

律政司  
國際法津科

香港中環下亞厘畢道  
中區政府合署中座7樓

圖文傳真: 852-2877 2130



DEPARTMENT OF JUSTICE  
International Law Division

7/F., Main Wing  
Central Government Offices  
Lower Albert Road, Central, Hong Kong

Fax: 852-2877 2130

本司檔號 Our Ref.: IL/TRE/22/1/1  
來函檔號 Your Ref.:  
電話號碼 Tel. No.: 2810 2403

23 January 1998

Ms Joyce Wong  
Director of Practitioners Affairs  
The Law Society of Hong Kong  
1403 Swire House,  
11 Chater Road,  
Central, Hong Kong

By Fax & By Post

Dear Ms Wong,

**Foreign Judgments (Reciprocal Enforcement)  
Ordinance (Cap 319)**

I last wrote to you on 8 December 1997 on the results of our enquiries with foreign jurisdictions designated under the Foreign Judgments (Reciprocal Enforcement) Ordinance (Cap 319). Since the date of that letter, we have received some further information, from Belgium and Brunei. The purpose of this letter is to provide you with a synopsis of our latest information. I should reiterate that the application and interpretation of Cap 319 in relation to judgments from the above-mentioned countries is a matter for the HKSAR courts.

**Belgium**

The Consulate General of Belgium has confirmed that under the Judicial Code of Belgium (Article 570) judgments of the Hong Kong Special Administrative Region ("HKSAR") can be recognised and enforced in Belgium. Applications must comply with the requirements of the Judicial Code.

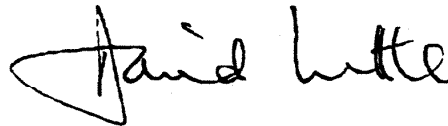
## **Brunei**

The Attorney General's Chambers of Brunei have informed us that the relevant legislation in Brunei is the Emergency (Reciprocal Enforcement of Foreign Judgments) Order 1996. It appears that the HKSAR is not at present designated in it.

## **Israel**

You will recall that I mentioned in my letter of 8 December that the Israeli Consulate General had earlier confirmed that judgments of the HKSAR would still be enforced by the courts in Israel subject to reciprocity being maintained by the HKSAR courts. The Israeli Consulate General has subsequently supplemented that information by pointing out that according to its Foreign Judgments Enforcement Law of 1958 (as amended), recognition (as opposed to enforcement) of foreign judgments is, as a general rule, based on Agreements with the States of origin of the foreign judgments. However, Article 11 of the 1958 Law provides that the Israeli courts, in dealing with and for the purposes of a matter within their jurisdiction, may recognise foreign judgments if they consider it lawful and just to do so, even if the conditions set out in the Law have not been fulfilled.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David Little". The signature is fluid and cursive, with a large initial "D" and a stylized "L".

(David Little)  
Law Officer (International Law)