

Unter der Bedingung der Reziprozität wird von den persischen Behörden den unter den Ziffern 1 und 2 dieses Artikels genannten Personen für die Einreise in Persien und ebenso für die Durch- und Ausreise über bzw. aus Persien der diplomatische Sichtvermerk erteilt;

3. die Mitglieder der Delegationen fremder Staaten, die mit Zustimmung der persischen Regierung nach Persien reisen und sonstige Personen, die im Besitze von durch die persischen Behörden ausgestellten diplomatischen Sichtvermerken sind.

Anmerkung. Die Ausführungsbestimmungen zu diesem Artikel werden durch das Ministerium des Äußeren im Einvernehmen mit dem Ministerium des Inneren in einer besonderen Verordnung festgesetzt.

Art. 19. Die Ministerien des Äußeren, des Inneren und der Finanzen werden bezüglich der Besatzung und Passagiere von Schiffen, die, ohne die Absicht der Einreise und des Aufenthalts in Persien zu haben und ohne im Besitze der durch dieses Gesetz vorgeschriebenen Urkunden zu sein, während des Aufenthaltes der Schiffe in persischen Häfen ans Land gehen, eine besondere Verordnung ausarbeiten und sie der Zentralpolizeiverwaltung des Landes und den Hafenbehörden zustellen.

Art. 20. Fremde, die beim Inkrafttreten dieses Gesetzes sich in Persien befinden, haben binnen zwei Monaten von diesem Zeitpunkt an sich unmittelbar an die Polizei ihres Aufenthaltsortes zu wenden, um sich eine Aufenthaltserlaubnis zu beschaffen. Die Polizeibehörden werden in Gemäßheit der Artt. 4 und 9 verfahren.

Art. 21. An Orten, wo die Polizei noch nicht eingerichtet ist, werden die durch dieses Gesetz der Polizei zugewiesenen Obliegenheiten durch den Gouverneur des Ortes oder seinen Vertreter wahrgenommen.

Art. 22. Das von der Justizkommission der Abgeordnetenkammer unter dem 11 Tir 1308 genehmigte Gesetz⁶⁾ enthaltend einen einzigen Artikel, ist aufgehoben.

Art. 23. Dieses Gesetz tritt am 15 Churdad 1310 in Kraft.

2) Das staatliche Außenhandelsmonopol

Vorbemerkung: Die starke Passivität der persischen Handelsbilanz im Jahre 1929/30, die Bedrohung der jungen Industrie des Landes durch eine ungehinderte Einfuhr ausländischer, namentlich sowjet-russischer Waren und die Gefährdung der Währung durch den Einfuhrüberschuß hatten als Gegenwirkung die Einführung eines staatlichen Handelsmonopols durch die beiden nachfolgend abgedruckten Gesetze vom 25. Februar und 11. März 1931 zur Folge. (Vgl. über die wirtschaftlichen Voraussetzungen und die Entstehungsgeschichte der Ge-

⁶⁾ Es behandelte die Bestrafung von Fremden, die ohne Paß nach Persien kamen oder deren Pässe nicht in Ordnung waren (Anmerkung des Übersetzers).

setze im einzelnen: Wirtschaftsdienst 1931, S. 597; Correspondance d'Orient 1931, S. 138; Oriente moderno 1931, S. 155, S. 391 ff.) Zweck des Handelsmonopols ist in erster Linie, im Interesse der Stabilität der Währung und zur Sicherung der wirtschaftlichen Selbständigkeit des Landes die übermäßige Einfuhr ausländischer Waren zu unterbinden. Neben dem Staat, der die Einfuhr selbst betreiben kann, können wie bisher auch Privatpersonen das Recht zur Einfuhr erwerben. Es handelt sich also nicht, wie in Rußland, um eine Nationalisierung des Außenhandels durch Errichtung einer mit der Durchführung dieser Aufgabe betrauten besonderen staatlichen Organisation, sondern um eine staatliche Kontrolle des Außenhandels in der Form des Genehmigungszwanges für jedes einzelne Einfuhrgeschäft.

a) Gesetz über das Handelsmonopol vom 25. Febr. 1931 ¹⁾

Single Article. As from the date of promulgation of this Law, the foreign trade of Persia will be a monopoly of the State, which reserves to itself the right to import and export natural and industrial products, and the right to determine temporarily or permanently the total amount of imports and exports. Pending the passing of the Supplementary Law, the Government may prevent the entry of foreign goods into Persian territory.

**b) Ausführungsgesetz zum Gesetz über das Handelsmonopol.
Vom 11. März 1931 ¹⁾**

Article 1. The following Articles are enacted for the enforcement of the Foreign Trade Monopoly Law of February 25, 1931.

