GRANDE-BRETAGNE ET IRLANDE DU NORD
ET TCHÉCOSLOVAQUIE

Convention relative à l'assistance judiciaire, additionnelle à la Convention conclue le 11 novembre 1924 entre les deux pays pour faciliter l'accomplissement des actes de procédure, signée à Prague, le 15 février 1935, et échanges de notes relatifs à : l'application des dispositions de la convention additionnelle susmentionnée à la Rhodésie du Sud et à l'Ecosse, Prague, les 19 et 30 décembre 1935 et les 22 et 30 octobre 1935 ; l'adhésion de la Nouvelle-Zélande à la convention additionnelle susmentionnée, Prague, les 8 et 18 février 1936, et l'application des dispositions de la convention additionnelle susmentionnée à Terre-Neuve, Prague, les 25 février et 9 mars 1936.

GREAT BRITAIN AND NORTHERN IRELAND
AND CZECHOSLOVAKIA

Convention regarding Judicial Assistance supplementary to the Convention concluded on November 11th, 1924, between the Two Countries for the Purpose of facilitating the Conduct of Legal Proceedings, signed at Prague, February 15th, 1935, and Exchanges of Notes concerning : the Extension of the Provisions of the above-mentioned Supplementary Convention to Southern Rhodesia and Scotland, Prague, December 19th and 30th, 1935, and October 22nd and 30th, 1935 ; the Accession of New Zealand to the above-mentioned Supplementary Convention, Prague, February 8th and 18th, 1936, and the Extension of the Provisions of the above-mentioned Supplementary Convention to Newfoundland, Prague, February 25th and March 9th, 1936.

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English and Czechoslovak official texts communicated by the Permanent Delegate of the Czechoslovak Republic to the League of Nations and by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Convention took place September 9th, 1935.

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The President of the Czechoslovak Republic and
His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, being desirous of supplementing the Convention \(^2\) concluded between them for the purpose of facilitating the conduct of legal proceedings, which was signed at London on the 11th November, 1924:

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

The President of the Czechoslovak Republic:

Dr. Kamil Krofta, Envoy Extraordinary and Minister Plenipotentiary, and
Dr. Antonin Koukal, Counsellor in the Ministry of Justice; and

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 Joseph Addison, K.C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Prague;

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

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\(^1\) The exchange of ratifications took place at London, July 30th, 1935.
Came into force August 30th, 1935.

I. PRELIMINARY.

Article 1.

In this Convention the words:

1. "Territory of one (or of the other) High Contracting Party" shall be interpreted:
   (a) In relation to the Czechoslovak Republic, Czechoslovakia; and
   (b) 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 8 or accessions under Article 9.

2. "Subjects (or citizens) of one (or of the other) High Contracting Party" shall be deemed:
   (a) In relation to the Czechoslovak Republic to mean all Czechoslovak citizens
   (b) 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
   (c) In relation to both High Contracting Parties shall be deemed to include partnerships, companies, societies and other corporations constituted or incorporated under the laws of the territory of that High Contracting Party.

II. SPECIFIC PROVISIONS.

Article 2.

LEGAL PROTECTION AND ACCESS TO THE COURTS OF JUSTICE.

The subjects (or citizens) of one High Contracting Party shall enjoy in the territory of the other the same rights in respect of the legal protection of persons or property and shall have free access to the courts of justice for the prosecution or defence of their rights under the same conditions (including the taxes and fees payable) as subjects (or citizens) of the latter High Contracting Party.

Article 3.

SECURITY FOR COSTS.

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

Article 4.

FREE LEGAL ASSISTANCE.

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

2. This Article applies to criminal as well as to civil and commercial matters.
Article 5.

IMPRISONMENT FOR DEBT.

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

III. GENERAL PROVISIONS.

Article 6.

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

Article 7.

The present Convention, of which the Czechoslovak and English texts are equally authentic, shall be subject to ratification.

Ratifications shall be exchanged 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. If neither of the High Contracting Parties shall have given notice through the diplomatic channel to the other not less than six months before the expiration of the said period of three years of his intention to terminate the Convention, it shall remain in force until the expiration of six months from the day on which either of the High Contracting Parties shall have given notice to terminate it.

Article 8.

1. This Convention shall not apply ipso facto to Scotland or Northern Ireland, the Channel Islands or the Isle of Man, nor to any of the Colonies, Overseas Territories or Protectorates of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any territories under his suzerainty, nor to any mandated territories in respect of which the mandate is exercised by his Government in the United Kingdom, but His Majesty may at any time, while this Convention is in force under Article 7, by a notification given through his representative at Prague, extend the operation of the Convention to any of the above-mentioned territories.

