

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1968 Nr. 63

A. TITEL

*Verdrag inzake de betekening en de kennisgeving in het buitenland
van gerechtelijke en buitengerechtelijke stukken in burgerlijke
of handelszaken;
's-Gravenhage, 15 november 1965*

B. TEKST

De tekst van het Verdrag is geplaatst in *Trb.* 1966, 91. Zie ook *Trb.* 1967, 36.

D. GOEDKEURING

Zie *Trb.* 1966, 91.

E. BEKRACHTIGING

In overeenstemming met artikel 26, lid 2, van het Verdrag is een akte van bekrachtiging bij het Ministerie van Buitenlandse Zaken te 's-Gravenhage nedergelegd door:

de Verenigde Staten van Amerika¹⁾ .. 24 augustus 1967

(voor alle Staten van de Verenigde Staten, het District Columbia, Guam, Puerto Rico en de Amerikaanse Maagden-eilanden)

het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland²⁾ 17 november 1967

1) Bij deze bekrachtiging zijn de volgende verklaringen afgelegd:

"1. In accordance with Article 2, the United States Department of State is designated as the Central Authority to receive requests for service from other Contracting States and to proceed in conformity with Articles 3 to 6.

2. In accordance with Article 6, in addition to the United States Department of State, the United States Department of Justice and the United States Marshal or Deputy Marshal for the judicial district in which service is made are designated for the purpose of completing the certificate in the form annexed to the Convention.

3. In accordance with the second paragraph of Article 15, it is declared that the judge may, notwithstanding the provisions of the first paragraph of Article 15, give judgment even if no certificate of service or delivery has been received, if all the conditions specified in subdivisions (a), (b) and (c) of the second paragraph of Article 15 are fulfilled.

4. In accordance with the third paragraph of Article 16, it is declared that an application under Article 16 will not be entertained if it is filed (a) after the expiration of the period within which the same may be filed under the procedural regulations of the court in which the judgment has been entered, or (b) after the expiration of one year following the date of the judgment, whichever is later.

5. In accordance with Article 29, it is declared that the Convention shall extend to all the States of the United States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.”.

2) Bij deze bekrachtiging zijn, onder verwijzing naar artikel 21 van het Verdrag, de volgende verklaringen afgelegd:

“(a) In accordance with the provisions of Articles 2 and 18 of the Convention, Her Majesty’s Principal Secretary of State for Foreign Affairs is designated as the Central Authority; and the Senior Master of the Supreme Court, Royal Courts of Justice, Strand, London W.C. 2, the Crown Agent for Scotland, Lord Advocate’s Department, Crown Office, 9 Parliament Square, Edinburgh 1, and the Registrar of the Supreme Court, Royal Courts of Justice, Belfast 1, are designated as additional authorities for England and Wales, Scotland, and Northern Ireland respectively.

(b) The authorities competent under Article 6 of the Convention to complete the Certificate of Service are the authorities designated under Articles 2 and 18.

(c) In accordance with the provisions of Article 9 of the Convention, the United Kingdom designates as receivers of process through consular channels the same authorities as those designated under Articles 2 and 18.

(d) With reference to the provisions of paragraphs (b) and (c) of Article 10 of the Convention, documents for service through official channels will be accepted in the United Kingdom only by the central or additional authorities and only from judicial, consular or diplomatic officers of other Contracting States.

(e) The United Kingdom declares its acceptance of the provisions of the second paragraph of Article 15 of the Convention.

(f) In accordance with the provisions of the third paragraph of Article 16 of the Convention, the United Kingdom declares, in relation to Scotland only, that applications for setting aside judgments on the grounds that the defendant did not have knowledge of the proceedings in sufficient time to defend the action will not be entertained if filed more than one year after the date of the judgment.

The authorities designated by the United Kingdom will require all documents forwarded to them for service under the provisions of the Convention to be in duplicate and, pursuant to the third paragraph of Article 5 of the Convention, will require the documents to be written in, or translated into, the English language.

A notification under the second and third paragraphs of Article 29 regarding the extension of the Convention to the territories for the international relations of which the United Kingdom is responsible will be addressed to the Royal Netherlands Government in due course.”.

G. INWERKINGTREDING

Zie *Trb.* 1966, 91.

Het Verdrag is nog niet in werking getreden.

J. GEGEVENS

Zie *Trb.* 1966, 91 en *Trb.* 1967, 36.

Voor het op 1 maart 1954 te 's-Gravenhage tot stand gekomen Verdrag betreffende de burgerlijke rechtsvordering zie ook, laatstelijk, *Trb.* 1967, 154.

Uitgegeven de veertiende mei 1968.

De Minister van Buitenlandse Zaken,

J. LUNS.