



ΕΦΗΜΕΡΙΣ ΤΗΣ ΚΥΒΕΡΝΗΣΕΩΣ

ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ

Έν Αθήναις
τῇ 28 Σεπτεμβρίου 1953

ΤΕΥΧΟΣ ΠΡΩΤΟΝ

Ἀριθμός φύλλου 268

ΠΕΡΙΕΧΟΜΕΝΑ

ΝΟΜΟΘΕΤΙΚΑ ΔΙΑΤΑΓΜΑΤΑ

- N. Δ. 2619. Περὶ κυρώσεως τῆς μετὰ τῆς Μεγάλης Βρεταννίας Προξενικῆς Συμβάσεως, υπογραφείσης ἐν Ἀθήναις τὴν 17ην Ἀπριλίου 1953. 1
- N. Δ. 2621. Περὶ κυρώσεως τῶν ὑπ' ἀριθ. 929 τῆς 14 Αὐγούστου 1952 καὶ 936 τῆς 28 Αὐγούστου 1952 Πράξεων τοῦ Ὑπουργικοῦ Συμβουλίου «περὶ ἀναθέσεως εἰς τὸ Ὑπουργεῖον τῶν Ἐξωτερικῶν τῆς φυλάξεως, διαχειρίσεως ὡς καὶ ἐγκρίσεως δαπανῶν συμπληρώσεως, βελτιώσεως, ἐπισκευῶν ἐπιπλώσεως καὶ συντηρήσεως τοῦ ὑπὸ τοῦ Δημοσίου ἀγοραζθέντος ἀκινήτου Μαξίμου». 2
- N. Δ. 2623. Περὶ προσηύκτης διατάξεως εἰς τὸ Νομοθετικὸν Διάταγμα τῆς 10 Σεπτεμβρίου 1926 «περὶ κυρώσεως τοῦ Καταστατικοῦ Χάρτου τοῦ Ἀγίου Ὁρους». . . 3

ΝΟΜΟΘΕΤΙΚΑ ΔΙΑΤΑΓΜΑΤΑ

(1)

ΝΟΜΟΘΕΤΙΚΟΝ ΔΙΑΤΑΓΜΑ ὑπ' ἀριθ. 2619.

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

ΠΑΥΛΟΣ
ΒΑΣΙΛΕΥΣ ΤΩΝ ΕΛΛΗΝΩΝ

Ἐχοντας ὑπ' ὄψει τὰς διατάξεις τοῦ ἀρθρου 35 τοῦ Συντάγματος καὶ τὴν ἀπὸ 4 Σεπτεμβρίου 1953 σύμφωνον γνώμην τῆς κατὰ τὴν παράγραφον 2 τοῦ αὐτοῦ ἀρθρου 35 Εἰσι-

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

Ἄρθρον Μόνον

Κυροῦται καὶ ἔχει πλήρη καὶ νόμιμον ἰσχὺν ἡ μετὰ τῆς Ἑλλάδος καὶ Μεγάλης Βρεταννίας Προξενικὴ Σύμβασις ἥτις ὑπεγράφη ἐν Ἀθήναις τὴν 17ην Ἀπριλίου 1953, μετὰ τῶν προσηρητημένων ταύτῃ δύο συμφωνηθέντων Πρακτικῶν καὶ δύο Πρωτοκόλλων, καὶ ὧν τὸ κείμενον ἔπεται ἐν Ἀγγλικῷ καὶ Ἑλληνικῷ κειμένῳ.

Ἐν Ἀθήναις τῇ 17 Σεπτεμβρίου 1953.

ΠΑΥΛΟΣ

Β.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Ο ΠΡΟΕΔΡΟΣ

ΑΛΕΞΑΝΔΡΟΣ ΠΑΠΑΓΟΣ

ΤΑ ΜΕΛΗ

Π. ΚΑΝΕΛΛΟΠΟΥΛΟΣ, ΣΤ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ, ΔΗΜ. ΜΠΑΜΠΑΚΟΣ, Π. ΑΤΚΟΤΡΕΖΟΣ, Κ. ΚΑΛΛΙΑΣ, Κ. ΠΑΠΑΓΙΑΝΝΗΣ, Α. ΑΠΟΣΤΟΛΙΔΗΣ, Α. ΔΑΜΠΡΙΑΝΙΔΗΣ, Ε. ΓΟΝΗΣ, Π. ΣΙΦΝΑΙΟΣ, Σ. ΔΗΜΑΡΑΤΟΣ, Σ. ΓΕΩΡΓΟΤΑΝΗΣ, Α. ΕΤΤΑΣΙΑΣ.

Ἐθεωρήθη καὶ ἐτέθη ἡ μεγάλη τοῦ Κράτους σφραγίς.

Ἐν Ἀθήναις τῇ 26 Σεπτεμβρίου 1953.

Ο ΕΠΙ ΤΗΣ ΔΙΚΑΙΟΣΥΝΗΣ ΥΠΟΥΡΓΟΣ

ΠΑΥΣ. ΛΥΚΟΥΡΕΖΟΣ

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

Athens, April 17, 1953.

PREAMBLE

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

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

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

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

For the United Kingdom of Great Britain and Northern Ireland :

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

His Majesty The King of The Hellenes:

For the Kingdom of Greece:

His Excellency Monsieur Stephanos Stephanopoulos, Minister of Foreign Affairs:

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

PART I

Application and definitions

Article 1

This Convention applies

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

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

Article 2

For the purpose of this Convention—

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

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

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

4. the term «nationals» means—

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

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

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

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

6. the term «consular officer» means any person who is granted an exequatur or other authorisation (including a provisional authorisation) to act in such capacity by the appropriate authorities of the territory; a consular officer may be a career officer (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 defense or public utility in accordance with the laws of the territory, but, if it is necessary to take any such measure with regard to any such property, every consideration shall be shown to avoid interference with the performance of consular functions.

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

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

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

Article 14.

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

PART IV.

Financial Privileges

Article 15.

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

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

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

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

Article 16.

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

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

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

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

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

a) not a national of the receiving state ; and

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

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

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

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

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

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

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

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

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

Article 17.

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

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

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 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 juridical) of the territory that—

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

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

Article 23.

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

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

Article 24.

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

PART VII.

Shipping

Article 25.

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

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

Article 26.

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

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

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

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

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

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

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

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

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

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

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

Article 27.

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

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

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

Article 28

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

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

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

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

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

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

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

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

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

Article 29.

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

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

Article 30.

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

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

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

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

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

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

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

Article 31.

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

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

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

Article 32.

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

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

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

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

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

PART VIII.

General Provisions Relating to Consular Functions

Article 33.

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

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

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

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

Article 34.

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

PART IX.

Final Provisions

Article 35.

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

Article 36.

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

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

Article 37.

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

Article 38.

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

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

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

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

FIRST AGREED MINUTE

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

CHARLES PEAKE	ST. STEFANOPOULOS
---------------	-------------------

Athens, April 17th 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 S. STEFANOPOULOS
Athens, April 17th 1953

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:	For His Majesty
CHARLES PEAKE	The King of The Hellenes
	S. STEFANOPOULOS

SECOND 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 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:	For His Majesty
CHARLES PEAKE	The King of The Hellenes
	S. STEFANOPOULOS

ΠΡΟΞΕΝΙΚΗ ΣΥΜΒΑΣΙΣ

μεταξύ του ἠνωμένου βασιλείου τῆς Μεγάλης Βρεταννίας καὶ Βορείου Ἰρλανδίας καὶ τοῦ βασιλείου τῆς Ἑλλάδος.

ΠΡΟΟΙΜΙΟΝ

Ἡ Αὐτῆς Μεγαλειότης ἡ Βασίλισσα τῆς Μεγάλης Βρεταννίας, Ἰρλανδίας καὶ τῶν Ὑπερποντίων Βρεταννικῶν Κτήσεων καὶ ἡ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων.

Ἐπιθυμοῦντες νὰ ρυθμίσωσι τὴν θέσιν τῶν προξένων τοῦ ἐνὸς Μέρους εἰς τὰ ἐδάφη τοῦ ἑτέρου.

Ἀπεφάσισαν νὰ συνάψωσι Προξενικὴν Σύμβασιν, πρὸς τὸν σκοπὸν δὲ τοῦτον διώρισαν ὡς Πληρεξουσίου αὐτῶν :

Ἡ Αὐτῆς Μεγαλειότης ἡ Βασίλισσα τῆς Μεγάλης Βρεταννίας, Ἰρλανδίας καὶ τῶν Ὑπερποντίων Βρεταννικῶν Κτήσεων (ἀναγραφομένη ἐν τοῖς ἐφεξῆς ὡς «Ἡ Αὐτῆς Βρεταννικῆ Μεγαλειότης») :

Διὰ τὸ ἠνωμένον Βασίλειον τῆς Μεγάλης Βρεταννίας καὶ Βορείου Ἰρλανδίας :

Τὴν Αὐτοῦ Ἐξοχότητα τὸν Sir Charles Brinsley Pemberton Peake, K.C.M.G., M.C.

Ἐκτακτὸν Ἀπεσταλμένον καὶ Πληρεξούσιον Πρεσβευτὴν τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος ἐν Ἀθήναις.

Ἡ Αὐτοῦ Μεγαλειότης ὁ Βασιλεὺς τῶν Ἑλλήνων :

Διὰ τὸ Βασίλειον τῆς Ἑλλάδος :

Τὴν Αὐτοῦ Ἐξοχότητα

Οἷτινες ἀνακοινώσαντες ἀλλήλους τὰ οἰκεία αὐτῶν πληρεξούσια, εὐρεθέντα ἐν τάξει, συνεφώνησαν τὰ ἀκόλουθα :

ΜΕΡΟΣ I.

Ἐφαρμογὴ καὶ ὁρισμοί.

Ἄρθρον 1.

Ἡ Σύμβασις αὕτη ἔχει ἐφαρμογὴν.

1) Ἐκ μέρους τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος, εἰς τὸ ἠνωμένον Βασίλειον τῆς Μεγάλης Βρεταννίας καὶ Βορείου Ἰρλανδίας, ὡς καὶ εἰς ὅλα τὰ ἐδάφη διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων ἡ ἐν τῷ ἠνωμένῳ Βασίλειῳ Κυβέρνησις Αὐτῆς εἶναι ὑπεύθυνος.

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

Ἄρθρον 2.

Πρὸς τοῦτο ἐν τῇ παρούσῃ Συμβάσει :

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

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

3) ὁ ὅρος «χώρα» δηλοῖ οἰονδήποτε τμήμα τῶν ἐδαφῶν τοῦ δεχομένου Κράτους ἐν τῷ ὁποίῳ κεῖται ἐν ὅλῳ ἢ ἐν μέρει ἡ περιφέρεια τοῦ προξένου, καὶ εἰς τὸ ὁποῖον ἀνεκοινώθη, ὅτι ἀποτελεῖ ἐδαφικὴν μονάδα ὡς πρὸς τινὰ ἢ πάντα τὰ ἄρθρα τῆς Συμβάσεως συνωδᾷ ταῖς διατάξεσι τοῦ ἁρθροῦ 36 ταύτης.

4) ὁ ὅρος «κύπηρεσι» δηλοῖ

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

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

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

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

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

7) ὁ ὅρος «προξενικὸς ὑπάλληλος» δηλοῖ πᾶν πρόσωπον τὸ ὁποῖον μὴ ὢν πρόξενος, ὑπηρετεῖ εἰς Προξενεῖον τι πρὸς ἐκτέλεσιν προξενικῶν καθηκόντων, ἐφ' ὅσον τὸ ὄνομα του 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 οἰκιακὰς ἢ πρὸς συντήρησιν αὐτοῦ ὑπηρεσίας.

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

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

α) εἰς μὲν τὴν περίπτωσιν οἰονδήποτε τῶν ἀναφερομένων ἐν τῇ παραγράφῃ (1) τοῦ 1ου ἁρθροῦ τῆς Συμβάσεως ἐδαφῶν, ἔγκλημα διὰ τὸ ὁποῖον δύναται νὰ ἐπιβληθῇ ποινὴ φυλακίσεως πέντε καὶ πλέον ἐτῶν.

β) εἰς δὲ τὴν περίπτωσιν τοῦ Βασιλείου τῆς Ἑλλάδος, ἔγκλημα συνιστῶν «κακούργημα» κατὰ τοὺς νόμους τοῦ Βασιλείου τῆς Ἑλλάδος.

ΜΕΡΟΣ II.

Διορισμοὶ καὶ Περιφέρειαι

Ἄρθρον 3ον.

1) Τὸ ἀποστέλλον Κράτος δύναται νὰ ἰδρύῃ καὶ διατηρῇ Προξενεῖα εἰς τὰ ἐδάφη τοῦ δεχομένου Κράτους ὅπουδήποτε τρίτον Κράτος ἔχει Προξενεῖον, καὶ ὅπουδήποτε ἀλλαχοῦ τὸ δεχόμενον Κράτος συναινέσῃ εἰς τὴν ἰδρυσιν Προξενείου. Τὸ ἀποστέλλον Κράτος δύναται κατὰ τὸ δυνατόν νὰ ὀρίζῃ ἐὰν τὸ Προξενεῖον θὰ εἶναι Γενικὸν Προξενεῖον, Προξενεῖον, Ὑποπροξενεῖον ἢ Προξενικὸν Πρακτορεῖον.

2) Τὸ ἀποστέλλον Κράτος πληροφορεῖ τὸ δεχόμενον Κράτος περὶ τῆς περιφέρειας ἐκάστου Προξενείου του καὶ ὑπὸ τὴν ἐπιφύλαξιν τῆς παραγράφου (3) τοῦ παρόντος ἁρθροῦ δύναται νὰ καθορίζῃ κατὰ τὸ δυνατόν τὰ ὄρια τῆς περιφέρειας αὐτοῦ.

3) Τὸ δεχόμενον Κράτος δικαιούται νὰ ἀρνῇται τὴν ὑπαγωγὴν ὑπὸ Προξενικὴν τινὰ περιφέρειαν.

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

β) οἰονδήποτε ἐδαφῶν τρίτου Κράτους.

4) Οἱ πρόξενoi δύναται κατόπιν γνωστοποιήσεως πρὸς τὸ δεχόμενον Κράτος, νὰ ἀσχωσι προξενικὰ καθήκοντα ἔξω τῆς προξενικῆς αὐτῶν περιφέρειας, πλὴν ἐὰν τὸ δεχόμενον Κράτος ἀντιτίθεται πρὸς τοῦτο.

Ἄρθρον 4ον

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

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

2) Τὸ ἐκτελεστήριον ἢ ἄλλη ἀναγνώρισις δίδεται τοῦ δεχομένου Κράτους ὡς ὅλον τε τάχιστα καὶ ἀνευ καταβολῆς τέλους ἐπὶ τῇ προσκομίσει τοῦ διπλώματος ἢ ἄλλης ἀνακοινώσεως περὶ τοῦ διορισμοῦ τοῦ προξένου. Ἐφ' ὅσον παρίσταται ἀνάγκη παρέχεται προσωρινὴ ἀναγνώρισις μέχρι τῆς ἐκδόσεως τοῦ ἐκτελεστήριου ἢ ἐτέρας ἀναγνωρίσεως.

3) Ἀρνήσις ἐκτελεστήριου ἢ ἐτέρας ἀναγνωρίσεως δὲν συγχωρεῖται ἀνευ εὐλόγου αἰτίας.

