

N° 4020.

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**BELGIQUE  
ET GRANDE-BRETAGNE  
ET IRLANDE DU NORD**

Convention pour l'exécution réciproque des jugements rendus en matière civile et commerciale, avec annexe et protocole. Signés à Bruxelles, le 2 mai 1934.

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**BELGIUM  
AND GREAT BRITAIN  
AND NORTHERN IRELAND**

Convention for the Reciprocal Enforcement of Judgments in Civil and Commercial Matters, with Annex and Protocol. Signed at Brussels, May 2nd, 1934.

No. 4020. — CONVENTION<sup>1</sup> BETWEEN BELGIUM AND GREAT BRITAIN AND NORTHERN IRELAND FOR THE RECIPROCAL ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS. SIGNED AT BRUSSELS, MAY 2ND, 1934.

*French and English official texts communicated by the Belgian Minister for Foreign Affairs and by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Convention took place December 18th, 1936.*

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA,  
and

HIS MAJESTY THE KING OF THE BELGIANS,

Being desirous to provide on the basis of reciprocity for the recognition and enforcement of judgments in civil and commercial matters ;

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

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

George Nevile Maltby BLAND, Esquire, C.M.G., His Britannic Majesty's Chargé d'Affaires at Brussels ;  
and

HIS MAJESTY THE KING OF THE BELGIANS :

Mr. Paul HYMANS, His Minister for Foreign Affairs ;

Mr. Victor KINON, Honorary Director-General of the Ministry of Justice, Commander of the Order of the Crown, Officer of the Order of Leopold ;

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

*Article I.*

In this Convention :

(1) The words " His Majesty the King and Emperor " shall mean His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India ;

(2) The words " territory of one (or of the other) High Contracting Party " shall be interpreted as meaning :

(a) On the part of His Majesty the King and Emperor, the United Kingdom (England and Wales, Scotland and Northern Ireland) and any territories to which the Convention applies by reason of extensions under Article II, or accessions under Article 13 ; and

<sup>1</sup> The exchange of ratifications took place at London, October 26th, 1936.  
Came into force November 26th, 1936.

(b) On the part of His Majesty the King of the Belgians, Belgium and any territories to which the Convention applies by reason of extensions under Article 12.

(3) The words "superior court" shall be deemed to mean :

(a) In the case of the United Kingdom, the House of Lords, and for England and Wales, the Supreme Court of Judicature (Court of Appeal and High Court of Justice) and the Courts of Chancery of the Counties Palatine of Lancaster and Durham ; for Scotland, the Court of Session ; and of Northern Ireland, the Supreme Court of Judicature ;

(b) And in the case of Belgium, the Court of Cassation, all Courts of Appeal, Tribunals of First Instance and Tribunals of Commerce.

All other courts in these territories shall be deemed to be "inferior courts" for the purpose of this Convention.

(4) The word "judgment" means any decision of a court however described (judgment, order and the like) by which the rights of the parties are finally determined.

(5) (a) The words "original court" shall be deemed to mean, in relation to any judgment, the court by which such judgment was given ; and the words "court applied to" the court in which it is sought to obtain recognition of a judgment, or to which an application for registration or grant of exequatur is made ;

(b) The words "judgment debtor" mean the person against whom the judgment was given in the original court, and include any person against whom judgment is enforceable in the country of the original court ; and the words "judgment creditor" mean the person in whose favour the judgment was given, and include his successor and assigns.

#### Article 2.

(1) Judgments pronounced after the date of the entry into force of the present Convention by a superior court in the territory of one High Contracting Party, other than judgments rendered on appeal from inferior courts, shall, whatever the nationality of the judgment creditor or debtor, be recognised and enforced in the territory of the other in the cases and upon the conditions laid down in Articles 3 to 8 inclusive of the present Convention.

(2) Nothing in the present Convention shall be deemed to preclude the recognition and enforcement in the territory of one High Contracting Party, in accordance with the municipal law for the time being in force in the country concerned, of judgments pronounced by a court in the territory of the other High Contracting Party, being judgments to which the present Convention does not apply, or judgments given in circumstances where the provisions of the present Convention do not require such recognition or enforcement.

