

No. 17673

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**NETHERLANDS  
and  
LESOTHO**

**Exchange of notes constituting an agreement concerning the application of the Convention between Great Britain and Northern Ireland and the Netherlands regarding legal proceedings in civil and commercial matters concluded at London on 31 May 1932. Pretoria, 17 January 1975, and Maseru, 18 January 1972 and 11 August 1977**

*Authentic text: English.*

*Registered by the Netherlands on 30 March 1979.*

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**PAYS-BAS  
et  
LESOTHO**

**Échange de notes constituant un accord relatif à l'application de la Convention entre la Grande-Bretagne et l'Irlande du Nord et les Pays-Bas concernant les actes de procédure en matières civile et commerciale conclue à Londres le 31 mai 1932. Pretoria, 17 janvier 1975, et Maseru, 18 janvier 1972 et 11 août 1977**

*Texte authentique: anglais.*

*Enregistré par les Pays-Bas le 30 mars 1979.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE GOVERNMENT OF THE NETHERLANDS  
AND THE GOVERNMENT OF LESOTHO CONCERNING THE  
APPLICATION OF THE CONVENTION BETWEEN GREAT  
BRITAIN AND NORTHERN IRELAND AND THE NETHER-  
LANDS REGARDING LEGAL PROCEEDINGS IN CIVIL AND  
COMMERCIAL MATTERS CONCLUDED AT LONDON ON 31  
MAY 1932<sup>2</sup>

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I

Note No. FR/TRT/16-2

The Ministry of Foreign Affairs of the Kingdom of Lesotho presents its compliments to the Embassy of the Kingdom of the Netherlands and has the honour to refer to the declarations concerning treaty relationships made by the Honourable the Prime Minister of Lesotho on 22 March 1967, 5 March 1969 and 7 September 1971 and circulated by the Secretary-General of the United Nations.

The Ministry has the honour to inform the Embassy that, pursuant to the programme of examination and notification envisaged by the above declarations, the Government of Lesotho has examined the Convention concerning legal proceedings in civil and commercial matters concluded between the Governments of Great Britain and the Netherlands at London on 31 May 1932<sup>2</sup> and extended to the then colony of Basutoland. The Government of Lesotho desires to confirm the continuance of the said Convention and proposes that the present Note and the Embassy's affirmative reply should constitute confirmation that the said Convention continues in full force and effect between the Government of the Kingdom of the Netherlands and the Government of the Kingdom of Lesotho.

If the above proposal is acceptable, the Ministry has the honour to inform the Embassy that the appropriate authority in Lesotho to which requests for assistance in legal proceedings should be addressed is the Master of the High Court of Lesotho, Maseru.

The Ministry further has the honour to draw to the attention of the Embassy that, although judicial assistance in criminal matters is not covered by the above-mentioned Convention, certain assistance in taking evidence is available subject to the laws of Lesotho upon request to the Master of the High Court of Lesotho.

The Ministry of Foreign Affairs of the Kingdom of Lesotho avails itself of this opportunity to renew to the Embassy of the Kingdom of the Netherlands the assurances of its highest consideration.

Maseru, 18 January 1972

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<sup>1</sup> Came into force on 5 May 1978, i.e., the date on which the Government of the Netherlands had notified the Government of Lesotho in writing of the completion of its required constitutional procedures, in accordance with the provisions of the said notes.

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

## II

No. 267.

The Royal Netherlands Embassy presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Lesotho and has the honour to refer to the Ministry's Note of 18 January, 1972, No. FR/TRT/16-2, which reads as follows:

[See note I]

The Embassy has the honour to inform the Ministry that the Government of the Kingdom of the Netherlands accepts the proposal of the Government of the Kingdom of Lesotho that the Treaty between the Netherlands and Great Britain concerning the mutual assistance in the conduct of proceedings in civil and commercial matters, signed at London on 31 May 1932, shall be binding between the Kingdom of the Netherlands and the Kingdom of Lesotho, it being understood that with respect of the Kingdom of Lesotho the Convention shall be modified by substituting the words "Master of the High Court of Lesotho" for "Senior Master of the Supreme Court of Judicature", wherever the latter appear in the text.

The Embassy has the honour further to inform the Ministry that the Government of the Kingdom of the Netherlands is prepared to conclude an agreement to that effect with the Government of the Kingdom of Lesotho.

The Netherlands Government however proposes that this agreement which shall be constituted by the Ministry's Note of 18 January 1972, No. FR/TRT/16-2, this Note and the Ministry's Note in reply concurring therein, shall be applied in such a way that requests of the competent judicial authority in one country to the competent judicial authority in the other country for service of judicial and extra-judicial documents or for the taking of evidence may either be addressed and sent in accordance with the régime provided for in and under the Treaty of 1932 or be communicated directly between these judicial authorities.

The Netherlands Government further proposes that this agreement shall enter into force on the date on which the Government of the Kingdom of the Netherlands has notified the Government of the Kingdom of Lesotho in writing that the procedures constitutionally required in the Kingdom of the Netherlands in respect of this agreement have been complied with and shall apply as regards the Kingdom of the Netherlands to the territory of the Kingdom in Europe and to the Netherlands Antilles.

The Royal Netherlands Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of Lesotho the assurance of its highest consideration.

Pretoria, January 17, 1975

## III

Note No. 88

FR/33-934

The Ministry of Foreign Affairs of the Kingdom of Lesotho presents its compliments to the Royal Netherlands Embassy and has the honour to refer to the latter's Note No. 267 dated 17 January 1975 and subsequent correspondence concerning the Convention on legal proceedings in civil and commercial matters concluded between the Governments of Great Britain and the Netherlands at London on 31 May 1932 and extended to the then colony of Basutoland.

The Ministry has the honour to inform the Embassy that the Government of the Kingdom of Lesotho accept the proposals of the Government of the Kingdom of the Netherlands contained in the above-mentioned Note. The Ministry inquires therefore, whether procedures constitutionally required in the Kingdom of the Netherlands regarding the conclusion of this Agreement have been completed.

The Ministry of Foreign Affairs of the Kingdom of Lesotho avails itself of this opportunity to renew to the Royal Netherlands Embassy the assurance of its highest consideration.

Maseru, 11th August 1977

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