- Français Other languages
  - Deutsch
  - Español
  - Português
  - <u>عربی</u> •
  - <u>Български</u>
  - Català
  - 🔟
  - Čeština
  - Dansk
  - ქართული
  - <u>Қазақ тілі</u>
  - Hrvatski
  - <u>Italiano</u>
  - 🔲
  - <u>Latviešu</u>
  - Nederlands
  - ППП
  - Polski
  - Română
  - Русский
  - Shqip
  - Slovenščina
  - Српски
  - Suomi
  - Svenska
  - Українська
- Secure Portal

#transl("toggle-nav")#

- MEMBERS & PARTIES
  - HCCH Members
  - Other Connected Parties
  - Authorities (per Party)
  - Secure Portal
  - <u>INSTRUMENTS</u>
    - Conventions, Protocols and Principles
    - Status chart
    - Authorities (per Convention)
    - The 'old' Conventions
  - PROJECTS
    - <u>Legislative Projects</u>
    - <u>Post-Convention Projects</u>
    - <u>Upcoming meetings</u>
  - GOVERNANCE
    - Statute
    - Council on General Affairs and Policy
    - Rules of Procedure
    - Financial Regulations
    - Other Governance documents

- Co-operation with other International Organisations
- The team of the Permanent Bureau
- PUBLICATIONS & STUDIES
  - <u>Publications</u>
  - e-Book Store
  - Studies
  - Deutsch
  - English
  - <u>Español</u>
  - Français
  - Português
  - Other

\_

# **Print**

- Home
- <u>Instruments</u>
- Conventions, Protocols and Principles
- Authorities

# 14: Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters

Entry into force: 10-II-1969

# **Members of the Organisation**

# Albania

Albania - Central Authority & practical information

# **Central Authority(ies):**

the Department responsible for the international judicial cooperation at the Ministry of Justice.

# **Contact details:**

Ministry of Justice Department of Foreign Jurisdictional Relations Blv Zogu i I TIRANA Albania

Address:

Telephone:	+355 42 230 247	
Fax:	+355 42 234 560	
E-mail:		
General website:	http://www.justice.gov.al	
Contact person:		
Languages spoken by staff	: English	
Practical Information: (The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)		
Forwarding authorities (Art. 3(1)):		
Methods of service (Art. 5(1)(2)):		
Translation requirements (Art. 5(3)):		
Costs relating to execution (Art. 12):	of the request for service	
Time for execution of requ	est:	
Judicial officers, officials of (Art. 10(b)):	or other competent persons	
Oppositions and declaration (Art. 21(2)):	ns	
Art. 8(2):		No opposition
Art. 10(a):		No opposition
Art. 10(b):		No opposition
Art. 10(c):		No opposition
Art. 15(2):		No opposition
Art. 16(3):		No opposition

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

## Disclaimer:

*Information may not be complete or fully updated – please contact the relevant authorities to verify this information.* 

Useful links:

(This page was last updated on 1 July 2016)

Albania - Competent Authority (Art. 6, 18)

the Courts which have requested judicial and extrajudicial documents for the purpose of this Convention.

Albania - Competent Authority (Art. 9)

the Department responsible for the consular issues, at the Ministry of Foreign Affairs.

# Andorra

Andorra - Central Authority (Art. 2)

The Ministry of Justice is the Central Authority provided for in Article 2.

Andorra - Competent Authorities (Art. 6)

In accordance with Article 6, the authority competent to complete the certificate of service of the document is the judicial authority competent to serve the document.

Andorra - Competent Authority (Art. 9)

Ministry of Social Affairs, Justice and Interior Edifici Administratiu de l'Obac Ctra. de l'Obac AD700 Escaldes-Engordany Principality of Andorra

Tel: +376 872 080 Fax: +376 864 950

Email: cooperacio internacional MJI@govern.ad

Andorra - Central Authority & practical information

# **Central Authority(ies):**

the Department of Justice and Interior at the Ministry of Social Affairs, Justice and Interior.

# **Contact details:**

Address: Ministry of Social Affairs, Justice and Interior

Department of Justice and Interior Edifici Administratiu de l'Obac

Ctra de l'Obac, s/n

AD700 Escaldes Engordany

# PRINCIPALITY OF ANDORRA

Telephone: + 376 872 080

Fax: + 376 869 250

E-mail: <u>cooperacio internacional MJI@govern.ad</u>

Notification requirements / Communication language:

The Principality of Andorra requires that all demands of service of documents be presented with the formulary of the Convention, that can be downloaded on the Convention page, using either the French/English version, the French/Spanish/English version.

The infinity of variations of documents received in the last 8 or 9 months has obliged us to reflect on the language of notification of the documents, therefore, after consulting the Ministry of Foreign Affairs, and the Judicial authorities, the Government of Andorra needs the Secretariat to update information regarding the translation requirement under article 5(3).

The Department of Justice and Interior, acting as Central authority, is obliged to maintain an updated database where basic information information (besides the final destinatary and origin) must be entered, and the fact is that many documents or notification demands come with a document, as we said, with no formulary duly filled.

Translation requirements:

Therefore Andorra will operate like this once the information is online on the web page. If you think it is important that we also make a communication to the parts of the Convention, please let us know.

