



**MINISTÈRE DES AFFAIRES ÉTRANGÈRES DU ROYAUME DES PAYS-BAS  
LA HAYE**

CONVENTION SUR LES ACCORDS D'ÉLECTION DE FOR  
(La Haye, le 30 juin 2005)

Notification conformément à l'article 34 de la Convention

**EXTENSION**

**Gibraltar**, 31-07-2019

Le Royaume-Uni a étendu la Convention à le Gibraltar le 31 juillet 2019.

Le Dépositaire transmettra dès que possible la traduction française des déclarations du Royaume-Uni.

La Haye, le 31 juillet 2019

Les notifications dépositaires sont accessibles en ligne sur le site Web du Ministère des Affaires étrangères du Royaume des Pays-Bas, à l'adresse <https://treatydatabase.overheid.nl>.

XXXVII Élection de for No. 05/2019



**MINISTRY OF FOREIGN AFFAIRS OF THE KINGDOM OF THE NETHERLANDS  
THE HAGUE**

CONVENTION ON CHOICE OF COURT AGREEMENTS  
(The Hague, 30 June 2005)

Notification pursuant to Article 34 of the Convention

**EXTENSION**

**Gibraltar, 31-07-2019**

The United Kingdom extended the Convention to Gibraltar on 31 July 2019.

With the following declarations:

The Government of the United Kingdom of Great Britain and Northern Ireland hereby extends the application of the accession to the Agreement by the United Kingdom to the territory of Gibraltar, for whose international relations the United Kingdom is responsible. The Government of the United Kingdom of Great Britain and Northern Ireland considers that the extension of the Agreement to the territory of Gibraltar will come into effect upon entry into force of the Agreement for the United Kingdom. The territorial extension to Gibraltar is subject to the declarations made by the United Kingdom on behalf of Gibraltar that are annexed to this declaration.

The United Kingdom of Great Britain and Northern Ireland declares on behalf of HM Government of Gibraltar, in accordance with Article 21 of the Convention, that Gibraltar will not apply the Convention to insurance contracts, except as provided for in paragraph 1 below:

1. Gibraltar will apply the Convention to insurance contracts in the following cases:

(a) where the contract is a reinsurance contract;

(b) where the choice of court agreement is entered into after the dispute has arisen;

(c) where, without prejudice to Article 1 (2) of the Convention, the choice of court agreement is concluded between a policyholder and an insurer, both of whom are, at the time of the conclusion of the contract of insurance, domiciled or habitually resident in the same Contracting State, and that agreement has the effect of conferring jurisdiction on the courts of that State, even if the harmful event were to occur abroad, provided that such an agreement is not contrary to the law of that State;

(d) where the choice of court agreement relates to a contract of insurance which covers one or more of the following risks considered to be large risks:

(i) any loss or damage arising from perils which relate to their use for commercial purposes, of, or to:

(a) seagoing ships, installations situated offshore or on the high seas or river, canal and lake vessels;

(b) aircraft;

(c) railway rolling stock;

(ii) any loss of or damage to goods in transit or baggage other than passengers' baggage, irrespective of the form of transport;

(iii) any liability, other than for bodily injury to passengers or loss of or damage to their baggage, arising out of the use or operation of:

(a) ships, installations or vessels as referred to in point (i)(a);

(b) aircraft, in so far as the law of the Contracting State in which such aircraft are registered does not prohibit choice of court agreements regarding the insurance of such risks;

(c) railway rolling stock;

(iv) any liability, other than for bodily injury to passengers or loss of or damage to their baggage, for loss or damage caused by goods in transit or baggage as referred to in point (ii);

(v) any financial loss connected with the use or operation of ships, installations, vessels, aircraft or railway rolling stock as referred to in point (i), in particular loss of freight or charter-hire;

(vi) any risk or interest connected with any of the risks referred to in points (i) to (v);

(vii) any credit risk or suretyship risk where the policy holder is engaged professionally in an industrial or commercial activity or in one of the liberal professions and the risk relates to such activity;

(viii) any other risks where the policy holder carries on a business of a size which exceeds the limits of at least two of the following criteria:

(a) a balance-sheet total of EUR 6,2 million;

(b) a net turnover of EUR 12,8 million;

(c) an average number of 250 employees during the financial year.

2. The United Kingdom of Great Britain and Northern Ireland declares on behalf of HM Government of Gibraltar that Gibraltar may, at a later stage in the light of the experience acquired in the application of the Convention, reassess the need to maintain this declaration under Article 21 of the Convention.

With the following Note Verbale:

Her Britannic Majesty's Embassy presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands and has the honour to refer to the instrument of accession (the "Instrument of Accession") to the Hague Convention of 30 June 2005 on Choice of Court Agreements (the "Agreement"), which it deposited on 28 December 2018 alongside a Note Verbale of the same date, and to the subsequent Notes Verbales which it deposited on 28 March 2019 and 12 April 2019.

As the United Kingdom of Great Britain and Northern Ireland (the "United Kingdom") has previously stated, in the event that the Withdrawal Agreement is not ratified and approved by the United Kingdom and the European Union, the United Kingdom wishes to ensure continuity of application of the Agreement from the point it ceases to be a Member State of the European Union. The United Kingdom is responsible for the international relations of Gibraltar and wishes to ensure that Gibraltar continues to be covered by the Agreement in the event that the Withdrawal Agreement is not approved.

Her Britannic Majesty's Embassy has therefore deposited today a declaration extending the United Kingdom's accession to the Agreement to Gibraltar.

The territorial extension to Gibraltar is subject to the declarations made by the United Kingdom on behalf of Gibraltar that are annexed to the declaration on territorial extent deposited today.

In the event that the Withdrawal Agreement is signed, ratified and approved by the United Kingdom and the European Union, the United Kingdom will withdraw the Instrument of Accession and neither the Instrument of Accession nor the declaration of territorial extent, including the declarations annexed thereto, deposited today would take effect.

Her Britannic Majesty's Embassy avails itself of the opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.

The Hague, 31 July 2019

The Depositary Notifications are accessible on the website of the Ministry of Foreign Affairs of the Kingdom of the Netherlands at <https://treatydatabase.overheid.nl>.

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