

No. 24383

MULTILATERAL

Inter-American Convention on conflict of laws concerning checks. Concluded at Panama City on 30 January 1975

Authentic texts: Spanish, English, Portuguese and French.

Registered by the Organization of American States on 23 October 1986.

MULTILATÉRAL

Convention interaméricaine sur les conflits de lois en matière de chèques. Conclue à Panama le 30 janvier 1975

Textes authentiques : espagnol, anglais, portugais et français.

Enregistrée par l'Organisation des États américains le 23 octobre 1986.

INTER-AMERICAN CONVENTION¹ ON CONFLICT OF LAWS CONCERNING CHECKS

The Governments of the Member States of the Organization of American States,

Bearing in mind the Inter-American Convention on Conflict of Laws concerning Bills of Exchange, Promissory Notes and Invoices² adopted on this same date, have agreed as follows:

Article 1. The provisions of the Inter-American Convention on Conflict of Laws concerning Bills of Exchange, Promissory Notes, and Invoices shall apply to checks, subject to the following modifications:

The law of the State Party in which a check is payable shall determine:

- a. The time-limit for presentation;
- b. Whether a check can be accepted, crossed, certified or confirmed, and the effects of such acts;
- c. The rights of the holder with regard to the provision of funds and the nature of such rights;
- d. The rights of the drawer to revoke the check or oppose payment;
- e. The necessity of protest or of other equivalent acts for the preservation of rights against the endorsers, the drawer, or other obligated parties; and
- f. Such other matters as relate to the form of the check.

Article 2. This Convention shall be open for signature by the Member States of the Organization of American States.

¹ Came into force on 16 January 1976, i.e., the thirtieth day following the date of deposit with the General Secretariat of the Organization of American States of the second instrument of ratification, in accordance with article 5:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Ecuador	3 October 1975
Panama	17 December 1975

Subsequently, the Convention came into force for the following States on the thirtieth day after deposit of their instrument of ratification or accession with the General Secretariat of the Organization of American States, in accordance with article 5:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Chile	17 May 1976
(With effect from 16 June 1976.)	
Paraguay	15 December 1976
(With effect from 14 January 1977.)	
Uruguay	25 April 1977
(With effect from 25 May 1977.)	
Peru	25 August 1977
(With effect from 24 September 1977.)	
Costa Rica	20 January 1978
(With effect from 19 February 1978.)	
Honduras	22 March 1979
(With effect from 21 April 1979.)	
Guatemala	17 December 1979
(With effect from 16 January 1980.)	

² See p. 211 of this volume.

Article 3. This Convention is subject to ratification. The instruments of ratification shall be deposited with the General Secretariat of the Organization of American States.

Article 4. This Convention shall remain open for accession by any other State. The instruments of accession shall be deposited with the General Secretariat of the Organization of American States.

Article 5. This Convention shall enter into force on the thirtieth day following the date of deposit of the second instrument of ratification.

For each State ratifying or acceding to the Convention after the deposit of the second instrument of ratification, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 6. If a State Party has two or more territorial units in which different systems of law apply in relation to the matters dealt with in this Convention, it may, at the time of signature, ratification or accession, declare that this Convention shall extend to all its territorial units or only to one or more of them.

Such declaration may be modified by subsequent declarations, which shall expressly indicate the territorial unit or units to which the Convention applies. Such subsequent declarations shall be transmitted to the General Secretariat of the Organization of American States, and shall become effective thirty days after the date of their receipt.

Article 7. This Convention shall remain in force indefinitely, but any of the States Parties may denounce it. The instrument of denunciation shall be deposited with the General Secretariat of the Organization of American States. After one year from the date of deposit of the instrument of denunciation, the Convention shall no longer be in effect for the denouncing State, but shall remain in effect for the other States Parties.

Article 8. The original instrument of this Convention, the English, French, Portuguese and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States. The Secretariat shall notify the Member States of the Organization of American States and the States that have acceded to the Convention of the signatures, deposits of instruments of ratification, accession, and denunciation as well as of reservations, if any. It shall also transmit the declarations referred to in Article 6 of this Convention.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their Respective Governments, have signed this Convention.

DONE at Panama City, Republic of Panama, this thirtieth day of January one thousand nine hundred and seventy-five.

[For the signature pages, see p. 240 of this volume.]