The Government of Andorra kindly asks the Secretariat of the HCCH to publish the following information:

- A) The service requested within the meaning of Article 5(3), sent through the channel of the Central Authority, requires that the original documents arrive accompanied with the translation in Catalan.
- B) Hoowever, if the DOCUMENT IS SENT DIRECTLY TO THE INTERESTED PARTY/DESTINATARY as the Convention states in (5(2); the documents may be sent in whatever language the requested party considers valid for the interested person to read and fully understand what is sent to them, with their right to accept it or refuse it.

(This page was last updated on 18 March 2019)

# Argentina

Argentina - Central Authority & practical information

# Central Authority(ies):

Ministry of Foreign Affairs and Worship

# **Contact details:**

International Legal Assistance Department

Office of the Legal Advisor

Ministry of Foreign Affairs and Worship Address:

Esmeralda 1212, 4th floor, Of. 402

**BUENOS AIRES** 

Argentina

Telephone: +54 (11) 4819-7385

Fax: +54 (11) 4819-7353

E-mail: dajin@mrecic.gov.ar

General website: http://www.mrecic.gov.ar/

Conrado Gastón IZURA

Director of the International Legal Assistance Contact person:

Department

Languages spoken by staff: Spanish, English, Portuguese

# **Practical Information:**

Forwarding authorities

(Art. 3(1)):

Judicial authorities and those that have jurisdictional functions (mediators, Chamber of Commerce, Securities National

Commission, Federal Tax Court, etc.

Methods of service

(Art. 5(1)(2)):

Service is only admissible through judicial channels.

Translation requirements

(Art. 5(3)):

The Argentine Republic shall not accept documents to be served or transmitted unless they are accompanied by a translation into the

Spanish language. (See <u>declarations</u>)

Costs relating to execution of the

request for service

(Art. 12):

It has no costs.

Argentine legislation does not establishes a period of time for Time for execution of request:

services to be made.

Oppositions and declarations

(Art. 21(2)):

(Click here to read all the Argentinian declarations and reservations

under this Convention.)

Art. 8(2): No opposition

Art. 10(a): Opposition

Art. 10(b): Opposition Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

# Bilateral

- Tratado de Cooperación y Asistencia Jurisdiccional en Materia Civil, Comercial, Laboral y Administrativa entre la República Argentina y la Federación de Rusia. 20/11/2000. Ley 25.595 (22/05/2002)
- Convención de asistencia judicial y de reconocimiento y ejecución de sentencias en materia civil entre la República Argentina y la República Italiana. Roma, Italia, 09 de Diciembre de 1987. Ley n° 23.720 (01/07/1990)

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

 - Acuerdo sobre Cooperación Judicial en materia Civil, Comercial, Laboral y Administrativa entre la República Argentina y la República Federativa del Brasil, Brasilia, 20/08/1991. Ley N° 24.108(01/07/1992)

# Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

# **Multilateral**

- Inter-American Convention on Letters Rogatory (Panama City, 13 January 1975).
- Additional Protocol to the Inter-American Convention on Letters Rogatory (Montevideo, 8 May 1979) http://www.oas.org/
- Protocolo de Cooperación y Asistencia Jurisdiccional en Materia Civil, Comercial, Laboral y Administrativa (MERCOSUR/CMC/DEC N° 5/92)
- Acuerdo Complementario al Protocolo de Cooperación y Asistencia Jurisdiccional en Materia Civil, Laboral y Administrativa (MERCOSUR/CMC/DEC N° 5/97) (Asuncion, 14

June 1997) <a href="http://200.40.51.219/msweb/principal/contenido.asp">http://200.40.51.219/msweb/principal/contenido.asp</a>

Useful links: <a href="www.mrecic.gov.ar/portal/seree/dgcin/multilateral.html">www.mrecic.gov.ar/portal/seree/dgcin/multilateral.html</a>

(This page was last updated on 15 January 2019)

Argentina - Forwarding Authorities (Art. 3)

Autoridades judiciales y aquellas que posean funciones jurisdiccionales (mediadores, Cámara de Comercio, Comisión Nacional de Valores, Tribunal Fiscal de la Nación (Judicial authorities and those that have jurisdictional functions (mediators, Chamber of Commerce, Securities National commission, Federal Tax Court, etc.)

# Armenia

Armenia - Central Authority

Ministry of Justice of the Republic of Armenia

0010, 3/8 Vazgen Sargsyan street

Yerevan

Republic of Armenia Tel.: +374(10)380-389 Email: <u>info@moj.am</u>

# Australia

Australia - Central Authority & practical information

# **Central Authority(ies):**

Attorney-General's Department

# **Contact details:**

Private International and Commercial Law

Section

Australian Government

Address: Attorney-General's Department

Robert Garran Offices 3-5 National Circuit BARTON ACT 2600

Australia

Telephone: +61 2 6141 3332 (for voicemail messages)

Fax: +61 2 6141 5452

E-mail: pil@ag.gov.au

General website: <a href="www.ag.gov.au/pil">www.ag.gov.au/pil</a>

Contact person: The Principal Legal Officer

Languages spoken by staff: English

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003, 2008 and/or 2013 Service Convention Questionnaires)

The persons and entities within Australia competent to forward service requests pursuant to Article 3 include any court official, or any other person or entity

Forwarding authorities authorised by the rules of the court.

(Art. 3(1)):

Click <u>here</u> to read all the declarations made by Australia under the Service

Convention.

Methods of service

**New South Wales:** 

(Art. 5(1)(2)): The documents are served on a person by means of personal service by the

Sheriff of New South Wales with the request of the Supreme Court of New

South Wales.