2. The date of the coming into force of any such extension shall be one month from the date of such notification.

3. Either of the High Contracting Parties may, at any time after the expiry of three years from the coming into force of an extension of this Convention to any of the territories referred to in paragraph 1 of this Article, terminate such extension on giving six months' notice of termination through the diplomatic channel.

4. The termination of the Convention under Article 7 shall, unless otherwise 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 9.

1. The High Contracting Parties agree that His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, may at any time, while the present
Convention is in force, either under Article 7 or by virtue of any accession under this Article, by a notification given through the diplomatic channel, accede to the present Convention in respect of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected, provided that no notification of accession may be given at any time when the President of the Czechoslovak Republic has given notice of termination in respect of all the territories of His Majesty to which the Convention applies. Any such accession shall 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 Contracting Parties may, by giving six months’ notice of termination through the diplomatic channel, terminate the application of the Convention to any country in respect of which a notification of accession has been given. The termination of the Convention under Article 7 shall not affect its application to any such country.

3. Any notification of accession under paragraph 1 of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which such notification of accession is given; and any notice of termination in respect of any such country under paragraph 2 shall apply to any dependency or mandated territory which was included in the notification of accession in respect of that country.

In witness whereof the undersigned have signed the present Convention in duplicate, in Czecho-
slovak and English texts, and have affixed thereto their seals.

Done in duplicate at Prague, the 15th day of February, 1935.

(L. S.) Dr. K. KROFTA. (L. S.) Joseph ADDISON.

(L. S.) Dr. A. KOUKAL.

Copie certifiée conforme:

Praha, le 24 août 1935.

Jan Opočenský,
Directeur des Archives.
1 Traduction. — Translation.

No 3727. — Convention entre la Grande-Bretagne et l’Irlande du Nord et la République tchècoslovaque relative à l’assistance judiciaire, additionnelle à la Convention conclue le 11 novembre 1924 entre les deux pays pour faciliter l’accomplissement des actes de procédure. Signée à Prague, le 15 février 1935.

Le Président de la République tchècoslovaque et
Sa Majesté le Roi de Grande-Bretagne, d’Irlande et des Dominions britanniques au delà des mers, Empereur des Indes, désireux de compléter la Convention conclue entre eux en vue de faciliter l’accomplissement des actes de procédure, qui a été signée à Londres le 11 novembre 1924,
Ont décidé de conclure une convention à cet effet et ont désigné comme plénipotentiaires:

Le Président de la République tchècoslovaque :
Le Dr Kamil Krofta, envoyé extraordinaire et ministre plénipotentiaire ; et
Le Dr Antonín Koukal, conseiller au Ministère de la Justice ;

Sa Majesté le Roi de Grande-Bretagne, d’Irlande et des Dominions britanniques au delà des mers, Empereur des Indes :

Pour la Grande-Bretagne et l’Irlande du Nord :

Sir Joseph Addison, K.C.M.G., envoyé extraordinaire et ministre plénipotentiaire de
Sa Majesté à Prague ;

Lesquels, après s’être communiqué leurs pleins pouvoirs reconnus en bonne et due forme, sont convenus des dispositions suivantes :

1. Clause préliminaire

Article premier.

Dans la présente convention les mots :

1° « Territoire de l’une (ou l’autre) des Hautes Parties contractantes » signifieront :

a) En ce qui concerne la République tchècoslovaque : la Tchécoslovaquie ;

EXCHANGES OF NOTES

respecting the Extension to:

1. Scotland;
2. Southern Rhodesia;

of the Provisions of the Anglo-Czechoslovak Supplementary Convention of
February 15th, 1935, regarding Judicial Assistance. Prague, October 22nd and
30th, 1935, and December 19th and 30th, 1935.

Communicated by His Majesty's Secretary of
State for Foreign Affairs in Great Britain,
January 24th, 1936.

ÉCHANGES DE NOTES

relatifs à l'application à:

1. L'Ecosse;
2. La Rhodésie du Sud;

des dispositions de la Convention additionnelle anglo-tchécoslovaque du 15
février 1935 relative à l'assistance judiciaire. Prague, les 22 et 30 octobre

Communiqués par le secrétaire d'État aux
Affaires étrangères de Sa Majesté en Grande-
Bretagne, le 24 janvier 1936.

1 Traduction. — Translation.

1. Ecosse.

British Legation.

