

No. 5796

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
FEDERAL REPUBLIC OF GERMANY**

Exchange of notes (with annexes) constituting an agreement regarding the re-application or extension to certain United Kingdom dependent territories of the Convention concerning legal proceedings in civil and commercial matters, signed at London on 20 March 1928. Bonn, 14 August and 2 November 1959 and 9 February and 9 March 1960

Official texts: English and German.

Registered by the United Kingdom of Great Britain and Northern Ireland on 16 August 1961.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

Échange de notes (avec annexes) constituant un accord relatif à la réapplication, ou à l'extension à certains territoires dépendant du Royaume-Uni, de la Convention concernant les actes de procédure en matière civile et commerciale, signée à Londres le 20 mars 1928. Bonn, 14 août et 2 novembre 1959 et 9 février et 9 mars 1960

Textes officiels anglais et allemand.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 16 août 1961.

No. 5796. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY REGARDING THE RE-APPLICATION OR EXTENSION TO CERTAIN UNITED KINGDOM DEPENDENT TERRITORIES OF THE CONVENTION CONCERNING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS, SIGNED AT LONDON ON 20 MARCH, 1928.² BONN, 14 AUGUST AND 2 NOVEMBER 1959 AND 9 FEBRUARY AND 9 MARCH 1960

I

Her Majesty's Embassy at Bonn to the Federal German Ministry of Foreign Affairs
No. C. 93

Her Britannic Majesty's Embassy presents its compliments to the Federal Ministry of Foreign Affairs and with reference to previous exchanges of notes regarding re-application of the Anglo-German Convention and Notes on Civil Procedure, 1928,³ to British dependent territories, resting with the Ministry's Note No. 500-83 SV 448 of the 8th of September, 1958, has the honour to propose that the Convention should be re-applied, with effect from the 1st of November, 1959, mutually between the Federal Republic of Germany on the one hand, and the British territories listed in the schedule³ enclosed with the present Note on the other.

Unless notification to the contrary is given by the Federal Government, the re-application will be regarded as applying, on the German side, also to the territory of West Berlin.

The British dependencies listed at the end of the schedule which have declared themselves in favour of the re-application or extension of the Convention to their territories but which have not yet furnished the particulars required under Article 17 (b) have been requested to do so, and these will be forwarded to the Ministry as soon as they are received.

Her Majesty's Embassy avails itself, &c.

British Embassy
Bonn, August 14, 1959

¹ Came into force on 1 November 1959, in accordance with the provisions of the said notes.

² League of Nations, *Treaty Series*, Vol. XC, p. 287; Vol. XCII, p. 413; Vol. C, p. 252; Vol. CIV, p. 523; Vol. CVII, p. 525, and Vol. CXXII, p. 356.

³ See p. 255 of this volume.

SCHEDULE

COLONIAL TERRITORIES WISHING THE BILATERAL CONVENTION AND NOTES ON CIVIL PROCEDURE, 1928 TO BE RE-APPLIED OR EXTENDED TO THEM

<i>Colony</i>	<i>Territorial authority to whom judicial and extra-judicial documents and Letters of Request should be transmitted</i>	<i>Languages in which such communications and translations should be made</i>
Aden Colony	Registrar of the Supreme Court	English
Bahamas	Judicial and extra-judicial documents to the Registrar-General. Letters of Request to the Honourable The Chief Justice	English
Bermuda	The Registrar of the Supreme Court, Hamilton	English
Cyprus	The Chief Registrar of the Supreme Court of Cyprus	English
Fiji	The Registrar, Supreme Court, Suva	English
Gambia	The Colonial Secretary, Bathurst	English
Gibraltar	The Registrar, Supreme Court	English
Kenya	The Registrar, Supreme Court of Kenya, Nairobi	English
Montserrat	The Registrar of the Supreme Court of the Windward Islands and Leeward Islands, Plymouth, Montserrat, W. I.	English
North Borneo	The Registrar, High Court of Sarawak, North Borneo and Brunei, Jesselton, North Borneo	English
Nigeria :		
(a) Federal Territory of Lagos	Chief Registrar, High Court, Lagos	} English
(b) Eastern Region	Chief Registrar, High Court, Enugu	
(c) Northern Region	Chief Registrar, High Court, Kaduna	
(d) Western Region	Chief Registrar, High Court, Ibadan	
(e) Southern Cameroons	Chief Registrar, High Court, Lagos	
Sarawak	Registrar of the Supreme Court, Kuching	English
Seychelles	The Registrar of the Supreme Court of Seychelles	English
Sierra Leone	The Master and Registrar, Supreme Court, Freetown	English
Tanganyika	The Registrar, H. M. High Court, Dar es Salaam	English
British Solomon Islands Protectorate	The Judicial Commissioner, Honiara	English
Gilbert and Ellice Islands Colony	Resident Commissioner, Tarawa	English
Dominica	The Judge of the Supreme Court of Dominica	English
Grenada	The Registrar, Supreme Court, St. George's	English
St. Vincent	The Registrar of the Supreme Court, Kingstown	English
British High Commission Territories of :		
Basutoland	The High Commissioner for Basutoland, the Bechuana Protectorate and Swaziland	English
Swaziland		
Zanzibar	The Chief Justice of Zanzibar	English

The following territories have indicated their desire to have the Convention re-applied or extended to them but have not as yet notified the territorial authority to whom communications should be transmitted or the language in which such communications should be made :

Barbados, British Guiana, British Honduras, Falkland Islands, Antigua, British Virgin Islands, Singapore, Somaliland Protectorate.