Personal service of a document on a person is effected by leaving a copy of the document with the person, or, if the person does not accept the copy, by putting the copy down in the person's presence and informing the person of the fact that the document has been so placed. If the person is not at home, personal service is effected by leaving the documents addressed to the person, with a person who is apparently of or above the age of 16 years residing at that address.

In the case of a person having an address for service that is a solicitor's office address, service is attempted at the solicitor's office by leaving the documents with a person employed at that address.

Service of a document on a Corporation is effected by personally serving the document on the Corporation in any manner in which service of such a document may, by law, be served on the Corporation.

Service of a document on a prisoner or an inmate is effected by leaving the document with the General Manager of a Correctional Centre where the prisoner or an inmate is held.

Note: Request for service to a Post Office Box number, DX number or service transmission of documents electronically is not accepted in New South Wales.

Voluntary or informal delivery of documents (Article 5(2)) is carried out in the same manner as above.

# Victoria:

As above for New South Wales. A Sheriff's Officer, detailing whether service has been successful or not, completes an affidavit of service. This indicates how the addressee was identified or reasons that service could not be affected. All relevant documents are sent back to the Foreign Service Officer for the Certificate of Service to be completed. Documents are then returned to the Applicant.

If the requesting authority has stipulated they require voluntary service to be affected, the process is carried out in the same manner as above. However, the addressee may refuse to accept the documents when being served by a Sheriff's Officer under this method. This is reflected in the affidavit, returned to the Court and deemed unsuccessful. Documents are then returned to the Applicant.

# **Queensland:**

If the request is compliant with the Convention, service is effected by either a bailiff of the court or an enforcement officer.

Personal service on an individual is effected by locating the person to be served and identifying them, generally by asking their identity, and then giving them the documents to be served.

If service of the documents is required on a corporation, then service will ordinarily be attended to by delivering the documents and leaving them with a person at the registered address of the corporation.

If service of the documents is required on a business that is not a registered corporation, then service is effected by delivering the documents and leaving with them with a person at the business address who appears to be in control or

management of the business.

<u>Please note that service cannot be effected by sending documents to or leaving</u> them at a Post Office Box address.

Voluntary service is carried out by either a bailiff of the court or an enforcement officer.

The bailiff or enforcement officer will locate the person to be served, identify them (by asking them to confirm their name) and will then ask if they will voluntarily accept service of the documents. If so, the documents or a copy of them will be left with that person.

<u>Please note that Voluntary Service cannot be effected on a Post Office Box</u> address.

# Western Australia:

Official service is carried out pursuant to the <u>Supreme Court Rules 1971</u> (WA) under Order 11A.

If these requirements are met, the request is processed through the Supreme Court and passed to the Sheriff to organise personal service.

Upon receipt the Sheriff will organise for one of his Officers to effect service and when service is effected an Affidavit will be completed by the Sheriff's office. This Affidavit is forwarded to the Supreme Court and upon receipt, the Principal Registrar produces the Certificate of Service of Foreign Process which is signed and sealed.

Attached to that Certificate is the Sheriff's Affidavit and annexures being the documents that were in fact served.

These documents are then forwarded to the State Solicitor's Office.

Upon receipt the State Solicitor's Office transmits that Certificate, Affidavit and annexures to the requesting authorities.

A notation and request is also made with regards to payment of service fees which are paid in advance by the State Solicitor's Office.

The process for voluntary service is basically the same as above apart from the fact that in some instances, no translation of the documentation is provided apart from the original request and if that is the case, voluntary service will be carried out on the condition that the person being served is happy to accept the documentation in that form. An Affidavit of Service is prepared by the Sheriff's Officer annexing the document that was served.

The Principal Registrar of the Supreme Court of Western Australia will produce a Certificate for documents that are not translated but he cannot certify what has been delivered other than a document in a foreign language.

# **South Australia:**

The documents are transferred to the Sheriff who arranges for the documents to be forwarded to the Process Server. The Process Server will attend at the address shown and attempt to serve the documents. If successful an affidavit of service would be completed.

If the person is no longer at the stated address, inquiries would be made with neighbours to try to ascertain the current address.

The Process Server would follow specific instructions relating to the service of the documents as provided by the applicant. For example, requiring the signature of the recipient. If the applicant has requested a particular method of service and that method is compatible with the law in force in this jurisdiction that method would be used.

Voluntary service

There are no recent precedents in South Australia.

# Tasmania:

If the applicant has requested a particular method of service and that method is compatible with the law in force in Tasmania, service will be by that method (Supreme Court Rules 2000 (Tas), r.9700 (3)(b)).

If the applicant has not requested a particular method of service and the person accepts the document voluntarily by delivery of the document to the person to be served (Supreme Court Rules 2000 (Tas), r.9700 (3)(c)).

Unless a specific method of service is directed, a notice or document may be served on a natural person by giving it to the person or by leaving it at or posting it to that person's residential or business address. A document may be served on any other person by leaving it at or posting it to the person's principal or registered office or principal place of business. (Acts Interpretation Act 1931 (Tas), s.29AB).

Where service by post is permitted it shall be deemed to be effected by properly addressing, prepaying and posting the documents as a letter. Further, unless the contrary is proved service shall be deemed to be effected at the time the letter would be delivered in the ordinary course of post. A document required to be sent through registered post must be duly registered or, unless contrary intention appears, be sent through a certified mail service as provided for by postal regulations in force at the time. (Acts Interpretation Act 1931 (Tas), s.30)

# **Australian Capital Territory:**

The request for service must be sent to the ACT Supreme Court by the Attorney General of the Commonwealth or forwarding authority. The Court arranges for service of: the document to be served, the summary of the document, and a copy of the request for service (Court Procedure Rules 2006 (ACT), rule 6564). This is ordinarily served by a Sheriff's Officer of the Supreme Court.

