

CONVENTION BETWEEN HIS MAJESTY AND HIS MAJESTY THE KING OF IRAQ REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Iraq:

Being desirous to render mutual assistance in the conduct of legal proceedings in civil and commercial matters which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

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:

Sir Archibald John Kerr Clark Kerr, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, his Ambassador Extraordinary and Plenipotentiary at Baghdad; and

His Majesty the King of Iraq:

Nouri Pasha El Said, Minister for Foreign Affairs, Order of the Rafidain I Class Military.

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

I.—Preliminary

ARTICLE 1.

(a) Except where the contrary is expressly stated, this Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words:—

(1) “territory of one (or the other) High Contracting Party” shall be interpreted:—

(i) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, as meaning England and Wales and all territories in respect of which the convention is in force by reason of extensions under Article 16 or accessions under Article 17; and

(ii) in relation to His Majesty the King of Iraq as meaning Iraq.

(2) “persons” shall be deemed to mean individuals and artificial persons;

(3) “artificial persons” shall be deemed to include partnerships, companies, societies and other corporations;

(4) “subjects of a High Contracting Party” shall be deemed to include artificial persons constituted or incorporated under the laws of the territory of such High Contracting Party;

(5) “subjects of one (or of the other) High Contracting Party” shall be deemed:—

(i) in relation to His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, to mean all subjects of His Majesty wherever domiciled, and all persons under His protection; and

(ii) in relation to His Majesty the King of Iraq, to mean all persons of Iraqi nationality.