

No. 12636

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
BELGIUM**

**Exchange of notes constituting an agreement providing for
the extension to Hong Kong of the Convention for the
reciprocal enforcement of judgments in civil and
commercial matters signed at Brussels on 2 May 1934.
Brussels, 13 October and 24 November 1972**

Authentic texts: English and French.

*Registered by the United Kingdom of Great Britain and Northern Ireland
on 19 June 1973.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
BELGIQUE**

**Échange de notes constituant un accord pour l'application à
Hong-kong de la Convention pour l'exécution récipro-
que des jugements rendus en matière civile et
commerciale signée à Bruxelles le 2 mai 1934.
Bruxelles, 13 octobre et 24 novembre 1972**

Textes authentiques: anglais et français.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du
Nord le 19 juin 1973.*

EXCHANGE OF NOTES
CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF BELGIUM PROVIDING FOR THE EXTENSION TO HONG KONG OF THE CONVENTION FOR THE RECIPROCAL ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS SIGNED AT BRUSSELS ON 2 MAY 1934²

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD ET LE GOUVERNEMENT DU ROYAUME DE BELGIQUE POUR L'APPLICATION À HONG-KONG DE LA CONVENTION POUR L'EXÉCUTION RÉCIPROQUE DES JUGEMENTS RENDUS EN MATIÈRE CIVILE ET COMMERCIALE SIGNÉE À BRUXELLES LE 2 MAI 1934²

I

Her Majesty's Ambassador at Brussels to the Minister for Foreign Affairs of Belgium

L'Ambassadeur de Sa Majesté britannique à Bruxelles au Ministre des affaires étrangères de la Belgique

BRITISH EMBASSY
BRUSSELS

13 October, 1972

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 Belgium for the Reciprocal Enforcement of Judgments, signed at Brussels on 2 May 1934.

On instructions from Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs, I have to inform you that the United Kingdom wish to extend the operation of the aforesaid Convention to Hong Kong under article 11. Paragraph (2) of that article provides that, before this can be done, an agreement must be concluded between the High Contracting Parties as to the courts of the territory concerned, which shall be deemed to be "superior courts" for the purposes of the Convention, and the courts to which application for the registration of any judgment shall be made.

¹ Came into force on 24 November 1972 by the exchange of the said notes.

² League of Nations, *Treaty Series*, vol. CLXXIII, p. 291.

¹ Entré en vigueur le 24 novembre 1972 par l'échange des dites notes.

² Société des Nations, *Recueil des Traités*, vol. CLXXIII, p. 291.

I therefore have the honour to propose that, for the purposes of the Convention, the following courts, that is to say:

- (a) the Supreme Court of Hong Kong,
- (b) the Full Court of Hong Kong, and
- (c) Her Majesty in Council determining appeals from the Full Court or the Supreme Court of Hong Kong,

shall be deemed to be “superior courts” and that the Supreme Court 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 Full Court and the Supreme Court 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 proposal is acceptable to the Kingdom of Belgium, I have the honour to suggest that the present note and Your Excellency’s reply to that effect shall constitute the agreement provided for in article 11 (2) of the Convention in so far as the territory of Hong Kong is concerned.

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

JOHN BEITH

[TRADUCTION—TRANSLATION]

AMBASSADE BRITANNIQUE
BRUXELLES

Le 13 octobre 1972

Monsieur l’Ambassadeur,

[*Voir note II*]

J’ai l’honneur, etc.

JOHN BEITH

II

*The Minister for Foreign Affairs of
Belgium to Her Majesty’s Ambassa-
dor at Brussels*

*Le Ministre des affaires étrangères de
la Belgique à l’Ambassadeur de Sa
Majesté britannique à Bruxelles*

MINISTÈRE DES AFFAIRES ÉTRANGÈRES ET DU COMMERCE EXTÉRIEUR

24.11.1972

Monsieur l’Ambassadeur,

J’ai l’honneur d’accuser réception de l’Office de Votre Excellence du 13 octobre 1972, dont la teneur suit :

[TRANSLATION¹—TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS
AND OVERSEAS TRADE

24.11.1972

Monsieur l'Ambassadeur,

I have the honour to acknowledge receipt of Your Excellency's note of 13 October 1972, which reads as follows:

[*See note I*]

The foregoing proposals being acceptable to the Belgian Government, Your Excellency's note and this reply shall constitute the agreement provided for in article 11 (2) of the Convention in so far as the territory of Hong Kong is concerned.

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

P. HARMEL

¹ Translation supplied by the Government of the United Kingdom.

² Traduction fournie par le Gouvernement du Royaume-Uni.