
STATUTORY INSTRUMENTS

1977 No. 2149

JUDGMENTS

**The Reciprocal Enforcement of Foreign Judgments
(the Netherlands) (Amendment) Order 1977**

Made - - - - 21st December 1977

Coming into Operation 12th January 1978

At the Court at Buckingham Palace, the 21st day of December 1977

Present,

The Queen's Most Excellent Majesty in Council

Whereas an Exchange of Notes, a copy whereof is set out in the Schedule to this Order, has taken place between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands⁽¹⁾ which provides for the extension to the Netherlands Antilles of the Convention providing for the Reciprocal Recognition and Enforcement of Judgments in Civil Matters signed at The Hague on 17th November 1967⁽²⁾:

And whereas it is expedient to specify the Courts in the Netherlands Antilles which are, for the purposes of that Act, to be deemed to be superior courts:

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred upon Her by section 1 of the Foreign Judgments (Reciprocal Enforcement) Act 1933, or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Reciprocal Enforcement of Foreign Judgments (the Netherlands) (Amendment) Order 1977 and shall be read as one with the Reciprocal Enforcement of Foreign Judgments (the Netherlands) Order 1969⁽³⁾.

2. This Order shall come into operation on 12th January 1978.

3. The Reciprocal Enforcement of Foreign Judgments (the Netherlands) Order 1969 shall be amended by adding to Article 3 (which names the courts of the Kingdom of the Netherlands which shall be deemed superior courts for the purposes of Part I of the Foreign Judgments (Reciprocal Enforcement) Act 1933) the following:

“In the case of the Netherlands Antilles:

(1) Cmnd. 4504.

(2) Cmnd. 4148.

(3) (1969 II, p. 3111).

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The Hoge Raad der Nederlanden;
The Hof van Justitie der Nederlandse Antillen;
The Gerecht in Eerste Aanleg.”

N.E. Leigh
Clerk of the Privy Council

SCHEDULE

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS EXTENDING TO SURINAM AND THE NETHERLANDS ANTILLES THE CONVENTION OF 17 NOVEMBER, 1967, PROVIDING FOR THE RECIPROCAL RECOGNITION AND ENFORCEMENT OF JUDGMENTS IN CIVIL MATTERS

No. 1

The Ambassador of the Netherlands to the Secretary
of State for Foreign and Commonwealth Affairs

No. 15959

Royal Netherlands Embassy,

London, S.W.7.

2nd September, 1970.

Sir,

I have the honour to refer to the Convention between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland providing for the Reciprocal Recognition and Enforcement of Judgments in Civil Matters, signed at The Hague on the 17th of November, 1967.

I have been instructed by the Government of the Kingdom of the Netherlands to propose to the Government of the United Kingdom of Great Britain and Northern Ireland that the operation of the above-mentioned Convention be extended, at the request of the Government of Surinam and the Netherlands Antilles, to these parts of the Kingdom of the Netherlands outside Europe, in accordance with paragraph 1(b) of Article X of the Convention and under the following specification provided for in paragraph 2 of the said Article:

The courts to whose judgments the Convention shall apply are:

(1) in the case of Surinam: the “Hof van Justitie van Suriname”, the “Kantongerecht in het Eerste Kanton” and the “Kantongerecht in het Derde Kanton”;

(2) in the case of the Netherlands Antilles: the “Hoge Raad der Nederlanden”, the “Hof van Justitie der Nederlandse Antillen” and the “Gerecht in Eerste Aanleg”.

The courts to which application for registration of any judgment shall be made are:

(1) in the case of Surinam: the “Hof van Justitie van Suriname”;

(2) in the case of the Netherlands Antilles: the “Gerecht in Eerste Aanleg” having jurisdiction in the district where the judgment debtor has his domicile or has assets.

If the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour further to propose that the present Note together with your reply to that effect shall constitute an agreement between the two Governments in this matter, which shall enter into force, in accordance with paragraph 4 of Article X of the Convention, one month after the date of your reply and shall be subject to termination in conformity with paragraphs 5 and 6 of the said Article.

I have the honour to be,

Sir,

Your obedient Servant,

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J. L. R. HUYDECOPER

No. 2

The Secretary of State for Foreign and Commonwealth
Affairs to the Ambassador of the Netherlands

Foreign and Commonwealth Office,

London, S.W.1.

2 September, 1970.

Sir,

I have the honour to acknowledge receipt of your Note No. 15959 of the 2nd of September, 1970, which reads as follows:

[As in No. 1]

In reply I have the honour to inform you that the proposals contained in the Note referred to above are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland. Your Note and the present reply shall therefore constitute an agreement between the two Governments in this matter, which shall enter into force, in accordance with paragraph 4 of Article X of the Convention, one month after the date of the present Note and shall be subject to termination in conformity with paragraphs 5 and 6 of the said Article.

I have the honour to be, with high consideration,

Sir,

Your obedient Servant,

(For the Secretary of State)

H. V. RICHARDSON

EXPLANATORY NOTE

This Order amends Article 3 of the Reciprocal Enforcement of Foreign Judgments (the Netherlands) Order 1969 so as to include the names of courts of the Netherlands Antilles.