## NOTIFICATION EFFECTED BY AN

# EXCHANGE OF NOTES

(May 1 and 27, 1937)

EXTENDING TO CANADA AS FROM JUNE 1, 1937

# THE SUPPLEMENTARY CONVENTION

BETWEEN

# HIS MAJESTY

AND

### THE KING OF THE BELGIANS

RELATIVE TO

# LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

Signed at Brussels November 4, 1932



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J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1938

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OTTAWA I.C. PATENALTHA I.C.O.
PHINTER TO THE KINGS MOST INCELLIBRE MAJESTY

NOTIFICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 1 AND 27, 1937) EXTENDING TO CANADA AS FROM JUNE 1, 1937, THE SUPPLEMENTARY CONVENTION BETWEEN HIS MAJESTY AND THE KING OF THE BELGIANS.

From the British Ambassador at Brussels to the Minister for Foreign Affairs of Belgium

> British Embassy, BRUSSELS. May 1, 1937.

No. 87

(243/2/37).

Monsieur le Ministre,

At the instance of His Majesty's Government in Canada I have the honour At the instance of His Majesty's Government in Canada I amplementary notify to your Excellency, in accordance with Article 9 of the Supplementary which Convention regarding legal proceedings in civil and commercial matters, which wention regarding legal proceedings in even and commerced the signed at Brussels on November 4th, 1932, the accession of His Majesty to that Convention in respect of Canada.

- 2. In accordance with Article 9 of the Convention, the accession now notified will come into force one month from the date of this note, that is to say, on the 18t June next.
- 3. In requesting that your Excellency will be so good as to acknowledge the <sup>1</sup>eceipt of this communication, I avail myself, etc.,

ESMOND OVEY

#### (Translation)

From the Minister for Foreign Affairs of Belgium to the British Chargé d'Affaires at Brussels

No. 31029 AJ/GB/5.

SIR,

Brussels, May 27, 1937.

With reference to the Embassy's note No. 87 (243/2/37) of May 1st, 1937, With reference to the Embassy's note No. 87 (243/2/31) of the ment the honour to inform you that the King's Government record their agreement to extend to Canada, as from the let With the decision of the British Government to extend to Canada, as from the let the decision of the British Government to extend to Canada, as from the let the Angle Belgian Convention of November the 1st June next, the application of the Anglo-Belgian Convention of November 1, 1939 4, 1932, relative to security for costs, legal assistance and imprisonment for debt.

I avail myself, etc.,

For the Minister: The Secretary General, F. VAN LANGENHOVE MICATION EFFECTED BY AN EXCHANGE OF NOTES (MAY 1 AND 27, 1987) EXTENDING TO CANADA AS FROM JUNE 1, 1987, THE SUPPLEMENTARY CONVENTION BETWEEN HIS MAJESTY AND THE KING OF THE BELGIANS.

the British Ambassader at Brussels to the Minister for Poreign Affairs of Belgivin

Berren Emassy, Brussers, May 1, 1997.

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for le Ministre,

the instance of His Majesty's Government in Canada I have the honour if to your Excellency, in accordance with Article 9 of the Supplementary ention regarding legal proceedings in civil and commercial matters, which tend at Brussels on November 4th, 1932, the accession of His Majesty to convention in respect of Canada.

In accordance with Article 9 of the Convention, the accession now notified one into ferce one month from the date of this note, that is to say, on the date of this note, that is to say, on the

In requesting that your Excellency will be so good as to acknowledge the of this communication, I avail myself, etc.,

ESMOND OVEY

#### (Translation)

on the Minister for Foreign Affairs of Belgium to the British Charge d'Affaires at Brussels.

1029 AJ/GB/5

BRUSSELS, May 27, 1937.

Ith reference to the Embassy's note No. 87 (243/2/37) of May 1st, 1937, the honour to inform you that the King's Government record their agreement the decision of the British Government to extend to Canada, as from June next, the application of the Angle-Beigian Convention of November are relative to scennity for costs, legal assistance and imprisonment for debt.

I avail myself, etc.,

For the Munisper: The Secretary Goneral, F. VAN LANGENGOVE CONVENTION BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED KINGDOM AND HIS MAJESTY THE KING OF THE BELGIANS SUPPLEMENTARY TO THE CONVENTION OF JUNE 21, 1922, TO FACILITATE THE CONDUCT OF LEGAL PROCEEDINGS.

