

No. 10409

**AUSTRIA
and
SINGAPORE**

Exchange of notes constituting an agreement on the continued application of the Convention between the Republic of Austria and the United Kingdom regarding Legal Proceedings in Civil and Commercial Matters, signed at London on 31 March 1931. Bangkok, 15 August 1968 and 13 January 1969

Authentic text: English.

Registered by Austria on 2 April 1970.

**AUTRICHE
et
SINGAPOUR**

Échange de notes constituant un accord pour le maintien en vigueur de la Convention entre la République d'Autriche et le Royaume-Uni relative aux actes de procédure en matière civile et commerciale, signée à Londres le 31 mars 1931. Bangkok, 15 août 1968 et 13 janvier 1969

Texte authentique: anglais.

Enregistré par l'Autriche le 2 avril 1970.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT ¹
BETWEEN THE REPUBLIC OF AUSTRIA AND THE
REPUBLIC OF SINGAPORE ON THE CONTINUED AP-
PLICATION OF THE CONVENTION BETWEEN THE
REPUBLIC OF AUSTRIA AND THE UNITED KINGDOM
REGARDING LEGAL PROCEEDINGS IN CIVIL AND
COMMERCIAL MATTERS, SIGNED AT LONDON ON
31 MARCH 1931 ²

I

EMBASSY OF THE REPUBLIC OF SINGAPORE

Bangkok, August 15, 1968

Your Excellency,

I have the honour to address Your Excellency on the subject of the Convention between the United Kingdom and the Republic of Austria, regarding Legal Proceedings in Civil and Commercial Matters, signed at London on 31st March, 1931,² which Convention was extended to Singapore, then a British Colony, by an Exchange of Notes, dated 28th June, 1951,³ between the United Kingdom and the Republic of Austria.

I have the honour to inform Your Excellency that the Government of the Republic of Singapore would consider herself continued to be bound by the above said Convention, subject, however, to the following qualifications:

- (i) The term "competent authority" in the Convention, shall, insofar as Singapore is concerned, be deemed to refer to the Registrar, High Court, Singapore.
- (ii) In reference to Articles 3 (*d*) and 7 (*c*) of the Convention, the request for service of judicial or extra-judicial documents and Letters of Request for the taking of evidence shall be addressed or transmitted to the Registrar, High Court, Singapore.

¹ Came into force on 3 November 1969, the date on which the two Governments had notified each other of the fulfillment of their respective constitutional procedures, in accordance with the provisions of the said notes.

² League of Nations, *Treaty Series*, vol. CXXVII, p. 167.

³ United Nations, *Treaty Series*, vol. 117, p. 99.

- (iii) Article 11 of the Convention shall be amended to read as follows:
“ The subjects of one High Contracting Party resident in the territory of the other High Contracting Party shall not be compelled to give security for costs in any case where a subject of such other High Contracting Party would not be so compelled. ”
- (iv) Notwithstanding anything to the contrary in the Convention, either Singapore or Austria, may terminate this Convention by giving six months notice of termination through the diplomatic channel.

If the Government of the Republic of Austria are prepared to accept the above qualifications, I have the honour to suggest that the present Letter and Your Excellency's reply to that effect should be regarded as constituting an agreement between the two Governments. This agreement shall enter into force on the day the two Governments notify each other that the requirements for its entry into force under their respective constitutional procedures have been fulfilled.

Accept, Your Excellency, the renewed assurances of my highest consideration.

R. H. Ho m. p.

Ambassador Extraordinary and Plenipotentiary

His Excellency Dr. Werner Sautter
Ambassador Extraordinary and Plenipotentiary
The Austrian Embassy
Bangkok

II

AUSTRIAN EMBASSY

Bangkok, January 13, 1969

Your Excellency,

I have the honour to refer to your note of 15 August 1968 which reads as follows:

[See note I]

I have the honour to inform Your Excellency that the Republic of Austria agrees with the above proposals of the Republic of Singapore and that, accordingly, your note and this note in reply shall constitute an agreement between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

Dr. Werner SAUTTER m. p.

Ambassador Extraordinary and Plenipotentiary

His Excellency R. H. Ho
Ambassador Extraordinary and Plenipotentiary
Embassy of the Republic of Singapore
Bangkok
