

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2014 Nr. 95

A. TITEL

*Verdrag tot invoering van een eenvormige wet op wisselbrieven en
orderbriefjes;
(met Bijlagen en Protocol)
Genève, 7 juni 1930*

B. TEKST

De Franse en de Engelse tekst van het Verdrag, met Bijlagen en Protocol, zijn geplaatst in *Stb.* 1933, 699.

C. VERTALING

Zie *Stb.* 1933, 699.

D. PARLEMENT

Zie *Trb.* 1959, 162.

E. PARTIJGEGEVENS

Zie *Stb.* 1932, 397, *Stb.* 1933, 699 en rubriek E en F van *Trb.* 1959, 162.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Azerbeidzjan		30-08-00	T	28-11-00		
Belarus		04-02-98	VG	25-08-91		
België	07-06-30	31-08-32	R	01-01-34		
Brazilië		26-08-42	T	24-11-42		
Colombia	07-06-30					

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Denemarken	07-06-30	27-07-32	R	01-01-34		
Duitsland	07-06-30	03-10-33	R	01-01-34		
Ecuador	07-06-30					
Finland	07-06-30	31-08-32	R	01-01-34		
Frankrijk		27-04-36	T	26-07-36		
Griekenland	07-06-30	31-08-31	R	01-01-34		
Hongarije		28-10-64	T	26-01-65		
Italië	07-06-30	31-08-32	R	01-01-34		
Japan	07-06-30	31-08-32	R	01-01-34		
Joegoslavië (< 25-06-1991)	07-06-30					
Kazachstan		20-11-95	T	18-02-96		
Kirgistan		01-08-03	T	30-10-03		
Litouwen		10-02-97	T	11-05-97		
Luxemburg	07-06-30	05-03-63	R	03-06-63		
Monaco		25-01-34	T	25-04-34		
Nederlanden, het Koninkrijk der – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	07-06-30	20-08-32 – – – – – –	R	01-01-34 10-10-10 10-10-10 10-10-10 01-01-86 10-10-10 10-10-10		
Noorwegen	07-06-30	27-07-32	R	01-01-34		
Oekraïne		08-10-99	T	06-01-00		
Oostenrijk	07-06-30	31-08-32	R	01-01-34		
Peru	07-06-30					
Polen		19-12-36	T	19-03-37		
Portugal	07-06-30	08-06-34	R	06-09-34		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Russische Federatie		25-11-36	T	23-02-37		
Spanje	07-06-30					
Tsjechoslowakije (<01-01-1993)	07-06-30					
Turkije	07-06-30					
Zweden	07-06-30	27-07-32	R	01-01-34		
Zwitserland	07-06-30	26-08-32	R	01-07-37		
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Uitbreidingen

China

Uitgebreid tot	In werking	Buiten werking
Macao SAR	20-12-1999	

Denemarken

Uitgebreid tot	In werking	Buiten werking
Groenland	01-07-1965	

Portugal

Uitgebreid tot	In werking	Buiten werking
Azoren	16-11-1953	
Macau (<20-12-1999)	16-11-1953	20-12-1999
Madeira	16-11-1953	

Verklaringen, voorbehouden en bezwaren

België, 31 augustus 1932

This ratification is subject to the utilization of the rights provided in Articles 1, 2, 3, 4, 5, 8, 10, 11, 13, 14, 15, 16, 17 and 20 of Annex II to this Convention.

As regards the Belgian Congo and Ruanda-Urundi, the Belgian Government intends to reserve all the rights provided in the Annex in question, with the exception of the right mentioned in Article 21 of that Annex.

België, 8 juni 1959

Making use of the right to adopt exceptional measures provided for in article 22 of Annex II of the Convention, Belgium has added the following provision to article 72 of the uniform law: "For the purposes of this article, Saturday will be treated as a legal holiday".

Brazilië, 26 augustus 1942

This accession is given subject to the reservations mentioned in Articles 2, 3, 5, 6, 7, 9, 10, 13, 15, 16, 17, 19 and 20 of Annex II to the Convention.

Denemarken, 27 juli 1932

The undertaking by the Government of the King to introduce in Denmark the Uniform Law forming Annex I to this Convention is subject to the reservations referred to in Articles 10, 14, 15, 17, 18 and 20 of Annex II to the said Convention.

The Government of the King, by its acceptance of this Convention, does not intend to assume any obligations as regards Greenland.

