



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

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Notification  
to the States having participated at  
the Diplomatic Conference on Jurisdiction in Civil Matters,  
held at Lugano on 16 September 1988

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CONVENTION ON JURISDICTION AND ENFORCEMENT OF JUDGEMENTS IN  
CIVIL AND COMMERCIAL MATTERS

***Declaration of the Italian Republic***

On 22 June 1998, the Italian Republic deposited with the Swiss Federal Council, pursuant to Article VI of Protocol No. 1 on certain questions of jurisdiction, procedure and enforcement, the following declaration (original version):

"Ai sensi dell'Articolo VI del protocollo allegato alla Convenzione di Lugano del 16 settembre 1988, l'Ambasciata informa che l'articolo 2 e l'articolo 4, commi 1 e 2, del Codice italiano di procedura civile (menzionati nell'articolo 3 della Convenzione [di Lugano]) sono stati abrogati dall'articolo 73 della legge del 31 maggio 1995 n. 218 sulla riforma del sistema italiano di diritto internazionale privato.

In conseguenza di ciò, l'Articolo 3 della Convenzione di Lugano dovrà menzionare, in luogo di quelli abrogati, gli articoli 3 e 4 della legge del 31 maggio 1995 n. 218, che non possono essere invocati nei confronti delle persone aventi il domicilio nel territorio di uno Stato contraente per impedire l'applicazione della Convenzione in oggetto."

## ***Declaration of the United Kingdom of Great Britain and Northern Ireland***

On 31 July 1998, the United Kingdom of Great Britain and Northern Ireland deposited with the Swiss Federal Council the following declaration (original version):

"Recalling that in its instrument of ratification of the Convention the Government of the United Kingdom reserved the right to extend the Convention at a later date to any territory for whose international relations the Government of the United Kingdom are responsible, I hereby declare, on behalf of the Government of the United Kingdom, that the Convention shall apply to Gibraltar being such a territory.

I further declare that the following provisions of the Convention shall be implemented in Gibraltar in the manner specified below.

**Article 3** - the reference with respect to the United Kingdom in the second paragraph to certain rules enabling the founding of jurisdiction shall apply **mutatis mutandis** to Gibraltar;

**Article 30** - the reference to the United Kingdom in the second paragraph shall apply to Gibraltar also;

**Article 32** - an application for enforcement of a judgment shall be submitted to the Supreme Court of Gibraltar, or in the case of a maintenance judgment to the Magistrate's Court on transmission by the Attorney General of Gibraltar;

**Article 37** - under paragraph 1 of the Article an appeal against a decision authorising enforcement shall be lodged with the Supreme Court of Gibraltar, or in the case of a maintenance judgment with the Magistrates' Court on transmission by the Attorney General of Gibraltar; under paragraph 2 of the Article the judgment given on the appeal may be contested only by a single further appeal on a point of law to the Court of Appeal of Gibraltar, or in the case of a maintenance judgment to the Supreme Court of Gibraltar by way of case stated;

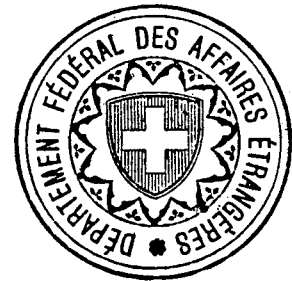
**Article 38** - the reference to the United Kingdom in the second paragraph shall apply to Gibraltar also;

**Article 40** - an applicant may appeal against the refusal of an application for enforcement to the Supreme Court of Gibraltar, or in the case of a maintenance judgment to the Magistrates' Court;

**Article 41** - a judgment on an appeal provided for in Article 40 may be contested only by a single further appeal on a point of law to the Court of Appeal of Gibraltar, or in the case of a maintenance judgment to the Supreme Court of Gibraltar by way of case stated."

By analogy with article 61, paragraph 4 of the Convention, the declaration of extension shall come into effect on the first day of the third month following its deposit, i.e. on 1 October 1998.

The present notification is addressed to the States having participated at the Conference of Lugano in conformity with article 67 of the Convention.



Berne, 26 August 1998