

(c) a copy of a judgment, decree, order or other judicial proceeding, or of an affidavit, pleading or other legal document filed or deposited in a court, issued within the preceding 3 years, shall be admissible as evidence of any matter if the original document could be received as evidence of that matter.

(2) Any official copy or certificate to which the foregoing provisions of this Agreement as to copies of certificates issued in France are applicable shall, if it appears on the face of it to be genuine and purports to be authenticated in accordance with Article III (2), be admissible as evidence in the United Kingdom in the circumstances and to the extent hereinafter mentioned—

(a) a copy of an *acte de l'état civil* (including the marginal notes, if any) which has been issued within the preceding twelve months in response to a request for a complete copy, shall be admissible as evidence of any of the matters regularly recorded in the original entry in accordance with the law of France;

(b) a certificate verifying a copy of a patent or an assignment thereof, a trade mark, design or industrial model, issued within the preceding 3 years, shall be admissible as evidence of the deposit and custody of the original and of the correctness of the copy;

(c) a copy of a judgment, decree, order or other judicial proceeding, or of an affidavit, pleading or other legal document filed or deposited in a court, issued within the preceding 3 years, shall be admissible as evidence of any matter if the original document could be received as evidence of that matter.

(3)—

(a) In this Agreement the expression "admissible as evidence of any matter" means that the document in question shall be accepted as *prima facie* evidence of that matter;

(c) In Scotland, a copy of an *acte de l'état civil* is described as an "extract"; it is consequently understood that a Scottish document is not to be considered to be an incomplete copy because it is entitled "extract";

(d) In France, a copy of an *acte de l'état civil* is sometimes called "*extrait*"; it is consequently understood that, subject to the under-mentioned exceptions, a French document is not to be considered to be an incomplete copy because it is entitled "*extrait*".

(i) It is provided by Article 2 of the French law of the 22nd July, 1922, that the words "of a mother unknown", "of a father unknown" and other similar statements must in no case be included in copies, even though issued as complete copies, of any *acte de l'état civil* of any kind whatsoever.

(ii) Further it is provided by Article 57 of the French Civil Code that "No person other than the *Procureur* of the Republic, the person whose birth is recorded in the entry, the direct ascendants or the spouse of that person or his guardian or legal representative, if he is a

minor or otherwise under legal disability, may obtain a certified copy of any entry of a birth other than his own, except in virtue of an authorisation given, without charge, by the *juge de paix* of the district where the entry has been made, or upon the request in writing of the person whose birth is in question. If the last-mentioned person is unable to sign his name, this inability must be attested by a *maire* or *commissaire de police*, who must, at the same time, certify that the request is made at the instance of that person. If the authorisation is refused, an application for a certified copy may be made to the President of the *tribunal civil re première instance*, who shall decide the matter *sur ordonnance de référé* (in chambers).

"The custodians of registers shall deliver to any applicant extracts showing, without any other information, the year, day, hour and place of birth, the sex of the child, the name given to him, and the names and surnames and the occupation and domicile of the father and of the mother, as they appear in the entry of the birth or in the marginal notes thereon and reproducing any note entered in accordance with the last paragraph of Article 76 of the Civil Code". (This paragraph provides that a marginal note of their marriage shall be entered on the entries of birth of persons who are married.)

(iii) It is understood that it is left to the discretion of the courts of the United Kingdom to decide whether, and if so, in what circumstances, an *extrait abrégé* (abridged extract) of an entry of birth delivered in accordance with the provisions of the last paragraph of Article 57 of the French Civil Code can be accepted as evidence under the provisions of Article IV (2) (a) of this Agreement.

#### Article V.

This Agreement shall not be held in any way to derogate from the requirements of any extradition treaty in force relating to proof of documents submitted in connexion with extradition proceedings, nor of any other treaty containing provisions relating to the proof of any classes of documents.

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#### Article VIII.

This Agreement, of which both the English and French texts are authoritative, shall enter into operation two months after the date of signature, and shall remain in force until terminated by a notice given six months in advance by either of the contracting Governments to the other.

In witness whereof the undersigned have signed the present Agreement in English and French texts, of which both are equally authentic, and have affixed thereto their seals.

Done in duplicate at Paris, the third day of April, nineteen hundred and thirty-seven.

(Signed) YVON DELBOS.

(Signed) GEORGE R. CLERK.