Denemarken, 31 januari 1966

As from December 1, 1965, the Danish laws giving effect to the uniform legislation introduced by the Convention were amended to provide that Saturdays shall be assimilated to legal holidays. This communication should be considered as a notification made in accordance with the third paragraph of article I of the Convention.

The declaration made on its behalf under article X, paragraph 1, of the Convention upon its ratification to the effect that it "does not intend to assume any obligations as regards Greenland", should be considered as withdrawn as from 1 July 1965.

Duitsland, 3 oktober 1933

This ratification is given subject to the reservations mentioned in Articles 6, 10, 13, 14, 15, 17, 19 and 20 of Annex II to the Convention.

All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

Finland, 31 augustus 1932

This ratification is subject to the reservations mentioned in Articles 14 and 20 of Annex II to this Convention, and Finland has availed itself of the right granted to the High Contracting Parties by Articles 15, 17 and 18 of the said Annex to legislate on the matters referred to therein.

Finland, 29 juli 1966

As from 1 June 1966, the First of May and Saturdays of June, July and August shall be assimilated to legal holidays. This communication should be considered as a notification made in accordance with the third paragraph of article I of the Convention.

Finland, 6 juni 1977

As from 1 April 1968, the Finnish laws giving effect to the uniform legislation introduced by the two Conventions were amended to provide that Saturdays throughout the year shall be assimilated to legal holidays. This communication should be considered as a notification made in accordance with the third paragraph of article I [of the Convention].

Frankrijk, 27 april 1936

Declares that Articles 1, 2, 3, 4, 5, 6, 10, 11, 13, 15, 16, 17, 18, 19, 20, 22 and 23 of Annex II to this Convention are being applied.

Frankrijk, 20 oktober 1937

[...] in consequence of certain changes introduced into French legislation regarding the maturity of commercial bills by the Decree-Law of August 31st, 1937, the holder of a bill of exchange may, in accordance with Article 38 of the Uniform Law for Bills of Exchange and Promissory Notes (Annex I to the Convention), present it, not only on the day on which it is payable, but either on that day or on one of the two following business days.

Consequently, the reservation made in this respect by France, on her accession to the Convention, concerning Article 5 of Annex II to the said instrument ceases to apply.

Griekenland, 31 augustus 1931

Subject to the following reservations with regard to Annex II:

Article 8: Paragraphs 1 and 3.

Article 9: As regards bills payable at a fixed date, or at a fixed period after date or after sight.

Article 13.

Article 15: (a) Proceedings against a drawer or endorser who has made an inequitable gain; (b) Same proceedings against an acceptor who has made an inequitable gain. "These proceedings shall be taken within a period of five years counting from the date of the bill of exchange."

Article 17: The provisions of Greek law relating to short-term limitations shall apply.

Article 20: The above-mentioned reservations apply equally to promissory notes.

Hongarije, 5 januari 1966

In respect of bills of exchange and promissory notes, no payment may be demanded in Hungary on legal holidays, namely: 1 January (New Year's Day), 4 April (Liberation Day), 1 May (Labour Day), 20 August (Constitution Day), 7 November (Anniversary of the October Socialist Revolution), 25 December (Christmas Day), 26 December (Boxing Day), Easter Monday, and weekly rest days (usually Sundays).

Hongarije, 25 maart 1985

In the circulation of bills of exchange between inlanders the protest may be replaced by a dated statement, written on the bill of exchange itself and signed by the drawee and the third person making the payment /Article 8,/ Annex 2, respectively, unless an authentic protest is required by the drawer in the wording of the bill of exchange.

In the case mentioned in the above paragraph it is deemed that an undated negotiation of bill is dated as before the date of the protest.

Hongarije, 21 juni 1985

1) As regards conformity with Article 8 of Annex II, the wording "signed by the drawee and the third person making the payment, respectively" is intended by the competent Hungarian financial organs to express that the statement of the person to whom the bill of exchange is payable is required. If the bill of exchange is not domiciled with a named person for payment, the drawee's statement is required. In the case of an instrument domiciled with a named person payment, the statement signed by that named person is required.

2) The wording in regard to bills of exchange domiciled with a named person for payment had to be expanded for two reasons:

a. As the third person named for payment can be considered as the drawee's "cashier", it is logical to authorize him to make the statement in case of non-payment.

b. A domiciled bill of exchange is to be presented for payment at maturity at the domicile. If the statement of the third person named for payment could not be accepted in lieu of protest and the statement of the drawee should therefore be obtained, it would often cause practically insurmountable difficulties in reaching the drawee within two and a half business days of frustrated payment.