#### Article 3.

(1) Judgment in civil and commercial matters, given by any superior court in the territory of one High Contracting Party, and executory in the country of the original court, although still open to proceedings by way of opposition, appeal or setting aside shall, in the courts of the territory of the other, be recognised in all cases where no objection to the judgment can be established on any of the grounds hereinafter enumerated, that is to say, unless :

(a) In the case in question the jurisdiction of the original court is not recognised under the rules of Private International Law with regard to jurisdiction observed by the court applied to ;

(b) The judgment was given in default, and the judgment debtor did not appear in the proceedings and satisfies the court applied to that he did not actually acquire

knowledge of the proceedings in reasonably sufficient time to act upon it. It is understood that in all cases where it is proved that notice of the proceedings has been duly served on the defendant in conformity with the provisions of Articles 3 or 4 of the Convention<sup>1</sup> signed between the High Contracting Parties on June 21st, 1922, it shall be deemed to be conclusive evidence that the defendant actually acquired knowledge of the proceedings ;

(c) The judgment is one which is contrary to the public policy of the country of the court applied to ;

(d) The judgment is in respect of a cause of action which had already at the date when it was given, as between the same parties, formed the subject of another judgment which is recognised under the law of the court applied to as final and conclusive ;

(e) The judgment has, in the opinion of the court applied to, been obtained by fraud ;

(f) In the opinion of the court applied to, the judgment was given against a person, defendant in the proceedings, who under the rules of public international law was entitled to immunity from the jurisdiction of the original court, and did not submit to the jurisdiction of the original court ; or is sought to be enforced against a person who is entitled under the rules of public international law to immunity from the jurisdiction of the court applied to ;

(g) The judgment debtor satisfies the court applied to that proceedings by way of appeal, opposition or setting aside have been instituted against the judgment in the country of the original court.

It is understood that if such proceedings have not been actually instituted, but the time for lodging an appeal, opposition or application to set aside has not expired under the law of the country of the original court, the court applied to may, if it thinks fit, adjourn its decision on the recognition of the judgment so as to allow the judgment debtor a reasonable opportunity of instituting such proceedings.

(2) Recognition of a judgment shall not be refused merely on the ground that the original court has applied, in the choice of the system of law applicable to the case, rules of Private International Law different from those observed by the court applied to.

(3) The recognition of a judgment under paragraph (1) of this Article means that such judgment shall be treated as conclusive as to the matter thereby adjudicated upon in any further action as between the parties (judgment creditor and judgment debtor) and as to such matter shall constitute a defence against further action between them in respect of the same cause of action.

#### Article 4.

(1) Notwithstanding the provisions of Article 3 (1) (a) and without prejudice to the provisions of paragraphs (2) and (3) of the present Article, the original court shall be recognised as possessing jurisdiction in all cases :

(a) Where the judgment debtor was in respect of the matter, which is the subject of the judgment, a plaintiff or counter-claimant in the proceedings in the original court ;

(b) Where the judgment debtor, being a defendant in the proceedings in the original court submitted to the jurisdiction by voluntarily appearing in the proceedings. It is understood that the expression "voluntarily appearing in the proceedings" does not include an appearance merely for the purpose of protecting property situated within the jurisdiction of the original court from seizure, or of obtaining the release of property seized, or for the purpose of contesting the jurisdiction of the original court ;

<sup>1</sup> Vol. XXIV, page 91 ; Vol. XXXI, page 255 ; Vol. XXXV, page 307 ; Vol. XXXIX, page 175 ; Vol. XLV, page 112 ; Vol. LXXXVIII, page 456 ; Vol. LXXXIII, page 387 ; Vol. CIV, page 497 ; Vol. CVII, page 467 ; Vol. CXXII, page 329 ; Vol. CXLVII, page 319 ; and Vol. CLX, page 333, of this Series.

(c) Where the judgment debtor, being a defendant in the proceedings in the original court, had before the commencement of the proceedings agreed, in respect of the subject matter of the proceedings, to submit to the jurisdiction of the original court or of the court of the country of the original court ;

(d) Where, at the time when the proceedings were instituted, the judgment debtor, being a defendant in the original court, was resident in the country of the original court, or, being a company or other body corporate, had its head office in the country of the original court ;

(e) Where the judgment debtor, being a defendant in the original court, had, within the country of the original court, either a commercial establishment or a branch office, and the proceedings were in respect of a transaction effected through, or at, such establishment or branch office.

Nevertheless, the jurisdiction of the original court shall not be recognised in the cases referred to in sub-paragraphs (d) and (e) above if the judgment debtor satisfies the court applied to that the bringing of the proceedings in the original court was contrary to an agreement between the parties under which the dispute in question was to be settled otherwise than by proceedings in the courts of the country of the original court.