4) Τὸ δεχόμενον Κράτος δὲν λογίζεται ὡς συναινέσαν εἰς τὴν ἀσκήσιν τῶν καθηκόντων τοῦ προξένου ὡς παραχωρήσαν αὐτῶ τὰ εὐεργετήματα τῶν διατάξεων τῆς παρούσης Συμβάσεως, μέχρι τῆς ὑπ' αὐτοῦ (τοῦ Κράτους) ἐκδόσεως ἐκτελεστήριου ἢ ἐτέρας ἀναγνωρίσεως.

Ἄρθρον 5ον

1) Ἀμα τῇ λήψει αἰτήσεως τὸ δεχόμενον Κράτος ὀφείλει νὰ γνωστοποιῇ ἀμελλητί εἰς τὰς ἀρμοδίας αὐτοῦ Ἀρχὰς τὸ ὄνομα παντὸς προξένου δικαιουμένου νὰ ἐνεργῇ κατὰ τὴν παροῦσαν Σύμβασιν.

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

3) Τὸ δεχόμενον Κράτος δύναται νὰ ἀνακαλέσῃ τὸ ἐκτελεστήριον ἢ ἐτέραν ἀναγνώρισιν τοῦ προξένου οὕτως ἡ διαγωγή ἐδῶκεν σοβαρὰν ἀφορμὴν παροπνῶν. Ὁ λόγος τῆς τοιαύτης ἀνακλήσεως θὰ γνωστοποιῇται, κατόπιν αἰτήσεως, εἰς τὸ ἀποστέλλον Κράτος, διὰ τῆς διπλωματικῆς ὁδοῦ.

Ἄρθρον 6ον

Τὸ ἀποστέλλον Κράτος εἶναι ἐλεύθερον νὰ χρησιμοποιοῇ τὸν ἀναγκαῖον ἀριθμὸν προξενικῶν ὑπαλλήλων εἰς τὰ προξενεῖα του, εἴτε οὗτοι εἶναι ὑπήκοοι αὐτοῦ, εἴτε ὑπήκοοι τοῦ δεχομένου ἢ καὶ τρίτου Κράτους. Οἱ πρόξενοι ἀνσχεῖται εἰς τὰ ὀνόματα καὶ διευθύνσεις τῶν ὑπαλλήλων τούτων πρὸς τὴν Κυβέρνησιν τῆς χώρας. Ἡ Κυβέρνησις τῆς χώρας εἶναι ἀρμοδίᾳ νὰ ὀρίξῃ τὴν ἀρμοδίαν ἀρχὴν πρὸς τὴν ὁποῖαν θὰ γίνῃται ἡ ἀνακοίνωσις αὕτη.

Ἄρθρον 7ον

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

Ἄρθρον 8.

Τὸ ἀποστέλλον Κράτος δύναται, τῇ ἀδείᾳ τοῦ δεχομένου Κράτους, νὰ διορίξῃ ἐν ἡ πλείονα μέλη τῆς διαπεπιστευμένης παρὰ τῷ Κράτει τούτῳ διπλωματικῆς αὐτοῦ ἀποστολῆς πρὸς λειτουργίαν Προξενείου, κειμένου ἐν τῇ ἑδρᾷ τῆς κεντρικῆς Κυβερνήσεως τοῦ δεχομένου Κράτους. Οἱ τοιοῦτοι διορισμοὶ γίνονται συμφώνως πρὸς τὰς διατάξεις τοῦ ἄρθρου 4 τῆς παρούσης Συμβάσεως. Οἱ οὕτω διοριζόμενοι πρόξενοι δὲν παύουσιν ἀπολαμβάνοντες ἀπάντων τῶν ἐκ τῆς διπλωματικῆς αὐτῶν ἰδιότητος προνομίων καὶ ἀσυλιῶν, πλὴν ὅμως, ὡς πρὸς τὴν προξενικὴν αὐτῶν ἰδιότητα ὑπόκεινται εἰς τὰς διατάξεις τῆς Συμβάσεως.

ΜΕΡΟΣ III.

Νομικὰ Δικαιώματα καὶ Ἀσυλία.

Ἄρθρον 9.

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

νέμηται καὶ κατέχῃ ὑπὸ οἰονδήποτε τυχὸν ὑφιστάμενον κατὰ τοὺς νόμους τῆς χώρας τίτλον εἴτε ἐπ' ἐνόματι αὐτοῦ εἴτε ἐπ' ἐνόματι ἐνὸς ἢ πλείονων φυσικῶν ἢ νομικῶν προσώπων ἐνεργούντων διὰ λογαριασμόν του, γήπεδα, κτίρια, μέρη κτιρίων, τὰ παραρτήματα αὐτῶν κείμενα ἐν τῇ χώρᾳ καὶ ἀναγκαζοῦντα εἰς τὸ ἀποστέλλον Κράτος, διὰ Προξενεῖα ἢ διὰ κατοικίᾳ ἐμίσθων προξένων ἢ δι' ἄλλους σκοποὺς, πρὸς τοὺς ὁποίους τὸ δεχόμενον Κράτος δὲν ἀντιτίθεται προκύπτοντας δ' ἐκ τῆς λειτουργίας τῆς προξενικῆς ἀρχῆς τοῦ ἀποστέλλοντος Κράτους. Ἐὰν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτεῖται, πρὸ πάσης τοιαύτης κτήσεως, ἡ ἀδεία τῶν ἐγγχωρίων ἀρχῶν, ἡ ἀδεία αὕτη θὰ παρέχῃται, ἐφ' ὅσον ἐξεπληρώθηθῃσαν αἱ ἀναγκαῖαι διατυπώσεις.

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

3) Ἐννοεῖται ὅτι τὸ ἀποστέλλον Κράτος δὲν ἐξαιρεῖται τῆς τηρήσεως τῶν σχετικῶν μὲ τὴν ἀνοικοδόμησιν καὶ σχεδίασιν πόλεων διατάξεων καὶ περιορισμῶν τῶν ἐφαρμοζομένων ἐν τῇ περιοχῇ ἐν τῇ ὁποίᾳ κεῖνται τὰ γήπεδα, τὰ κτίρια, μέρη κτιρίων καὶ παραρτήματα περὶ ὧν αἱ παράγραφοι 1 καὶ 2 τοῦ παρόντος ἄρθρου.

Ἄρθρον 10.

1) Δύνανται νὰ τίθενται ἐπὶ τοῦ ἐξωτερικοῦ περιβόλου καὶ ἐξωτερικοῦ τοίχου τῶν κτιρίων ἐν ᾧ προξενεῖον τι εἶναι ἐγκατεστημένον ὁ θυρεὸς ἢ ἐθνικὸν ἐμβλημα τοῦ ἀποστέλλοντος Κράτους μετὰ καταλλήλου ἐπιγραφῆς προσδιορίζουσης τὸ Προξενεῖον εἰς τὴν ἐπίσημον γλῶσσαν τοῦ ἀποστέλλοντος Κράτους. Ἐπιτρέπεται ἐπίσης ὅπως τίθενται οἱ τοιοῦτοι θυρεοὶ ἢ ἐθνικὰ ἐμβλήματα καὶ ἐπιγραφαὶ ἐπὶ τῆς θύρας εἰσόδου τοῦ προξενείου ἢ παρ' αὐτὴν.

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

3) Ἡ ἀστυνομία ἢ ἄλλαι ἀρχαὶ τῆς χώρας δὲν δύνανται νὰ εἰσέρχωνται εἰς τὸ προξενικὸν γραφεῖον ἀνευ τῆς συναινέσεως τοῦ προϊσταμένου τῆς προξενικῆς ἀρχῆς, ἢ ἐὰν δὲν δύναται νὰ ληφθῇ ἡ τοιαύτη συναίνεσις μόνον κατόπιν τοῦ προσήκοντος ἐντάλματος ἢ διαδικασίας καὶ τῇ συγκαταθέσει τῶν οἰκείων Ὑπουργῶν τῶν Ἐξωτερικῶν. Ἡ συναίνεσις τοῦ προξένου ἐξυπακούεται εἰς τὴν περίπτωσιν πυρκαϊᾶς ἢ ἄλλου ἀτυχήματος, ἢ ἐὰν αἱ ἀρχαὶ τῆς χώρας εὐλόγως πιστεύουσιν ὅτι διεπράχθη ἢ διαπράττεται ἢ πρόκειται νὰ διαπραχθῇ ἐν τῷ προξενικῷ γραφεῖῳ βίαιον ἔγκλημα. Αἱ διατάξεις τῆς παρούσης παραγράφου δὲν ἔχουσιν ἐφαρμογὴν προκειμένου περὶ προξενικοῦ γραφεῖου διειδυνομένου ὑπὸ προξένου ἔχοντος τὴν ὑπηκοότητα τοῦ δεχομένου Κράτους ἢ μὴ ὄντος ὑπηκόου τοῦ ἀποστέλλοντος Κράτους.

4) Τὸ Προξενεῖον δὲν χρησιμοποιεῖται πρὸς παροχὴν ἀσύλου εἰς φυγοδίκους. Ἐὰν ὁ πρόξενος ἀρνηθῇ νὰ παραδώσῃ φυγοδίκον ἐπὶ τῇ νομίμῳ αἰτήσῃ τῶν ἀρχῶν τῆς χώρας, αἱ ἀρχαὶ αὗται, ἐπιφυλασσομένων τῶν διατάξεων τῆς παραγράφου (3) τοῦ παρόντος ἄρθρου ἀφορῶσάν 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 λαμβανομένων δεόντως ὑπ' ὄψιν τοῦ ἀπαραιτήτου τῶν προξενικῶν ἀρχείων, ὡς τοῦτο ἀναγνωρίζεται ἐν τῇ (1ῃ) παραγράφῳ τοῦ ἄρθρου 12.

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

*Άρθρον 11ον

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

2) Ὡσαύτως οἱ πρόξενοι ἢ προξενικοὶ ὑπάλληλοι ἐφ' ὅσον εἰς ἑκατέραν τῶν περιπτώσεων πληρῶσι τοὺς ἐν τῇ παραγράφῳ (5) τοῦ παρόντος ἄρθρου καθοριζομένους ὅρους, ἢ κατοικία, τὰ ἐπιπλά καὶ ἄλλα οἰκιακὰ ἀντικείμενα ὡς καὶ τὰ εἰς αὐτὰς ἀνήκοντα ἢ παρ' αὐτῶν κατεχόμενα ὀχήματα, πλοῖα καὶ ἀεροσκάφη, ἐξαιροῦνται πάσης στρατιωτικῆς ἐπιτάξεως, εἰσφορᾶς ἢ παροχῆς καταυλισμῶν. Τὸ πρόνομιον τοῦτο δὲν ἐκτείνεται ἐπὶ ἄλλης περιουσίας ἀνηκούσης αὐτοῖς. Ἡ κατοικία τοῦ προξένου ἢ τοῦ ὑπαλλήλου δὲν ἐξαιρεῖται ἀπαλλοτριώσεως ἢ καταλήψεως διὰ σκοποὺς ἐθνικῆς ἀμύνης ἢ δημοσίας ὠφελείας συμφώνως πρὸς τοὺς νόμους τῆς χώρας.

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

4) Οἱ Πρόξενοι, ἐφ' ὅσον δὲν εἶναι ὑπήκοοι τοῦ δεχομένου Κράτους, ὡς καὶ οἱ προξενικοὶ ὑπάλληλοι, ἐφ' ὅσον πληροῦσι τοὺς ἐν τῇ παραγράφῳ (5) τοῦ παρόντος ἄρθρου ὅρους, ἐξαιροῦνται πάσης ὑπηρεσίας στρατιωτικῆς, ναυτικῆς, ἀεροπορικῆς, ἀστυνομικῆς, διοικητικῆς καὶ τῆς ὑποχρεώσεως νὰ ὑπηρετῶσιν ὡς ἑνορκοί.

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

α) εἶναι ὑπήκοοι τοῦ ἀποστέλλοντος Κράτους καὶ δὲν κέκνηται τὴν ἐθνικότητα τοῦ δεχομένου Κράτους.

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

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

*Άρθρον 12.

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

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

3) Οἱ πρόξενοι δικαιοῦνται νὰ ἐπικοινωνήσωσι μετὰ τῆς Κυβερνήσεως των μετὰ τῆς προϊσταμένης αὐτῶν διπλωματικῆς ἀποστολῆς ἢ μετ' ἄλλων ἐν τῇ αὐτῇ χώρᾳ κειμένων προξενείων τοῦ ἀποστέλλοντος Κράτους, ταχυδρομικῶς, τηλεγραφικῶς, τηλεφωνικῶς καὶ δι' ἄλλων δημοσίων μέσων δύνανται δὲ νὰ ἀποστέλλωσι καὶ λαμβάνωσιν ἐπίσημον ἀλληλογραφίαν δι' ἐνσφραγίστων προξενικῶν φακέλων, σάκκων καὶ ἄλλων περιβλημάτων καὶ νὰ χρησιμοποιήσωσιν εἰς ἀμφοτέρας τὰς περιπτώσεις μυστικὴν γλῶσσαν. Ὡσάκις ὅμως τὸ δεχόμενον Κράτος εὐρίσκεται ἐν πολέμῳ, τὸ δικαίωμα τοῦτο ἐπικοινωνίας καὶ ἀλληλογραφίας μετὰ τῆς προϊσταμένης διπλωματικῆς ἀποστολῆς, ἐὰν αὕτη εὐρίσκηται ἐκτὸς τῶν ἐδαφῶν τοῦ δεχομένου Κράτους, δύναται νὰ περιορίζηται. Ἐπὶ πλέον οἱ πρόξενοι δύνανται ὁμοίως νὰ ἐπικοινωνήσωσι καὶ ἀλληλογραφῶσι μετ' ἄλλων διπλωματικῶν ἀποστολῶν καὶ προξενείων τοῦ ἀποστέλλοντος Κράτους ἢ μετὰ τῶν ἀρχῶν ἄλλων ἐδαφῶν τοῦ Κράτους τούτου, ἐκτὸς ἐὰν τὸ δεχόμενον Κράτος εὐρίσκεται ἐν πολέμῳ, ὅποτε τὸ κατ' ἐπέκτασιν τοῦτο δικαίωμα δύναται νὰ περιορίζηται.

4) Ἡ ἐν τῇ παροηγούμενῃ παραγράφῳ ἀναφερομένη ἐπισήμως προξενικὴ ἀλληλογραφία τυγχάνει ἀπαραβίαστος, αἱ δὲ ἀρχαὶ τῆς χώρας δὲν θὰ ἐξετάζωσιν ἢ κατακρατῶσι ταύτην. Εἰς ἐξαιρετικὰς ὅμως περιπτώσεις, δύνανται αὗται νὰ ζητήσωσιν ὅπως ἐνσφραγίστοι προξενικοὶ φάκελλοι, σάκκοι καὶ ἄλλα περιβλήματα, ἀνοίγωνται παρουσίᾳ των ὑπὸ τοῦ προξένου ἢ αἰ βεβιωθῶσιν ὅτι ταῦτα δὲν περιέχουσιν ἄλλο τι πλὴν τῆς ἐπισήμου ἀλληλογραφίας.