Article 2. The importation of all natural or industrial products is dependent on an exportation of Persian natural or industrial products to a like value, whether the importer is himself the exporter or exportation is made by another party.

The export of goods constituting an export monopoly entitles an exporter to import only up to a value equivalent to 20 per cent. of his exports.

The export of petroleum, petroleum products and fishery products creates no right of import. The import of gold bullion or gold dust entails no obligation to export.

Article 3. Government is authorised to allow individuals or commercial concerns on special conditions and under special permit to import products which it does not wish to import directly itself.

These permits will detail the nature and quantity of the goods, the Customs point of import, and any guarantees required from the importer in regard to non-cornering, sale at reasonable prices, impartiality towards purchasers, etc.

¹⁾ Bulletin de l'Institut Intermédiaire International, T. XXV, p. 141.

The manner of distribution of permits to different individuals and establishments, and the amount to be given to each, will be arranged by regulations of the Council of Ministers.

From the passing of this Act up to June 23, 1931, instead of submitting a certificate of export, suitable guarantees may be given to submit before August 24, 1931, an export certificate for the value of the goods imported. The sum total of such permits issued against guarantees may not exceed 25 per cent. of the total requirements of the year 1310 (1931—32).

After June 23, 1931, the issue of import permits detailed in Article 5 (a) requires production of export certificates for a like amount. The period of validity of such permits will be proportionate to the period necessary for import of the goods in question, and will be specified in the permit, and in no case may it exceed one year. Permits are not transferable.

Note. A reasonable price is the cost price plus a normal profit.

Article 4. In the following instances the import of all kinds of foreign products is allowed without any corresponding undertaking to export Persian products:

- a. Goods imported by the State for its own needs;
- b. Goods imported in transit;
- c. Goods not intended for sale, and not purchased with money obtained in the Persian market, provided special Government sanction is obtained;
- d. Goods imported for the private needs of individuals and concerns entitled to Customs exemptions, provided they are not in excess of requirements and have received special Government sanction;
- e. Machinery imported by special Government sanction to meet the principal needs of the country in regard to foreign products and manufactures.

Article 5. Government will decide and publish for general information annually before June 23, and in the current year immediately after ratification of this Law, the quantities of imported goods required, with due regard to the time necessary for placing orders and transporting the goods. Such imports will be in two classes:

- a. Goods which Government allows other parties to import up to a certain amount and value under the provisions of Article 3.
- b. Goods for which the right of importation is reserved to Government and not conceded to others.

These lists are for the economic year from June 23 to June 22, and are subject to change and alteration.

Except with special sanction from the Council of Ministers, Class A goods may not be imported to an amount or value exceeding that fixed by Government.

Article 6. In addition to the obligation regarding an export of Persian goods, the importation into Persia of all foreign products involves

payment at the time of entry of all duty and taxes on the basis of two-fifths of a Gold Rial to one Kran. Export duty will also be paid on this basis. Government may also make importation subject to special conditions regarding manufacture and packing.

Article 7. The goods mentioned in Article 5 (a) shall be allotted by the Government to certain definite Customs points, and permission to import at each point shall only be given up to the quota fixed therefor. The importation of goods detailed in Article 5 (a) in excess of the quota fixed for each Customs point is forbidden except with special Government permission.

Government may also permit the export of certain Persian goods only through Customs points, and prohibit the export thereof elsewhere.

Article 8. Goods for which the import requires a corresponding export of Persian products may be cleared from Customs only after production of an import permit and export certificates to the value of the goods imported.

No export certificate is necessary in the case of goods imported before June 23, 1931, under guarantees as prescribed in Article 3.

Export certificates will be surrendered when the goods imported are declared from Customs.

Samples of goods may be removed from Customs for demonstration to purchasers, but such samples count equally against the guarantee of an importer when the total of his goods are cleared.

Article 9. Except where Government itself undertakes the export of Persian products, or gives the sole right of doing so to another party, the export of goods will be free from restriction except for proper observance of the legal obligations of an exporter at the time of export.

Article 10. The Customs Administration will carefully value, at the time of export, all Persian products, especially those of which an export gives title under this Law to a corresponding right of import. The actual values thereof will be fixed in accordance with the prices ruling at the Customs point of export.

The amount of the export, the exporter's name, and name of destination, will be entered in special registers. If required by an exporter, a certificate of export will be given him by the Customs showing the amount of goods exported, the name of the exporter and the place of destination.

The person producing such export certificates up to three months of the date of issue is entitled to obtain import certificates for goods detailed in Article 5 (a) for a value not exceeding that of the exports concerned. These export certificates will be cancelled if not exchanged within three months of the date of issue for an import certificate, and Government may then grant to any other party an import certificate for goods detailed in Article 5 (a) up to the value of the goods entered as exported.