His Majesty the King of Great Britain, Ireland and the British Dominions leyond the Seas, Emperor of India, and His Majesty the King of the Belgians, desirous of supplementing the Convention concluded between them for the purpose of facilitating the conduct of legal proceedings which was signed at london on the 21st June, 1922;

Have resolved to conclude a Convention for this purpose and have appointed their Plenipotentiaries:

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

For Great Britain and Northern Ireland:

His Excellency the Right Honourable Earl Granville, his Ambassador Extra-Ordinary and Plenipotentiary at Brussels; and

His Majesty the King of the Belgians:

M. Paul Hymans, his Minister of Foreign Affairs;

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

#### I.—PRELIMINARY

#### ARTICLE 1

In this Convention the words:

(1) "territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies;

(2) "subject of one (or of the other) High Contracting Party" shall be deemed-

British Dominions beyond the Seas, Emperor of India, to mean all subjects of His M. Dominions beyond the Seas, Emperor of India, to mean all subjects of (a) in relation to His Majesty the King of Great Britain, Ireland and the His Majesty wherever domiciled, and shall include all persons under His Majesty wherever and ajesty's protection, and

(b) in relation to His Majesty the King of the Belgians to mean all  $\sup_{\substack{b \in \mathbb{C}_{\mathrm{NII}} \\ \mathrm{Ur}_{\mathrm{NII}}}} (b)$  in relation to His Majesty the King of the Belgian Congo and of Ruanda-

tion given through His Ambassador all Brussels ladend

#### ARTICLE 2

#### Security for Costs

The subjects of one High Contracting Party resident in the territory of the other subjects of one High Contracting Party resident in the territories subjects shall not be obliged to give security for costs in any case where the subjects shall not be so obliged in similar subjects of the latter High Contracting Party would not be so obliged in similar circumstances.

#### ARTICLE 3

#### Free Legal Assistance

(1) The subjects of one High Contracting Party shall in the territory the other enjoy free legal assistance in the same manner as subjects of latter High Contracting Party, provided they comply with the requirements of the law of the territory where free legal assistance is applied for.

(2) This article applies to criminal as well as to civil and commercial

Majesty the King of Great Britain, Iroland and the British D. erstam

# and the sees, Emperor of India, and Mr. Majosty the Cing of the Belgians, a desirous of supplementing the Hallitan to concluded between them for

# Imprisonment for Debt

The subjects of one High Contracting Party shall not in the territory the other High Contracting Party be liable to imprisonment as a means execution for debt or as a conservatory measure in any case where the subject of the latter would not be so liable.

# III.—General Provisions

# ARTICLE 5 & de vestimological 9 bas wall

Any difficulties which may arise in connection with the operation of the vention shall be settled through the Convention shall be settled through the diplomatic channel.

#### ARTICLE 6

The present Convention, of which the English and French texts are equally authentic, shall be subject to ratification. Ratifications shall be exchanged in London. The Convention of the Conventio in London. The Convention shall come into force one month after the date on which ratifications are exchanged and shall remain in force for three years after the date of its coming into force. after the date of its coming into force. If neither of the High Contractors and shall have given notice through the diplomatic channel to the other not less than six months before the coming in the diplomatic channel to the other not less than six months before the coming in the diplomatic channel to the other not less than six months before the coming in the diplomatic channel to the other not less than six months before the coming in the diplomatic channel to the other not less than six months before the coming in the diplomatic channel to the other not less than six months before the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the other not less than six months are the coming in the diplomatic channel to the diplomatic cha not less than six months before the expiration of the said period of three years of his intention to terminate the Country of the said period of three of his intention to terminate the Convention, it shall remain in force until expiration of six months from the day. expiration of six months from the day on which either of the High Contraction Parties shall have given notice to tormin

### a relation to His Majest 7 Marray of Great Britain, Ireland and the

(1) This Convention applies to England and Wales. It shall not apply ipso facto to Scotland or Northern Iroland ipso facto to Scotland or Northern Ireland, nor to any of the Colonies or pritical tectorates of His Majesty the King of Croat District Colonies of Pritical Colonies of Pritical Colonies of Croat District Colon tectorates of His Majesty the King of Great Britain, Ireland and the Britain Dominions beyond the Seas, Emperor of India, nor to any territories was His suzerainty, nor to any mandated territories man His suzerainty, nor to any mandated territories in respect of which the date is exercised by His Covernment in the cover date is exercised by His Government in the United Kingdom, but His Majest may at any time, while this Convention is in factors. may at any time, while this Convention is in force under article 6 by a notified tion given through His Ambassador of Branch and Ambassador of Branch and Ambassador of Branch and Ambassador of Branch and Branc tion given through His Ambassador at Brussels, extend the operation of Convention to any of the above-mentioned

(2) The date of the coming into force of any such extension shall be only from the date of such potification month from the date of such notification.