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

6) Οἱ πρόξενοι δικαιοῦνται ὡσαύτως νὰ ἀρνῶνται μαρτυρικὰς καταθέσεις ὡς ἐμπειρογνώμονες ὅσον ἀφορᾷ εἰς τὴν νομοθεσίαν τοῦ ἀποστέλλοντος Κράτους.

*Άρθρον 13ον

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

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

3) Δύναται νὰ ζητῆται ἀπὸ τοὺς προξένους καὶ ὑπαλλήλους νὰ καταθέτωσιν ὡς μάρτυρες ἐν ἀστικῇ ἢ ποινικῇ δίκῃ, ἐξαίρεσει τῶν ἐν ταῖς παραγράφοις (5) καὶ (6) τοῦ 12ου ἄρθρου προβλεπομένων περιπτώσεων. Ἡ Ἀρχὴ ἢ τὸ δικαστήριον τὰ ὅποια ζητοῦσι τὴν μαρτυρίαν των λαμβάνουσι σὺν λογικὸν μέτρον πρὸς ἀποφυγὴν ἀναμίξεως εἰς τὴν ἀσκήσιν των ἐπισήμων αὐτῶν καθηκόντων. Προκειμένου περὶ προξένων ἢ Ἀρχῆς ἢ τὸ δικαστήριον θὰ μεριμνῶσιν, ὅπου τοῦτο εἶναι ἐπιτρεπτόν καὶ δυνατόν, πρὸς λήψιν τῆς τοιαύτης μαρτυρίας, προφορικῶς, ἢ ἐγγράφως, εἰς τὸ γραφεῖον ἢ τὴν κατοικίαν αὐτῶν.

4) Ἀπαντᾷ τὰ αὐτοκίνητα ὀχήματα, πλοῖα καὶ ἀεροσκάφη, τὰ ἀνήκοντα εἰς τὸ ἀποστέλλον Κράτος καὶ χρησι-

μποιούμενα διὰ τὸς σκοποὺς τῶν Προξενίων, τῶν Προξένων ἢ τῶν ὑπαλλήλων, ὡς ἐπίσης καὶ ἅπαντα τὰ αὐτοκίνητα ὀχήματα, πλοῖα καὶ ἀεροσκάφη τὰ ἀνήκοντα εἰς προξένους καὶ ὑπαλλήλους δέον νὰ ἀσφαλίζονται ἐπαρκῶς δι' ἰσφαλιστηρίων συμβολαίων κατὰ κινδύνων ἑναντι τρίτων. Ἀγῶγαι ἐκ μέρους τρίτων σχετικῶς μετ' αὐτοῦσι κινδύνους θεωροῦνται ὡς συνεπαγόμεναι τὴν ἐν τῇ 2ᾳ παραγράφῳ τοῦ παρόντος ἄρθρου εὐθύνην, αἱ δὲ διατάξεις τῆς 5ης παραγράφου τοῦ ἄρθρου 12 δὲν παρέχουσι δικαίωμα εἰς τοὺς προξένους καὶ ὑπαλλήλους νὰ ἀρῶνται τὴν προσαγωγὴν ἐγγράφου ἢ τὴν μαρτυρικὴν αὐτῶν κατάθεσιν σχετικῶς μετ' αὐτῶν ἀγῶγας.

5) Οἱ πρόξενοι αἱ σύζυγοι αὐτῶν καὶ τὰ συνοικοῦντα ἀνήλικα τέκνα τῶν ἐξαιροῦνται τῶν διατυπώσεων περὶ ἐγγραφῆς καὶ ἀδείας παραμονῆς τῶν ἄλλοδαπῶν συμφώνως πρὸς τοὺς νόμους τῆς χώρας, καὶ δὲν ὑπόκεινται εἰς ἀπέλασιν ἐφ' ὅσον οἱ πρόξενοι κατέχουσι τὸ ἐκτελεστήριον αὐτῶν ἢ ἑτέραν ἀναγνώρισιν.

Ἄρθρον 14ον

Ἐξαιρέσει τῇ αἰτήσῃ ἢ τῇ συναινέσει τοῦ ἀποστέλλοντος Κράτους, οἱ ἐμμισθοὶ πρόξενοι δὲν ὑποβάλλονται ἐντὸς τῶν ἑδαφῶν τοῦ δεχομένου Κράτους εἰς προφυλάκισιν διὰ πράξεις μὴ τελεσθείσας ὑπὸ τὴν ἐπίσημον αὐτῶν ιδιότητα, ἐκτὸς ἐὰν κατηγορῶνται διὰ βαρὺ ἐγκλημα ὡς τοῦτο καθορίζεται ἐν ἄρθρῳ 2 (3) τῆς παρούσης Συμβάσεως.

ΜΕΡΟΣ ΙΓ'

Οἰκονομικὰ Προνόμια

Ἄρθρον 15ον

Οὐδεὶς φόρος ἢ ἕτερον παρόμοιον τέλος οἰασδήποτε φύσεως (ἐθνικῆς κρατικῆς, ἐπαρχιακῆς, δημοτικῆς ἢ ἄλλης) ἐπιβάλλεται ἢ εἰσπράττεται ἐν τῇ χώρᾳ ἀπὸ τοῦ ἀποστέλλοντος Κράτους, ἢ ἀπὸ φυσικῶν ἢ νομικῶν πρόσωπων ἐνεργοῦν ἐκ μέρους του, ἐν σχέσει μετ'

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

β) δικαιολογίας ἢ πράξεις σχετιζομένας πρὸς τὴν κτήσιν ἀκινήτου περιουσίας πρὸς τινῶν ἐν λόγῳ σκοπῶν.

γ) τὴν κυριότητα, νομὴν ἢ χρῆσιν κινητῆς περιουσίας διὰ προξενικοὺς σκοποὺς.

Ἄρθρον 16ον

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

β) Τὸ ἀποστέλλον Κράτος ἢ οἱ πρόξενοι ἢ ὑπάλληλοι αὐτοῦ ἀπαλλάσσονται ἐν τῇ χώρᾳ πάντων τῶν φόρων ἢ ἑτέρων παρομοίων τελῶν οἰασδήποτε φύσεως, τῶν ἐπιβαλλομένων ἢ εἰσπραττομένων ὑπὸ τοῦ δεχομένου Κράτους ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἑτέρας, τοπικῆς ὑποδιαίρεσεως αὐτοῦ, ἐν σχέσει πρὸς πράξεις τελεσθείσας ἐν τῇ ἐνασχῇ τῶν ἐπισήμων καθηκόντων τῶν προξένων ἢ ὑπαλλήλων. Ἡ ἀλλαγὴ αὕτη δὲν ἰσχύει ἐπὶ φόρῳ ἢ ἑτέρων παρομοίων τελῶν εἰς τὰ ὅποια τρίτον πρόσωπον κατὰ νόμον ὑπόκειται, καίτοι τὸ βάρος τοῦ φόρου ἢ ἑτέρου παρομοίου τέλους δυνατόν νὰ ἐπιπίπτῃ ἐπὶ τοῦ ἀποστέλλοντος Κράτους ἢ τῶν προξένων ἢ τῶν ὑπαλλήλων.

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

πικῆς ὑποδιαίρεσεως αὐτοῦ, ἐν σχέσει πρὸς τὰς ἐπισήμους ἀποδοχάς, μισθοὺς, ἡμερομισθία ἢ ἐπιδόματα τὰ ὅποια οἱ πρόξενοι λαμβάνουσιν ὡς ἀμοιβὴν τῶν προξενικῶν αὐτῶν ὑπηρεσιῶν.

3) Αἱ διατάξεις τῆς παραγράφου (2) τοῦ παρόντος ἄρθρου ἰσχύουσιν ὡσαύτως ἐπὶ τῶν ἐπισήμων ἀποδοχῶν, μισθῶν, ἡμερομισθίων ἢ ἐπιδόματων τὰ ὅποια οἱ προξενικοὶ ὑπάλληλοι λαμβάνουσιν ὡς ἀμοιβὴν τῶν ὑπηρεσιῶν αὐτῶν εἰς τὴν Προξενεῖον, ἐκτὸς ἐὰν οἱ προξενικοὶ οὗτοι ὑπάλληλοι εἶναι ὑπῆκοι τοῦ δεχομένου Κράτους.

δ) Οἱ πρόξενοι καὶ ὑπάλληλοι ἀπαλλάσσονται ἐπιπροσθέτως ἐν τῇ χώρᾳ, ἐξαιρέσει τῶν προβλεπομένων ἐν παραγράφῳ (5) τοῦ παρόντος ἄρθρου περιπτώσεων, παντὸς φόρου ἢ ἑτέρου παρομοίων τελῶν οἰασδήποτε φύσεως, ἐπιβαλλομένων ἢ τυχόν εἰσπραττομένων ὑπὸ τοῦ δεχομένου Κράτους, ἢ ὑπὸ οἰασδήποτε πολιτείας, ἐπαρχίας, δήμου ἢ ἑτέρας τοπικῆς ὑποδιαίρεσεως αὐτοῦ, ἐξαιρέσει τῶν δι' εἰσαγωγὴν εἰς τὴν χώραν ἢ ἐξ αἰτίας αὐτῶν ἐπιβαλλομένων φόρων καὶ δασμῶν περὶ τῆς ἀπὸ τῶν ὁποίων ἀπαλλαγῆς προβλέπει ἀποκλειστικῶς τὸ ἄρθρον 17ον, ἐφ' ὅσον οἱ πρόξενοι οὗτοι καὶ ὑπάλληλοι.

α) δὲν εἶναι ὑπῆκοι τοῦ δεχομένου Κράτους καὶ

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

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

φ) α) Αἱ διατάξεις τῆς 4ης παραγράφου τοῦ παρόντος ἄρθρου ἰσχύουσι μόνον προκειμένου περὶ τῶν φόρων ἢ ἑτέρων παρομοίων τελῶν διὰ τὰ ὅποια ἐλλείψει τῆς προβλεπομένης ὑπὸ τοῦ παρόντος ἄρθρου ἀπαλλαγῆς, τὰ κατὰ νόμον ὑπόχρεα πρόσωπα, δὲν ἔχουσι δὲ ἰσχύον προκειμένου περὶ φόρων ἢ ἑτέρων παρομοίων τελῶν διὰ τὰ ὅποια τρίτον τι πρόσωπον εἶναι κατὰ νόμον ὑπόχρεων, καίτοι τὸ βάρος τοῦ φόρου ἢ ἑτέρου παρομοίου τέλους δυνατόν νὰ ἐπιπίπτῃ ἐπὶ τῶν προξένων καὶ ὑπαλλήλων. Ἐὰν ὅμως οἱ πρόξενοι καὶ ὑπάλληλοι δικαιῶνται εἰσοδήματος τινὸς ἐκ πηγῶν ἐκτὸς τῆς χώρας, τὸ δὲ εἰσόδημα τοῦτο εἶναι πληρωτέον αὐτοῖς ἢ εἰσπράττεται διὰ λογαριασμὸν αὐτῶν ὑπὸ Τραπεζῆς ἢ ἑτέρου πράκτορας ἐν τῇ χώρᾳ ὑποχρέων εἰς κράτησιν τοῦ φόρου εἰσοδήματος κατὰ τὴν πληρωμὴν τοῦ εἰσοδήματος καὶ ἀπόδοσιν λογαριασμοῦ διὰ τὸν οὕτω κρατηθέντα φόρον, οἱ πρόξενοι καὶ ὑπάλληλοι δικαιῶνται εἰς ἐπιστροφὴν τοῦ οὕτω κρατηθέντος φόρου.

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

I) φόρων ἐπιβαλλομένων ἢ εἰσπραττομένων ἐξ αἰτίας τῆς κυριότητος ἢ κατοχῆς ἀκινήτων κειμένων ἐν τῇ χώρᾳ.

II) φόρων ἐπὶ εἰσοδήματος προσερχομένων ἐξ ἄλλω ἐν τῇ χώρᾳ πόρων.

III) φόρων ἐπιβαλλομένων ἢ εἰσπραττομένων ἐν τῇ χώρᾳ κατὰ τὴν μεταβίβασιν περιουσίας αἰτία θανάτου, ἀσχετῶς ἂν οἱ πρόξενοι καὶ ὑπάλληλοι εἶναι οἱ ἀποθνήσκοντες ἢ τὰ πρόσωπα εἰς ἃ ἡ περιουσία, μεταβιβάζεται κατὰ τὸν θάνατον.

IV) φόρων ἐπὶ δικαιοπραξιῶν καὶ πράξεων πραγματοποιουμένων δικαιοπραξίας ὡς οἱ φόροι ἐπὶ τῆς πωλήσεως ἢ μεταβιβάσεως χωματῶν ἢ περιουσίας, ἢ τελῶν χαρτοσήμου ἐπιβαλλομένων ἢ εἰσπραττομένων ἀναφορικῶς μετ' αὐτάς.

V) ἀδειῶν, φόρων καταναλώσεως, ἢ ἑτέρων παρομοίας φύσεως μὴ θεωρουμένων ὡς περιλαμβανόντων φόρους οἱ 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 ἐλευθέρα παντὸς φόρου καὶ εἰσαγωγικοῦ δασμοῦ εἰσαγωγὴ τῶν ἐπιπλῶν, τῆς οἰκοσκευῆς, ἐφοδίων, οἰκοδομικῶν ὑλικῶν καὶ ἄλλων εἰδῶν, περιλαμβανομέ-

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

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

3) Ἐννοεῖται ὅμως ὅτι:

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

β) ἡ παρεχομένη ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγὴ, ἀφορῶσα εἰς εἶδη εἰσαγόμενα μόνον πρὸς ἐπίσημον ἢ ἀτομικὴν χρῆσιν, δὲν ἐπεκτείνεται, μετὰ τὰς ἑξῆς, καὶ εἰς εἶδη εἰσαγόμενα πρὸς διευκόλυνσιν τρίτων ἢ πρὸς πώλησιν ἢ ἄλλους ἐμπορικὸς σκοποὺς. Ὅπωςδήποτε εἶδη εἰσαγόμενα ὡς δείγματα ἐμπορικῶν προϊόντων ἀποκλειστικῶς καὶ μόνον πρὸς ἐκθεσὶν ἐν τινὶ Προξενίῳ καὶ μεταγενεστέρως ἐπανεξαγόμενα ἢ καταστρεφόμενα, δὲν θεωροῦνται ὡς ἐξαίρουμένα τῆς παρεχομένης ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγῆς.

γ) τὸ δεχόμενον Κράτος δύναται νὰ ὀρίξῃ ὅτι ἡ παρεχομένη ἐν τῷ παρόντι ἄρθρῳ ἀπαλλαγὴ δὲν ἰσχύει ἐπὶ εἰδῶν φθομένων, παραγομένων ἢ βιομηχανοποιημένων ἐν τῇ χώρᾳ, καὶ τὰ ὅποια ἐξήχθησαν ἐξ αὐτῆς ἄνευ καταβολῆς ἢ ἐπὶ ἐπιστροφῇ τῶν φόρων ἢ δασμῶν οἱ ὅποιοι θὰ ἐπεβάλλοντο ἐὰν δὲν ἐγίνετο ἡ ἐξαγωγή αὐτῇ.

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

ΜΕΡΟΣ Γ.

