

**EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF NOR-
WAY FOR THE PURPOSE OF FACILITATING THE RECIPROCAL
ENFORCEMENT OF MAINTENANCE ORDERS BETWEEN NORWAY
AND THE PROVINCE OF BRITISH COLUMBIA**

Ottawa, October 16, 1980

X-7/80

Sir,

I have the honour to refer to discussions which have taken place between officials of our two Governments concerning the establishment of arrangements for the reciprocal enforcement of maintenance orders with respect to Norway and the Province of British Columbia.

Under the relevant Norwegian legislation, Law No. 3 of June 19, 1931, recognition of foreign maintenance orders for the purpose of their enforcement in Norway by the Norwegian courts is contingent, in each case, on the conclusion of an "agreement with a foreign State". Thus, in order to meet the requirements of Norwegian law in this instance it is necessary for the Governments of Canada and Norway to conclude an international agreement governed by international law.

Accordingly, on instructions from my Government, I have the honour to propose that this Note and your reply shall be regarded as constituting an agreement between the Government of Norway and the Government of Canada for the purpose of facilitating, in accordance with the relevant legislation of Norway and of the Province of British Columbia, the reciprocal enforcement of maintenance orders as between Norway and the Province of British Columbia.

It is understood that the sole purpose of concluding this agreement between our two Governments is to meet the requirements of Norwegian law on this subject. In this connection, the Government of Norway confirms its understanding that in undertaking to conclude an agreement for the aforesaid purpose, the Government of Canada wishes to make it clear that under the Canadian constitutional system the recognition and enforcement of maintenance orders is a matter which falls solely within Provincial jurisdiction.

It is further proposed that if, as a result of later consultations, it should appear desirable to extend the field of application of this agreement to other Provinces of Canada, and the Governments of the Provinces concerned take appropriate action to declare Norway to be a reciprocating state for purpose of the recognition of maintenance orders, this may be effected by means of subsequent Exchanges of Notes amending the present agreement.