Attention is called in this respect to the fact that the same solution is adopted by Art. 56, para. /3/, of the Draft Convention on International Bills of Exchange and International Promissory Notes /A/CN9/211/ prepared by the Working Group on International Negotiable Instruments.

Italië, 31 augustus 1932

The Italian Government reserves the right to avail itself of the right granted in Articles 2, 8, 10, 13, 15, 16, 17, 19 and 20 of Annex II to this Convention.

Japan, 31 augustus 1932

This ratification is given subject to the right referred to in the provisions mentioned in Annex II to this Convention, in virtue of Article 1, paragraph 2.

Kirgistan, 1 augustus 2003

Reservations:

Article 1. Individuals and legal entities of the Kyrgyz Republic shall have the right to undertake obligations arising from bills of exchange and promissory notes.

Organs of the executive power structure may assume obligations under bills of exchange in the cases and under the procedure envisaged in the legislation of the Kyrgyz Republic.

Article 2. A bill of exchange may be drawn up only on paper (paper product).

Article 3. The clearing-houses referred to in Annex I, article 38, second paragraph of the Convention shall mean financial and credit institutions in possession of a licence from the National Bank of the Kyrgyz Republic to conduct operations for servicing bank accounts.

Article 4. Pursuant to Annex II, article 7 of the Convention, and by derogation from the obligation envisaged in Annex I, article 41, third paragraph of the Convention, a bill of exchange may be issued and payable in foreign currency if in the place of payment indicated in the bill of exchange, payment of the bill of exchange is possible in the currency indicated therein in accordance with the legislation in force in the State in which the payment is to be made.

Article 5. By derogation from Annex I, articles 48 and 49 of the Convention, and pursuant to Annex II, articles 13 and 14 of the Convention, as regards a bill of exchange which is issued and payable in the territory of the Kyrgyz Republic, the interest must be paid at the rate established by the National Bank of the Kyrgyz Republic, unless otherwise stipulated by an international treaty concluded and ratified under the procedure established by law.

Article 6. On the basis of Annex II, article 16 of the Convention, the drawer of a bill of exchange must provide the necessary cover for possible extinction of the obligation under the bill of exchange at maturity.

Article 7. Pursuant to annex II, article 17 of the Convention, with regard to determining the causes of interruption or suspension of limitation in the case of actions on bills of exchange, the provisions of the first part of the Civil Code of the Kyrgyz Republic shall apply.

Article 8. In accordance with Annex II, article 19 of the Convention, the denomination of a promissory note must include the words “promissory note“.

Article 9. All the reservations envisaged in this act shall apply also to promissory notes.

Luxemburg, 5 maart 1963

[...] in accordance with artikel 1 of the Convention Providing a Uniform Law for Bills of Exchange and Promissory Notes, Luxembourg availed itself of all the reservations provided in Articles 1, 4, 11, 12, 13, 15, 16, 18, 19, and 20 of Annex II to the Convention.

Nederlanden, het Koninkrijk der, 20 augustus 1932

This ratification is subject to the reservation mentioned in Annex II to the Convention.

Noorwegen, 27 juli 1932

This ratification is subject to the reservations mentioned in Articles 14 and 20 of Annex II to the Convention, and the Royal Norwegian Government reserves the right, at the same time, to avail itself of the right granted to each of the High Contracting Parties by Articles 10, 15, 17 and 18 of the said Annex to legislate on the matters referred to therein.

Noorwegen, 15 april 1970

[...] that as from 1 June 1970, legislation would be promulgated in Norway assimilating Saturdays and the first day of the month of May to legal holidays.

Oekraïne, 8 oktober 1999

This accession is subject to the reservations mentioned in Annex II to the Convention.

Oostenrijk, 31 augustus 1932

This ratification is given subject to the reservations mentioned in Article 6, 10, 14, 15, 17, and 20 of Annex II to this Convention.

Oostenrijk, 13 mei 1963

Austria has decided to make reservations referred to in article 18 of Annex II to the Convention, to the effect that certain business days shall be assimilated to legal holidays as regards presentment for acceptance of payment and all other acts relating to bills of exchange.

