

No. 12140. CONVENTION ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS. OPENED FOR SIGNATURE AT THE HAGUE ON 18 MARCH 1970¹

RATIFICATION

Instrument deposited with the Government of the Netherlands on:

16 July 1976

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

(With effect from 14 September 1976.)

With the following reservation:

“ . . . in accordance with the provisions of Article 33 the United Kingdom will not accept a Letter of Request in French.”

With the following declarations:

“1. In accordance with Article 8 Her Majesty’s Government declare that members of the judicial personnel of the requesting authority may be present at the execution of a Letter of Request.

2. In accordance with Article 18 Her Majesty’s Government declare that a diplomatic officer, consular agent or commissioner authorised to take evidence under Articles 15, 16 and 17 may apply to the competent authority designated hereinbefore for appropriate assistance to obtain such evidence by compulsion provided that the Contracting State whose diplomatic officer, consular agent or commissioner makes the application has made a declaration affording reciprocal facilities under Article 18.

3. In accordance with Article 23 Her Majesty’s Government declare that the United Kingdom will not execute Letters of Request issued for the purpose of obtaining pre-trial discovery of documents. Her Majesty’s Government further declare that Her Majesty’s Government understand “Letters of Request issued for the purpose of obtaining pre-trial discovery of documents, for the purposes of the foregoing Declaration as including any Letter of Request which requires a person:

- a. to state what documents relevant to the proceedings to which the Letter of Request relates are, or have been, in his possession, custody or power; or
- b. to produce any documents other than particular documents specified in the Letter of Request as being documents appearing to the requested court to be, or to be likely to be, in his possession, custody or power.

4. In accordance with Article 27 Her Majesty’s Government declare that by the law and practice of the United Kingdom the prior permission referred to in Articles 16 and 17 is not required in respect of diplomatic officers, consular agents or commissioners of a Contracting State which does not require permission to be obtained for the purposes of taking evidence under Articles 16 and 17.”

With the following designations in respect of article 35:

- “1. Under Article 2: the Foreign and Commonwealth Office.
2. Under Article 16: the Foreign and Commonwealth Office.
3. Under Article 17: the Foreign and Commonwealth Office.

¹ United Nations, *Treaty Series*, vol. 847, p. 231, and annex A in volumes 861, 949, 1003 and 1010.

4. Under Article 18: the Senior Master of the Supreme Court (Queen's Bench Division) for England and Wales; the Crown Agent for Scotland, for Scotland; the Registrar of the Supreme Court of Northern Ireland, for Northern Ireland."
5. Under Article 24: the Senior Master of the Supreme Court (Queen's Bench Division) in England and Wales; the Crown Agent for Scotland, for Scotland; the Registrar of the Supreme Court of Northern Ireland in Northern Ireland.

Certified statement was registered by the Netherlands on 25 August 1976.