No. 110.
(75/13/35.)

Prague, October 22nd, 1935.

Your Excellency,

On instructions from His Majesty's Principal
Secretary of State for Foreign Affairs, I have
the honour to notify to Your Excellency, in
accordance with Article 8 (1) of the Supplementary
Civil Procedure Convention with Czechoslovakia, which was signed at Prague on the
15th February, 1935, the extension of the
operation of that Convention to Scotland.

2. In accordance with Article 8 (2) of the
Convention, the extension now notified will
come into force one month from the date of
this note, that is to say, on the 23rd November
next.

1 Translated by the Secretariat of the League
of Nations, for information.

Légation de Grande-Bretagne.

No 110.
(75/13/35.)

Prague, le 22 octobre 1935.

Monsieur le Ministre,

J'ai l'honneur, d'ordre du principal secrétaire
d'État de Sa Majesté aux Affaires étrangères,
de vous notifier, conformément à l'article 8 (1)
de la Convention additionnelle signée à Prague
le 15 février 1935 avec la Tchécoslovaquie en
vue de faciliter l'accomplissement des actes de
procédure civile, l'extension des effets de cette
convention à l'Ecosse.

2. Conformément à l'article 8 (2) de la
convention, l'extension notifiée par la présente
entrera en vigueur un mois après la date de
la présente note, c'est-à-dire le 23 novembre
prochain.

1 Traduit par le Secrétariat de la Société des
Nations, à titre d'information.
3. In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I avail myself of this opportunity to renew to Your Excellency the expression of my highest consideration.

Joseph ADDISON.

His Excellency
Dr. Eduard Beneš,
Minister for Foreign Affairs,
Prague.

3. En vous priant de bien vouloir accuser réception de cette communication, je saisir cette occasion, etc.

Joseph ADDISON.

Son Excellence
le Dr Edouard Beneš,
Ministre des Affaires étrangères,
Prague.

II.

No. 134.770/II-5/35.

PRAHA, le 30 octobre 1935.

Monsieur le Ministre,

J'ai l'honneur d'accuser à Votre Excellence réception de la lettre N° 110 en date du 22 octobre 1935 concernant l'extension à l'Écosse des effets de la Convention additionnelle signée à Praha le 15 février 1935 entre la République tchécoslovaque et le Royaume-Uni en vue de faciliter les opérations de procédure civile.

Je viens de communiquer le contenu de la susdite lettre au Ministère de la Justice.

Je saisir cette occasion, Monsieur le Ministre, pour renouveler à Votre Excellence les assurances de ma très haute considération.

Pour le Ministre :
Dr WELLNER.

Sir,

I have the honour to acknowledge the receipt of your letter No. 110, dated October 22nd, 1935, concerning the extension to Scotland of the operation of the Supplementary Convention between the Czechoslovak Republic and the United Kingdom, signed at Prague on February 15th, 1935, for the purpose of facilitating legal proceedings.

I have just communicated the contents of that letter to the Ministry of Justice.

I have the honour to be, etc.

A Son Excellence
Sir Joseph Addison, K.C.M.G.,
Envoyé extraordinaire et
Ministre plénipotentiaire
de Sa Majesté britannique
à Praha.

No. 3727

His Excellency
Sir Joseph Addison, K.C.M.G.,
His Britannic Majesty's
Envoy Extraordinary and
Minister Plenipotentiary,
Prague.
2. **Southern Rhodesia.**

I.

**British Legation.**

No. 130.

(75/17/35.)

**Prague, December 19th, 1935.**

**Your Excellency,**

On instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to notify to Your Excellency, in accordance with Article 8 (1) of the Supplementary Convention regarding legal proceedings in civil and commercial matters, which was signed at Prague on the 15th February, 1935, the extension of the operation of that Convention to Southern Rhodesia.

2. In accordance with Article 8 (2) of the Convention, the extension now notified will come into force one month from the date of this note, that is to say, on the 19th January next.

3. In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

I avail myself of this opportunity to renew to Your Excellency the expression of my highest consideration.

(Sd.) R. H. Hadow.

His Excellency
Dr. Milan Hodža,
Minister for Foreign Affairs,
Prague.

II.

No 164.164/II-F/35.

**Praha, le 30 décembre 1935.**

**Monsieur le Chargé d'Affaires,**

J'ai l'honneur de vous accuser réception de la lettre No 130 en date du 19 décembre 1935 concernant l'extension à la Rhodésie du Sud.

