

Reciprocal Enforcement) Act, 1933, that is to say:—

The Court of Cassation;
All Courts of Appeal;
All Tribunals of First Instance;
All Tribunals of Commerce.

(4) No security for costs shall be required to be given by any person making application for the registration of a judgment of a superior court in France.

(5) All French judgments which bear the executory formula prescribed by French law shall, in the absence of proof to the contrary, be deemed to be capable of execution in France. The executory formula at present prescribed by French law is that appended to the Convention signed between His Majesty and the President of the French Republic and annexed to this Order.

(6) If upon an application to register a judgment of a superior court in France, the interest due up to the date of judgment on the claim in respect of which the judgment is given has been determined in the said judgment, or if a certificate given by the original court is produced specifying the rate of interest due under French law upon the sum for which the judgment is given, the said judgment and the said certificate (as the case may be) shall be accepted as conclusive evidence as to the interest due up to the date of the said judgment and as to the rate of interest due under French law upon the sum for which the judgment is given. If the interest due up to the date of judgment on the claim in respect of which the judgment is given has not been determined in the judgment, or if no such certificate is produced, the party applying for registration may prove what is the interest due under the judgment by French law up to the time of registration or what is the rate of interest due under French law upon the sum for which the judgment is given.

And the Right Honourable Anthony Eden, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein.

M. P. A. Hankey.

SCHEDULE.

CONVENTION BETWEEN HIS MAJESTY IN RESPECT OF THE UNITED KINGDOM AND THE PRESIDENT OF THE FRENCH REPUBLIC PROVIDING FOR THE RECIPROCAL ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS, WITH PROTOCOL.

Paris, January 18, 1934.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic being desirous to provide on the basis of reciprocity for the recognition and enforcement of judgments in civil and commercial matters, have resolved to conclude a Convention for this purpose and have appointed as the Plenipotentiaries:

His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland:

Lord Tyrrell of Avon (G.C.M.G., K.C.B., K.C.V.O.) His Majesty's Ambassador Extraordinary and Plenipotentiary at Paris;

The President of the French Republic:

M. Paul-Boncour, Minister for Foreign Affairs,

Who, having communicated their full powers, found in good and due form, have agreed as follows:

Chapter I.—General.

ARTICLE 1.

In this Convention—

§ 1. The words "His Majesty" shall mean His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India.

§ 2. The words "territory of one (or of the other) High Contracting Party" mean—

(a) On the part of His Majesty, the United Kingdom (England and Wales, Scotland and Northern Ireland), and any territories to which the Convention may be applicable by reason of extensions under Article 11 or accessions under Article 13, and

(b) On the part of the President of the French Republic, the metropolitan territory of France (including the adjacent islands and Corsica), and any territories to which the Convention may be applicable by reason of extensions under Article 12.

§ 3. The words "superior court" mean—

(a) In the case of the United Kingdom, the House of Lords, and for England and Wales the Supreme Court of Judicature (Court of Appeal and High Court of Justice) and the Courts of Chancery of the Counties Palatine of Lancaster and Durham; for Scotland the Court of Session; and for Northern Ireland, the Supreme Court of Judicature; and

(b) In the case of France, la Cour de Cassation, les Cours d'Appel, les Tribunaux de première instance et les Tribunaux de commerce, and in the case of judgments for the payment of compensation to a "partie civile" in criminal proceedings, les Tribunaux correctionnels and les Cours d'Assises. All other Courts in these territories shall be deemed to be "inferior courts" for the purpose of this Convention.

§ 4. The word "judgment" means any decision of a court however described (judgment order and the like) by which the rights of the parties are finally determined; and does not include (in particular) provisional, interlocutory or preparatory judgments.

§ 5. The words "original court" mean in relation to any judgment the court by which such judgment was given: and the words "court applied to" the court in which it is sought to obtain recognition of a judgment or to which an application for the registration of a judgment or for the grant of an exequatur is made.

§ 6. The words "judgment debtor" mean the person against whom the judgment was given in the original court and include, where