(3) Either of the High Contracting Parties may, at any time after contracting parties may at any a expiry of three years from the coming into force of an extension of this vention to any of the territories referred to vention to any of the territories referred to in paragraph (1) of this terminate such extension on priving any terminate such extension on giving six months' notice of termination the diplomatic channel. par

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(4) The termination of the Convention under article 6 shall, unless other-Wise expressly agreed to by both High Contracting Parties, ipso facto terminate it in respect of any territories to which it has been extended under paragraph (1) of this article.

#### ARTICLE 8

- (1) This Convention shall not apply ipso facto to the Belgian Congo or to the mandated territory of Ruanda-Urundi; but His Majesty the King of the Belgians may, at any time while this Convention is in force under article 6, by virtue of any accession under article 9, extend the operation of the Con-Vention to either of such territories by a notification given through the diplomatic channel.
- (2) The provisions of paragraph (2) of article 7 shall apply to any such notifications.
- (3) The provisions of paragraphs (3) and (4) of article 7 shall apply to territories to which this Convention has been extended under paragraph (1) of this article.

#### ARTICLE 9

- (1) The High Contracting Parties agree that His Majesty the King of (1) The High Contracting Parties agree that The Interpretation of Land Related and the British Dominions beyond the Seas, Emperor Convention is in force, either of India, may at any time, while the present Convention is in force, either under article 6 or by virtue of any accession under this article, by a notification article 6 or by virtue of any accession under the present Convention given through the diplomatic channel, accede to the present Convention given through the diplomatic channel, accede to the productions whose Government of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that ho hotification of accession may be given at any time when His Majesty the king of the Belgians has given notice of termination in respect of all the terthories of the Belgians has given notice of termination in respect to the detail of the Belgians has given notice of termination in respect to the detail of the detail of its notification. hall take effect one month after the date of its notification.
- (2) After the expiry of three years from the date of the coming into force of any accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession under paragraph (1) of this article, either of the High Contraction accession acces thacting Parties may, by giving six months' notice of termination through the plomatic channel, terminate the application of the Convention to any country tion respect of which a notification of accession has been given. The termination of accession has been given. tion of the Convention under article 6 shall not affect its application to any Such country.
- lacklude any dependency or mandated territory administered by the Government any dependency or mandated territory administered by the Government any dependency or mandated territory administered by the Government and the such position of accession is given; (3) Any notification of accession under paragraph (1) of this article may hent of the country in respect of which such notification of accession is given; and of the country in respect of which such nounteation of accountry under paragraph (2) shy notice of termination in respect of any such country under paragraph (2) shy notice of termination in respect of any such country which was included (2) any notice of termination in respect of any such country which was included the shall apply to any dependency or mandated territory which was included the shall apply to any dependency or mandated territory which was included the notification of accession in respect of that country.

English and French texts, and have affixed thereto their seals. In witness whereof the undersigned have signed the present Convention,

Done in duplicate at Brussels the fourth day of November, 1932.

(L.S.) GRANVILLE (L.S.) HYMANS

The termination of the Convention mader article 6 shall, unless other expressly agreed to by both High Contracting Parties, was just out to terminate of any temptations of which it is heart exempted and raph (14) to this article, and the expression value is the field of the expression under article 9, extend the operation of the Convention of the convention of the Convention of the expression of the expression under article 9, extend the operation of the Convention has been extended under paragraph to this article.

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German, Irelandementation for its and their Magestrants Ming of a may at any time, while the present Convention is in force, either a may at any time, while the present Convention is in force, either a through the diplomatic channel, secode to the present Convention and through the diplomatic channel, secode to the present Convention are of any Member of the Blues Commonwealth of Majors whose their may desire that series as any time when His Majors whose the His Majors who when the Majors who when the Majors who when the Majors with the Larmination in respect of all the termination of accession way be given at any time when His Majors the termination of more month after the Convention applies. Any such accession to what the control applies with the caning into force and allow the control and the control and the control of the Convention through the control of the Convention through the termination through the application of the Convention through the termination through the application of the Convention to any country the control article is shall not affect its application to any the termination and the control and accession and the training the control article of shall not affect its application to any the control of the control and accession and accession as a treat the control of th

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(L.S.) - GRANVILL (L.S.) - HYMANS