλείσῃ ἅπαντα ἢ τινὸς τῶν προξενείων τοῦ κράτους τούτου κείμενα ἐν ἄλλαις χώραις περιερχομένοις ὑπὸ τὴν στρατιωτικὴν κατοχὴν αὐτοῦ.

2) ἐν περιπτώσει κλεισίματος ἀπάντων ἢ τινῶν τῶν προξενείων ἑνὸς κράτους εἰς τὰ ἐδάφη ἑτέρου κράτους ἢ εἰς ἐδάφη περιερχόμενα ὑπὸ τὴν στρατιωτικὴν κατοχὴν τοῦ τελευταίου τούτου, θέλουσι παρασχεθῆ εἰς τοὺς ἐνδιαφερομένους προξένους (συμπεριλαμβανομένων καί τῶν ἀμλοθῶν τοιούτων) καί εἰς τοὺς προξενικοὺς ὑπαλλήλους τοῦ πρώτου κράτους τοὺς ὄντας ὑπηκόους τοῦ δευτέρου κράτους, ἐφ' ὅσον τὰ ὄνματα αὐτῶν ἔχουσι προσηκόντως ἀνακοινωθῆ μέσῳ τῆς ἀρμοδίας ἀρχῆς, ὡς καί εἰς ἅπαντα τὰ μέλη τῶν οἰκογενειῶν αὐτῶν, λογικὴ προθεσμία καί αἱ προσήκουσαι διευκολύνσεις ὅπως ἐγκαταλείψωσι τὴν χώραν καί ἐπιστρέψωσιν εἰς τὴν πατρίδα αὐτῶν, ὅτε λει παρασχεθῆ αὐτοῖς ἡ δέουσα μεταχειρίσις καί προστασία μέχρι

ΔΕΥΤΕΡΟΝ ΠΡΩΤΟΚΟΛΛΟΝ ΥΠΟΓΡΑΦΗΣ.

Κατά την στιγμήν της υπογραφής της υπό σημερινήν χρονολογίαν Προξενικής Συμβάσεως εκ μέρους της Αύτης Μεγαλειότητος της Βασιλεύσης της Μεγάλης Βρετανίας, 'Ιρλανδίας και των 'Υπερποντίων Βρεταννικῶν Κτησέων, διά τὸ 'Ηνωμένον Βασίλειον της Μεγάλης Βρετανίας καὶ Βορείου 'Ιρλανδίας, καὶ της Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, διά τὸ Βασίλειον της Ἑλλάδος, οἱ ὑπογεγραμμένοι, δεόντως πρὸς τούτο ἐξουσιοδοτημένοι, δηλοῦσι τὰ ἑξῆς:

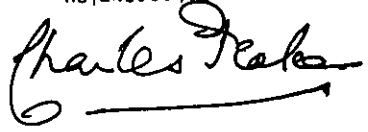
Τὰ ὕψηλά Συμβαλλόμενα Μέρη συνεφώνησαν ὅτι αἱ διατάξεις τοῦ 14ου ἄρθρου της Συμβάσεως δέν θέλουσι τεθῆ ἐν ἐφαρμογῇ μέχρις οὗ ἑκάτερον τῶν ὕψηλῶν Συμβαλλομένων Μερῶν ἤθελεν εἰδοποιήσει περὶ τούτου τὸ ἕτερον.

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

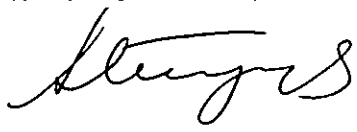
Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις τῇ 17 Ἀπριλίῳ, 1953

Ἐν τε τῇ Ἀγγλικῇ καὶ Ἑλληνικῇ γλώσσῃ, ἀμφοτέρων τῶν κειμένων ἔχόντων τὸ αὐτὸ κῆρος.-

Διὰ τὴν Αὐτῆς Βρεταννικῆν
Μεγαλειότητα



Διὰ τὴν Αὐτοῦ Μεγαλειότητα
τὸν Βασιλέα τῶν Ἑλλήνων



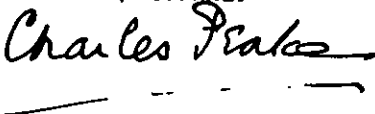
της στιγμής της ανακλήσεως αὐτῶν, συντελουμένης ἐντὸς λογικῆς προθεσμίας, θὰ ἐπιτρέπηται δὲ αὐτοῖς νὰ συναποκομίσωσι τὰ ἀρχεῖα καὶ ἐπίσημα αὐτῶν ἔγγραφα μετὰ τῶν ἀτομικῶν αὐτῶν εἰδῶν καὶ ἐπίπλων, ἢ, εἰάν προτιμῶσι, νὰ παραδίδωσι ταῦτα πρὸς ἀσφαλῆ φύλαξιν ἐν τῇ χώρῃ. Εἰς ἀμφοτέρας τὰς περιπτώσεις τὰ ἀρχεῖα καὶ ἐπίσημα ἔγγραφα αὐτῶν θὰ εἶναι ἀπαραβίβαστα, θὰ λαμβάνεται δὲ πᾶν δυνατὸν μέτρον πρὸς διαφύλαξιν τῶν ἐπίπλων καὶ τῶν ἀτομικῶν εἰδῶν αὐτῶν.

Εἰς πίστωσιν τῶν ἀνωτέρω οἱ οἰκετοὶ Παρηξεοῦσι οὐκ ἔγραψαν τὸ παρὸν Πρωτοκόλλον ἐπιθέσαντες τὰς σφραγίδας αὐτῶν.

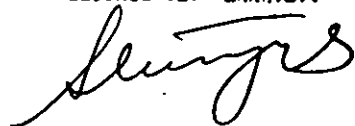
Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις τῇ 17 Ἰουλίου, 1953

Ἐν τε τῇ Ἀγγλικῇ καὶ Ἑλληνικῇ γλώσσῃ, ἀμφοτέρων τῶν κειμένων ἔχοντων τὸ αὐτὸ κῆρος.

Διὰ τὴν Αὐτῆς Βρεταννικῆν
Μεγαλειότητα



Διὰ τὴν Αὐτοῦ Μεγαλειότητα
τὸν Βασιλέα τῶν Ἑλλήνων



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