II

The Federal German Ministry of Foreign Affairs to Her Majesty's Embassy at Bonn

[GERMAN TEXT — TEXTE ALLEMAND]

[TRANSLATION¹ — TRADUCTION²]

AUSWÄRTIGES AMT

MINISTRY OF FOREIGN AFFAIRS

500-83, SV 448

500-83. SV 448

Das Auswärtige Amt beehrt sich, der Königlich Britischen Botschaft mitzuteilen, dass die Regierung der Bundesrepublik Deutschland mit dem in der Verbalnote der Königlich Britischen Botschaft vom 14. August 1959 — Nr. C 93 — gemachten Vorschlag der Königlich Britischen Regierung einverstanden ist, wonach das deutsch-britische Abkommen über den Rechtsverkehr vom 20. März 1928 im Verhältnis zwischen der Bundesrepublik Deutschland und den nachstehend aufgeführten britischen Territorien mit Wirkung vom 1. November 1959 gegenseitig wieder angewendet wird :

The Ministry of Foreign Affairs has the honour to inform the British Embassy that the Government of the Federal Republic of Germany is in agreement with the proposals of Her Majesty's Government made in the Verbal Note of 14th August, 1959—No. C 93—that the Anglo-German Convention on Civil Procedure of 20th March, 1928 be re-applied with effect from the 1st November, 1959 in relations between the Federal Republic of Germany and the British Territories set out below :

Kolonie Aden
Bahama-Inseln
Bermuda
Zypern
Fidschi
Gambia
Gibraltar
Kenia
Montserrat
Nordborneo

Aden Colony
The Bahamas
Bermuda
Cyprus
Fiji
Gambia
Gibraltar
Kenya
Montserrat
North Borneo

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.

Nigeria
 Sarawak
 Seychellen
 Sierra Leone
 Tanganjika
 Protektorat Britische Salomon-Inseln
 Kolonie Gilbert- und Ellice-Inseln
 Dominica
 Grenada
 St. Vincent
 Basutoland
 Protektorat Betschuanaland
 Swasiland
 Sansibar

Nigeria
 Sarawak
 Seychelles
 Sierra Leone
 Tanganyika
 British Protectorate Solomon Islands
 Gilbert and Ellice Islands Colony
 Dominica
 Grenada
 St. Vincent
 Basutoland
 Bechuanaland Protectorate
 Swaziland
 Zanzibar

Die Wiederanwendung erstreckt sich auch auf das Land Berlin.

The re-application extends also to *Land* Berlin.

Gerichtliche und aussergerichtliche Schriftstücke sowie Rechtshilfeersuchen werden in englischer Sprache an die von der Königlich Britischen Botschaft in ihrer Verbalnote vom 14. August 1959 benannten Behörden der beteiligten Gebiete übermittelt.

Judicial and extra-judicial documents as well as Letters of Request will be transmitted in the English language to the authorities in the territories concerned which are set out in the Verbal Note of the British Embassy of 14th August, 1959.

Das Auswärtige Amt hat zur Kenntnis genommen, dass sich die Britischen Territorien

The Ministry of Foreign Affairs has noted that the British territories

Barbados
 Britisch-Guayana
 Britisch-Honduras
 Falkland-Inseln
 Antigua
 Britische Jungfern-Inseln
 Singapur und
 Protektorat Britisch-Somaliland

Barbados
 British Guiana
 British Honduras
 Falkland Islands
 Antigua
 British Virgin Islands
 Singapore and the
 British Somaliland Protectorate

für eine Wiederanwendung oder Ausdehnung des Abkommens auf ihr Gebiet ausgesprochen haben, dass aber die Voraussetzungen des Artikels 17 Buchstabe (b) hinsichtlich dieser Gebiete noch nicht erfüllt sind. Das Auswärtige Amt wäre dankbar, wenn ihm die Königlich Bri-

have expressed a desire for the re-application or extension of the Convention to their territories, but that the conditions precedent of Article 17, Letter (b) in respect of these territories are not yet fulfilled. The Ministry of Foreign Affairs would be grateful if the

tische Botschaft zu gegebener Zeit Mitteilungen über die weitere Ausdehnung des Anwendungsbereichs des Abkommens geben wurde.

Das Auswärtige Amt benutzt, &c.

Bonn, den 2. November 1959

British Embassy would inform it in due course concerning the further extension of the sphere of application of the Convention.

The Ministry of Foreign Affairs avails, &c.