Voluntary service is carried out in the same way as official service as described above i.e. the request must be sent to the Supreme Court which arranges for service See Court Procedure Rules 2006 (ACT), rule 6564.

# **Northern Territory:**

Information on the Northern Territory is not available at this stage.

No translations are required for voluntary service. For all other methods of service please refer below.

**New South Wales:** 

Translation requirements (Art. 5(3)):

11A.13 of the <u>Uniform Civil Procedure Rules 2005</u> (NSW) requires the documents to be served and its translation in English.

Please note: the translation must bear a certificate (in English), signed by the translator stating:

- that the translation is an accurate translation of the document
- the translator's full name and address, and
- his or her qualifications for making the translations

# Victoria:

Where the documents to be served (including request forms) are not in the English language, they must bear a certificate (in English) signed by the translator stating:

- that the translation is an accurate translation of the documents;
- the translator's full name and address and his or her qualifications for making the translation.

See Order 80.13(2) and (3) of the <u>Supreme Court (General Civil Procedure)</u> <u>Rules 2005</u> (VIC).

# Queensland:

The foreign civil process to be served must be translated into English and provided in duplicate pursuant to Rule 130 of the <u>Uniform Civil Procedure Rules 1999</u> (Qld). The documents forwarded for service must be duly certified by the translator to be a true and correct translation of the documents to be served.

# Western Australia:

Documents to be served must be translated into English. Any translation that is provided must bear a Certificate in English (signed by the translator) stating that the translation is an accurate translation of the document and the translator's full name and address and his/her qualifications for making the translation. The Certificate is required pursuant to Rule 11A 3(2) of the <u>Supreme Court Rules 1971</u> (WA).

# **South Australia:**

Rule 41M of the <u>Supreme Court Civil Rules 2006</u> (SA) deals with translation requirements.

Subrule (2) provides that where a document to be submitted is not in English it must be accompanied by an English translation of the document.

Any translation required under subrule (2)(d) must bear a certificate (in English) signed by the translator stating:

- that the translation is an accurate translation of the document, and
- the translator's full name and address and his or her qualifications for making the translation.

# Tasmania:

Any documents in a language other than English must be accompanied by an English translation (Supreme Court Rules 2000 (Tas), r.970M(2)(b)). Any translated documents must bear a certificate (in English) signed by the translator stating the translation is an accurate translation of the document as well as the translator's full name and address and his or her qualifications for making the translation (Supreme Court Rules 2000 (Tas),r.970M(2)).

# **Australian Capital Territory:**

Documents for service, if in a language other than English, must be accompanied by an English translation of those documents. The translation must bear a certificate in English, signed by the translator, stating that the translation is an accurate translation of the document and the translator's full name, address and qualifications for making the translation (<u>Court Procedure Rules 2006</u> (ACT), rule 6562).

# **Northern Territory:**

Information on the Northern Territory is not available at this stage.

Costs relating to execution of the request for service (Art. 12):

# **New South Wales:**

A flat fee applies for service, including service attempts. The fees are payable to the Supreme Court of New South Wales. An invoice for payment is sent to the requesting authority along with the Certificate of Service/Non Service.

The costs of service are set out in the <u>Civil Procedure Regulations 2012</u> (NSW). The Sheriff's fees are in Schedule 2 Sheriff's Fees. Item 1 sets out the current fees for service.

Please note that an increase in service fees normally occurs on 1 July of each year.

# Victoria:

A fee of AUD 32.00 applies for successful service and AUD 23.00 for unsuccessful service. This is payable upon receipt of Certificate of Service or Non-service.

Payment can be made via credit cards, bank transfers or bank drafts. Reference numbers provided by the Sheriff's Office (in the invoice) must be quoted when payment is made.

# **Queensland:**

The requesting authority must bear the costs of effecting service of both judicial and extrajudicial documents in Queensland, Australia.

There is no difference between the costs to effect service of judicial documents or extrajudicial documents. If service is not effected on the person, then the requesting authority must also bear the costs involved in attempting to effect service.

The exact cost will vary on a case by case basis depending on a number of factors, including, the location where service must be effected, whether the person to be served is cooperative and the number of attempts required to effect service.

The Queensland authorities will seek reimbursement of the service fees from the requesting authority.

At the conclusion of the matter, a Certificate of Service or a Certificate of Non Service will be returned to the requesting authority, together with an invoice for payment.

# Western Australia:

The standard cost for service is AUD 120, a deposit fee which is paid to the Sheriff's Office in advance by the State Solicitor's Office and from that amount, he has a receiving charge, handling charge and service charge plus mileage and

that normally comes in under that amount which is normally in the vicinity of AUD 60.00 to AUD 80.00.

As this State is a very large state, some 3500 kilometres from one end to the other, service in remote areas can incur additional fees for travelling the additional distances. But, generally speaking, most service requests come in under AUD 120.00. The cost of service is set out in the <u>Civil Judgments</u> <u>Enforcement Regulations 2005</u> (WA). The Sheriff's Fees are in <u>Schedule 2</u>.