(2) The provisions of paragraph (1) of this Article do not apply to judgments where the subject matter of the proceedings is immovable property, nor to judgments *in rem* in respect of movable property. Nevertheless, in these cases the jurisdiction of the original court shall be recognised if such property was situated within the country of the original court.

(3) The provisions of paragraph (1) of this Article do not apply :

(a) To judgments in matters of family law or status (including divorces or other judgments in matrimonial causes) ;

(b) To judgments in matters of succession, or the administration of the estates of deceased persons ;

(c) To judgments in bankruptcy proceedings, or proceedings for the winding up of companies or other bodies corporate.

In the case of judgments given in proceedings of the kind referred to in the present paragraph, the jurisdiction of the original court shall be recognised in all cases where such recognition is in accordance with the rules of Private International Law observed by the court applied to.

(4) Recognition of the jurisdiction of the original court shall not be refused on the ground that the original court had no jurisdiction under the law of its own country, if the judgment is executory in the country of the original court.

#### Article 5.

(1) Judgments, to which the present Article applies, given by a superior court in the territory of one High Contracting Party shall be enforced by the courts of the territory of the other High Contracting Party in the manner and upon the conditions set out in Articles 6 to 8 inclusive.

(2) The judgments to which the present Article applies are judgments in civil or commercial matters, including judgments for the payment of a sum of money as compensation upon the claim of an injured party appearing as " *partie civile* " in criminal proceedings :

(a) Which are capable of being executed in the country of the original court although still open to proceedings by way of opposition, appeal or setting aside ;

(b) Whereby a definite sum of money is made payable, including judgments for the payment of costs in civil or commercial matters ;

(c) To the recognition of which none of the objections set out in Article 3 can be established.

(3) The provisions of this Article do not apply to judgments for the payment of a sum of money for any form of taxation, State or Municipal, or for the payment of penalties.

*Article 6.*

(1) In order that any judgment of a superior court in the territory of His Majesty the King and Emperor should be enforced in Belgium, it is necessary that an application for the grant of an exequatur accompanied by a certified copy of the judgment issued by the original court, including full particulars as regards the proceedings and the causes of action in respect of which it was given, should be made in Belgium in accordance with the procedure of the court applied to, to the Tribunal of First Instance of the district where the execution is sought.

(2) Any judgment in respect of which a certified copy has been issued by the original court shall be deemed to have been a judgment which was capable of execution in the country of the original court at the time the certified copy was issued.

(3) If such application is made, exequatur shall be granted unless the judgment debtor satisfies the court applied to :

(a) That the judgment debt has been wholly satisfied, or

(b) That the right to enforce the judgment debt is not vested in the person by whom the application is made.

*Article 7.*

(1) In order that any judgment of a superior court in the territory of His Majesty the King of the Belgians should be enforced in the United Kingdom, it is necessary that an application for its registration accompanied by a certified copy of the judgment issued by the original court, including the reasons therefor, should be duly made :

(a) In England and Wales to the High Court of Justice ;

(b) In Scotland to the Court of Session ;

(c) In Northern Ireland to the Supreme Court of Judicature, in accordance with the procedure of the court applied to.

(2) All Belgian judgments which bear the executory formula prescribed by Belgian law shall be deemed to be capable of execution in Belgium within the meaning of Article 5 (2) (a). The formula at present in force is that set out in the Annex to the present Convention.

(3) If such application is made, registration shall be granted unless the judgment debtor satisfies the court applied to :

(a) That the judgment debt has been wholly satisfied, or

(b) That the right to enforce the judgment debt is not vested in the person by whom the application is made.

*Article 8.*

(1) Where an exequatur has been granted in respect of any judgment under Article 6 or where any judgment has been registered under Article 7, such judgment shall, as from the date of registration or grant of exequatur, be as regards all questions relating to its execution in the country of the court applied to in the same position as a judgment originally given by the court applied to at the date of registration or grant of exequatur, and the court applied to shall have the same control and jurisdiction over the judgment, in so far as related to its execution, as it has over similar judgments given by itself.

(2) A copy of any judgment, certified by the original court and attested with its seal, shall be accepted without the necessity of further legalisation.

(3) The procedure for the registration of a judgment under Article 7, and the procedure for the grant of an exequatur to a judgment under Article 6, shall be simple and summary, and no deposit by way of security for costs or *cautio judicatum solvi* shall be required of any person making application for such registration, or for the grant of an exequatur.