Bonn, 2nd November, 1959

III

Her Majesty's Embassy at Bonn to the Federal German Ministry of Foreign Affairs

(2245)

No. C. 15

Her Britannic Majesty's Embassy presents its compliments to the Federal Ministry of Foreign Affairs and, with reference to its Note No. C. 93 of the 14th of August, 1959, regarding re-application of the Anglo-German Convention and Notes on Civil Procedure, 1928, to British dependent territories, has the honour to propose that the Convention should further be re-applied, with effect also from the 1st of November, 1959, mutually between the Federal Republic of Germany on the one hand, and the British territories listed in the additional schedule¹ enclosed with the present Note on the other.

Unless notification to the contrary is given by the Federal Government, the re-application will be regarded as applying, on the German side, also to the territory of West Berlin.

Her Majesty's Embassy avails itself, &c.

British Embassy

Bonn, February 9, 1960

ADDITIONAL SCHEDULE

COLONIAL TERRITORIES WISHING THE BILATERAL CONVENTION AND NOTES ON CIVIL PROCEDURE, 1928 TO BE RE-APPLIED OR EXTENDED TO THEM

<i>Colony</i>	<i>Territorial authority to whom judicial and extra-judicial documents and Letters of Request should be transmitted</i>	<i>Languages in which such communications and translations should be made</i>
Antigua	The Administrator, St. Johns	English
Barbados	Chief Secretary to the Government of Barbados, Bridgetown	English
British Guiana	Chief Secretary to the Government of British Guiana, Georgetown	English

¹ See below.

<i>Colony</i>	<i>Territorial authority to whom judicial and extra-judicial documents and Letters of Request should be transmitted</i>	<i>Languages in which such communications and translations should be made</i>
British Honduras	The Registrar of the Supreme Court of British Honduras, Belize	English
British Virgin Islands	The Administrator, British Virgin Islands	English
Falkland Islands	The Registrar, Supreme Court	English
Hong Kong	<i>Requests for service of any documents on persons in the Colony:</i> The Registrar, Supreme Court <i>Letters of Request concerning obtaining the testimony of any witness in the Colony:</i> Governor, Hong Kong	} Communication language of country from which it emanates plus two translations in English
State of Singapore	The Registrar, Supreme Court	
St. Kitts-Nevis-Anguilla	The Crown Attorney to the Government of St. Kitts-Nevis-Anguilla	English
St. Lucia	The Registrar, Supreme Court, Castries	English
Uganda	Chief Secretary to the Government of Uganda, Kampala	In English or in original language accompanied by English translation

IV

[GERMAN TEXT — TEXTE ALLEMAND]

[TRANSLATION¹ — TRADUCTION²]

AUSWÄRTIGES AMT

MINISTRY OF FOREIGN AFFAIRS

500-83. SV 448

500-83. SV 448

Das Auswärtige Amt beehrt sich, der Königlich Britischen Botschaft unter Bezugnahme auf ihre Verbalnote vom 9. Februar 1960 — (2245) Nr. C. 15 — mitzuteilen, dass es den Inhalt dieser Note, wonach das deutsch-britische Abkommen über den Rechtsverkehr vom 20. März 1928 im Verhältnis zwischen der Bundesrepublik Deutschland und den nachstehend aufgeführten britischen Territorien mit Wirkung vom 1. November

The Ministry of Foreign Affairs has the honour to inform the British Embassy with reference to its Note Verbal of 9th February, 1960—(2245) Nr. C. 15— that it has noted the contents of that Note, according to which the Anglo-German Convention on Civil Procedure of 20th March, 1928 is re-applied with effect from 1st November, 1959 between the Federal Republic of Germany and the British Territories set out below and

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.

1959 wieder angewendet wird, zur Kenntnis genommen und die zuständigen innerdeutschen Behörden hiervon unterrichtet hat :

Antigua
 Barbados
 Britisch-Guayana
 Britisch-Honduras
 Britische Jungfern-Inseln
 Falkland-Inseln
 Hongkong
 Staat Singapur
 St. Christopher-Nevis-Anguilla
 St. Lucia
 Uganda

Die Wiederanwendung erstreckt sich auch auf das Land Berlin.

Gerichtliche und aussergerichtliche Schriftstücke sowie Rechtshilfeersuchen werden an die von der Königlich Britischen Botschaft in der Anlage zu ihrer Verbalnote vom 9. Februar 1960 benannten Behörden der beteiligten Gebiete in den angegebenen Sprachen übermittelt.

Das Auswärtige Amt benutzt, &c.

Bonn, den 9. März 1960

the competent German internal authorities have been informed accordingly :

Antigua
 Barbados
 British Guiana
 British Honduras
 British Virgin Islands
 Falkland Islands
 Hong Kong
 State of Singapore
 St. Kitts-Nevis-Anguilla
 St. Lucia
 Uganda

The re-application extends also to the *Land* Berlin.

Judicial and extra-judicial documents as well as Letters of Request will be transmitted to the authorities of the territories concerned which are named by the British Embassy in the Annex to its Verbal Note of 9th February, 1960 in the language indicated in that Note.

The Ministry of Foreign Affairs avails, &c.

Bonn, 9th March, 1960