# **South Australia:**

The requesting applicant must bear the costs of effecting service of both judicial and extrajudicial documents in South Australia. If service is not effected on the person/company, then the applicant must bear the costs involved in attempting to effect service. The exact cost will vary on a case by case basis depending on a number of factors, including the location where the service must be effected, whether the person/company to be served is cooperative and the number of attempts required to effect service. The South Australian authorities will seek reimbursement of the service fees from the requesting applicant.

At the conclusion of the service, a Certificate of Attestation showing service, or non-service, will be returned to the applicant together with an invoice for payment.

# Tasmania:

The costs of service vary according to the mode of service used. Postal costs vary according to the size and weight of the article. Process servers' costs for personal service vary according to the location of the person served (distance the process server has to travel to effect service), and the number of trips which must be made before service is achieved.

# **Australian Capital Territory:**

The Australian Capital Territory Supreme Court currently charges a flat fee for service. This fee includes up to 3 attempts to serve the documents at the same address and is payable regardless of whether service is successful or not. The current fee is listed on the <u>Supreme Court website</u> under 'Foreign Service'. This fee is required to be paid up front. Payment can be made by way of cheque made payable to the 'Supreme Court of the Australian Capital Territory'. Alternatively payment can be made by credit card over the phone by ringing the Supreme Court Registry.

# **Northern Territory:**

Information on Northern Territory is not available at this stage.

Service in Australia can currently take up to 3 months or more. It varies according to the state or territory that the request is sent to as they may have different ways of processing service requests. It also depends on where in Australia the person resides. If the person is in a remote location, the time for execution of the service request will be longer than if the person lives in a central location.

Time for execution of request:

Requests for urgent service are considered, but it may not always be possible to assist with expediting the request.

Please note the above for setting of future court dates.

Judicial officers, officials or other

competent persons (Art. 10(b)

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Australia under the Service Convention.

Art. 8(2):

No opposition

Art. 10(a):

Australia does not object to service by postal channels, where it is permitted in the jurisdiction in which the process is to be served. Documents forwarded via postal channels must be sent via registered mail to enable acknowledgement of

receipt (see <u>declarations</u>)

Art. 10(b):

No opposition

Art. 10(c):

No opposition

Art. 15(2):

Australia accepts that a default judgment may be awarded against a defendant even if no evidence of service had been provided, if all of the conditions outlined in Article 15, paragraph 2, are satisfied. See declaration of applicability

in Article 15, paragraph 2, are satisfied. See <u>declaration of applicability</u>.

Art. 16(3):

An application for relief by a defendant from the effects of the expiration of the time to appeal will not be entertained if it is filed after the expiration of one year following the date of the judgment, except where it is determined otherwise by the Court seized by the matter. See declaration of applicability.

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

# **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links: <a href="http://www.ag.gov.au/pil">http://www.ag.gov.au/pil</a>

(This page was last updated on 19 March 2019)

Australia - other authorities (Art. 18)

(a) Supreme Court of New South Wales GPO Box 3 Sydney NSW 2001 Australia Phone: +61 2 9230 8111 Fax: +61 2 9230 8628

Email: supreme court@courts.nsw.gov.au

Website: click here

Contact Person: Prothonotary and Manager of Court Services

(language of communication: English)

(b) Supreme Court of Victoria

210 William Street Melbourne VIC 3000

Australia

Phone: +61 3 9603 6111

Email: <a href="mailto:foreign.service@supremecourt.vic.gov.au">foreign.service@supremecourt.vic.gov.au</a>
Website: <a href="http://www.supremecourt.vic.gov.au/">http://www.supremecourt.vic.gov.au/</a>
Contact Person: Rodney Ratcliffe, Prothonotary

(language of communication: English)

(c) Supreme Court of Queensland

P.O. Box 15167 City East QLD 4002

Australia

Phone: +61 7 3247 4301 Fax: +61 7 3247 5316

Email: <a href="mailto:courtinfo@justice.qld.gov.au">courtinfo@justice.qld.gov.au</a>
Website: <a href="mailto:www.courts.qld.gov.au">www.courts.qld.gov.au</a>

Contact person: Executive Director, Supreme, District & Land Courts Service

(language of communication: English)

(d) Supreme Court of Western Australia

Stirling Gardens Barrack Street

Perth WA 6000 Australia

Phone: +61 8 9421 5333 Fax: +61 8 9221 4436 Email: manager.customer.services@justice.wa.gov.au

Website: <a href="http://www.supremecourt.wa.gov.au">http://www.supremecourt.wa.gov.au</a>

Contact Person: Principal Registrar (language of communication: English)

(e) Supreme Court of South Australia

Registrar's Office 1 Gouger Street Adelaide SA 5000

Australia

Phone: +61 8 8204 0476 Fax: +61 8 8212 7154

Email: <a href="mailto:supreme.registry@courts.sa.gov.au">supreme.registry@courts.sa.gov.au</a>

Website: <a href="http://www.courts.sa.gov.au/courts/supreme/content.html">http://www.courts.sa.gov.au/courts/supreme/content.html</a>

Contact Person: Supreme Court Registrar (language of communication: English)

(f) Sheriff of the Supreme Court of Tasmania

GPO Box 167 Hobart TAS 7001

Australia

Phone: +61 3 6233 6385 Fax: +61 3 6223 7816

Email: SupremeCourtHobart@justice.tas.gov.au

Website: <a href="http://www.supremecourt.tas.gov.au/">http://www.supremecourt.tas.gov.au/</a>

Contact Person: Sheriff

(language of communication: English)