(4) A period of not less than six years, running from the date of the judgment of the original court, if no proceedings have been taken against the judgment in the country of the original court, or from the date of the judgment given in the last instance if such proceedings have been taken, shall be allowed for the purpose of making an application for registration under Article 7 or for the grant of an exequatur under Article 6.

(5) It is understood :

1. That, if it is found by the court applied to that the judgment debt, whose enforcement is sought by registration under Article 7 or by exequatur under Article 6 has been partly but not wholly satisfied, registration or exequatur shall be granted so as to permit of its execution in respect of the unpaid balance provided that the judgment is otherwise one which satisfies the conditions laid down in the present Convention ;

2. That if it is found by the court applied to that a judgment, whose enforcement is sought by registration under Article 7 or by exequatur under Article 6, is one under which sums of money are payable in respect of different heads of claim, and that reasons for the refusal of the registration or executory declaration exist in respect of some, but not of all, the grounds of claim, registration or exequatur shall be granted in respect of the sums of money due under those portions of the judgment to the enforcement of which no objection under the provisions of this Convention is established ;

3. That if under a judgment a sum of money is payable, which is expressed in a currency other than that of the country of the court applied to, the law of the country of the court applied to shall determine if, and if so in what manner, the amount payable under the judgment may or shall be converted into the currency of the court applied to for the purposes of the satisfaction or enforcement of the judgment debt.

(6) When granting registration or exequatur, the court applied to shall, if so requested by the proper party, include the amount due by way of interest up to the date of the grant of registration or exequatur. If the interest due on the claim up to the date of the judgment has been determined in the judgment of the original court and a certificate is produced emanating from the original court, specifying the rate at which, in accordance with the law of the country of the original court, interest should be allowed as from that date upon the sum for which the judgment is given, the court applied to shall follow the indications so given in determining the amount of the interest. If this is not the case, the party claiming interest may prove what is the sum due under the law of the original court by way of interest on the claim which forms the subject of the judgment.

As from the date of registration or exequatur, interest shall be allowed at four per cent. on the total sum (principal and interest) in respect of which registration or exequatur is granted.

#### Article 9.

Any difficulties which may arise in connexion with the interpretation of this Convention shall be settled through the diplomatic channel. It is, however, understood that the decisions of the respective courts of the territories of the High Contracting Parties cannot be reopened.

#### Article 10.

The present Convention, of which the English and French texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London.

The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

*Article 11.*

(1) His Majesty the King and Emperor may at any time, while the Convention is in force under Article 10, and provided that an agreement has been first concluded by an exchange of notes on the points mentioned in paragraph (2) of this Article, by a notification given through His Ambassador at Brussels, extend the operation of this Convention to the Channel Islands, the Isle of Man, any of His Colonies, overseas territories, or Protectorates, or to any territories under His suzerainty, or to any mandated territories in respect of which the mandate is exercised by His Government in the United Kingdom.

(2) Prior to any notification of extension in respect of any territory under the preceding paragraph, an agreement shall be concluded between the High Contracting Parties by exchange of notes as to the courts of the territory concerned which shall be deemed to be "superior courts" for the purpose of the Convention, and the courts to which application for registration of any judgment shall be made.

(3) The date of the coming into force of any such extension shall be one month from the date of such notification.

(4) Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph (1) of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

(5) The termination of the Convention under Article 10 shall, unless otherwise expressly agreed to by both High Contracting Parties, *ipso facto* terminate it in respect of any territories to which it has been extended under paragraph (1) of this Article.

*Article 12.*

(1) His Majesty the King of the Belgians may at any time, while the Convention is in force under Article 10, and provided that an agreement has been concluded by an exchange of notes on the points mentioned in paragraph (2) of this Article, extend this Convention to the Belgian Congo or to the mandated territories administered by Belgium by a notification given through His Ambassador in London.

(2) Prior to any notification of extension in respect of any territory under the preceding paragraph, an agreement shall be concluded between the High Contracting Parties by exchange of notes as to the courts of the territory concerned which shall be deemed to be "superior courts" for the purposes of the present Convention, and the courts to which application for the grant of an *exequatur* in respect of any judgment shall be made.

(3) The provisions of paragraphs (3), (4) and (5) of Article 11 shall apply to any of the territories above mentioned to which this Convention has been extended.

