



FEDERAL DEPARTMENT OF FOREIGN AFFAIRS

s.C.41.765.18

Notification
to the States having participated at
the Diplomatic Conference on Jurisdiction in Civil Matters,
held at Lugano on 16 September 1988

CONVENTION ON JURISDICTION AND ENFORCEMENT OF JUDGEMENTS IN
CIVIL AND COMMERCIAL MATTERS

Ratification by the Republic of Austria

On 27 June 1996, the Republic of Austria deposited with the Swiss Federal Council its instrument of ratification of the Convention concluded at Lugano on 16 September 1988.

The said instrument contains the following declaration (unofficial translation of the original german text):

„The Republic of Austria raises the objection foreseen in Article IV, paragraph 2, of Protocol No 1 on certain questions of jurisdiction, procedure and enforcement“

and was accompanied, in conformity with article VI of Protocol No 1 of the Convention, by the following information (unofficial translation of the original german text):

„According to article 32, paragraph 1, the application shall be submitted, in Austria, to the 'Landesgericht' or the 'Kreisgericht'. According to articles 37, paragraph 1, and 40, paragraph 1, an appeal shall be lodged in Austria with the 'Landesgericht' or the 'Kreisgericht'“.

Pursuant to the modification of § 82 of the 'Exekutionsordnung' by the 'Exekutionsordnungs-Novelle' of 1995 ('Bundesgesetz' of August 8, 1995, BGBl. No 519), the 'Bezirksgericht' is competent, as of October 1, 1995, to declare foreign titles enforceable. Appeals against decisions will equally be lodged with the 'Bezirksgericht'.“

According to its article 61, paragraph 4, the Convention shall take effect for the Republic of Austria on the first day of the third month following the deposit of the instrument, i.e. on 1 September 1996.

The present notification is addressed to the States having participated at the Conference of Lugano in conformity with article 67 of the Convention.

Berne, 16 August 1996