

Enclosure.

DECLARATION and PROTOCOL relative to the Convention of the 14th March, 1884, for the Protection of Submarine Cables.—(Signed at Paris, 1st December, 1886, and 7th July, 1887.)

DECLARATION.

THE undersigned Plenipotentiaries of the signatory Governments of the Convention of the 14th March, 1884, for the protection of submarine cables, having recognised the expediency of stating precisely the meaning of the terms of Articles II. and IV. of the said Convention, have agreed upon the following declaration by common consent :—

Certain doubts having been raised as to the meaning of the word “ wilfully ” used in Article II. of the Convention of the 14th March, 1884, it is understood that the provision in respect of penal responsibility contained in the said article does not apply to cases of breakage or injury caused accidentally or of necessity in the repair of a cable, when all precautions have been taken to avoid such breakage or injury. It is equally understood that Article IV. of the Convention had no other object and is to have no other effect than to empower the competent tribunals of each country to decide, in conformity with their laws and according to the circumstances, the question of the civil responsibility of the owner of a cable, who, in laying or repairing his own cable, breaks or injures another cable, as well as the consequences of such responsibility if it is recognised as existing.

Done at Paris, the 1st December, 1886, and the 23rd March, 1887, for Germany.

Lyons.	T. Luis Albareda.	De Stuers.
Münster.	Nobel M. McLane.	Comte de Valbom.
José C. Paz.	C. de Freycinet.	Alecsandri.
Goluchowski.	Crisanto Medina.	Kotzebue.
Beyens.	N. T. Delyanni.	E. Pector.
Arinos.	L. A. Menabrea.	J. Marinovitch.
R. Fernández.	Hara.	C. Lewenhaupt.
Moltke-Hoifeld.	Essad.	Juan J. Diaz.
Emanuel de Almeda.		

FINAL PROTOCOL.

THE undersigned, Plenipotentiaries of the signatory Governments of the Convention of the 14th March, 1884, for the protection of submarine cables, assembled at Paris for the purpose of fixing, in accordance with Article XVI. of this International Act, the date for the putting into force of the said Convention, have agreed as follows : (1.) The International Convention of the 14th March, 1884, for the protection of submarine cables, shall come into force the 1st May, 1888, with the condition, however, that upon that date those of the contracting Governments which have not yet adopted the measures stipulated by Article XII. of the said International Act shall have conformed to that stipulation. (2.) The measures that shall have been taken by the said States in execution of Article XII. aforesaid shall be notified to the other contracting Powers by the French Government, who are charged with the examination of their purport. (3.) The Government of the French Republic is equally charged with the examination of similar legislative measures or regulations which the States who have not taken part in the Convention, and who wish to avail themselves of the power of accession provided by Article XIV., must adopt in their respective countries in accordance with Article XII.

In witness whereof the undersigned Plenipotentiaries have drawn up the present final protocol, which shall be considered as forming an integral part of the International Convention of the 14th March, 1884.

Dated at Paris, the 7th July, 1887.

Lyons.	Flourens.	De Stuers.
Leyden.	T. Luis Albareda.	Comte de Valbom.
José C. Paz.	Nobel M. McLane.	Alecsandri.
Hoyos.	Crisanto Medina.	M. de Giers.
Beyens.	N. T. Delyanni.	J. F. Medina.
Arinos.	L. A. Menabrea.	J. Marinovitch.
Manuel M. de Peralta.	Hara.	C. Lewenhaupt.
Moltke-Hoifeld.	J. S. Missak.	Juan J. Diaz.
Emanuel de Almeda.		

No. 52.

(Circular.)

SIR,—

Downing Street, 18th November, 1887.

With reference to my predecessor's circular despatch of the 2nd December last, I have the honour to transmit to you, for information and publication in the colony under your Government, a copy of a letter from the Foreign Office enclosing a copy of a parliamentary paper containing the text of the Convention concerning the creation of an International Union for the Protection of Literary and Artistic Works, signed at Berne, September 9th, 1886.

A.—2, 1887,
Sess. II., No. 8.