*Article 13.*

(1) The High Contracting Parties agree that His Majesty the King and Emperor may, at any time, while the present Convention is in force, either under Article 10 or by virtue of any accession



under this Article, and provided that an agreement has been concluded by an exchange of notes on the points mentioned in paragraph (2) of this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any other member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when His Majesty the King of the Belgians has given notice of termination in respect of all the territories of His Majesty the King and Emperor to which the Convention applies.

(2) Prior to any notification of accession under the preceding paragraph an agreement shall be concluded between the High Contracting Parties by an exchange of notes as to the courts in the country concerned which shall be deemed to be "superior courts" for the purposes of the present Convention, and the courts to which application for registration of any judgment shall be made.

(3) Any such accession shall take effect one month after the date of the notification.

(4) After the expiry of three years from the date of the coming into force of any accession under paragraph 1 of this Article, either of the High Contracting Parties may by giving a six months' notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 10 shall not affect its application to any such country.

(5) Any notification of accession under paragraph (1) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph (4) shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention, in English and French texts, and have affixed thereto their seals.

Done in duplicate at Brussels, this 2nd day of May, 1934.

(Sgd.) P. HYMANS.

(Sgd.) V. KINON.

(Sgd.) Nevile BLAND.

## ANNEXE

La formule dont il est question au paragraphe (2) de l'article 7, est conçue comme suit :

1<sup>o</sup> En langue française :

Nous, Léopold III, Roi des Belges,  
A tous, présents et à venir, faisons savoir,

(Texte.)

« Mandons et ordonnons à tous huissiers, à ce requis, de mettre le présent arrêt (jugement, ordonnance, mandat ou acte) à exécution ;

» A nos procureurs généraux et à nos procureurs près les tribunaux de première instance d'y tenir la main, et à tous commandants et officiers de la force publique d'y prêter main-forte, lorsqu'ils en seront légalement requis.

» En foi de quoi, le présent arrêt (jugement, ordonnance, mandat ou acte) a été signé et scellé du sceau de la cour (du tribunal ou du notaire). »

(Arrêté royal du 23 février 1934.)

2<sup>o</sup> En langue flamande :

Wij, Leopold III, Koning der Belgen,  
Aan allen, tegenwoordigen en toekomstigen, doen te weten,

(Tekst.)

« Gelasten en bevelen aan al de daartoe aanzochte deurwaarders, dit arrest (dit vonnis, dit bevelschrift, dit mandaat of deze akte), ten uitvoer te brengen ;

» Aan Onze Procureurs-Generaal en aan Onze Procureurs bij de rechtbanken van eersten aanleg er de hand aan te houden en aan alle Bevelhebbers en Officieren der openbare macht daartoe mede te helpen, wanneer zij ertoe wettig aanzocht worden.

» Ter oorkonde waarvan, dit arrest (dit vonnis, dit bevelschrift, dit mandaat, of deze akte), ondertekend is geworden en gezegeld met het zegel van het Hof (de rechtbank of den notaris). »

(Arrêté royal du 23 février 1934.)

3<sup>o</sup> En langue allemande :

Wir, Leopold III, König der Belgier,  
Tun kund allen Gegenwärtigen und Zukünftigen,

(Texte.)

« Befehlen und verordnen allen darum ersuchten Gerichtsvollziehern gegenwärtigen Akt zur Vollstreckung zu bringen ;

» Unsern General-Prokuratoren und unsern Prokuratoren bei den erstinstanzlichen Gerichten denselben zu handhaben, allen Kommandanten und Beamten der bewaffneten Macht auf Erfordern starke Hand dabei zu leisten, wenn sie rechtmässig dazu aufgefordert werden. Zur Bekräftigung alles dessen wurde Gegenwärtiges von dem unterzeichneten ..... unter Beidrückung des Amtsigels unterschrieben.

» Im Namen des Königs der Belgier wird das gegenwärtige (Erkenntnis, Urteil oder urkundliche Schriftstück) hiermit für vollstreckbar erklärt. »

(Arrêté royal du 17 mars 1934.)

## ANNEX

The formula referred to in paragraph (2) of Article 7 is as follows :

1. In French :

Nous, Léopold III, Roi des Belges,  
A tous, présents et à venir, faisons savoir,  
(Texte.)

« Mandons et ordonnons à tous huissiers, à ce requis, de mettre le présent arrêt (jugement, ordonnance, mandat ou acte) à exécution ;

» A nos procureurs généraux et à nos procureurs près les tribunaux de première instance d'y tenir la main, et à tous commandants et officiers de la force publique d'y prêter main-forte, lorsqu'ils en seront légalement requis.