(g) Supreme Court of the Australian Capital Territory

GPO Box 1548 Canberra ACT 2601

Australia

Phone: +61 2 6207 1786 Fax: +61 2 6205 4860

Email: annie.glover@act.gov.au

Website: <a href="http://www.courts.act.gov.au/supreme">http://www.courts.act.gov.au/supreme</a>

Contact Person: Annie Glover, Registrar (language of communication: English)

(h) Supreme Court of the Northern Territory

**Registry Office** 

Darwin Supreme Court

GPO Box 3946 Darwin NT 0801

Phone: +61 8 8999 6574 Fax: +61 8 8999 5446

Email: julian.johnson@nt.gov.au

Website: <a href="http://www.supremecourt.nt.gov.au/">http://www.supremecourt.nt.gov.au/</a> Contact Person: Julian Johnson, Registrar (language of communication: English)

(i) Pursuant to Article 18 of the Convention, Australia designates the following authority as Additional Authority, exclusively responsible for receiving and executing requests for service of documents under the Convention in maritime and admiralty matters:

The Federal Court of Australia

Principal Registry Locked Bag A6000 Sydney South NSW 1235

Telephone: +61 2 9230 8473 Facsimile: +61 2 9280 1381 Email: <u>query@fedcourt.gov.au</u> Website: <u>www.fedcourt.gov.au</u>

Language: English

(This page was last updated on 10 April 2015)

Australia - Competent Authorities (Art. 6)

The authorities designated under Articles 2 and 18 of the Convention, or persons authorised by those authorities, are competent to complete a Certificate of Service for the purposes of Article 6.

Australia - Competent Authorities (Art. 9)

The authorities designated under Articles 2 and 18 of the Convention are competent to receive requests for service transmitted by a foreign consul within Australia for the purposes of Article 9.

Australia - Competent Authorities (Art. 8)

The Australian Government Department of Foreign Affairs and Trade will be the competent authority to serve documents for the purposes of Article 8.

# **Belarus**

Belarus - Central Authority & practical information

# **Central Authority(ies):**

Ministry of Justice of the Republic of Belarus

**Contact details:** 

Ministry of Justice of the Republic of

**Belarus** 

Address: ul. Kollektornaya, 10

220048 Minsk

Belarus

Telephone: +375.17.2110.185 and/or +375.17.2110.201

Fax: +375.17.2208.829 and/or +375.17.2209.755

E-mail: <u>iuliat@minjust.belpak.minsk.by</u>

General website: <a href="http://www.minjust.by/">http://www.minjust.by/</a>

Contact person:

Languages spoken by staff: Russian / English

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 Service Convention Questionnaire)

Forwarding authorities

(Art. 3(1)):

the courts

Methods of service

(Art. 5(1)(2)):

Documents are entrusted to courts in conformity with Art. 5(1)

(a) and (2) of the Convention.

Translation requirements

(Art. 5(3)):

A full translation of the document subject to delivery is necessary. Agreements concerning language requirements

according to Art. 20(*b*) of the Convention had not been made.

Costs relating to execution of the

request for service

(Art. 12):

Not available.

Time for execution of request:

On average, the time for execution of a Request for service is one

month.

Oppositions and declarations

(Art. 21(2)):

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

No opposition Art. 10(c):

Art. 15(2): No declaration of applicability

No declaration of applicability Art. 16(3):

Derogatory channels (bilateral or

permitting other transmission

channels)

(Arts. 11, 19, 24 and 25)

multilateral agreements or internal law Bilateral conventions on judicial co-operation: China, Cuba, Czech Republic, Hungary, Lithuania, Latvia, Poland, and

Vietnam.

The Republic of Belarus is a State party to the CIS

[Commonwealth of Independent States] Convention of January 22, 1993 on Legal Aid and Legal Relations on Civil, Family and

Criminal Matters.

http://www.cis.minsk.by/main.aspx?uid=74

**Disclaimer:** 

*Information may not be complete or* fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 21 March 2006)

# **Belgium**

Belgium - Central Authority & practical information

# Central Authority(ies):

Service Public Fédéral de la Justice Service d'entraide internationale en matière civile

# Contact details:

Service Public Fédéral de la Justice

Service d'entraide internationale en matière

civile

Address: Boulevard de Waterloo, 115

1000 BRUXELLES

Belgique

Telephone: +32 (2) 542 6511

Fax: +32 (2) 542 7006

E-mail: info@just.fgov.be

http://justice.belgium.be/fr/ General website: http://justitie.belgium.be/nl/

Contact person:

Languages spoken by staff: French, Dutch, English

# **Practical Information:**

Forwarding authorities (Art. 3(1)):

Name of forwarding authority - the forwarding authority is the authority or judicial officer that is competent under the law of your State to forward requests for service abroad

a. the registries and parquets of the various civil, commercial and labour courts;

b. huissiers de justice of the Kingdom.

Methods of service (Art. 5(1) (2)):

Brief statement as to how incoming requests for service are executed in your State (i.e., how the documents are served) reference to relevant laws (civil *procedure code or court rules)* 

# https://e-justice.europa.eu

> Tools for courts and practitioners > Service of documents

Translation requirements (Art. 5(3)):

Brief statement as to whether the *Central Authority requires* under Article 5(1), to be in - or translated into - the official *language* of your State

In general a translation is not required; however, the Ministry of Justice may require a translation into French or Dutch in specific cases, notably at the request of the recipient.