Προξενικὰ Καθήκοντα Γενικῶς

Ἄρθρον 18ον

1) Οἱ πρόξενοι δικαιοῦνται, ἐντὸς τῆς περιφέρειας των νὰ προστατεύωσι τοὺς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους, ὡς καὶ τὴν περιουσίαν καὶ τὰ συμφέροντα αὐτῶν. Πρὸς τὸν σκοπὸν τοῦτον δύνανται νὰ

α) ἔχωσι συνεντεύξεις, ἐπικοινωνῶσι καὶ συμβουλευώσι τοὺς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους.

β) ἐξετάζωσι πᾶν συμβεβηκὸς θέλον τὰ συμφέροντα τῶν ὑπηκόων τούτων.

γ) συντρέχωσι τοὺς ὑπηκόους αὐτῶν εἰς δικαστικὰς ὑποθέσεις ἢ εἰς τὰς μετὰ τῶν ἀρχῶν τῆς χώρας σχέσεις αὐτῶν μεριμνῶσι πρὸς παροχὴν εἰς αὐτοὺς νομικῆς βοηθείας ὡς ἀπαιτεῖται ἀνάγκῃ καὶ ἐνεργῶσιν ὡς διερμηνεῖ διὰ λογαριασμὸν αὐτῶν, ἢ διορίζωσι πρὸς τοῦτο διερμηνεῖς, ἐνώπιον τῶν εἰρημένων αὐτῶν, τῇ αἰτήσῃ ἢ τῇ συναινέσει αὐτῶν.

δ) ἀπευθύνονται καὶ ἀλληλογραφεῶσι μετὰ τὰς ἀρμοδίας ἀρχὰς τῆς περιφέρειας των ὡς καὶ μετὰ τὰς ἀρμοδίας Ὑπουργεῖα τῆς κεντρικῆς κυβερνήσεως τῆς χώρας. Δὲν δικαιοῦνται ὅμως νὰ ἀλληλογραφεῶσι μετὰ τῶν οἰκείων Ὑπουργείων τῶν Ἑξωτερικῶν, ἢ νὰ προβαίνωσιν εἰς διπλωματικὰ διαβήματα, εἰμὴ μόνον ἐλλείψει διπλωματικοῦ ἀντιπροσώπου τοῦ ἀποστέλλοντος Κράτους. Εἰς ἅς περιπτώσεις τοιαῦτα παραστάσεις γίνονται ἐγγράφως, ἡ ἀρμοδία ἀρχὴ ἢ τὸ Ὑπουργεῖον δύναται νὰ ζητῇ ὅπως οἱ πρόξενοι ἐπισυνάπτωσι μετὰ φρασιν εἰς τὴν ἐπίσημον γλῶσσαν τῆς χώρας.

2) Οἱ ὑπήκοοι τοῦ ἀποστέλλοντος Κράτους δικαιοῦνται ἐν παντὶ χρόνῳ νὰ ἐπικοινωνῶσι μετὰ τοῦ ἀρμοδίου προξέ-

νου καὶ ἐπισκέπτονται αὐτὸν ἐν τῷ Προξενίῳ του, ἐκτὸς ἐὰν διατελῶσιν ὑπὸ νόμιμον κράτησιν.

Ἄρθρον 19ον

1) Αἱ ἀρμοδία ἀρχαὶ τῆς χώρας εἰδοποιοῦσιν ἀμέσως τοὺς προξένους περὶ τῆς προφυλακίσεως ἢ τῆς φυλακίσεως ἐντὸς τῆς περιφέρειας αὐτῶν ὑπηκόου τοῦ ἀποστέλλοντος Κράτους.

2) Ἐπιτρέπεται εἰς τοὺς προξένους νὰ ἐπισκέπτονται ἄνευ ἀναβολῆς, νὰ συνομιλῶσιν ἰδιαιτέρως καὶ μεριμνῶσι περὶ νομικῆς παραστάσεως παντὸς ὑπηκόου τοῦ ἀποστέλλοντος Κράτους τελούντος ὑπὸ τοιοῦτον περιορισμὸν ἢ κράτησιν πρὸς τὸν σκοπὸν δίκης ἢ ἀνακρίσεως, ἢ δικαιουμένου ἔφεσιν κατὰ τὰς ἰσχύουσας διατάξεις ὡς πρὸς τὴν προθεσίαν ἐντὸς τῆς ὁποίας ἡ ἔφεσις δύναται νὰ ἀσκηθῇ. Πᾶσα εἰδοποίησις ἐκ μέρους τοῦ τοιοῦτου ὑπηκόου πρὸς τὸν πρόξενον διαβιβάζεται ἄνευ ἀναβολῆς ὑπὸ τῶν ἀρχῶν τῆς χώρας.

3) Τηρουμένων τῶν διατάξεων τῆς 2ας παραγράφου τοῦ παρόντος ἄρθρου ὡς ἀπὸ ὑπὸ τοιοῦτον περιορισμὸν ἢ κράτησιν κρατεῖται συνεπείᾳ καταδίκης του, ὁ πρόξενος ἐντὸς τῆς περιφέρειας τοῦ ὁποίου οὗτος κρατεῖται, δικαιούται κατόπιν γνωστοποιήσεως πρὸς τὴν ἀρμοδίαν ἀρχὴν, νὰ ἐπισκέπτηται τοῦτον. Πᾶσα τοιαύτη ἐπίσκεψις γίνεται συμφώνως πρὸς τοὺς ἰσχύοντες ἐν τῷ ἰδρύματι ἐν ᾧ οὗτος κρατεῖται, ἐξουσιοδομένου πάντως ὅτι οἱ κανονισμοὶ οὗτοι ἐπιτρέπουσι λογικὴν ἐπικοινωνίαν καὶ εὐκαιρίαν συνδιαλέξεως μετὰ τοῦ ὑπηκόου τούτου.

Ἄρθρον 20ον

Οἱ πρόξενοι δύνανται ἐν τῇ περιφερείᾳ αὐτῶν νὰ προάγωσι τὰ ἐμπορικὰ, καλλιτεχνικά, ἐπιστημονικά, ἐπαγγελματικά καὶ εκπαιδευτικά συμφέροντα τοῦ ἀποστέλλοντος Κράτους.

Ἄρθρον 21ον

Οἱ πρόξενοι δύνανται ἐν τῇ περιφερείᾳ των

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

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

γ) νὰ καταχωρίζωσιν ἐν τοῖς μητρώοις γεννήσεως ἢ θανάτους ὑπηκόων τοῦ ἀποστέλλοντος Κράτους καὶ γάμους τελεσθέντας κατὰ τοὺς νόμους τῆς χώρας, ἐφ' ὅσον τὸ ἐν τοῦλάχιστον τῶν μερῶν εἶναι ὑπὸ τοιοῦτον ὑπὸ τοιοῦτον Κράτους, ἐννοεῖται ὅμως ὅτι ἡ τοιαύτη προξενικὴ καταχωρήσις γεννήσεων ἢ θανάτου ἢ τοιοῦτων γάμων οὐδόλως ἀπαλλάσσει τοὺς ἰδιώτας τῆς συμφώνως πρὸς τοὺς νόμους τῆς χώρας ὑποχρεώσεις αὐτῶν πρὸς δήλωσιν καὶ καταχωρήσιν γεννήσεων, θανάτων καὶ γάμων εἰς τὰς ἀρχὰς τῆς χώρας.

δ) νὰ ἐκδίδωσι διαβατήρια καὶ ταξιδιωτικὰ ἐγγράφα εἰς ὑπηκόους τοῦ ἀποστέλλοντος Κράτους καὶ νὰ χορηγῶσι θεωρήσεις καὶ ἄλλα προσήκοντα ἐγγράφα εἰς πρόσωπα αἰτούντα τὴν εἴσοδον εἰς τὸ ἀποστέλλον Κράτος.

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

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

ζ) νὰ συντάσσωσι καὶ δέχωνται δηλώσεις καὶ νὰ ἐπικυρώσιν, ἐπισημοποιῶσιν ἢ πιστοποιῶσιν ὑπογραφὰς ἢ ἐγγράφα, μεταφράζωσιν ἐγγράφα καὶ ἐκτελῶσιν ἄλλας συμβολαιογραφικὰς πράξεις σχετικῶς πρὸς ἐγγράφα εἰς πᾶσαν περίπτωσιν καθ' ἣν αἱ ὑπηρεσίαι αὐταὶ ζητοῦνται ὑπὸ προσώπου οἰασδήποτε ἐθνικότητος πρὸς χρῆσιν ἐν τῇ

ἀποστέλλοντι Κράτει ἢ κατὰ τοὺς ἰσχύοντας ἐν τῷ ἀποστέλλοντι Κράτει νόμους. Ἐὰν κατὰ τοὺς νόμους τούτους, ἀπαιτῆται ἡ δόσις ὅρκου ἢ ἡ διαβεβαίωσις, ὁ τοιοῦτος ὅρκος ἢ διαβεβαίωσις δύναται νὰ δοθῇ. Οἱ πρόξενοι δύνανται ὡσαύτως νὰ ἀσκῶσι τὰς λειτουργίας ταύτας προκειμένου περὶ ἐγγράφου ἀναγκαίων εἰς ὑπήκοον τοῦ ἀποστέλλοντος Κράτους πρὸς χρῆσιν ἐκτὸς τοῦ ἀποστέλλοντος Κράτους, ἐννευεῖται ὅμως ὅτι ἡ διάταξις αὕτη δὲν συνεπάγεται ὑποχρέωσιν τῶν ἀρχῶν τοῦ δεχομένου Κράτους ὅπως ἀναγνωρίζωσι τὸ κύρος τῶν ἀναφερομένων ἐν τῇ παρούσῃ παραγράφῳ τοιούτων συμβολαιογραφικῶν καὶ ἄλλων πράξεων, ἐκτελουμένων ὑπὸ προξένων σχετικῶς πρὸς ἐγγράφα ἀπαιτούμενα κατὰ τοὺς νόμους τοῦ δεχομένου Κράτους.

ΜΕΡΟΣ ΥΙ.

Κληρονομίαι καὶ Μεταβιβάσεις Περιουσίας.

* Ἀρθρον 22.

1. Εἰς πᾶσαν περίπτωσιν καθ' ἣν ἀποβιοῦν πρόσωπον καταλείπει περιουσίαν εἰς χώραν τινά, ὑπήκοος δέ τις τοῦ ἀποστέλλοντος Κράτους μὴ κατοικῶν ἐν τῇ χώρᾳ καὶ μὴ ἀντιπροσωπευόμενος νομίμως ἐν αὐτῇ, ἔχει ἡ διεκδικεῖ ἐπὶ τῆς περιουσίας ταύτης συμφέρον ἐκ τοῦ νόμου ἢ τῶν ἀρχῶν τῆς ἐπιεικείας (π.χ. ὡς ἐκτελεστής διαθήκης ἢ τιμώμενος δι' αὐτῆς) ἢ εἰς περιπτώσεις ἐξ ἀδιαθέτου διαδοχῆς, ὁ πρόξενος τῆς κληρονομίας τοῦ ἀποβιώσαντος ἢ, ἐὰν δὲν ἔχει συστηθῇ διαχείρησις, κεῖται ἡ περὶ οὐσία αὐτοῦ, δικαιούται νὰ ἀντιπροσωπεύῃ τὸν ὑπήκοον τοῦτον ὡς πρὸς τὰ συμφέροντα αὐτοῦ ἐν τῇ κληρονομίᾳ ἢ περιουσίᾳ, ὡς ἐὰν εἶχε δοθῇ ὑπ' αὐτοῦ εἰς τὸν πρόξενον ἐγκυρον πληρεξούσιον. Ἐὰν μεταγενεστέρως ὁ ὑπήκοος οὗτος ἀντιπροσωπευθῇ νομίμως ἐν τῇ χώρᾳ ὁ πρόξενος θεωρεῖται ὅς ἐάν εἶχε προηγουμένως πληρεξούσιον τοῦ ὑπηκόου, τὸ ὁποῖον ἔπαυσεν ἰσχύον ἀφ' ἧς ἡμέρας ὁ πρόξενος ἐπληροφορήθη ὅτι ὁ ὑπήκοος οὗτος ἀντιπροσωπεύεται νομίμως παρ' ἄλλου ἢ, ἐφ' ὅσον εἶχε προκληθῇ δικαστικὸς διορισμὸς τοῦ προξένου συμφώνως πρὸς τὰς διατάξεις τῆς παραγράφου (3) τοῦ παρόντος ἀρθρου, ἀπὸ τῆς ἡμέρας τοῦ νέου διορισμοῦ τοῦ ὑπηκόου τούτου τῇ αἰτήσῃ τοῦ ἰδίου ἢ τοῦ νομίμου αὐτοῦ ἀντιπροσώπου.

2. Αἱ διατάξεις τῆς παραγράφου (1) τοῦ παρόντος ἀρθρου ἰσχύουσιν οἰαδήποτε καὶ ἀν εἶναι ἡ ὑπηκοότης τοῦ ἀποβιώσαντος καὶ ἀσχέτως τοῦ τόπου τοῦ θανάτου του.

3. Εἰς πᾶσαν περίπτωσιν καθ' ἣν οἱ πρόξενοι ἔχουσι δικαίωμα ἀντιπροσωπεύσεως κατὰ τὴν παράγραφον 1 τοῦ παρόντος ἀρθρου, ἔχουσι τὸ δικαίωμα νὰ λαμβάνωσι μέτρα πρὸς προστασίαν καὶ διαφύλαξιν τῶν συμφερόντων τοῦ προσώπου τὸ ὁποῖον δικαιούνται νὰ ἀντιπροσωπεύωσι. Ἐχουσιν ἐπίσης τὸ δικαίωμα νὰ λαμβάνωσιν ὑπὸ τὴν κατοχὴν αὐτῶν τὴν κληρονομίαν ἢ περιουσίαν ἐν ᾧ μέτρῳ θὰ ἐπραττον τοῦτο οἱ προσηκόντως διωρισμένοι πληρεξούσιοι τοῦ προσώπου τοῦ ὁποίου τὰ συμφέροντα ἀντιπροσωπεύουσιν, ἐκτὸς ἐὰν ἕτερον πρόσωπον ἔχον ἴσα ἢ προγενέστερα δικαιώματα, ἔλαβεν ἤδη τὰ ἀπαιτούμενα μέτρα ὅπως λάβῃ ταῦτα ὑπὸ τὴν κατοχὴν του. Ἐὰν κατὰ τοὺς νόμους τῆς χώρας ἀπαιτῆται δικαστικὸς διορισμὸς ἢ διαταγὴ δικαστηρίου ἵνα δυνηθῇ ὁ πρόξενος νὰ προστατεύσῃ ἢ λάβῃ τὴν περιουσίαν ὑπὸ τὴν κατοχὴν του, οἰοσδήποτε διορισμὸς ἢ διαταγὴ ἤθελεν ἐκδοθῇ ὑπὲρ τοῦ προσηκόντως διωρισμένου πληρεξουσίου τοῦ προσώπου τοῦ ὁποίου τὰ συμφέροντα ἀντιπροσωπεύονται παρὰ τοῦ προξένου, θὰ ἐκδίδονται ὑπὲρ τοῦ προξένου τῇ αἰτήσῃ του. Ἐὰν διαπιστωμένης ἐκ πρώτης ὄψεως τῆς ἀνάγκης ἀμέσου προστασίας καὶ διαφυλάξεως τῆς κληρονομίας ὡς καὶ τῆς υπάρξεως προσώπων ἐχόντων συμφέρον τὰ ὁποῖα ὁ πρόξενος δικαιούται νὰ ἀντιπροσωπεύσῃ, τὸ Δικαστήριον, ἐφ' ὅσον ἤθελε πεισθῇ περὶ τῆς τοιαύτης ἀνάγκης, προβαίνει εἰς τὸν διορισμὸν τοῦ προξένου ἢ ἐκδίδει διαταγὴν πρὸς αὐτὸν προσωρινῶς μετὰ τὸν περιορισμὸν τῆς προστασίας καὶ διαφυλάξεως τῆς κληρονομίας, μέχρις οὗ γίνῃ περαιτέρω διορισμὸς ὡς πρὸς τὴν ἐκπροσώπησιν.

