

Chaque Etat contractant pourra également, en notifiant une extension de la Convention conformément à l'article 17, faire une ou plusieurs de ces réserves avec effet limité aux territoires ou à certains des territoires visés par l'extension.

Chaque Etat contractant pourra, à tout moment, retirer une réserve qu'il aura faite. Ce retrait sera notifié au Ministère des Affaires Etrangères des Pays-Bas.

L'effet de la réserve cessera le sixième jour après la notification mentionnée à l'article précédent.

Article 19

La présente Convention aura une durée de cinq ans à partir de la date de son entrée en vigueur conformément à l'article 15, alinéa premier, rère pour les Etats qui Pauront rati fiée ou y auront adhéré postérieurement.

La Convention sera renouvelée tacitement de cinq en cinq ans, sauf dénonciation.

La dénonciation sera, au moins six mois avant l'expiration du délai de cinq ans, notifiée au Ministère des Affaires Etrangères des Pays-Bas.

Elle pourra se limiter à certains des territoires auxquels s'applique la Convention.

La dénonciation n'aura d'effet qu'à l'égard de l'Etat qui l'aura notifiée. La Convention restera en vigueur pour les autres Etats contractants.

Article 20

Le Ministère des Affaires Etrangères des Pays-Bas notifiera aux Etats visés à l'article 14, ainsi qu'aux Etats qui auront adhéré conformément aux dispositions de l'article 16:

- a) les signatures et ratifications visées à l'article 14;
- b) la date à laquelle la présente Convention entrera en vigueur conformément aux dispositions de l'article 15, alinéa premier;
- c) les adhésions visées à l'article 16 et la date à laquelle elles auront effet;
- d) les extensions visées à l'article 17 et la date à laquelle elles auront effet;
- e) les réserves et retraits de réserves visés à l'article 18;
- f) les dénonciations visées à l'article 19, alinéa 3.

En foi de quoi, les soussignés, dûment autorisés, ont signé la présente Convention.

Fait à La Haye, le 5 octobre 1961, en français et en anglais, le texte français faisant foi en cas de divergence entre les textes, en un seul exemplaire, qui sera déposé dans les archives du Gouvernement des Pays-Bas et dont une copie certifiée conforme sera remise, par la voie diplomatique, à chacun des Etats représentés à la Neuvième session de la Conférence de La Haye de droit international privé.

CONVENTION ON THE CONFLICTS OF LAWS RELATING TO THE FORM OF TESTAMENTARY DISPOSITIONS

The States signatory to the present Convention,

Desiring to establish common provisions on the conflicts of laws relating to the form of testamentary dispositions,

Have resolved to conclude a Convention to this effect and have agreed upon the following provisions:

Article 1

A testamentary disposition shall be valid as regards form if its form complies with the internal law:

- a) of the place where the testator made it, or

b) of a nationality possessed by the testator, either at the time when he made the disposition, or at the time of his death, or

c) of a place in which the testator had his domicile either at the time when he made the disposition, or at the time of his death, or

d) of the place in which the testator had his habitual residence either at the time when he made the disposition, or at the time of his death, or

e) so far as immovables are concerned, of the place where they are situated.

For the purposes of the present Convention, if a national law consists of a non-unified system, the law to be applied shall be determined by the rules in force in that system and, failing any such rules, by the most real connexion which the testator had with any one of the various laws within that system.

The determination of whether or not the testator had his domicile in a particular place shall be governed by the law of that place.

Article 2

Article 1 shall apply to testamentary dispositions revoking an earlier testamentary disposition.

The revocation shall also be valid as regards form if it complies with any one of the laws according to the terms of which, under Article 1, the testamentary disposition that has been revoked was valid.

Article 3

The present Convention shall not affect any existing or future rules of law in contracting States which recognize testamentary dispositions made in compliance with the formal requirements of a law other than a law referred to in the preceding Articles.

Article 4

The present Convention shall also apply to the form of testamentary dispositions made by two or more persons in one document.

Article 5

For the purposes of the present Convention, any provision of law which limits the permitted forms of testamentary dispositions by reference to the age, nationality or other personal conditions of the testator, shall be deemed to pertain to matters of form. The same rule shall apply to the qualifications that must be possessed by witnesses required for the validity of a testamentary disposition.

Article 6

The application of the rules of conflicts laid down in the present Convention shall be independent of any requirement of reciprocity. The Convention shall be applied even if the nationality of the persons involved or the law to be applied by virtue of the foregoing Articles is not that of a contracting State.

Article 7

The application of any of the laws declared applicable by the present Convention may be refused only when it is manifestly contrary to "ordre public".

Article 8

The present Convention shall be applied in all cases where the testator dies after its entry into force.

Article 9

Each contracting State may reserve the right, in derogation of the third paragraph of Article 1, to determine in accordance with the *lex fori* the place where the testator had his domicile.

Article 10

Each contracting State may reserve the right not to recognize testamentary dispositions made orally, save in exceptional