



CANADA

TREATY SERIES 1995/26 RECUEIL DES TRAITÉS

## ENFORCEMENT OF JUDGMENTS

Exchange of Notes constituting an Agreement amending the Convention between the Government of CANADA and the Government of the UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND Providing for the Reciprocal Recognition and Enforcement of Judgments in Civil and Commercial Matters

London, November 7, 1994 and February 17, 1995

In force December 1, 1995

## L'EXÉCUTION DES JUGEMENTS

Échange de Notes constituant un Accord modifiant la Convention entre le gouvernement du CANADA et le gouvernement du ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE DU NORD pour assurer la reconnaissance et l'exécution reciproques des jugements en matière civile et commerciale

Londres, le 7 novembre 1994 et le 17 février 1995

En vigueur le 1<sup>er</sup> décembre 1995

QUEEN'S PRINTER FOR CANADA  
IMPRIMEUR DE LA REINE POUR LE CANADA  
OTTAWA, 1996

Dept. of External Affairs  
Min. des Affaires extérieures

AUG 23 1996  
AOUT

RETURN TO DEPARTMENTAL LIBRARY  
RETOURNER A LA BIBLIOTHEQUE DU MINISTERE

B 43277 201 (fre)  
b. 2800706



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:

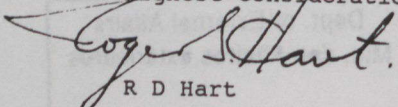
1. The 1984 Convention shall be amended as follows:
  - 1) add an additional sub-paragraph to Article 1, reading:

"(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

7 November 1994



Foreign &  
Commonwealth  
Office

From: *Head of Department*

London SW1A 2AH

Tel: 071 270 4061

Fax: 071 270 4064

His Excellency  
Mr Fredrik S Eaton OC  
Canadian High Commission  
Macdonald House  
1 Grosvenor Square  
LONDON  
W1X 0AB

Votre Excellence,

J'ai l'honneur de me référer au récent échange de correspondance intervenu entre représentants du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et du Gouvernement du Canada concernant la Convention pour assurer la reconnaissance et l'exécution réciproques des jugements en matière civile et commerciale, signée à Ottawa le 24 avril 1984 ("la Convention de 1984"), et de proposer ce qui suit;

1. La Convention de 1984 est modifiée de la façon suivante:

- 1) ajouter à l'article I un alinéa dont voici le texte:
  - "j) "la Convention de 1988" désigne la Convention du 16 septembre 1988 concernant la compétence judiciaire et l'exécution des décisions en matière civile et commerciale, signée à Lugano;"
- 2) ajouter à la fin du paragraphe 1 de l'article II, après "la Convention de 1968, le membre de phrase suivant:  
"ou à la Convention de 1988"
- 3) supprimer le paragraphe 1 de l'article IX et le remplacer par le paragraphe suivant:



Republic of China  
 Ministry of Education  
 Department of Education  
 No. 1, Sec. 1, Roosevelt Rd.  
 Taipei, Taiwan



Republic of China  
 Ministry of Education  
 Department of Education  
 No. 1, Sec. 1, Roosevelt Rd.  
 Taipei, Taiwan

Dear Sirs:

Dear Sirs:

Reference is made to your letter of the 15th day of August, 1954, in which you requested that the Ministry of Education be informed of the results of the examination of the application for the award of a diploma to the applicant named above.

The Ministry of Education has reviewed the application and the results of the examination and has decided to award the diploma to the applicant named above.

The diploma will be awarded to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.

The Ministry of Education has also decided to award the diploma to the applicant named above on the 15th day of September, 1954.



"1. Le Royaume-Unit s'engage, dans les cas prévus par l'article 59 de la Convention de 1968 et de la Convention de 1988, à ne pas reconnaître ou exécuter par application de l'une ou l'autre de ces Conventions un jugement rendu dans un État tiers contre une personne qui a son domicile ou sa résidence habituelle au Canada."

2. Chaque Gouvernement notifie à l'autre l'accomplissement des procédures requises par sa législation pour donner effet aux modifications susmentionnées.

Si ce qui précède agréé au Gouvernement du Canada, j'ai l'honneur de proposer que la présente Note et votre réponse à cet effet constituent un accord modifiant la Convention de 1984 qui entrera en vigueur à la date de la plus tardive des notifications exigées par le paragraphe 2 ci-dessus.

Je saisis cette occasion pour vous renouveler l'assurance de ma très haute considération (pour le Ministre).

R D Hart

Canadian High Commission



Haut Commissariat du Canada

Note No. 1003

February 17, 1995

The Secretary of State for  
Foreign and Commonwealth Affairs  
Whitehall  
London  
SW1A 2AL

I have the honour to acknowledge your Note of 7 November 1994 to my predecessor.

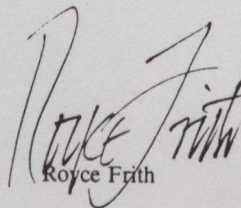
Frederik S. Eaton, Q.C., which reads as follows:

(See Note of the United Kingdom of November 7, 1994)

I have the honour to confirm that the aforementioned proposals are acceptable to the Government of Canada and that your Note and this Note in reply, which is equally authentic in English and French, shall constitute an agreement between our two Governments in this matter which shall enter into force on the date of the later of the Notes by which each Government has informed the other of the completion of the procedures required by its law to enable it to do so.

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



  
Royce Frith

Canadian High Commission



Haut Commissariat du Canada

Note No 1003

Le 17 février 1995

Monsieur le Secrétaire d'État,

J'ai l'honneur d'accuser réception de votre Note du 7 novembre 1994 adressée à mon prédécesseur, Frederik S. Eaton, qui se lit comme suite:

" Voir la Note du Royaume-Uni du 7 novembre 1994 "

J'ai l'honneur de confirmer que ce qui précède agréé au gouvernement du Canada et que votre Note et la présente Note en réponse, dont les versions française et anglaise font également foi, constituent en la matière un accord entre nos deux gouvernements qui entrera en vigueur à la date la plus tardive des notifications exigées par le paragraphe 2 ci-dessus.

Je vous prie d'agréer, monsieur le Secrétaire d'État, l'assurance de ma considération distinguée.

  
Royce Frith



LIBRARY E A / BIBLIOTHÈQUE A E



3 5036 01027286 5

© Minister of Supply and Services Canada 1995

© Ministre des Approvisionnements et Services Canada 1995

Available in Canada through

En vente au Canada par l'entremise des

Associated Bookstores  
and other booksellers

Librairies associées  
et autres libraires

or by mail from

ou par la poste auprès du

Canada Communication Group — Publishing  
Ottawa, Canada K1A 0S9

Groupe Communication Canada — Édition  
Ottawa, (Canada) K1A 0S9

Catalogue No. E3-1995/26  
ISBN 0-660-60032-3

N° de catalogue E3-1995/26  
ISBN 0-660-60032-3



60984 81800