4) α) Τηρουμένων τῶν ἐδαφίων (β) καὶ (γ) τῆς παρούσης παραγράφου, ὁ πρόξενος δικαιούται εἰς πλήρη δικ-

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

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

γ) Τὸ Δικαστήριον δύναται, ἐὰν κρίνῃ τοῦτο σκόπιμον νὰ διατάξῃ τὴν ὑπὸ τοῦ προξένου προσαγωγὴν εὐλόγων ἀποδείξεων περὶ τῆς παραλαβῆς τῶν περιουσιακῶν στοιχείων ὑπὸ τῶν κατὰ νόμον δικαιουμένων πρὸς τοῦτο προσώπων ἢ τὴν ἐπαναπληρωμὴν ἢ ἐπιστροφὴν τῶν περιουσιακῶν τούτων στοιχείων εἰς τὴν ἀρμοδίαν ἀρχὴν ἢ πρόσωπον, ἐν ᾗ περιπτώσει οὗτος ἀδυνατεῖ νὰ προσαγάγῃ τοιαύτας ἀποδείξεις, ἢ δύναται νὰ διατάξῃ ἕνα, ἐφ' ὅσον ὁ πρόξενος εἶχε κατ' ἄλλον τρόπον ἐκκαθαρίσει τὴν κληρονομίαν ἢ πραγματικὴ μεταβίβασις τῶν περιουσιακῶν στοιχείων εἰς τὰ πρόσωπα ταῦτα ἐνεργηθῇ δι' οὗ οἱ ἑτέρου τρόπου ἤθελε τοῦτο διατάξει.

5) Ἐπιπροσθετως, οἱ πρόξενοι δικαιούνται ἐν τῇ περιφερείᾳ τῶν νὰ παραλαμβάνωσι καὶ διανέμωσι κληρονομίας μικρᾶς ἀξίας ἀποβιωσάντων ὑπηκόων τοῦ ἀποστέλλοντος Κράτους ἄνευ προηγουμένου δικαστικοῦ διορισμοῦ τῶν, μέχρι τοῦ ἐπιτρεπομένου ὑπὸ τῶν νόμων τῆς χώρας ὁρίων καὶ τηρουμένων τῶν διατάξεων τῶν νόμων τούτων.

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

7) Ἐν ἡ περιπτώσει οἱ πρόξενοι ἀσκήσωσι τὰ ἀναφερόμενα ἐν ταῖς προηγουμέναις παραγράφους τοῦ παρόντος ἀρθρου δικαιώματα ἐν σχέσει πρὸς κληρονομίαν τινά, ὑπόκεινται ὡς πρὸς αὐτὴν εἰς τοὺς νόμους τῆς χώρας καὶ τὴν δικαιοδοσίαν τῶν δικαστηρίων αὐτῆς καθ' ὃν τρόπον καὶ οἱ ὑπήκοοι τοῦ δεχομένου Κράτους.

8) Εἰς πᾶσαν περίπτωσιν καθ' ἣν περιέρχεται εἰς γ ὦσιν 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 ἀρθρου ἢ

β) ὑπήκοος τοῦ ἀποστέλλοντος Κράτους ἀπεβίωσεν ἐν τῇ χώρᾳ δὲν φαίνεται δὲ νὰ εἶναι παρὼν ἢ νὰ ἀντιπροσωπεύηται ἐν τῇ χώρᾳ πρόσωπον δικαιούμενον νὰ ἀπαιτήσῃ τὴν διαχείρησιν τῆς τυχόν ἐκεῖ καταλειφθείσης ὑπὸ τοῦ ἀποβιώσαντος περιουσίας, ἐξαίρσει δημοσίου διαχειριστοῦ ἢ παρομοίου λειτουργοῦ, ὀφείλουσι νὰ εἰδοποιῶσι περὶ τούτου τὸν πρόξενον.

* Ἀρθρον 23ον

Οἱ πρόξενοι δύναται νὰ παραλαμβάνωσι παρὰ Δικαστηρίου, πράκτορος ἢ ιδιώτου, πρὸς διαβίβασιν εἰς ὑπήκοον τοῦ ἀποστέλλοντος Κράτους μὴ ὄντα κάτοικον τῆς χώρας, χρήματα ἢ περιουσιακὰ στοιχεῖα τῶν ὁποίων ὁ ὑπήκοος οὗτος δικαιούται ἐνεκα θανάτου προσώπου τινός. Τὰ χρήματα καὶ

περιουσιακά ταῦτα στοιχεῖα δύνανται νὰ περιλαμβάνωσι, χωρὶς καὶ νὰ περιορίζωνται, εἰς ταῦτα καὶ μόνον, κληρονομικά μερίδια, πληρωμὰς γενομένης κατὰ τὴν περὶ ἐργατικῶν ἀποζημιώσεων νομοθεσίαν ἢ ἄλλην παρομοίαν τοιαύτην, εἰς καὶ τὸ προϊόν τὸ ἐνεργούν τὴν διανομὴν δικαστήριον, ἀσφαλειῶν ζωῆς, ὁ πράκτωρ ἢ ἰδιώτης δὲν ὑποχρεοῦται νὰ μεταβιβάσῃ τὰ χρήματα ταῦτα ἢ περιουσιακά στοιχεῖα μέσῳ τοῦ προξένου οὔτε δὲ καὶ οὗτος ὑποχρεοῦται νὰ παραλαβάνῃ τὰ χρήματα ταῦτα ἢ περιουσιακά στοιχεῖα πρὸς μεταβίβασιν. Ἐάν ὅμως οὗτος παραλάβῃ τὰ ἐν λόγῳ χρήματα ἢ περιουσιακά στοιχεῖα, ὀφείλει νὰ συμμορφοῦται πρὸς τοὺς τιθεμένους ὑπὸ τοῦ Δικαστηρίου τούτου, τοῦ πράκτορος ἢ ἰδιώτου ὄρους, τοὺς ἀφορῶντας εἰς τὴν παροχὴν εὐλόγων ἀποδείξεων περὶ τῆς παραλαβῆς τῶν χρημάτων ἢ περιουσιακῶν στοιχείων παρὰ τοῦ ὑπηκόου πρὸς τὸν ὁποῖον ἀποστέλλεται, ὡς καὶ τὰς ἀφορώσας εἰς τὴν ἐπιστροφὴν τῶν χρημάτων ἢ περιουσιακῶν στοιχείων, εἰς ἣν περίπτωσιν ἀδυνατεῖ νὰ παράσχῃ τοιαύτας ἀποδείξεις.

Ἄρθρον 24ον

Χρήματα ἢ ἕτερα περιουσιακά στοιχεῖα δύνανται νὰ καταβάλλονται παραδίδωνται ἢ μεταβιβάζωνται εἰς τὸν πρόξενον κατὰ τὰς διατάξεις τῶν ἁρθρῶν 22 καὶ 23 μόνον καθ' ὃ μέτρον καὶ ὑφ' οὗς ὄρους θὰ ἐπιτρέπεται, κατὰ τοὺς νόμους καὶ κανονισμοὺς τοῦ δεχομένου Κράτους, ἢ πληρωμῇ, παράδοσιν ἢ μεταβίβασιν εἰς τὸ πρόσωπον τὸ ὁποῖον ὁ πρόξενος ἀντιπροσωπεύει ἢ διὰ λογαριασμὸν τοῦ ὁποίου παραλαμβάνει τὰ χρήματα ἢ περιουσιακά στοιχεῖα. Ὁ πρόξενος δὲν ἀποκτᾷ μερίδιον δικαιώματα, ὅσον ἀφορᾷ εἰς τὰ χρήματα ταῦτα ἢ ἄλλα περιουσιακά στοιχεῖα, ἐκείνων ἅτινα θὰ ἀπέκτα τὸ πρόσωπον τὸ ὁποῖον ἀντιπροσωπεύει ἢ διὰ λογαριασμὸν τοῦ ὁποίου παραλαμβάνει τὰ χρήματα ἢ περιουσιακά στοιχεῖα, ἐάν τὰ χρήματα ἢ τὰ περιουσιακά ταῦτα στοιχεῖα κατεβάλλοντο, παραδίδοντο ἢ μετεβιβάζοντο ἀπ' εὐθείας εἰς τὸ πρόσωπον τοῦτο.

ΜΕΡΟΣ ΥΙΙ.

Ναυτιλία.

Ἄρθρον 25.

1. Ὅσάκις πλοῖον τοῦ ἀποστέλλοντος Κράτους προσεγγίζει λιμένα (ὁ ὅρος περιλαμβάνει πάντα τόσον εἰς τὸν ὁποῖον τὸ πλοῖον δυνατόν νὰ προσεγγίσῃ τοῦ δεχομένου Κράτους, ἐπιτρέπεται εἰς τὸν πλοίαρχον καὶ εἰς τὰ μέλη τοῦ πληρώματος νὰ ἐπικοινωνῶσι μετὰ τοῦ προξένου ἐν τῇ περιφερείᾳ τοῦ ὁποίου κεῖται ὁ λιμὴν καὶ ἐπιτρέπεται εἰς τὸν πρόξενον νὰ ἐκτελῇ ἐλευθέρως τὰ ἐν ἁρθρῳ 26 ἀριθμούμενα καθήκοντα ἀνευ ἀναμείξεως τῶν ἀρχῶν τῆς χώρας. Πρὸς τὸν σκοπὸν τῆς ἐνασχίσεως οἰωνοῦντος τῶν καθηκόντων τούτων, ὁ πρόξενος συνοδευόμενος, ἐάν ἐπιθυμῇ ὑπὸ ὑπαλλήλων τοῦ Προξενείου δύναται νὰ ἀνέρχεται προσωπικῶς ἐπὶ τοῦ πλοίου μετὰ τὴν ἐλευθεροκονιανὴν αὐτοῦ.

Σχετικῶς πρὸς τὰ καθήκοντα ταῦτα ὁ πλοίαρχος καὶ ἀρμόδια μέλη τοῦ πληρώματος δύνανται νὰ μεταβαίνωσιν εἰς τὸ Προξενεῖον, ἐκτὸς ἐάν αἱ ἀρχαὶ τῆς χώρας ἔχωσιν ἀντίρρησην ἐπὶ τῷ λόγῳ ὅτι θὰ ἦτο πρακτικὸς ἀδύνατον νὰ ἐπιστρέψωσι εἰς τὸ πλοῖον ὁ πλοίαρχος καὶ τὰ ἐνδιαφερόμενα μέλη τοῦ πληρώματος πρὸ τῆς ἀναχωρήσεώς του. Ἐν περιπτώσει τοιαύτης ἀντιρρήσεως αἱ ἀρχαὶ τῆς χώρας εἰδοποιῶσιν ἀμέσως τὸν ἀρμόδιον πρόξενον.

2. Ὁ Πρόξενος δύναται νὰ ἐπικαλῆται τὴν συνδρομὴν τῶν ἀρχῶν τῆς χώρας εἰς πᾶν ζήτημα σχετιζόμενον πρὸς τὴν ἐκτέλεσιν τῶν καθηκόντων τούτων, αὗται δὲ παρέχουσι τὴν ἀπαιτούμενην συνδρομὴν, ἐκτὸς ἐάν ἐν δεδομένη περιπτώσει ἔχωσιν εἰδικούς λόγους δικαιολογούντας πλήρως τὴν ἀρνήσιν ταύτης.

Ἄρθρον 26.

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

2. Ὁ πρόξενος ἢ ὁ προξενικός ὑπάλληλος δύναται νὰ προσέρχεται μετὰ τοῦ πλοίαρχου ἢ μελῶν τοῦ πληρώ-

ματος ἐνώπιον τῶν τοπικῶν ἀρχῶν καὶ δικαστηρίων, νὰ παρέχῃ τὴν συνδρομὴν αὐτοῦ (συμπεριλαμβανομένης ὁσάκις παρίσταται ἀνάγκη, μερίμνης πρὸς παροχὴν νομικῆς συμπαράστασεως) καὶ νὰ ἐνεργῇ ὡς διερμηνεὺς εἰς ὑποθέσεις μεταξὺ αὐτῶν καὶ τῶν ἀρχῶν τούτων. Τὰ δικαιώματα ταῦτα δύνανται νὰ ἀναστέλλωνται μόνον εἰς περιπτώσεις θιγούσας ζητήματα ἐθνικῆς ἀσφαλείας.

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

4. Ὁ πρόξενος δύναται νὰ λαμβάνῃ μέτρα πρὸς ἐφαρμογὴν τῆς ναυτιλιακῆς νομοθεσίας τοῦ ἀποστέλλοντος Κράτους.

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

6. Ὁ πρόξενος δύναται, ὁσάκις παρίσταται ἀνάγκη νὰ μεριμνᾷ διὰ τὴν νοσηλείαν ἐν νοσοκομείῳ καὶ διὰ τὸν ἐπαναπατρισμὸν τοῦ πλοίαρχου ἢ τῶν μελῶν τοῦ πληρώματος τοῦ πλοίου.

7. Ὁ πρόξενος δύναται νὰ δέχεται, συντάσῃ ἢ ἐπικυροῖ 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' ἐνὸς πλοιοκτῆτου εἰς ἕτερον παντὸς πλοίου μεταγεγραμμένου ἐν τῷ εἰρημένῳ νηολογίῳ ἢ

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

Ἄρθρον 27.

1. Ἐν ἡ περιπτώσει ναυτικός τις ἠθέλην λιποτακτῆσαι 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 τοῦτο καὶ διατάσσουσι τὴν μεταγωγὴν αὐτοῦ ἐπὶ τοῦ πλοίου ἢ τὴν παράδοσιν αὐτοῦ εἰς τὸν πλοίαρχον ἢ τὸν πλοιοκτήτην ἢ τὸν πράκτορα αὐτοῦ πρὸς τοιαύτην μεταγωγὴν του.

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

3. Ἐάν ὁ λιποτάκτης κατηγορῆται δι' ἀδίκημά τι (πλὴν τοῦ τῆς λιποταξίας) διωκτέου κατὰ τοὺς νόμους τῆς χώρας, ἡ εὐρεθὴ ἐνοχος τοιούτου ἀδικήματος, αἱ ἀρχαὶ τῆς χώρας δὲν ὑποχρεοῦνται νὰ διατάξωσι τὴν μεταγωγὴν αὐτοῦ ἐπὶ τοῦ πλοίου ἢ τὴν παράδοσιν αὐτοῦ εἰς τὸν πλοίαρχον ἢ τὸν πλοιοκτήτην, ἢ τὸν πράκτορα αὐτοῦ πρὸς τοιαύτην μεταγωγὴν του, μέχρις οὗ οὗτος δικασθῇ καὶ ἐκτίσῃ τὴν ἐνδεχομένως ἐπιβληθησομένην αὐτῷ ποινὴν.