Por Haití:
For Haiti:
Pelo Haiti:
Pour Haïti :

Por Perú:
For Peru:
Pelo Peru:
Pour le Pérou :

[Signed — Signé]

ALBERTO RUÍZ ELDREDGE
30 de enero de 1975¹

[Signed — Signé]

CECILIA PASTOR DE MARCHAND

Por Trinidad y Tobago:
For Trinidad and Tobago:
Por Trinidad e Tobago:
Pour la Trinité-et-Tobago :

Por Uruguay:
For Uruguay:
Pelo Uruguai:
Pour l'Uruguay :

[Signed — Signé]

EDISON GONZALEZ LAPEYRE
30 de enero de 1975¹

Por Bolivia:
For Bolivia:
Pela Bolívia:
Pour la Bolivie :

[Signed — Signé]

FERNANDO SALAZAR PAREDES
2 de agosto de 1983²

¹ 30 January 1975 — 30 janvier 1975.

² 2 August 1983 — 2 août 1983.

Por Honduras:
For Honduras:
Por Honduras:
Pour le Honduras :

[*Signed — Signé*]

CARLOS ROBERTO REINA
30 de enero de 1975¹

Por los Estados Unidos de América:
For the United States of America:
Pelos Estados Unidos da América:
Pour les Etats-Unis d'Amérique :

Por Barbados:
For Barbados:
Por Barbados:
Pour la Barbade :

Por la República Argentina:
For the Argentine Republic:
Pela República Argentina:
Pour la République Argentine :

Por Costa Rica:
For Costa Rica:
Por Costa Rica:
Pour le Costa Rica :

[*Signed — Signé*]

GONZALO ORTÍZ MARTÍN
30 de enero de 1975¹

Por Nicaragua:
For Nicaragua:
Por Nicarágua:
Pour le Nicaragua :

[*Signed — Signé*]

DIEGO SIRERA HERRERO
30 de enero de 1975¹

¹ 30 January 1975 — 30 janvier 1975.

Por Ecuador:
For Ecuador:
Pelo Equador:
Pour l'Équateur :

[Signed — Signé]
HUMBERTO GARCÍA ORTÍZ
30 de enero de 1975¹

Por Guatemala:
For Guatemala:
Pela Guatemala:
Pour le Guatemala :

[Signed — Signé]
FRANCISCO VILLAGRÁN KRAMER
30 de enero de 1975¹

Por Jamaica:
For Jamaica:
Pela Jamaica:
Pour la Jamaïque :

Por Brasil:
For Brazil:
Pelo Brasil:
Pour le Brésil :

[Signed — Signé]
HAROLDO TEIXEIRA VALLADAO
30/1/75
[Signed — Signé]
GERALDO EULADIO DO NASCIMENTO E SILVA

Por Panamá:
For Panama:
Pelo Panamá:
Pour le Panama :

[Signed — Signé]
JUAN MATERNO VASQUEZ
30/1/75

¹ 30 January 1975 — 30 janvier 1975.

Por Paraguay:
For Paraguay:
Pelo Paraguai:
Pour le Paraguay :

Ad referendum

[Signed — Signé]

MIGUEL SOLANO LÓPEZ
26 de agosto de 1975¹

Por Venezuela:
For Venezuela:
Pela Venezuela:
Pour le Venezuela :

[Signed — Signé]

GONZALO PARRA ARANGUREN
30/1/75

Por la República Dominicana:
For the Dominican Republic:
Pela República Dominicana:
Pour la République Dominicaine :

[Signed — Signé]

KEMIL DIPP GÓMEZ
Nov. 10, 1976

Por El Salvador:
For El Salvador:
Por El Salvador:
Pour Le Salvador :

[Signed — Signé]

FRANCISCO BERTRAND GALINDO
30 de enero de 1975²

Por México:
For Mexico:
Pelo México:
Pour le Mexique :

¹ 26 August 1975 — 26 août 1975.

² 30 January 1975 — 30 janvier 1975.

Por Chile:
For Chile:
Pelo Chile:
Pour le Chili :

[*Signed — Signé*]

RAFAEL EYZAGUIRRE ECHEVARRÍA
30 de enero de 1975¹

Por Colombia:
For Colombia:
Pela Colômbia:
Pour la Colombie :

[*Signed — Signé*]

MARCO GERARDO MONROY CABRA
30 de enero de 1975¹

¹ 30 January 1975 — 30 janvier 1975.