

No. 10356

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**NETHERLANDS**  
**and**  
**UNITED KINGDOM OF GREAT BRITAIN**  
**AND NORTHERN IRELAND**

**Supplementary Convention regarding legal proceedings. Signed at  
The Hague on 17 November 1967**

*Authentic texts: Dutch and English.*

*Registered by the Netherlands on 16 March 1970.*

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**PAYS-BAS**  
**et**  
**ROYAUME-UNI DE GRANDE-BRETAGNE**  
**ET D'IRLANDE DU NORD**

**Convention supplémentaire relative à la procédure judiciaire.  
Signée à La Haye le 17 novembre 1967**

*Textes authentiques : néerlandais et anglais.*

*Enregistrée par les Pays-Bas le 16 mars 1970.*

SUPPLEMENTARY CONVENTION<sup>1</sup> BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND REGARDING LEGAL PROCEEDINGS

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Her Majesty the Queen of the Netherlands and

Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth (hereinafter referred to as "Her Britannic Majesty");

Desiring to supplement the Convention concluded between the Kingdom of the Netherlands and the United Kingdom for the purpose of facilitating the conduct of legal proceedings which was signed at London on the 31st of May, 1932;<sup>2</sup>

Have resolved to conclude a supplementary Convention for that purpose, and to that end have appointed as their Plenipotentiaries:

Her Majesty the Queen of the Netherlands :

His Excellency Mr. H. J. de Koster, State Secretary for Foreign Affairs;

Her Britannic Majesty, for the United Kingdom of Great Britain and Northern Ireland:

His Excellency Sir Isham Peter Garran, K.C.M.G., Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary at The Hague and

The Right Honourable Lord Gardiner, Lord High Chancellor of Great Britain;

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

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<sup>1</sup> Came into force on 16 March 1970, three months after the date of the exchange of the instruments of ratification, which took place at London on 16 December 1969, in accordance with article VIII.

<sup>2</sup> League of Nations, *Treaty Series*, vol. CXL, p. 287.

*Article I*

## SCOPE AND DEFINITIONS

(1) Except where the contrary is expressly stated, this Convention applies only to civil and commercial matters, including non-contentious matters.

(2) For the purposes of this Convention the words:

(a) “territories” shall mean:

(i) in relation to the United Kingdom, England and Wales, Scotland and Northern Ireland and any territories in respect of which this Convention is in force by reason of an extension under paragraph (1) (a) of Article VII; and

(ii) in relation to the Kingdom of the Netherlands, the European part of the Kingdom and any other part of the Kingdom in respect of which this Convention is in force by reason of an extension under paragraph (1) (b) of Article VII;

(b) “artificial persons” shall be deemed to include partnerships, companies, societies and other corporations;

(c) “nationals” shall be deemed:

(i) in relation to the United Kingdom to mean citizens of the United Kingdom and Colonies, British Protected Persons, and British subjects without citizenship;

(ii) in relation to the Kingdom of the Netherlands to mean all persons having Netherlands nationality;

(iii) in relation to either High Contracting Party, to include artificial persons constituted or incorporated under the laws of the territories of that High Contracting Party.

*Article II*

## LEGAL PROTECTION AND ACCESS TO THE COURTS OF JUSTICE

(1) The nationals of one High Contracting Party shall enjoy in the territories of the other High Contracting Party the same rights in respect of the legal protection of persons and 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 nationals of the other High Contracting Party.

(2) This Article shall apply to criminal as well as to civil and commercial matters.

*Article III*

SECURITY FOR COSTS

The nationals of one High Contracting Party shall not be obliged in the territories of the other High Contracting Party to give security for costs or court fees in any case where a national of the latter High Contracting Party would not be so obliged in similar circumstances.

*Article IV*

LEGAL AID

(1) The nationals of one High Contracting Party shall enjoy in a territory of the other High Contracting Party, provided they comply with the requirements of the laws of that territory, the same treatment as regards free or assisted legal aid as nationals of the latter High Contracting Party in similar circumstances.

(2) The provisions of this Article shall apply to criminal as well as to civil and commercial matters.

(3) The reference to “a territory” in paragraph (1) of this Article shall include any of the territories to which this Convention has been extended in accordance with paragraph (1) of Article VII.

*Article V*

IMPRISONMENT FOR DEBT

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

*Article VI*

INTERPRETATION

Any difficulties which may arise in connexion with the interpretation or application of this Convention shall be settled through the diplomatic channel.

*Article VII*

## TERRITORIAL EXTENSION

(1) (a) Her Britannic Majesty may, by a notification given through the diplomatic channel at any time while this Convention is in force, extend its operation to any territory for the international relations of which Her Britannic Majesty's Government in the United Kingdom are responsible.

(b) Her Majesty the Queen of the Netherlands may, by a notification given through the diplomatic channel at any time while this Convention is in force, extend its operation to any part of the Kingdom of the Netherlands outside Europe.

(2) Any such extension shall come into force one month after the date of its 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 this Convention under Article VIII shall, unless otherwise expressly agreed to by the High Contracting Parties, also terminate it in respect of any territories to which it has been extended under paragraph (1) of this Article.

*Article VIII*

## RATIFICATION, ENTRY INTO FORCE AND TERMINATION

This Convention shall be subject to ratification. Instruments of ratification shall be exchanged at London. The Convention shall come into force three months after the date on which the instruments of ratification 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 intention to terminate the Convention, it shall remain in force until the expiration of six months from the date on which either of the High Contracting Parties shall have given notice to terminate it.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed this Convention and have affixed thereto their seals.

DONE in duplicate at The Hague, this 17th day of November, 1967, in the Dutch and English languages, both texts being equally authoritative.

For Her Majesty the Queen of the Netherlands:

H. J. DE KOSTER

For Her Britannic Majesty:

Peter GARRAN

GARDINER C.

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