Oostenrijk, 26 november 1968

The Government of Austria, with reference to the above-mentioned reservations, notified the Secretary-General that according to Austrian Law in force since July 26, 1967, no payment, acceptance or other acts may be demanded in respect of bills of exchange and promissory notes on

the following legal holidays or days assimilated to such holidays: 1 January (New Year's Day), 6 January (Epiphany), Good Friday, Easter Monday, 1 May (Legal Holiday), Ascension, Whit-Monday, Corpus Christi, 15 August (Assumption), 26 October (National Day), 1 November (All Saints' Day), 8 December (Immaculate Conception), 25 December and 26 December (Christmas), Saturdays and Sundays.

Polen, 19 december 1936

This accession is given subject to the reservations mentioned in Articles 2, 6, 7, 10, 11, 13, 14, 15, 17, 19, 20, 21, paragraph 2, and 22 of Annex II to the Convention.

Portugal, 8 juni 1934

[...]

All the parties to this Convention have agreed to consider the instrument of ratification deposited by this country, after the date stipulated in the Convention, as valid. The Japanese Government, however, is of opinion that this ratification has the character of an accession.

Russische Federatie, 25 november 1936

Subject to the reservation mentioned in Annex II to the Convention.

Zweden, 27 juli 1932

This ratification is subject to the reservations mentioned in Articles 14 and 20 of Annex II to the Convention, and the Royal Swedish Government has availed itself of the right granted to the High Contracting Parties by Articles 10, 15 and 17 of the said Annex to legislate on the matters referred to therein.

Zweden, 16 mei 1961

[...] that the Swedish Government, after having obtained the approval of the Parliament, promulgated on 7 April 1961 the law under which Saturdays from 1 June to 30 September of each year shall be assimilated to legal holidays for the purposes including the presentation for acceptance or payment and all other acts relating to bills of exchange. The Government of Sweden further requested that this communication be considered as a notification of reservations made in accordance with the third paragraph of article I of the Convention.

Zweden, 18 juni 1965

On 26 May 1965, the Swedish Government, with the approval of the Parliament, promulgated legal provisions under which the Swedish law giving effect to the uniform legislation introduced by the Convention was amended to provide that Saturdays shall be assimilated to legal holidays, as is already the case with the Saturdays of April, May, June, July, August and September. These provisions will enter into force on 1 October 1965.

Zwitserland, 26 augustus 1932

This ratification is given subject to the reservations mentioned in Articles 2, 6, 14, 15, 16, 17, 18 and 19 of Annex II.

According to a declaration made by the Swiss Government when depositing the instrument of ratification of this Convention, the latter was to take effect, in respect of Switzerland, only after the adoption of a law revising Sections XXIV to XXXIII of the Federal Code of Obligations or, if necessary, of a special law regarding bills of exchange, promissory notes and cheques. The law above referred to having entered into force on July 1st, 1937, the Convention took effect, for Switzerland, as from that date.

G. INWERKINGTREDING

Zie *Trb.* 1959, 162.

Wat betreft het Koninkrijk der Nederlanden, geldt het Verdrag, dat voorheen voor Nederland, de Nederlandse Antillen en Aruba gold, vanaf 10 oktober 2010 voor Nederland (het Europese deel en het Caribische deel), Aruba, Curaçao en Sint Maarten.

J. VERWIJZINGEN

Zie *Trb.* 1959, 162.

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|---------------------|---|
| Titel | : Verdrag tot regeling van zekere wetsconflicten ten aanzien van wisselbrieven en orderbriefjes;
Genève, 7 juni 1930 |
| Laatste <i>Trb.</i> | : <i>Trb.</i> 2013, 15 |
| Titel | : Verdrag betreffende het zegelrecht ten aanzien van wisselbrieven en orderbriefjes;
Genève, 7 juni 1930 |
| Laatste <i>Trb.</i> | : <i>Trb.</i> 2014, 96 |
| Titel | : Notawisseling tussen de Nederlandse Regering en de Oostenrijkse Bondsregering betreffende de gelding van verdragen;
's-Gravenhage, 16 oktober 1959 |
| Tekst | : <i>Trb.</i> 1959, 188 (Frans en vertaling) |
| Laatste <i>Trb.</i> | : <i>Trb.</i> 1960, 81 |

Uitgegeven de *zestiende* mei 2014.
De Minister van Buitenlandse Zaken,
F.C.G.M. TIMMERMANS