For service of judicial documents in accordance with article 5, paragraph 1, a) or b), the Belgian Central Authority requests the documents to be drawn documents, which are to be served up or translated in the official language or one of the official languages of the place of residence of the addressee(s) (i.e. Dutch, French, German). The transmitting authority is invited to reach out the Belgian Central Authority in order to be informed about the language requirements in individual cases.

the request for service (Art. 12):

*List of the types of costs (if any)* that are typically reimbursable to your State pursuant to Article *12(2)* of the Convention

Costs relating to execution of Service of documents in application of article 5, paragraph 1, a) or b) implies the employment of a judicial officer. The costs thereof must be reimbursed in accordance with article 12 of the Convention. See declarations.

# https://e-justice.europa.eu

> Tools for courts and practitioners > Service of documents

Time for execution of request:

*Indication of the time elapsing* from receipt of incoming request for service until forwarding of the certificate of service - see response to question 7

Judicial officers, officials or other competent persons (Art. 10(b)):

Chambre nationale des Huissiers de Justice Avenue Henri Jaspar 93 1060 Brussels Belgium

Name, e.g., the body of judicial officers competent to effect service tel.: +32 (2) 538 0092 of judicial documents coming from fax: +32 (2) 539 4111 another Contracting State - only applicable for States whose internal law allows for this practice

Chambre.Nationale@huissiersdejustice.be Website: <a href="http://www.huissiersdejustice.be">http://www.huissiersdejustice.be</a> (FR) http://www.gerechtsdeurwaarders.be (NL)

(Art. 21(2)):

Oppositions and declarations <u>Click here</u> to read all the declarations made by Belgium under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

No opposition Art. 10(c):

Declaration of applicability Art. 15(2):

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law channels) (Arts. 11, 19, 24 and 25)

Supplementary agreements to the Hague Convention of 17 July 1905 and/or of 1 March 1954 were concluded with: France (Paris, 1 March 1956 – Arts 1 to 4); *Germany* (Brussels, 25 April 1959 – in particular Arts 1 to permitting other transmission 3); Luxembourg (Brussels, 11 and 19 March 1974 – Arts 1 to 3); the Netherlands (Brussels, 30 December 1937 and 7 February 1938).

List of bilateral or multilateral agreements to which your State is party, as well as provisions of the internal law of your State permitting other methods of territory of your State

Bilateral convention on judicial co-operation: *United Kingdom* (London, 21 June 1922 – Arts 2 to 7). This Convention also applies to the relations with Barbados and Malawi.

Council Regulation (EC) No 1393/2007 on the service in the Member transmission of documents coming States of judicial and extrajudicial documents in civil or commercial from abroad for service within the matters (Strasbourg, 13 November 2007) - European Judicial Atlas in Civil Matters

# Useful links:

Address of websites containing information relating to the operation of the Convention in your State

http://justice.belgium.be/fr/ (FR) http://justitie.belgium.be/nl/ (NL)

(This page was last updated on 17 July 2014)

Belgium - Competent Authority (Art. 9)

Ministère de la Justice Administration de la Législation Place Poelaert, 4 1000 BRUXELLES Belgique

# **Bosnia and Herzegovina**

Bosnia and Herzegovina - Central Authority and practical information

# Central Authority(ies):

The Ministry of Justice of Bosnia and Herzegovina

**Contact details:** 

the Ministry of Justice of the Republic of Bosnia and

Herzegovina

Address: Trg Bosne i Hercegovine 1

71000 SARAJEVO Bosnia and Herzegovina

Telephone: +387 (33) 281 571

Fax: +387 (33) 201 653

E-mail: <u>teuta.zubi-bakovic@mpr.gov.ba</u>

General website: <u>www.mpr.gov.ba</u>

Contact person: Mrs Teuta Žubi-Bakovic

Languages spoken by staff: English

# **Practical Information:**

Forwarding authorities (Art. 3(1)):

Name of forwarding authority - the forwarding authority is the authority or judicial officer that is competent under the law of your State to forward requests for service abroad

Ministry of Justice of Bosnia and Herzegovina

Methods of service (Art. 5(1)(2)):

The methods of service are prescribed by domestic law - Civil Procedure Code of Federation of Bosnia and Herzegovina, Civil Procedure Code of Republika Srpska and Civil Procedure Code of Br?ko District of Bosnia and Brief statement as to how incoming requests for service are executed in your State (i.e., how the documents are served) - reference to relevant laws (civil procedure code or court rules)

Herzegovina.

# Translation requirements (Art. 5(3)):

Brief statement as to whether the Central Authority requires documents, which are to be served under Article 5(1), to be in - or translated into - the official language of your State

Brief statement as to whether the Central Authority requires Herzegovina.

Translation in sense of Article 5(3) is not required in Bosnia and Herzegovina.

Costs relating to execution of the request for service (Art. 12):

List of the types of costs (if any) that are typically reimbursable to your State pursuant to Article 12(2) of the Convention

Bosnia and Herzegovina bears the costs for the service of documents.

Time for execution of request:

Indication of the time elapsing from receipt of incoming request for service until forwarding of the certificate of service - see response to question 7

No information available.

