



Foreign &
Commonwealth
Office

London SW1A 2AH

His Excellency
Mr Frederik S. Eaton, O.C.
Canadian High Commission
Macdonald House
1 Grosvenor Square
London W1X OAB

Your Excellency,

7 November 1994

I have the honour to refer to recent correspondence between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and of the Government of Canada concerning the Convention providing for the Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters signed at Ottawa on 24 April 1984 ("the 1984 Convention"), and to propose that:

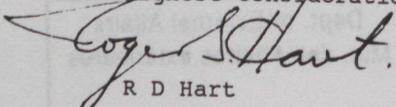
1. The 1984 Convention shall be amended as follows:
 - 1) add an additional sub-paragraph to Article 1, reading:

"(j) "the 1988 Convention" means the Convention of 16 September 1988 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, signed at Lugano;
 - 2) add at the end of Article II, paragraph 1 after the words "the 1968 Convention", the words:

"or to the 1988 Convention"
 - 3) delete Article IX paragraph 1 and substitute therefor the following:
 - "1. The United Kingdom undertakes, in the circumstances permitted by Article 59 of the 1968 Convention and by Article 59 of the 1988 Convention, not to recognise or enforce under either of those Conventions any judgment given in a third State against a person domiciled or habitually resident in Canada."
2. Each Government shall notify the other of the completion of the procedures required by its law for giving effect to the above amendments.

If the above proposals are acceptable to the Government of Canada, I have the honour to suggest that this Note and your reply to that effect shall constitute an Agreement amending the 1984 Convention which shall enter into force on the date of the later of the notifications required by paragraph 2 above.

I have the honour to convey to
Your Excellency the assurance of my
highest consideration (for the Secretary of State)


R D Hart