Ἄρθρον 28.

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

άρχου και μελῶν τοῦ πληρώματος ἀνευ γνωστοποιήσεως πρὸς τὸν ἀρμοδίον πρόξενον, ἐν περιπτώσει ἀντιρρήσεων τοῦ ὁποίου θὰ ἀρνῶνται νὰ ἐπιλαμβάνωνται αὐτῶν.

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

2) Ἐπιφυλασσομένου τοῦ δικαιώματος αὐτῶν ὅπως ἐπιλαμβάνωνται ἐγκλημάτων διαπραττομένων ἐπὶ πλοίου εὐρισκομένου ἐντὸς λιμένος ἢ τῶν χωρικῶν ὑδάτων τῆς χώρας καὶ διωκτέων κατὰ τοὺς ἐγκυρίους, νόμους, ἢ ὅπως ἐπιβάλλωσι ἐγκυρίους νόμους ἐφαρμοστέους εἰς τὸ πλοῖον τοῦτο ἢ τὰ ἐπ' αὐτοῦ πρόσωπα καὶ περιουσιακὰ στοιχεῖα τὰ Ὑψηλὰ Συμβαλλόμενα Μέρη διαδηλοῦσι τὴν ὑπ' αὐτῶν ἐγκρισιν τῆς διεθνούς πρακτικῆς, καθ' ἣν αἱ ἀρχαὶ τῆς χώρας, ἐκτὸς τῇ αἰτήσῃ τοῦ προξένου ἢ τῇ συναινέσει αὐτοῦ.

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

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

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

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

ΙΙΙ) συνιστῶσι βαρέα ἐγκλήματα κατὰ τὸν ὅρισμόν τοῦ ἄρθρου 2 (9) τῆς παρούσης Συμβάσεως.

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

Ἄρθρον 29ον

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

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

Ἄρθρον 30ον

1) Ἐάν πλοῖον τι τοῦ ἀποστέλλοντος Κράτους ναυγῇ ἐν τῷ δεχομένῳ Κράτει οἱ πρόξενoi, ἐν τῇ περιφερείᾳ ὧν ὁποίων συνέβη τὸ ναυάγιον εἰδοποιοῦνται ὡς οἷον τε

τάχιστα περὶ τοῦ συμβάντος ὑπὸ τῶν ἀρμοδίων ἀρχῶν τῆς χώρας.

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

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

4) Ἐάν οὔτε ὁ ἰδιοκτήτης τοῦ ναυαγῆσαντος πλοίου, οὔτε ὁ πράκτωρ αὐτοῦ (ἢ οἱ ἐνδιαφερόμενοι ἀσφαλισταί) οὔτε ὁ πλοίαρχος εἶναι εἰς θέσιν νὰ λάβωσι τὰ πρὸς ταῦτα μέτρα, ὁ πρόξενος θεωρεῖται ὡς ἐξουσιοδοτημένος ἵνα μεριμνήσῃ ὡς πράκτωρ τοῦ πλοιοκτῆτου, κατὰ τὸν αὐτὸν καθ' ὃν καὶ αὐτὸς οὗτος ὁ πλοιοκτῆτης τρόπον, ἐάν ἦτο παρών, πρὸς διάθεσιν τοῦ πλοίου συμφώνως πρὸς τὰς σχετικὰς διατάξεις τῆς νομοθεσίας τῆς χώρας.

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

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

Ἄρθρον 31.

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

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

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

Ἄρθρον 32.

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

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

2. Εἰς οἷαν περίπτωσιν ἡ ἀξία τῶν μισθῶν καὶ πραγμάτων τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ, συμπεριλαμβανομένων οἰωνδῆποτε ἄλλων περιουσιακῶν στοιχείων αὐτῶν, ἅτινα περιέρχονται ὑπὸ τὸν ἔλεγχον τῆς ἀρμοδίας ὑπηρεσίας, δὲν ὑπερβαίνει τὰς L 100 στερλίνας, ὡς ἂν ἡ ἀρμοδία ὑπηρεσία εἶναι ἀρχὴ τις τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος, ἢ τὸ ἰσότιμον εἰς δραχμὰς ὡς ἂν ἡ ἀρμοδία ὑπηρεσία εἶναι ἀρχὴ τις τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, ἢ δὲ ἀρμοδία ὑπηρεσία βεβαιωθῇ ὅτι ὑπάρχει πρόσωπον δικαιούμενον εἰς τὴν διαδοχὴν τῆς περιουσίας τοῦ θανόντος, ὑπὸ ἰδιότητα ὅμως διάφορος τῆς τοῦ πιστωτοῦ, καὶ ὅτι τὸ πρόσωπον τοῦτο εἶναι κάτοικος τοῦ ἀποστέλλοντος Κράτους, ἢ ἀρμοδία ὑπηρεσία θὰ παραδίδῃ τοὺς ὑπὸ τὴν φύλαξιν αὐτῆς μισθοὺς, ἢ πράγματα καὶ περιουσιακὰ στοιχεῖα τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ εἰς τὸν πρόξενον. Δικαιούται ὅμως ἡ ἀρμοδία ὑπηρεσία πρὸ τῆς παραδόσεως νὰ ἱκανοποιήσῃ ἐκ τοῦ ὑπὸ τὸν ἔλεγχον αὐτῆς ἐνεργητικοῦ τοῦ πλοιάρχου ἢ τοῦ ναυτικοῦ, πᾶσαν ἀπαίτησιν ἐπὶ τῆς κληρονομίας οἰονδῆποτε προσώπου κατοικοῦντος ὅπουδῆποτε ἀλλαγῇ ἐκτὸς τοῦ ἀποστέλλοντος Κράτους, τὴν ὁποῖαν θεωρεῖ νομίμως ὀφειλομένην. Πᾶσα ἀπαίτησις ἐπὶ τῆς κληρονομίας τοῦ ἀποβιώσαντος πλοιάρχου ἢ ναυτικοῦ λαμβανομένη ὑπὸ τῆς ὑπηρεσίας ταύτης κατὰ τὴν παράδοσιν, παραπέμπεται εἰς τὴν ἀρμοδίαν ὑπηρεσίαν τοῦ ἀποστέλλοντος Κράτους. Διὰ τὴν περίπτωσιν τῆς Αὐτῆς Βρεταννικῆς Μεγαλειότητος ἀρμοδία ὑπηρεσία εἶναι τὸ Ὑπουργεῖον Μεταφορῶν τοῦ Ἡνωμένου Βασιλείου. Διὰ τὴν περίπτωσιν τῆς Αὐτοῦ Μεγαλειότητος τοῦ Βασιλέως τῶν Ἑλλήνων, ἀρμοδία ὑπηρεσία εἶναι τὸ Βασιλικὸν ἐπὶ τῶν Ἐξωτερικῶν Ὑπουργεῖον.

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, ὡς ἂν πληροῦνται οἱ ἐν παραγράφῳ (2) τοῦ παρόντος ἀρθροῦ ἐκτιθέμενοι σχετικοὶ ὅροι, ἢ ἀρμοδία ὑπηρεσία, πρὶν ἢ προβῇ εἰς τὴν παράδοσιν τοῦ ἐνεργητικοῦ εἰς οἰονδῆποτε πρόσωπον θεωρούμενον ὡς δικαιούμενον εἰς τὴν διαδοχὴν τῆς περιουσίας τοῦ θανόντος, εἰδοποιεῖ τὸν πρόξενον περὶ τῆς προθέσεως αὐτῆς, ἀναφέρουσα καὶ τὸ πρόσωπον εἰς τὸ ὁποῖον προτίθεται νὰ παραδώσῃ ταῦτα, ἵνα οὕτω παρᾶσχῃ 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 ὑπάρξεως ἐτέρων ἀπαιτήσεων ἐπὶ τῆς κληρονομίας, τῶν ὁποίων ἡ ἀρμοδία ὑπηρεσία ἐνδέχεται νὰ μὴ ἔχῃ γνώσιν.

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

ΜΕΡΟΣ ΥΪΙΙ.

Γενικαὶ διατάξεις περὶ προξενικῆς ὑπηρεσίας
"Ἀρθρον 33.

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

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

β) ὅτι δὲν ἀντίκεινται εἰς τοὺς νόμους τῆς χώρας α δὲ ἀρχαί τῆς τοιαύτης δὲν ἀντιτίθενται.

2. Ἐννοεῖται ὅτι ὡς ἂν ἀρθρον τι τῆς παρούσης Συμβάσεως παρέχει εἰς τοὺς προξένους τὸ δικαίωμα ὅπως ἐκτελῶσιν οἰαδήποτε καθήκοντα, τὸ ἀποστέλλον Κράτος εἶναι ἀρμόδιον νὰ καθορίζῃ μέχρι τίνος σημείου θὰ ἀσκῶσι τὸ δικαίωμα τοῦτο.

"Ἀρθρον 34.

Ὁ πρόξενος, ἐντὸς τῆς περιφερείας αὐτοῦ, δύναται νὰ εἰσπράττῃ τὰ ὀριζόμενα ὑπὸ τοῦ ἀποστέλλοντος Κράτους τέλη διὰ τὴν ἐκτέλεσιν προξενικῶν ὑπηρεσιῶν.

ΜΕΡΟΣ ΙΧ.

Τελικαὶ διατάξεις.

"Ἀρθρον 35.

Πᾶσα ἀμφισβήτησις ἀναφυομένη μεταξὺ τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ὡς πρὸς τὴν ὀρθὴν ἐρμηνείαν ἢ τὴν ἐφαρμογὴν οἰαδήποτε τῶν διατάξεων τῆς παρούσης Συμβάσεως, παραπέμπεται ἐν τῇ αἰτήσῃ ἐκάτερον αὐτῶν εἰς τὸ Διεθνὲς Δικαστήριον, ἐκτὸς ἐάν ἐν εἰδικῇ τινι περιπτώσει τὰ Μέρη συμφωνήσωσι νὰ ὑποβάλωσι τὴν διαφορὰν εἰς ἕτερον τι δικαστήριον ἢ νὰ ἐπιλύσωσι ταύτην δι' ἄλλον τινὸς τρόπου διαδικασίας.

"Ἀρθρον 36.

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

2. Ἐκάτερον τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν δύναται, διὰ μεταγενεστέρως ἐγγράφου ἀνακοινώσεως ἢ ἀνακοινώσεων νὰ γνωστοποιῇ εἰς τὸ ἕτερον τῶν ἀποφάσεων αὐτοῦ ὅπως τροποποιήσωσι τοὺς προηγουμένως ἀνακοινωθέντας διακανονισμούς, ἢ δὲ ἰσχύς ἐκάστης τοιαύτης ἀνακοινώσεως ἀρχεταὶ ἕξ μῆνας ἀπὸ τῆς ἡμέρας τῆς λήψεως αὐτῆς ὑπὸ τοῦ ἐτέρου Ὑψηλοῦ Συμβαλλομένου Μέρους.

"Ἀρθρον 37.

Ἀμα τῇ ἐνάρξει τῆς ἰσχύος τῆς παρούσης Συμβάσεως καταργοῦνται, ὡς πρὸς τὰ ἐδάφη εἰς τὰ ὁποῖα αὕτη ἔχει ἐφαρμογὴν, αἱ διατάξεις τῆς ἐν Ἀθήναις ὑπογραφείσης τὴν 19ην Αὐγούστου 1875 μεταξὺ τοῦ Ἡνωμένου Βασιλείου καὶ τῆς Ἑλλάδος Συμφωνίας περὶ λιποτακτῶν τοῦ Ἐμπορικοῦ Ναυτικοῦ, ὡς καὶ τὰ ἀρθρα 22, 23 καὶ 24 τῆς περὶ Ἐμπορίας καὶ Ναυτιλίας Συνθήκης μεταξὺ τοῦ Ἡνωμένου Βασιλείου καὶ τῆς Ἑλλάδος, τῆς ὑπογραφείσης ἐν Λονδίνῳ τὴν 16ην Ἰουλίου 1926.

"Ἀρθρον 38.

Ἡ παροῦσα Σύμβασις θὰ κυρωθῇ καὶ τὰ ὄργανα τῆς ἐπικυρώσεως θὰ ἀνταλλάγῳσιν ἐν Λονδίνῳ. Τῆς παρούσης Συμβάσεως ἡ ἰσχύς ἀρχεταὶ τὴν τριακοστὴν ἡμέραν ἀπὸ τῆς ἡμερομηνίας τῆς ἀνταλλαγῆς τῶν ὀργάνων ἐπικυρώσεως θὰ ἐξακολουθῇ δὲ ἰσχύουσα ἐπὶ ἕξ μῆνας ἀπὸ τῆς ἡμέρας καθ' ἣν ἐκάτερον τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ἐπιδώσῃ εἰς τὸ ἄλλον προειδοποίησιν περὶ καταγγελίας αὐτῆς. Εἰς πίστωσιν τῶν ἀνωτέρω οἱ ὡς ἀνω ἀναφερόμενοι Πληρεξούσιοι ὑπέγραψαν τὴν Σύμβασιν ταύτην ἐπιθέσαντες τὰς σφραγίδας τῶν.

Ἐγένετο, εἰς διπλοῦν, ἐν Ἀθήναις, τῇ

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

Διὰ τὴν Αὐτοῦ Μεγαλειότητα τὸν Βασιλέα τῶν Ἑλλήνων
(Τ. Σ.)

(Τ. Σ.)

ΠΡΩΤΟΝ ΣΥΜΦΩΝΗΘΕΝ ΠΡΑΚΤΙΚΟΝ

Ἐννοεῖται ὅτι αἱ διατάξεις τῆς παραγράφου (1) ἄρθρου 9 τῆς παρούσης Συμβάσεως δὲν ἔχουσιν ἐφαρμογὴν εἰς τὴν Νῆσον Τζέρσεϋ ἢ εἰς οἰαδήποτε ἐδάφη τῆς Αὐτῆς Βρετανικῆς Μεγαλειότητος εἰς τὸ ὅποια, κατὰ τοὺς κειμένους νόμους, ἡ κτῆσις ἐγγείου ἰδιοκτησίας κατὰ πλήρη κυριότητα περιορίζεται εἰς τοὺς ἰθαγενεῖς κατοίκους τῶν ἐν λόγω ἐδαφῶν, πλὴν ἐὰν καὶ μέχρις οὗ ἡ Αὐτῆς Βρετανικῆς Μεγαλειότητος, διὰ τὸ Ἠνωμένον Βασίλειον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, προκαλέσῃ ἀνακοινώσιν εἰς τὴν Αὐτοῦ Μεγαλειότητα τὸν Βασιλέα τῶν Ἑλλήνων ὅτι ἡ νομοθεσία τῆς Νήσου Τζέρσεϋ ἢ ἐτέρων τοιούτων ἐδαφῶν, ἀναλόγως τῆς περιπτώσεως, τροποποιηθεῖσα ἐπιτρέπει τὴν θέσιν ἐν ἰσχύϊ τῶν εἰρημένων διατάξεων.

