

FRANCE



Treaty Series No. 69 (1977)

# Exchange of Notes

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of the French Republic  
amending the provisions of the Protocol  
of 6 August 1914 to transfer certain  
jurisdiction from the Joint Court to  
the Native Courts in the New Hebrides

London, 10 November 1976

[The Exchange of Notes entered into force on 14 March 1977]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
August 1977*

LONDON

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**EXCHANGE OF NOTES  
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN IRELAND AND THE  
GOVERNMENT OF THE FRENCH REPUBLIC AMENDING THE  
PROVISIONS OF THE PROTOCOL OF 6 AUGUST 1914  
TO TRANSFER CERTAIN JURISDICTION FROM  
THE JOINT COURT TO THE NATIVE COURTS  
IN THE NEW HEBRIDES**

No. 1

*The French Ambassador at London to the  
Secretary of State for Foreign and Commonwealth Affairs*

*Ambassade de France  
Londres*

*le 10 novembre 1976*

Monsieur le Secrétaire d'Etat,

J'ai l'honneur de me référer aux entretiens qui ont eu lieu entre les représentants du Gouvernement de la République Française et du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, concernant l'organisation judiciaire des Nouvelles-Hébrides, et de proposer les amendements suivants au protocole relatif aux Nouvelles-Hébrides, signé à Londres le 6 août 1914 :

*Article 8 :*

Au paragraphe 7 (B) (b), supprimer les mots 'envers d'autres indigènes'.

*Article 12 :*

Supprimer le paragraphe 2, les actuels paragraphes 3, 4, 5, 6 et 7 devenant respectivement les nouveaux paragraphes 2, 3, 4, 5 et 6.

*Article 13 :*

Supprimer le paragraphe 2, l'actuel paragraphe 3 devenant le nouveau paragraphe 2.

*Article 20 :*

Au paragraphe 4 :

(a) Supprimer les mots 'soit du Tribunal mixte, en vertu de l'article 12, soit'.

(b) Dans la deuxième phrase supprimer les mots 'Tribunal mixte' et les remplacer par les mots 'Tribunal indigène'.

Si la proposition ci-dessus reçoit l'agrément du Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, j'ai l'honneur de suggérer que la présente note et la réponse de Votre Excellence dans ce sens constituent un accord entre les deux Gouvernements qui entrera en vigueur dès qu'il aura été procédé à la notification par les deux parties de l'accomplissement des procédures constitutionnelles requises.

J'ai l'honneur d'être de Votre Excellence

le très humble et  
très obéissant serviteur.

J. DE BEAUMARCHAIS

*The Secretary of State for Foreign and Commonwealth Affairs to the  
French Ambassador at London*

*Foreign and Commonwealth Office,  
London, S.W.1  
10 November 1976*

HPH 370/1

Your Excellency

I have the honour to acknowledge receipt of Your Excellency's Note of to-day's date, which in translation reads as follows:

"I have the honour to refer to the discussions which have taken place between representatives of the Government of the French Republic and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the organisation of the judicial system in the New Hebrides and to propose the following amendments to the Protocol respecting the New Hebrides signed at London on 6 August 1914:(<sup>1</sup>)

*Article 8 :*

In paragraph 7 (B) (b), the words "against natives" shall be deleted.

*Article 12 :*

Paragraph 2 shall be deleted, and the paragraphs presently numbered 3, 4, 5, 6 and 7 shall be renumbered 2, 3, 4, 5 and 6 respectively.

*Article 13 :*

Paragraph 2 shall be deleted, and the paragraph presently numbered 3 shall be renumbered 2.

*Article 20 :*

In paragraph 4:

(a) the words "either by the Joint Court in accordance with Article 12 or" shall be deleted;

(b) in the second sentence, the words "Joint Court" shall be deleted and replaced with the words "Native Court".

If the above proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to suggest that the present Note and Your Excellency's reply to that effect shall constitute an agreement between the two Governments which shall enter into force as soon as notification of completion of the requisite constitutional procedures shall have been given by both parties."

In reply, I have the honour to inform you that the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and

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(<sup>1</sup>) Treaty Series No. 7 (1922), Cmd. 1681.

Northern Ireland who therefore agree that Your Excellency's Note and the present reply shall constitute an Agreement between the two Governments which shall enter into force as soon as notification of completion of the requisite constitutional procedures shall have been given by both parties<sup>(2)</sup>.

I have the honour to be  
with the highest consideration  
Your Excellency's obedient Servant  
(for the Secretary of State)

H. S. H. STANLEY

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<sup>(2)</sup> The Exchange of Notes entered into force on 14 March 1977.