**Signé** R. H. Hadow.

Son Excellence
le Dr Milan Hodža,
Ministre des Affaires étrangères,
Prague.

II.

No. 164.164/II-F/35.

**Prague, December 30th, 1935.**

**Sir,**

I have the honour to acknowledge the receipt of your letter No. 130, dated December 19th, 1935, concerning the extension to Southern

No 3727
EXCHANGE OF NOTES


Communicated by His Majesty’s Secretary of State for Foreign Affairs in Great Britain, March 23rd, 1936.

I.

BRITISH LEGATION.

No. 13.

(62/6/36.)

PRAGUE, FEBRUARY 8TH, 1936.

YOUR EXCELLENCY,

At the instance of His Majesty’s Government in New Zealand, I have the honour to notify

1 Translated by the Secretariat of the League of Nations, for information.

No. 3727

ÉCHANGE DE NOTES


Communiqué par le secrétaire d’Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne, le 23 mars 1936.

I.

LÉGATION DE GRANDE-BRETAGNE.

N° 13.

(62/6/36.)

PRAGUE, LE 8 FÉVRIER 1936.

MONSIEUR LE MINISTRE,

J’ai l’honneur, d’ordre du Gouvernement de Sa Majesté dans la Nouvelle-Zélande, de porter

1 Traduit par le Secrétariat de la Société des Nations, à titre d’information.
to Your Excellency, in accordance with Article 9 (r) of the Supplementary Convention regarding legal proceedings in civil and commercial matters, which was signed at Prague on the 15th February, 1935, the accession of His Majesty to that Convention in respect of the Dominion of New Zealand.

2. In accordance with Article 9 (r) 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 8th of March next.

3. In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication,

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

R. H. HADOW.

His Excellency
Dr. Milan Hodža,
Minister for Foreign Affairs,
Prague.

II.

MINISTERSTVO
ZAHRAUTNICH VECI
CESKOSLOVENSKE REPUBLIKY.
Ministre des Affaires étrangères
de la République tchécoslovaque.
No. 19.312/II-5/36.

PRAHA, le 18 février 1936.

MONSIEUR LE CHARGÉ D’AFFAIRES,

J’ai l’honneur de vous accuser réception de la lettre No 13 en date du 8 février 1936 par laquelle vous avez bien voulu me notifier, en ce qui concerne le Dominion de la Nouvelle-Zélande, l’accession de Sa Majesté britannique à la Convention additionnelle signée à Praha le 15 février 1935 entre la République tchécoslovaque et le Royaume-Uni en matière de procédure civile.

à votre connaissance, conformément à l’article 9 (r) de la Convention additionnelle relative aux actes de procédure en matière civile et commerciale, signée à Prague le 15 février 1935, l’adhésion de Sa Majesté à ladite convention pour le Dominion de Nouvelle-Zélande.

2. Conformément à l’article 9 (r) de la convention, l’adhésion notifiée par la présente note prendra effet un mois après la date de cette note, c’est-à-dire le 8 mars prochain.

3. En priant Votre Excellence de bien vouloir accuser réception de cette communication, je saisis cette occasion, etc.

R. H. HADOW.

Son Excellence.
Le Dr Milan Hodža,
Ministre des Affaires étrangères,
Prague.

II.

MINISTRY
OF FOREIGN AFFAIRS
OF THE CZECHOSLOVAK REPUBLIC.
No. 19.312/II-5/36.

PRAGUE, February 18th, 1936.

SIR,

I have the honour to acknowledge receipt of your letter No. 13 dated February 8th, 1936, in which you were so good as to inform me of the accession of His Britannic Majesty in respect of the Dominion of New Zealand to the Supplementary Convention between the Czechoslovak Republic and the United Kingdom regarding legal proceedings in civil and commercial matters, which was signed at Prague on February 15th, 1935.

No 3727
Je viens de communiquer le contenu de la susdite lettre au Ministère tchécoslovaque de la Justice.

Veuillez agréer, Monsieur le Chargé d’Affaires, les assurances de ma haute considération.

Pour le Ministre :
Dr WELLNER.

Monsieur
Robert Henry Hadow, M. C.,
Chargé d’Affaires a. i.,
Légation de Grande-Bretagne
à Praha.

I have just communicated the contents of the above-mentioned letter to the Czechoslovak Ministry of Justice.

I have the honour to be, etc.

For the Minister :
Dr. WELLNER.

Robert Henry Hadow, Esq., M.C.,
Chargé d’Affaires a. i.,
British Legation,
Prague.