(Ὄνομα πληρεξουσίου)
Ἀθῆναι,

(Ὄνομα πληρεξουσίου)
Ἀπριλίου 1952

ΔΕΥΤΕΡΟΝ ΣΥΜΦΩΝΗΘΕΝ ΠΡΑΚΤΙΚΟΝ

Ἀναφορικῶς πρὸς τὴν δευτέραν φράσιν τοῦ ἄρθρου 28 (1) τῆς παρούσης Συμβάσεως, ἐννοεῖται ὅτι ἡ ἐκφρασις ὁ ἀρμόδιος πρόξενος ὑποδηλοῖ, ἐλλείψει εἰδικῆς γνωστοποιήσεως περὶ τοῦ ἐναντίου ἐκ μέρους τοῦ ἀποστέλλοντος Κράτους πρὸς τὸ δεχόμενον Κράτος σχετικῶς πρὸς ὠρισμένην περιοχὴν ἢ περιοχάς, τὸν προϊστάμενον τοῦ προξενείου τοῦ ἀποστέλλοντος Κράτους ἐν τῇ περιφέρειᾳ τοῦ ὁποίου κεῖται ὁ λιμὴν ἐνθα τὸ πλοῖον εἶναι ἄγκυροβολημένον.

(Ὄνομα πληρεξουσίου) (Ὄνομα πληρεξουσίου)
Ἀθῆναι, Ἀπριλίου 1952

ΠΡΩΤΟΝ ΠΡΩΤΟΚΟΛΛΟΝ ΥΠΟΓΡΑΦΗΣ

Κατὰ τὴν στιγμὴν τῆς ὑπογραφῆς τῆς ὑπὸ σημερινὴν χρονολογίαν Προξενικῆς Συμβάσεως ἐκ μέρους τῆς Αὐτῆς Μεγαλειότητος τῆς Βασιλείσεως τῆς Μεγάλης Βρετανίας, Ἰρλανδίας καὶ τῶν Ὑπερποντίων Βρετανικῶν Κτήσεων, διὰ τὸ Ἠνωμένον Βασίλειον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, καὶ 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 ἐπιθυμοῦσιν νὰ ὑπογράμψουν ὅτι κατὰ τὴν ἀποψιν αὐτῶν αἱ ἀκόλουθοι ἀρχαὶ εἶναι ἐφαρμοστέαι ἐπὶ προξενείων καὶ προξένων κατὰ τοὺς κανόνας τοῦ διεθνοῦς δικαίου ἐν περιπτώσει πολέμου ἢ διακοπῆς τῶν διπλωματικῶν σχέσεων :

1) ἐν περιπτώσει πολέμου ἢ διακοπῆς τῶν διπλωματικῶν σχέσεων μεταξὺ δύο Κρατῶν, ἐκάτερον τούτων δικαιούται νὰ ἀπαιτήσῃ τὸ κλείσιμον ἀπάντων ἢ τινῶν τῶν ἐν τῇ χώρᾳ τοῦ Προξενείου τοῦ ἐτέρου Κράτους. Δικαιούται ὡσαύτως νὰ κλείσῃ ἅπαντα ἢ τινὰ τῶν Προξενείων τοῦ Κράτους τούτου κείμενα ἐν ἄλλαις χώραις περιερχομέναις ὑπὸ τὴν στρατιωτικὴν κατοχὴν αὐτοῦ.

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

τελευταίου τούτου, θέλουσι παρασχεθῇ εἰς τοὺς ἐνδιαφερόμενους προξένους (συμπεριλαμβανομένων τῶν ἀμίσθουν τοιούτων) καὶ εἰς τοὺς προξενικούς ὑπαλλήλους τοῦ πρώτου Κράτους τοὺς ὄντας ὑπηκόους τοῦ δευτέρου Κράτους, ἐφ' ὅσον τὰ ὀνόματα αὐτῶν ἔχωσι προσηκόντως ἀνακοινωθῇ μέσῳ τῆς ἀρμοδίας ἀρχῆς, ὡς καὶ εἰς ἅπαντα τὰ μέλη τῶν οἰκογενειῶν αὐτῶν, λογικὴ προθεσμία καὶ αἱ προσήκουσαι διευκολύνσεις ὅπως ἐγκαταλείψωσι τὴν χώραν καὶ ἐπιστρέψωσιν εἰς τὴν πατρίδα αὐτῶν. θέλει παρασχεθῇ αὐτοῖς ἡ δέουσα μεταχείρισις καὶ προστασία μέχρι τῆς στιγμῆς τῆς ἀναχωρήσεως 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, ἐὰν προτιμῶσι, νὰ παραδίδωσι ταῦτα πρὸς ἀσφαλῆ φύλαξιν ἐν τῇ χώρᾳ. Εἰς ἀμφοτέρας τὰς περιπτώσεις τὰ ἀρχεῖα καὶ ἐπίσημα ἔγγραφα αὐτῶν θὰ εἶναι ἀπαράβιαστα, θὰ λαμβάνεται δὲ πᾶν δυνατόν μέτρον πρὸς διαφύλαξιν τῶν ἐπίπλων καὶ τῶν ἀτομικῶν εἰδῶν αὐτῶν. Εἰς πίστωσιν τῶν ἀνωτέρω οἱ οἰκεῖοι Πληρεξούσιοι ὑπέγραψαν τὸ παρὸν Πρωτόκολλον ἐπιθέσαντες τὰς σφραγίδας αὐτῶν.

Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις, τῇ

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

Διὰ τὴν Αὐτῆς Βρετανικὴν Μεγαλειότητα :

(Τ. Σ.)

Διὰ τὴν Αὐτοῦ Μεγαλειότητα

τῶν Βασιλέα τῶν Ἑλλήνων :

(Τ.Σ.)

ΔΕΥΤΕΡΟΝ ΠΡΩΤΟΚΟΛΛΟΝ ΥΠΟΓΡΑΦΗΣ

Κατὰ τὴν στιγμὴν τῆς ὑπογραφῆς τῆς ὑπὸ σημερινὴν χρονολογίαν Προξενικῆς Συμβάσεως ἐκ μέρους τῆς Αὐτῆς Μεγαλειότητος τῆς Βασιλείσεως τῆς Μεγάλης Βρετανίας, Ἰρλανδίας καὶ τῶν Ὑπερποντίων Βρετανικῶν Κτήσεων, διὰ τὸ Ἠνωμένον Βασίλειον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας, καὶ 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 συνεφώνησαν ὅτι αἱ διατάξεις τοῦ 14ου ἄρθρου τῆς Συμβάσεως δὲν θέλουσι τεθῇ ἐν ἐφαρμογῇ μέχρις οὗ ἐκάτερον τῶν Ὑψηλῶν Συμβαλλομένων Μερῶν ἤθελεν εἰδοποιήσῃ περὶ τούτου τὸ ἕτερον.

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

Ἐγένετο εἰς διπλοῦν, ἐν Ἀθήναις τῇ

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

Διὰ τὴν Αὐτῆς Βρετανικὴν

Μεγαλειότητα :

(Τ. Σ.)

Διὰ τὴν Αὐτοῦ

Μεγαλειότητα τὸν Βασιλέα

τῶν Ἑλλήνων :

(Τ. Σ.)

(2)

ΝΟΜΟΘΕΤΙΚΟΝ ΔΙΑΤΑΓΜΑ ὑπ' ἀριθ. 2621.

Περὶ κυρώσεως τῶν ὑπ' ἀριθ. 929 τῆς 14 Αὐγούστου 1952 καὶ 936 τῆς 28 Αὐγούστου 1952 Πράξεων τοῦ Ὑπουργικοῦ Συμβουλίου περὶ ἀναθέσεως εἰς τὸ Ὑπουργεῖον τῶν Ἐξωτερικῶν τῆς φυλάξεως, διαχειρίσεως ὡς καὶ ἐγκρίσεως δαπανῶν συμπληρώσεως, δελτιώσεως, ἐπισκευῶν, ἐπιπλώσεως καὶ συντηρήσεως τοῦ ὑπὸ τοῦ Δημοσίου ἀγορασθέντος ἀκινήτου Μαξίμου.

ΠΑΥΛΟΣ
ΒΑΣΙΛΕΥΣ ΤΩΝ ΕΛΛΗΝΩΝ

Ἐχοντες ὑπ' ὄψει τὰς διατάξεις τοῦ ἀρθροῦ 35 τοῦ Συντάγματος καὶ τὴν ἀπὸ 25 Αὐγούστου 1953 σύμφωνον γνώμην τῆς κατὰ τὴν παράγραφον 2 τοῦ αὐτοῦ ἀρθροῦ 35 Εἰδικῆς Ἐπιτροπῆς ἐκ Βουλευτῶν, προτάσει τοῦ Ἡμετέρου Ὑπουργικοῦ Συμβουλίου, ἀπεφασίσμεν καὶ διατάσσομεν :

Ἄρθρον 1.

Κυροῦνται αἱ κατωτέρω Πράξεις τοῦ Ὑπουργικοῦ Συμβουλίου ἔχουσαι οὕτω :

α) Πράξις ὑπ' ἀριθ. 929 τῆς 14 Αὐγούστου 1952.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Λαβὼν ὑπ' ὄψει τὴν ὑπ' ἀριθ. Σ. 9969 ἀπὸ 1 Αὐγούστου 1952 πρότασιν τοῦ Ὑπουργοῦ Οἰκονομικῶν ὡς καὶ σχετικὴν εἰσήγησιν αὐτοῦ,

Ἀποφασίζει :

Ἐγκρίνει ὅπως ἡ φύλαξις καὶ διαχειρίσις τοῦ ἀγορασμένου ὑπὸ τοῦ Ἑλληνικοῦ Δημοσίου παρὰ τῆς Εἰρήνης συλ. Δημ. Μαξίμου οἰκήματος τοῦ κειμένου ἐνταῦθα καὶ ἐπὶ τῆς γωνίας τῶν ὁδῶν Ἡρώδου τοῦ Ἀττικοῦ καὶ Διοχάρους ἐπὶ τῷ σκοπῷ τῆς χρησιμοποίησεως αὐτοῦ ὡς Κυβερνητικοῦ Μεγάρου καὶ διὰ τὴν φιλοξενίαν ξένων Ὑψηλῶν Προσωπικότητων, ἀνατεθῇ εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν.

Ἐκδόσαν πρὸς τοῦτο τὴν ὑπ' ἀριθ. 929 παροῦσαν πρᾶξιν του.

Ὁ Πρόεδρος Ὁ Ἀντιπρόεδρος Τὰ Μέλη

β) Πράξις ὑπ' ἀριθ. 936 τῆς 28 Αὐγούστου 1952.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Λαβὼν ὑπ' ὄψει τὰς ὑπ' ἀριθ. Υ. 1754 καὶ Υ. 1770 ἐ. ἔ. προτάσεις τοῦ Ὑπουργοῦ τῶν Οἰκονομικῶν,

Ἀποφασίζει :

1. Ἐξουσιοδοτεῖ τὸν Ὑπουργὸν τῶν Ἐξωτερικῶν διὰ τὴν ἐκτέλεσιν τῶν κατὰ τὴν κρίσιν του ἀπαιτουμένων δομικῶν ἢ ἄλλων ἐργασιῶν πρὸς συμπλήρωσιν, βελτίωσιν καὶ ἐπισκευὴν τοῦ ἀγορασθέντος ὑπὸ τοῦ Δημοσίου ἀκινήτου τέως Δημοτηρίου Μαξίμου ὡς καὶ διὰ τὴν προμήθειαν τῶν κατὰ τὴν κρίσιν του ἀναγκαζούντων ἐπιπλῶν, σκευῶν καὶ παντὸς εἶδους πραγμάτων οἰκιακῆς χρήσεως.

Ὡσαύτως ἐξουσιοδοτεῖ τὸν αὐτὸν Ὑπουργόν, ὅπως ἐνεργῇ τὰ τῆς συντηρήσεως τοῦ ὡς ἄνω ἀκινήτου ὡς καὶ τῶν ἐν αὐτῷ ἐπιπλῶν καὶ λοιπῶν εἰδῶν.

2. Ἐγκρίνει ὅπως ἡ ἐκτέλεσις τῶν κατὰ τὴν πρώτην παράγραφον ἐργασιῶν καὶ προμηθειῶν ἐνεργῇται κατὰ τὰς ἀποφάσεις τοῦ Ὑπουργοῦ τῶν Ἐξωτερικῶν ὁρισθησάμενα, θυνάμενου νὰ ἐνεργῇ κατὰ παρέκκλισιν ἀπὸ τῶν ἰσχυουσῶν διατάξεων περὶ Δημοσίου Λογιστικοῦ, περὶ ἐκτελέσεως Δημοσίων ἔργων καὶ περὶ ἐνεργείας κρατικῶν προμηθειῶν.

3. Ἐγκρίνει τὴν ὑπὸ τοῦ Ὑπουργοῦ τῶν Οἰκονομικῶν ἐγγραφὴν εἰς τὸν Προϋπολογισμόν ἐξόδων τοῦ Ὑπουργείου Ἐξωτερικῶν τοῦ οἰκονομικοῦ ἔτους 1952—53 ὑπὸ ἴδιον ἀρθρον τῆς ἀναγκαιότητος διὰ τὰς κατὰ τ' ἄνω δαπάνας πιστώσεως ὡς καὶ διὰ τὴν καταβολὴν τῆς ἀντιμισθίας οἰκονόμου, φύλακος, κηπουροῦ καὶ πάσης ἐν γένει δαπάνης ἀφορώσης τὸ ἀκίνητον τοῦτο καὶ τὴν λειτουργίαν τούτου διὰ τὸν κάτωθι ἀναγραφόμενον σκοπόν.

Διὰ τῶν ἐπενεχθησομένων εἰς τὸ ἀκίνητον συμπληρώσεων καὶ διαρρυθμίσεων ὡς καὶ διὰ τοῦ ἐξοπλισμοῦ αὐτοῦ εἰς ἐπιπλα, σκεύη καὶ λοιπὰ κινητὰ πράγματα, θέλει ἐπιδιωχθῇ ὅπως τοῦτο καταστῇ ἀπολύτως κατάλληλον καὶ διατηρεῖται τοιοῦτον διὰ τὴν φιλοξενίαν ξένων Ὑψηλῶν Προσώπων.

Ἡ παρούσα ἀπόφασις κυρωθήσεται διὰ νόμου, ψηφισθησάμενου ὑπὸ τῆς Βουλῆς.

Ἐκδόσαν πρὸς τοῦτο τὴν ὑπ' ἀριθ. 936 παροῦσαν Πρᾶξιν του.

Ὁ Πρόεδρος Ὁ Ἀντιπρόεδρος Τὰ Μέλη

Ἄρθρον 2.

1. Ἐγκρίνονται αἱ γενόμεναι προκαταβολαί, ἐπ' ὀνόματι τοῦ Συμβούλου Πρεσβείας Δ. Τσαγκρῆ, συνολικοῦ ποσοῦ ἑπτακοσίων ἑκατομμυρίων (700.000.000) δραχμῶν, διὰ πληρωμῆς, βάσει τῶν ἀνωτέρω πράξεων, δαπανῶν διαρρυθμίσεως, ἐπιπλώσεως καὶ συντηρήσεως ἐν γένει τοῦ ἀγορασθέντος ὑπὸ τοῦ Ἑλληνικοῦ Δημοσίου ἀκινήτου Δ. Μαξίμου, ἐγγραφομένης πρὸς τοῦτο ἰδίας πιστώσεως εἰς βάρος τοῦ Προϋπολογισμοῦ τῶν ἐξόδων τοῦ Ὑπουργείου Ἐξωτερικῶν καὶ διὰ τὴν τακτοποίησιν τῶν ἐνεργηθειῶν μέχρι τοῦδε παρὰ τοῦ Δημοσίου Ταμείου προκαταβολῶν.

