

NETHERLANDS



Treaty Series No. 43 (1978)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Kingdom of the Netherlands
extending to Hong Kong the Convention
of 17 November 1967 providing for the
Reciprocal Recognition and Enforcement
of Judgments in Civil Matters

The Hague, 16/25 November 1977

[The Agreement entered into force on 25 December 1977]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
June 1978*

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**EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE KINGDOM OF THE
NETHERLANDS EXTENDING TO HONG KONG THE
CONVENTION OF 17 NOVEMBER 1967 PROVIDING FOR THE
RECIPROCAL RECOGNITION AND ENFORCEMENT OF
JUDGMENTS IN CIVIL MATTERS**

No. 1

*Her Majesty's Ambassador at The Hague to the Minister for Foreign Affairs
of the Netherlands*

*British Embassy,
The Hague.*

16 November 1977

Your Excellency

I have the honour to refer to the Convention between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands providing for the Reciprocal Recognition and Enforcement of Judgments in Civil Matters, signed at The Hague on the 17th of November 1967⁽¹⁾.

On instructions from Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs and in accordance with the provisions of paragraphs (1)(a) and (2) of Article X of the said Convention, I have to propose that:

1. The operation of the Convention be extended to Hong Kong.
2. (a) The following courts shall be the courts to whose judgments the Convention shall apply:
 - (i) the Supreme Court of Judicature of Hong Kong (Court of Appeal and High Court of Justice);
 - (ii) Her Majesty in Council determining appeals from the Supreme Judicature of Hong Kong.
- (b) The High Court of Justice of Hong Kong shall be the Court to which application for the registration of any judgment shall be made.

I would explain that in certain cases appeals lie from the Supreme Court of Judicature of Hong Kong to Her Majesty in Council, who exercises this appellate jurisdiction on the advice of the Judicial Committee of that Council.

If the foregoing proposals are acceptable to the Government of the Kingdom of the Netherlands, I have the honour to suggest that the present Note together with Your Excellency's reply to that effect shall constitute an Agreement between the two Governments, which shall enter into force, in accordance with paragraph (4) of Article X of the Convention, one month after the date of your reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

RICHARD SYKES

(1) Treaty Series No. 97 (1969) Cmnd. 4148.

No. 2

*The Minister for Foreign Affairs of the Netherlands to Her Majesty's
Ambassador at The Hague*

*The Hague,
25 November 1977*

Your Excellency

I have the honour to acknowledge receipt of Your Excellency's Note of 16 November 1977, which reads as follows:

[As in No. 1]

In reply I have the honour to inform Your Excellency that the foregoing proposals are acceptable to the Government of the Kingdom of the Netherlands. Your Note and the present reply shall therefore constitute an Agreement between the two Governments, which shall enter into force, in accordance with paragraph (4) of Article X of the Convention, one month after the date of the present Note, that is to say on 25 December 1977.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

M. van der STOEL
*Minister for Foreign Affairs
of the Kingdom of the Netherlands*