

Courts of the United Kingdom has been filed in a District Court the decree may be executed in British India as if it had been passed by the District Court:

And whereas subsequently to the passing of the said Act VIII of 1937 Burma ceased to be part of India and the Government of Burma Act came into force, namely, on the 1st April, 1937:

And whereas the said Act VIII of 1937 has effect in British Burma subject to the adaptations and modifications provided in the Government of Burma (Adaptation of Laws) Order, 1937 (Statutory Rules and Orders, 1937, No. 265), and, in particular, Articles 5 and 7 and the Schedule to the said Order as modified by the Schedule to the Government of Burma (Adaptation of Laws) Supplementary Order, 1937 (Statutory Rules and Orders, 1937, No. 701):

And whereas His Majesty is satisfied that in the event of Part I of the said Foreign Judgments (Reciprocal Enforcement) Act, 1933, being extended to judgments given in the superior courts of British India and British Burma substantial reciprocity of treatment will, under the terms of the said Act VIII of 1937, be assured as respects the enforcement in British India and in British Burma of judgments given in the superior courts of the United Kingdom; and is accordingly minded to direct that the said Part I shall extend to British India and to British Burma:

And whereas it is expedient to specify the Courts in British India and in British Burma which are for the purposes of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, to be deemed superior courts:

Now, therefore, His Majesty, by virtue and in exercise of His powers under the said Foreign Judgments (Reciprocal Enforcement) Act, 1933, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered as follows:—

1. This Order may be cited as "The Reciprocal Enforcement of Judgments (British India and British Burma) Order, 1938," and shall come into operation on the 19th November, 1938.

2. Part I of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, shall extend to British India and to British Burma.

3. The following courts of British India shall be deemed superior courts of British India for the purposes of Part I of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, that is to say:—

(a) The High Courts in Calcutta, Madras, Bombay, Allahabad, Lahore, Patna and Nagpur, the Chief Court in Oudh, the Judicial Commissioner's Courts in the North-West Frontier Province and in Sind, any other Court in British India constituted or reconstituted under Chapter II of Part IX of the Government of India Act, 1935, as a High Court and any other comparable Court in British India which His Majesty in Council may declare to be a High Court for the purposes of that Act.

(b) All District Courts.

(c) All other Courts whose civil jurisdiction is subject to no pecuniary limit, provided that the judgment sought to be registered under the said Act of 1933 is sealed

with a seal showing that the jurisdiction of the Court is subject to no pecuniary limit.

4. The following courts of British Burma shall be deemed superior courts of British Burma for the purposes of Part I of the Foreign Judgments (Reciprocal Enforcement) Act, 1933, that is to say:—

(a) The High Court.

(b) All District Courts.

*Rupert B. Howorth.*

At the Court at *Buckingham Palace*, the 4th day of *November*, 1938.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.

Lord Privy Seal.

Viscount Finlay.

Lord Atkin.

Mr. Secretary MacDonald.

Sir Fairfax Luxmoore.

Sir Rayner Goddard.

Sir Herbert du Parc.

WHEREAS a Convention on the Execution of Foreign Arbitral Awards was on the twenty-sixth day of September nineteen hundred and twenty-seven signed at Geneva on behalf of His Majesty:

And whereas by sub-section (1) of Section 1 of the Arbitration (Foreign Awards) Act, 1930, it is provided that Part 1 of that Act applies to any award made after the twenty-eighth day of July, nineteen hundred and twenty-four

(a) in pursuance of an agreement for arbitration to which the protocol set out in the Schedule to the Arbitration Clauses (Protocol) Act, 1924, applies; and

(b) between persons of whom one is subject to the jurisdiction of some one of such Powers as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be parties to the said Convention and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid; and

(c) in one of such territories as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the said Convention applies:

And whereas His Majesty is satisfied that reciprocal provisions have been made by the Senate of the Free City of Danzig in respect of the Free City of Danzig:

Now, therefore, His Majesty, by and with the advice of His Privy Council, in pursuance of the powers conferred upon Him by the said Act and of all other powers enabling Him in that behalf is pleased to declare and it is hereby declared as follows:—

1. The President of the Polish Republic, for the Free City of Danzig, is a party to the said Convention.

2. The territory of the Free City of Danzig is a territory to which the said Convention applies.

3. This Order may be cited as the Arbitration (Foreign Awards) No. 2 Order, 1938, and shall come into force on the 4th day of November, 1938.

*Rupert B. Howorth.*