EXCHANGE OF NOTES


Communicated by His Majesty’s Secretary of State for Foreign Affairs in Great Britain, May 13th, 1936.

COMMUNICATION

COMMUNIQUÉ

RELATIF À L’APPLICATION À TERRE-NEUVE DES DISPOSITIONS DE LA CONVENTION ADDITIONNELLE ANGLO-TCHÉCOSLOVAQUE DU 15 FÉVRIER 1935 RELATIVE À L’ASSISTANCE JUDICIAIRE. PRAGUE, LES 25 FÉVRIER ET 9 MARS 1936.

COMMUNIQUÉ PAR LE SECRÉTAIRE D’ÉTAT AUX AFFAIRES ÉTRANGÈRES DE SA MAJESTÉ EN GRANDE-BRETAGNE, LE 13 MAI 1936.

1 Traduction. — Translation.

I.

BRITISH LEGATION.

No. 19.
(62/9/36.)

Prague, February 25th, 1936.

Your Excellency,

On instructions from His Majesty’s Principal Secretary of State for Foreign Affairs, I have the honour to notify to Your Excellency, in accordance with Article 8 (1) of the Supplementary Convention regarding legal proceedings in civil and commercial matters, which was signed at Prague on the 15th February, 1935, the extension of the operation of that Convention to Newfoundland.

1 Translated by the Secretariat of the League of Nations, for information.

No. 3727

MONSIEUR LE MINISTRE,

J’ai l’honneur, d’ordre du principal secrétaire d’Etat de Sa Majesté aux Affaires étrangères, de porter à votre connaissance, conformément à l’article 8 (1) de la Convention additionnelle relative aux actes de procédure en matière civile et commerciale, signée à Prague le 15 février 1935, l’extension à Terre-Neuve des effets de ladite convention.

1 Traduit par le Secrétariat de la Société des Nations, à titre d’information.
2. In accordance with Article 8 (2) of the Convention, the extension now notified will come into force one month from the date of this note, that is to say, on the 25th March next.

3. In requesting that Your Excellency will be so good as to acknowledge the receipt of this communication, I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

R. H. HADOW,
Chargé d’Affaires.

His Excellency
Dr. Milan Hodža,
Minister for Foreign Affairs,
Praha.

II.

MINISTERSTVO
ZAHRANICNICH VECS
CESKOSLOVENSKE REPUBLIKY.
Ministère des Affaires étrangères
de la République tchèqueoslovaque.
No 29.694/II-5/36.

PRAHA, le 9 mars 1936.

Monsieur le Chargé d’Affaires,

J’ai l’honneur de vous accuser réception de la lettre No 19 en date du 25 février a. c. par laquelle vous avez bien voulu me notifier l’extension à Terre-Neuve des effets de la Convention additionnelle signée à Praha le 15 février 1935 entre la République tchèqueoslovaque et le Royaume-Uni en matière de procédure civile. Je viens de communiquer le contenu de la susdite lettre au Ministère de la Justice.

Veuillez agréer, Monsieur le Chargé d’Affaires, les assurances de ma haute considération.

Pour le Ministre :
Dr. WELLNER.

A Monsieur
Robert Henry Hadow, M. C.,
Chargé d’Affaires a. i.,
Légation de Grande-Bretagne
à Praha.

2. Conformément à l’article 8 (2) de la convention, l’extension notifiée par la présente note prendra effet un mois après la date de cette note, c’est-à-dire le 25 mars prochain.

3. En priant Votre Excellence de bien vouloir accuser réception de cette communication, je saisie cette occasion, etc.

R. H. HADOW,
Chargé d’Affaires.

Son Excellence
le Dr Milan Hodža,
Ministre des Affaires étrangères,
Prague.

II.

MINISTRY
OF FOREIGN AFFAIRS
OF THE CZECHOSLOVAK REPUBLIC.

No. 29.694/II-5/36.

PRAH, March 9th, 1936.

Sir,

I have the honour to acknowledge receipt of your letter No. 19, dated February 25th of this year, in which you were so good as to notify me of the extension to Newfoundland of the operation of the Supplementary Convention between the Czechoslovak Republic and the United Kingdom regarding legal proceedings in civil and commercial matters, which was signed at Prague on February 15th, 1935. I have just communicated the contents of the above-mentioned letter to the Ministry of Justice.

I have the honour to be, etc.

For the Minister :
Dr. WELLNER.

Robert Henry Hadow, Esq., M.C.,
Chargé d’Affaires a. i.,
British Legation,
Prague.

No 1727