2. Ἀπὸ 1ης Ἰουλίου 1953 καὶ ἐφεξῆς ὁ ἀριθμὸς τοῦ ἀναγκαιούντος προσκαίρου προσωπικοῦ, μὴ θυνάμενου νὰ ὑπερβῇ τοὺς πέντε ἢ ἀντιμισθία αὐτοῦ ὡς καὶ αἱ δαπάναι ἐν γένει συντηρήσεως καὶ λειτουργίας τοῦ κατὰ τὸ ἀρθρον 1 ἀκινήτου τοῦ Δημοσίου, καθορίζονται διὰ κοινῶν αποφάσεων τῶν Ὑπουργῶν Ἐξωτερικῶν καὶ Οἰκονομικῶν. Διὰ τῶν αὐτῶν ἢ ἐτέρων αποφάσεων δύναται τὰ καθήκοντα οἰκονόμου τοῦ ἀκινήτου, ν' ἀνατίθηνται εἰς ὑπάλληλον τοῦ Ὑπουργείου Ἐξωτερικῶν.

3. Ἡ ἰσχὺς τοῦ παρόντος ἄρχεται ἀπὸ τῆς δημοσιεύσεώς του εἰς τὴν Ἐφημερίδα τῆς Κυβερνήσεως.

Ἐν Ἀθήναις τῇ 19 Σεπτεμβρίου 1953.

ΠΑΥΛΟΣ

Β.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Ο ΠΡΟΕΔΡΟΣ

ΑΛΕΞΑΝΔΡΟΣ ΠΑΠΑΓΟΣ

ΤΑ ΜΕΛΗ

Π. ΚΑΝΕΛΛΟΠΟΥΛΟΣ, ΣΤ. ΣΤΕΦΑΝΟΠΟΥΛΟΣ, Κ. ΚΑΛΛΙΑΣ, Κ. ΠΑΠΑΓΙΑΝΝΗΣ, Π. ΠΑΠΑΛΗΓΟΥΤΡΑΣ, Χ. ΨΑΡΡΟΣ, Α. ΑΠΟΣΤΟΛΙΔΗΣ, Α. ΛΑΜΠΡΙΑΝΙΔΗΣ, Π. ΣΙΦΝΑΙΟΣ, Σ. ΔΗΜΑΡΑΤΟΣ, Σ. ΓΕΩΡΓΟΥΤΑΝΗΣ, Σ. ΓΥΛΙΣΤΡΑΣ, Α. ΕΤΤΑΣΙΑΣ.

Ἐδωκῆθη καὶ ἐτέθη ἡ μεγάλη τοῦ Κράτους σφραγίς.

Ἐν Ἀθήναις τῇ 26 Σεπτεμβρίου 1953.

Ο ΕΠΙ ΤΗΣ ΔΙΚΑΙΟΣΥΝΗΣ ΥΠΟΥΡΓΟΣ

ΠΑΥΣ. ΛΥΚΟΥΡΕΖΟΣ

(3)

ΝΟΜΟΘΕΤΙΚΟΝ ΔΙΑΤΑΓΜΑ ὑπ' ἀριθ. 2623.

Περὶ προσθήκης διατάξεως εἰς τὸ Νομοθετικὸν Διάταγμα
τῆς 10 Σεπτεμβρίου 1926 «περὶ κυρώσεως τοῦ Κα-
ταστατικοῦ Χάρτου τοῦ Ἁγίου Ὁρους».

ΠΑΥΛΟΣ

ΒΑΣΙΛΕΥΣ ΤΩΝ ΕΛΛΗΝΩΝ

Ἐχόντες ὑπ' ὄψει τὰς διατάξεις τοῦ ἄρθρου 35 τοῦ Συν-
τάγματος καὶ τὴν ἀπὸ 21 Αὐγούστου 1953 σύμφωνον γνώ-
μην τῆς κατὰ τὴν παράγραφον 2 τοῦ αὐτοῦ ἄρθρου 35 Εἰδι-
κῆς Ἐπιτροπῆς ἐκ Βουλευτῶν, προτάσει τοῦ Ἡμετέρου Ὑ-
πουργικοῦ Συμβουλίου, ἀπεφασίσαμεν καὶ διατάσσομεν :

Ἄρθρον μόνον.

Εἰς τὸ Νομοθετικὸν Διάταγμα τῆς 10 Σεπτεμβρίου 1926
«περὶ κυρώσεως τοῦ Καταστατικοῦ Χάρτου τοῦ Ἁγίου Ὁρους»
προστίθεται ἄρθρον ὑπ' ἀριθ. 43β, ἔχον οὕτω :

Ἄρθρον 43β.

Ἡ παράβασις τοῦ ἄρθρου 186 τοῦ Καταστατικοῦ Χάρτου
ἐπισύρει τὴν ποινὴν φυλακίσεως δύο μηνῶν μέχρις ἐνὸς
ἔτους, μὴ ἐξαγοραζομένης.

Ἐν Ἀθήναις τῇ 19 Σεπτεμβρίου 1953.

ΠΑΥΛΟΣ

Β.

ΤΟ ΥΠΟΥΡΓΙΚΟΝ ΣΥΜΒΟΥΛΙΟΝ

Ο ΠΡΟΕΔΡΟΣ

ΑΛΕΞΑΝΔΡΟΣ ΠΑΠΑΓΟΣ

Τ Α Μ Ε Λ Η

Π. ΚΑΝΕΛΛΟΠΟΤΛΟΣ, ΣΤ. ΣΤΕΦΑΝΟΠΟΤΛΟΣ, Κ. ΚΑΛ-
ΛΙΑΣ, Κ. ΠΑΠΑΓΙΑΝΝΗΣ, Π. ΠΑΠΑΛΗΓΟΤΡΑΣ, Α.
ΠΡΩΤΟΠΑΠΑΔΑΚΗΣ, Χ. ΨΑΡΡΟΣ, Α. ΑΠΟΣΤΟΛΙ-
ΔΗΣ, Π. ΣΙΦΝΑΙΟΣ, Σ. ΔΗΜΑΡΑΤΟΣ, Σ. ΓΕΩΡΓΟΤ-
ΛΗΣ, Σ. ΓΤΑΛΙΣΤΡΑΣ, Α. ΕΤΤΑΣΙΑΣ.

Ἐδωρήθη καὶ ἐτέθη ἡ μεγάλη τοῦ Κράτους σφραγίς.

Ἐν Ἀθήναις τῇ 26 Σεπτεμβρίου 1953.

Ο ΕΠΙ ΤΗΣ ΔΙΚΑΙΟΣΥΝΗΣ ΥΠΟΥΡΓΟΣ

ΠΑΥΣ. ΛΥΚΟΥΡΕΣΟΣ

Η ΔΙΕΥΘΥΝΣΙΣ ΤΟΥ ΕΘΝΙΚΟΥ ΤΥΠΟΓΡΑΦΕΙΟΥ

ΓΝΩΣΤΟΠΟΙΕΙ ΟΤΙ :

Ἡ ἑτήσια συνδρομὴ τῆς Ἐφημερίδος Κυβερνήσεως, ἡ τιμὴ τῶν τμηματικῶς πωλουμένων φύλλων αὐτῆς καὶ τὰ τέλη δημοσιεύσεως ἐν τῷ Δελτίῳ Ἀνωνύμων Ἐταιρειῶν καὶ τῷ Παραρτήματι τῆς Ἐφημερίδος Κυβερνήσεως, ἔχουσι καθορισθῆ ὡς κάτωθι :

Α' ΕΤΗΣΙΑΙ ΣΥΝΔΡΟΜΑΙ

1. Διὰ τὸ τεύχος Α'	Δρχ. 150.000
2. " " " Β'	" 100.000
3. " " " Γ'	" 100.000
4. " " Παράρτημα	" 100.000
5. " " Δελτίον Ἀνωνύμων Ἐταιρειῶν	" 250.000
6. " " τεύχος «Πράξεις Νομικῶν Προσώπων Δ. Δ. κλπ.»	" 100.000
7. " " Δελτίον Ἐμπορικῆς καὶ Βιομηχανικῆς Ἰδιοκτησίας	" 50.000
8. " " Δι' ἅπαντα τὰ τεύχη, τὸ Παράρτημα καὶ τὰ Δελτία	" 700.000

Οἱ Δήμοι καὶ αἱ Κοινότητες τοῦ Κράτους καταβάλλουσι τὸ ἕμισυ τῶν ἀνωτέρω συνδρομῶν.

Τὸ ὑπὲρ τοῦ Ταμείου Ἀλληλοβοηθείας Προσωπικοῦ Ἐθνικοῦ Τυπογραφείου (ΤΑΠΕΤ) ποσοστὸν ἐπὶ τῶν ἀνωτέρω συνδρομῶν ὁρίσθη ὡς ἑξῆς :

1) Διὰ τὸ τεύχος Α'	Δρχ. 10.000
2) " " " Β'	" 5.000
3) " " " Γ'	" 5.000
4) " " Παράρτημα	" 5.000
5) " " Δελτίον Ἀνων. Ἐταιρειῶν	" 20.000
6) " " Πράξεις Νομ. Προσώπων Δ. Δ.	" 5.000
7) " " Δελτίον Ἐμπ. καὶ Βιομ. Ἰδιοκτησ.	" 2.000
8) Δι' ἅπαντα τὰ τεύχη	" 40.000

Οἱ Δήμοι καὶ αἱ Κοινότητες τοῦ Κράτους καταβάλλουσιν ἰσόκληρον τὸ ὑπὲρ τοῦ Τ.Α.Π.Ε.Τ. ποσοστὸν.

Β' ΤΙΜΗ ΦΥΛΛΩΝ Ε. Κ.

Ἡ τιμὴ ἐκάστου φύλλου τῆς Ἐφημερίδος Κυβερνήσεως ὁρίσθη εἰς Δραχ. 1.000.

Γ' ΤΕΛΗ ΔΗΜΟΣΙΕΥΣΕΩΝ

Ι. Εἰς τὸ Δελτίον Ἀνωνύμων Ἐταιρειῶν :

1. Τῶν δικαστικῶν πράξεων	Δρχ. 24.000
2. Τῶν καταστατικῶν Ἀνωνύμων Ἐταιρειῶν	" 1.500.000

3. Τῶν τροποποιήσεων τῶν καταστατικῶν τῶν Ἀνωνύμων Ἐταιρειῶν	Δρχ. 300.000
4. Τῶν ἀνακοινώσεων καὶ προσκλήσεων εἰς γενικὰς συνελεύσεις ὡς καὶ τῶν κατὰ τὸ ἀρθρον 32 τοῦ Ν. 3221)24 γνωστοποιήσεων	" 150.000
5. Τῶν ἀνακοινώσεων τῶν ὑπὸ διάλυσιν Ἀνωνύμων Ἐταιρειῶν κατὰ τὸ Β. Δ. 20)5)1939	" 25.000
6. Τῶν ἰσολογισμῶν τῶν Ἀνων. Ἐταιρειῶν	" 300.000
7. Τῶν συνοπτικῶν μηνιαίων καταστάσεων τῶν Τραπεζικῶν Ἐταιρειῶν	" 120.000
8. Τῶν Ὑπουργικῶν ἀποφάσεων περὶ ἀναβολῆς συγκλήσεως τῶν γενικῶν συνελεύσεων τῶν Ἀνων. Ἐταιρειῶν	" 150.000
9. Τῶν Ὑπουργικῶν ἀποφάσεων περὶ παροχῆς ἀδείας ἐπεκτάσεως τῶν ἐργασιῶν ἀσφαλιστικῶν Ἐταιρειῶν, ὡς καὶ τῶν ἐκθέσεων περιουσιακῶν στοιχείων	" 300.000
10. Τῶν ἀποφάσεων περὶ ἐγκρίσεως τιμολογίων τῶν Ἀσφαλιστικῶν Ἐταιρειῶν	" 60.000
11. Τῶν περὶ παροχῆς κληροξυσιότητος πρὸς ἀντιπροσώπους ἐν Ἑλλάδι ἀλλοδαπῶν Ἐταιρειῶν	" 100.000
12. Τῶν ἀποφάσεων περὶ συγχωνεύσεως Ἀνων. Ἐταιρειῶν	" 1.000.000

ΙΙ. Εἰς τὸ Παράρτημα Ε. Κ.

1. Τῶν δικαστικῶν πράξεων, προσκλήσεων καὶ λοιπῶν δημοσιεύσεων	" 25.000
2. Τῶν ἀδειῶν πωλήσεων ἱαματικῶν ὑδάτων	" 200.000

Τὸ ὑπὲρ τοῦ Ταμείου Ἀλληλοβοηθείας Προσωπικοῦ Ἐθνικοῦ Τυπογραφείου (ΤΑΠΕΤ) καταβλητέον ποσοστὸν ἐπὶ τῶν ἀνωτέρω τελῶν ὁρίσθη εἰς 5 ο)ο.

Δ' ΚΑΤΑΒΟΛΗ ΣΥΝΔΡΟΜΩΝ — ΤΕΛΩΝ ΔΗΜΟΣΙΕΥΣΕΩΣ ΚΑΙ ΠΟΣΟΣΤΩΝ Τ.Α.Π.Ε.Τ

1. Αἱ συνδρομαὶ καὶ τὰ τέλη δημοσιεύσεων προκαταβάλλονται εἰς τὰ Δημόσια Ταμεία ἐναντι ἀποδεικτικοῦ εἰσπράξεως (γραμματίου παραλαβῆς ἢ διπλοτύπου Εἰσπράξεως), ὅπερ μερίμνη τοῦ ἐνδιαφερομένου ἀποστέλλεται εἰς τὴν Ὑπηρεσίαν τοῦ Ἐθνικοῦ Τυπογραφείου.

2. Ἡ καταβολὴ τοῦ ὑπὲρ τοῦ Τ.Α.Π.Ε.Τ. ποσοστοῦ ἐπὶ τῶν ἀνωτέρω συνδρομῶν καὶ τελῶν δημοσιεύσεων ἐνεργεῖται ἐν Ἀθήναις μὲν εἰς τὸ Ταμεῖον τοῦ ΤΑΠΕΤ (Κατάστημα Ἐθνικοῦ Τυπογραφείου) ἐν ταῖς λοιπαῖς δὲ πόλεσι τοῦ Κράτους εἰς τὰ Δημόσια Ταμεία, ἅτινα ἀποδίδουσι ταῦτα εἰς τὸ ΤΑΠΕΤ συμφώνως πρὸς τὰ ὁριζόμενα διὰ τῆς ὑπ' ἀριθ. 192378)3639 τοῦ ἔτους 1947 (ΡΟΝΕΟ 185) Ἐγκυκλίου Διαταγῆς τῆς Γενικῆς Διευθύνσεως Δημοσίου Λογιστικοῦ.

Ὁ Διευθυντὴς καὶ ἀ. α.

ΑΘΑΝΑΣΙΟΣ ΟΙΚΟΝΟΜΟΠΟΥΛΟΣ