» En foi de quoi, le présent arrêt (jugement, ordonnance, mandat ou acte) a été signé et scellé du sceau de la cour (du tribunal ou du notaire). »

(Arrêté royal du 23 février 1934.)

2. In Flemish :

Wij, Leopold III, Koning der Belgen,  
Aan allen, tegenwoordigen en toekomstigen, doen te weten,

(Tekst.)

« Gelasten en bevelen aan al de daartoe aanzochte deurwaarders, dit arrest (dit vonnis, dit bevelschrift, dit mandaat of deze akte), ten uitvoer te brengen ;

» Aan Onze Procureurs-Generaal en aan Onze Procureurs bij de rechtbanken van eersten aanleg er de hand aan te houden en aan alle Bevelhebbers en Officieren der openbare macht daartoe mede te helpen, wanneer zij ertoe wettig aanzocht worden.

» Ter oorkonde waarvan, dit arrest (dit vonnis, dit bevelschrift, dit mandaat, of deze akte), ondertekend is geworden en gezegeld met het zegel van het Hof (de rechtbank of den notaris). »

(Arrêté royal du 23 février 1934.)

3. In German :

Wir, Leopold III, König der Belgier,  
Tun kund allen Gegenwärtigen und Zukünftigen,

(Texte.)

« Befehlen und verordnen allen darum ersuchten Gerichtsvollziehern gegenwärtigen Akt zur Vollstreckung zu bringen ;

» Unsern General-Prokuratoren und unsern Prokuratoren bei den erstinstanzlichen Gerichten denselben zu handhaben, allen Kommandanten und Beamten der bewaffneten Macht auf Erfordern starke Hand dabei zu leisten, wenn sie rechtmässig dazu aufgefordert werden. Zur Bekräftigung alles dessen wurde Gegenwärtiges von dem unterzeichneten ..... unter Beidrückung des Amtsigels unterschrieben.

» Im Namen des Königs der Belgier wird das gegenwärtige (Erkenntnis, Urteil oder urkundliche Schriftstück) hiermit für vollstreckbar erklärt. »

(Arrêté royal du 17 mars 1934.)

## PROTOCOLE

Les plénipotentiaires soussignés, au moment de signer la Convention entre Sa Majesté le Roi de Grande-Bretagne, d'Irlande et des Territoires britanniques au delà des Mers, Empereur des Indes, et Sa Majesté le Roi des Belges concernant l'exécution réciproque des jugements, déclarent qu'il est entendu que rien dans l'article 4 de ladite convention ne sera considéré comme obligeant les tribunaux belges à reconnaître la compétence d'un tribunal du territoire de Sa Majesté le Roi et Empereur dans des affaires relatives à des contrats d'assurance où les assurés sont de nationalité belge et lorsque compétence exclusive en cette matière est attribuée aux tribunaux belges en vertu de l'article premier de la loi belge du 20 avril 1920 (qui constitue l'article 43 *bis* de la loi belge du 25 mars 1876 sur la compétence des tribunaux belges).

Le présent protocole fait partie intégrante de la convention à laquelle il se rapporte.

Fait en double à Bruxelles, le 2 mai 1934, en texte français et anglais, les deux textes étant également authentiques.

(L. S.) (s) P. HYMANS.  
 (L. S.) (s) V. KINON.  
 (L. S.) (s) Nevile BLAND.

## PROTOCOL.

The undersigned Plenipotentiaries at the moment of signing the Convention between His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of the Belgians, relating to the Reciprocal Enforcement of Judgments, declare that it is understood that nothing in Article 4 of the said Convention shall be deemed to oblige the Belgian courts to recognise the jurisdiction of a court in the territory of His Majesty the King and Emperor in cases relating to contracts of assurance where the assured are persons of Belgian nationality and exclusive jurisdiction is conferred on the Belgian courts by Article 1 of the Belgian law of the 20th April, 1920 (which Article is incorporated as Article 43 *bis* in the Belgian law of the 25th March, 1876, relating to the jurisdiction of the Belgian courts).

This Protocol shall be deemed to be an integral part of the Convention to which it relates.

Done in duplicate at Brussels, this 2nd day of May, 1934, in English and French, both texts being equally authentic.

(L. S.) (Sgd.) P. HYMANS.  
 (L. S.) (Sgd.) V. KINON.  
 (L. S.) (Sgd.) Nevile BLAND.