The manner of distribution of such import permits, the quantity sanctioned for import by any one person or institution, and the method

of valuing goods imported or exported and of nominating expert valuers and fixing the place of valuation, will be decided by special Regulations from the Council of Ministers.

Note. Imported goods will also be valued at prices current at the Customs point of import.

Article 11. Government will take suitable steps to ensure that indigenous products exported are suited to market requirements, and will decide the form in which they are to be prepared for export.

After arrangement and notification of these preliminary measures Government is authorised to prohibit the export of any products not up to the proper standards and conditions and which, by reason thereof, might spoil the market for Persian exports.

Article 12. The Customs Administration will ensure that accurate statistics are kept of all Persian imports and exports, with the names of importers and exporters and the kind, quantity and value of all exports, to importing countries, and of all imports from countries exporting to Persia. A summary of these statistics will be submitted monthly to the Central Administration concerned, which will publish for general information the totals of imports and exports with details of the countries of origin and destination.

Article 13. Every exporter will sell to Government, within the time prescribed at the time of export and not exceeding eight months, an amount of foreign exchange equivalent to the amount of his exports valued in gold Rials at the time of export.

The Council of Ministers may exempt certain exporters, wholly or partly, from this obligation for a specified period.

Such foreign exchange shall primarily be made available for the import of goods covered by Article 5 (a).

If an exporter, within the period prescribed for the sale of his foreign exchange to Government, imports goods covered by Article 5 (a) against his import permit and within the quota allowed therein, his obligation to sell exchange will be reduced proportionately to the value of the goods imported by him.

Article 14. The import of goods referred to in Article 5 (b) may be sanctioned up to May 22, 1931, provided the terms of Article 6 of the Annexe to the Foreign Exchange Law have been fully complied with, and such goods have been shipped direct to Persia before March 1, 1931, provided that the exporter guarantees that within four months he will export Persian products, or produce export certificates, to a like value.

Article 15. All goods in category B of Article 5 entering Persia after enforcement of this Law, and contrary to the provisions thereof, will be treated as contraband and confiscated. The person responsible will be liable to correctional imprisonment for a period of three to six months.

Article 16. Offenders against the conditions prescribed in import permits, for sale at reasonable prices, non-discrimination towards

buyers, and avoidance of monopolisation, will be deprived of any right to import goods for a period of from one to three years. Persons monopolising sales will also be punished under Article 242 of the Penal Code. Government will sell the goods affected at reasonable prices and give the proceeds to the owners.

Persons who fail to execute obligations to export under the terms of Article 3 and 14, and under Article 13 for the sale of foreign exchange, will be sentenced to a fine equal to one-fifth of the amount of the obligation not fulfilled, and to correctional imprisonment for a period of three to six months, or to any one of the above penalties.

Falsification of export certificates or import permits will be treated as falsification of an official document, and punished as such by Law.

Officials who issue false certificates of export, or import permits, contrary to the provisions of this Law, or who show partiality in the issue thereof, will be sentenced to solitary confinement for a period of from two to five years.

Article 17. Any provision of the Foreign Exchange Control Law of March, 1930, and the Annexe thereto of July 22, 1930, which may be contrary to the provisions of this Law is hereby repealed.

Article 18. This Law will be enforced from date of publication. The Ministry of National Economy is charged with the execution thereof.

Schweden

Gesetzgebung

Gesetz über die Rechtshilfe schwedischer Gerichte für internationale Organe

4. April 1930. (Svensk Författningssamling 1930, Nr. 64)¹⁾

§ 1.

Hat ein Gericht oder Schiedsgericht, das zur Entscheidung von Streitigkeiten zwischen Staaten berufen ist, oder ein anderes internationales Organ, das für die Behandlung solcher Streitigkeiten eingesetzt ist, beim König um die Vornahme einer zur Behandlung der Streitigkeit gehörigen Maßnahme, zum Beispiel um Abnahme eines Eides, Vernehmung eines Zeugen oder Sachverständigen, Prüfung einer Urkunde oder Vornahme eines sonstigen Augenscheins nachgesucht und wird das Gesuch auf Beschluß des Königs durch das Auswärtige Amt dem zuständigen Gericht übermittelt, so hat dieses die begehrte Rechtshilfe nach den Vorschriften dieses Gesetzes zu leisten.

§ 2.

Die Rechtshilfe gemäß § 1 ist von den allgemeinen Untergerichten zu leisten.

¹⁾ Übersetzt von Dr. Joachim-Dieter Bloch.