

Appointments in the Public Service.

Office of the Public Service Commissioner,
Wellington, 14th April, 1936.

THE Acting Public Service Commissioner has made the following appointments in the Public Service:—

Frederick Shotton Parker,

to be an Inspector of Machinery for the purposes of the Inspection of Machinery Act, 1928, and a Surveyor of Ships for the purposes of the Shipping and Seamen Act, 1908, as from the 1st day of April, 1936.

Herbert George Whyte,

to be Deputy Registrar of Births and Deaths of Maoris at Marton, as from the 14th day of April, 1936.

Douglas George Hayter,

to be Deputy Registrar of Births and Deaths of Maoris at Hawera, as from the 11th day of April, 1936.

Russell Hedley Hulme,

to be Registrar of Births and Deaths of Maoris at Motuti, as from the 27th day of March, 1936.

T. MARK, Secretary.

Ending of Period of Summer Time.

Prime Minister's Office,
Wellington, 4th April, 1936.

IT is hereby notified for general information that under the Summer Time Act, 1929, and the Summer Time Amendment Act, 1933, summer time which commenced at 2 o'clock in the morning of Sunday, the 29th September, 1935, ends at 2 o'clock New Zealand standard time in the morning of Sunday, the 26th April, 1936.

The time will therefore be put back 30 minutes as from 2 a.m. New Zealand standard time on Sunday, the 26th April, 1936.

M. J. SAVAGE, Prime Minister.

(I.A. 1933/196/4.)

Extension to New Zealand of the Conventions between the United Kingdom and Czechoslovakia respecting Legal Proceedings in Civil and Commercial Matters.

Department of Justice,
Wellington, 8th April, 1936.

IT is hereby notified for general information that the Convention between the United Kingdom and Czechoslovakia regarding Legal Proceedings in Civil and Commercial Matters, signed at London on 11th day of November, 1924, and in respect of which ratifications were exchanged at London on the 29th day of March, 1926, and the Supplementary Convention signed at Prague on the 15th day of February, 1935, and in respect of which ratifications were exchanged at London on the 30th day of July, 1935, have been extended to the Dominion of New Zealand pursuant to the provisions of Articles 14 and 9 respectively of the said Convention and Supplementary Convention, as from the 8th day of March, 1936.

The authority to which requests for service or for the taking of evidence are to be transmitted is the Supreme Court of New Zealand, and communications should be addressed to the Registrar of the Supreme Court at Wellington in the English language.

The texts of the said Convention and Supplementary Convention are set out hereunder.

H. G. R. MASON, Minister of Justice.

CONVENTION BETWEEN THE UNITED KINGDOM AND THE CZECHOSLOVAK REPUBLIC RELATIVE TO LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS.

SIGNED AT LONDON, 11TH NOVEMBER, 1924.

[Ratifications exchanged at London, 29th March, 1926.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the Czechoslovak Republic, being desirous to facilitate in their respective territories legal proceedings in civil and commercial matters and also non-contentious matters, which are being dealt with by the courts or authorities of the other State, have decided to conclude a convention for this purpose, and have accordingly nominated as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:—

Sir William George Tyrrell, K.C.M.G., K.C.V.O., C.B.,

Assistant Under-Secretary of State for Foreign Affairs;

The President of the Czechoslovak Republic:—

Dr. Emil Spira, Head of Department in the Ministry of Justice;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

I.—PRELIMINARY.

Article 1.

This convention applies only to civil and commercial matters and also to non-contentious matters, including trusteeship, guardianship, administration and probate, which are being dealt with by the courts or authorities of either State.

II.—SERVICE OF JUDICIAL AND EXTRA-JUDICIAL DOCUMENTS.

Article 2.

When judicial or extra-judicial documents drawn up in one of the contracting States are to be served in the territory of the other, such documents may, at the option of the party interested, be transmitted to the recipients in either of the ways provided in articles 3, 5, and 6.

Article 3.

(1) The request for service by the court or authority of the other State is addressed—

In England, by the Czechoslovak consul in London to the senior master of the Supreme Court of Judicature in England;

In the Czechoslovak Republic, by the British consul to the Ministry of Justice of the Czechoslovak Republic at Prague.

(2) The request, containing the name (if known) of the court or authority to whom the document is to be transmitted, and of the court or authority from whom the document transmitted emanates, the names and descriptions of the parties, the address of the recipient and the nature of the document in question, shall be drawn up in the State (official) language of the State applied to. The court or authority who receives the request shall send to the consular authority the documents proving the service or explaining the reason which has prevented such service.

If the court or authority to whom a document has been transmitted is not competent to deal with it, such court or authority will of its own motion transmit the document to the competent court or authority of its own State.

(3) Service shall be effected by the competent court or authority of the State applied to. Such court or authority, except in the cases provided for in paragraph (4) of this article may limit its action to effecting service by the transmission of the document to the recipient if he is willing to accept it.

(4) If the document to be served is drawn up in the State (official) language of the State applied to, or is accompanied by a translation in such language, the court or authority applied to shall serve the document, in accordance with such wish as may be expressed in the request, either in the manner prescribed by its laws for the service of similar documents, or in a special form which is not incompatible with such law. Should such wish not be expressed, the court or authority applied to will endeavour to effect service as provided in paragraph (3).

The translation provided for in the preceding paragraph shall be certified as correct by a diplomatic or consular agent of the State making the request or by an official or sworn translator of one or other of the two States.

(5) The request for service can only be refused if the State in whose territory it is to be effected considers it such as to compromise its sovereignty or safety.

(6) Proof of service shall be furnished by a certificate from the court or authority of the State applied to, setting forth the fact, the manner and the date of such service.

The document to be served shall be forwarded in duplicate, and the certificate shall appear on one of the copies, or be attached to it.

Article 4.

No fees of any description shall be payable by one State to the other in respect of the service under article 3.

Nevertheless the State making the request must pay to the State applied to any charges which are payable under the local law to the persons employed to effect service, or which were incurred by effecting service in a special form. These charges are calculated in accordance with the tariff in force for nationals of the State applied to. Repayment of these charges will be claimed by the court or authority applied to from the court or authority which made the request, through the consular authority, when transmitting to the latter the certificate provided for in article 3 (6).