

FRANCE



Treaty Series No. 4 (1978)

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning Legal Aid to Poor Persons in the Courts of the New Hebrides

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the French Republic
concerning Legal Aid to Poor Persons in
the Courts of the New Hebrides

London, 26 August 1977

[The Agreement entered into force on 26 August 1977]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
January 1978*

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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 CONCERNING
LEGAL AID TO POOR PERSONS IN THE COURTS OF THE
NEW HEBRIDES

No. 1

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

*Foreign and Commonwealth Office,
London*

26 August 1977

Your Excellency

I have the honour to refer to recent discussions between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning legal aid to poor persons in the courts of the New Hebrides and to propose the following amendments to the Protocol of 6 August 1914⁽¹⁾:

- (1) In Article 17, paragraph 2, the words "With the exception specified in paragraph 3 below, every" shall be deleted and replaced with the word "Every";
- (2) Paragraphs 3, 4 and 5 of Article 17 shall be deleted and replaced by a new paragraph 3 as follows:

"3. Without prejudice to the generality of the powers conferred by Article 7, the High Commissioners may by joint regulation provide for a system of legal aid to poor persons in the Joint Court and such other courts as the High Commissioners shall decide."
- (3) All provisions and references relating to the official advocate in the said Protocol and in the exchanges of notes amending, modifying or supplementing the said Protocol shall be deleted.

If the foregoing proposals are acceptable to the Government of the French Republic, I have the honour to suggest that the present Note and

(1) Treaty Series No. 7 (1922), Cmd. 1681.

Your Excellency's reply in that sense shall constitute an Agreement between the two Governments which shall enter into force on the date of your reply.

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

No. 2

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

*Ambassade de France,
Londres*

Le 26 août 1977

Monsieur le Secrétaire d'Etat,

J'ai l'honneur d'accuser réception de la note de Votre Excellence en date de ce jour dont la teneur suit :

“ Excellence,

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'assistance judiciaire accordée aux indigents ayant à ester devant les Tribunaux des Nouvelles-Hébrides et de proposer d'apporter au Protocole du 6 août 1914 les modifications suivantes :

- 1) Au paragraphe 2 de l'article 17, sont supprimés les mots : “ Sauf l'exception prévue au paragraphe 3 ci-après ”.
- 2) Les paragraphes 3, 4 et 5 de l'article 17 sont abrogés et remplacés par un nouveau paragraphe 3 rédigé comme suit :

“ Sans préjudice des pouvoirs que leur confère l'article 7, les Hauts-Commissaires auront le pouvoir d'instituer par règlement conjoint un système d'assistance judiciaire aux indigents auprès du Tribunal mixte et de tous autres tribunaux qu'ils décideront ”.

- 3) “ Toutes les dispositions et références concernant l'avocat d'office figurant au dit protocole, ainsi que dans les échanges de lettres qui l'ont modifié ou complété sont abrogées ”.

Si la proposition ci-dessus reçoit l'agrément du Gouvernement de la République française, j'ai l'honneur de suggérer que la présente note et la réponse de Votre Excellence constituent un Accord entre les deux Gouvernements pour amender le Protocole du 6 août 1914 avec effet à la date de votre réponse."

En réponse, j'ai l'honneur de vous informer que les propositions ci-dessus rencontrent l'agrément du Gouvernement de la République française qui, dans ces conditions, approuve la suggestion de Votre Excellence, que sa note et la présente réponse constituent un accord entre les deux Gouvernements qui entrera en vigueur à la date de ce jour.

Je saisis cette occasion pour renouveler à Votre Excellence l'assurance de la très haute considération avec laquelle j'ai l'honneur d'être

Son très humble et
très obéissant serviteur.

J. de BEAUMARCHAIS.

[Translation of No. 2]

*French Embassy,
London*

26 August 1977

Sir,

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

[As in No. 1]

In reply, I have the honour to inform you that the above proposals are acceptable to the Government of the French Republic who, in these circumstances, approve Your Excellency's suggestion that your Note and the present reply shall constitute an Agreement between the two Governments which shall enter into force on today's date.

I take this opportunity to renew to Your Excellency the assurance of my highest consideration and I have the honour to be

Your humble and
obedient Servant,

J. de BEAUMARCHAIS.

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