Judicial officers, officials or other competent persons (Art. 10(b)):

Name, e.g., the body of judicial officers competent to effect service of judicial documents coming from another Contracting State - only applicable for States whose internal law allows for this practice

Oppositions and declarations (Art. 21(2)):

Art. 8(2):

Art. 10(a):

Art. 10(b):

Art. 10(c):

Art. 15(2):

Art. 16(3):

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

List of bilateral or multilateral agreements to which your State is party, as well as provisions of the internal law of your State permitting other methods of transmission of documents coming from abroad for service within the territory of your State

Bilateral conventions on judicial co-operation:
Austria (Vienna, 16 December 1954), Algeria (20 September 2011),
Belgium (24 September 1971); Bulgaria (23 March 1956), Croatia (Split, 26 February 1996 amended in Split, 17 June 2002), People's Republic of China (2012), Czech Republic (20 January 1964), Cyprus (19 September 1984), the Former Yugoslav Republic of Macedonia (2005 amended 2013), Moldova (19 June 2012), Mongolia (8 June 1981), France (29 October 1969), Greece (18 June 1959), Hungary (7 March 1968), Iran (14 June 2011), Iraq (23 May 1986), Italy (3 December 1960), Montenegro (9 July 2010), Poland (6 February 1960), Romania (18 October 1960), Russian Federation (24 February 1962), Serbia (2005 amended 2010), Slovakia (20 January 1964), Slovenia (21 October 2009), Turkey (2013), United Kingdom (27 February 1936).

# Useful links:

Address of websites containing information relating to the operation of the Convention in your State

(This page was last updated on 17 July 2014)

# **Brazil**

Brazil - Central Authority (Art. 2)

Central Authority: Ministry of Justice

# Bulgaria

Bulgaria - Central Authority & practical information

# Central Authority(ies):

Ministry of Justice and European Legal Integration

### **Contact details:**

Ministry of Justice and European Legal Integration

Address: 1, Slavyanska str.

1040 SOFIA Bulgaria

Telephone: +359 (2) 9237 544

Fax: +359 (2) 980 9222

E-mail: k voinov@justice.government.bg

B Beliakova@justice.government.bg

General website: <a href="http://www.justice.government.bg/">http://www.justice.government.bg/</a>

Contact persons: Krasimir Voinov

Biliana Beliakova

Languages spoken by staff: French, English, German

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003, 2008 and/or 2013 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

Name of forwarding authority - the forwarding authority is the authority or judicial officer that is competent under the law of your State to forward requests for service abroad

Forwarding authorities in Bulgaria are the proceeding courts, bailiffs, private bailiffs and notaries.

Methods of service (Art. 5(1)(2)):

Brief statement as to how incoming requests for service are executed in your State (i.e., how the documents are served) - reference to relevant laws (civil procedure code or court rules) The service is formal within the meaning of Article 5 of the Convention.

Formal service is effected by the courts.

Translation requirements (Art. 5(3)):

Brief statement as to whether the Central Authority requires documents, which are to be served under Article 5(1), to be in - or translated into - the official language of your State

The Republic of Bulgaria requires the document, which is to be served, to be written in or accompanied by a translation into the Bulgarian language.

See declarations.

Costs relating to execution of the request for service (Art. 12):

List of the types of costs (if any) that are typically reimbursable to your State pursuant to Article 12(2) of the Convention No charges are incurred for service.

Time for execution of request: 2 or 3 months

Indication of the time elapsing from receipt of incoming request for service until forwarding of the certificate of service - see response to

Judicial officers, officials or other competent persons (Art. 10(b)):

Name, e.g., the body of judicial officers competent to effect service of judicial documents coming from another Contracting State - only applicable for States whose internal law allows for this practice The service of judicial documents is done through the Central Authority.

Oppositions and declarations (Art. 21(2)):

<u>Click here</u> to read all the declarations made by Bulgaria under the Service Convention.

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25) Bilateral conventions on judicial co-operation: Algeria, Armenia, Austria, Azerbaijan, Belgium, China, Cuba, Cyprus, Czech Republic, France, Georgia, Greece, Hungary, Italy, Korea, Kuwait, Libya, Macedonia, Mongolia, Poland, Romania, Russia, Serbia and Montenegro, Spain, Syria, Tunisia, Turkey, Vietnam, Yemen, etc.

List of bilateral or multilateral agreements to which your State is party, as well as provisions of the internal law of your State permitting other methods of transmission of documents coming from abroad for service within the territory of your State

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas - Service of Documents)

# Useful links:

Address of websites containing information (Directorate "International legal relating to the operation of the Convention in Matters" - Ministry of Justice) your State

www.mjeli.government.bg/structure.aspx?cc=en&page=14 (Directorate "International legal cooperation and European Matters" - Ministry of Justice)

(This page was last updated on 17 July 2014)

Bulgaria - Competent Authority (Art. 9)

Ministry of Justice 1, str. Slavianska 1040 Sofia Bulgaria

Telephone: +359 (2) 9237 416 Fax: +359 (2) 980 92 22

Language(s) of communication: English and French

Contact persons: Nadejda Todorova; Krasimir Voinov

(This page was last updated on 4 December 2008)

Bulgaria - Competent Authority (Art. 6)

The district courts

# Canada

Canada - Central Authority & practical information

# Central Authority(ies):

Click <u>here</u> to access the list of <u>all Central Authorities designated by Canada</u> (list up-to-date as of August 2018). *Comment:* to save time, requests should be forwarded directly to the Central Authority of the province or territory concerned. They may, however, also be forwarded to the Federal Central Authority which will transmit them to the relevant Central Authority.

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

- Attorney General for Canada

- Central Authority for Alberta

- Attorney General, Ministry of the Attorney General or Minister of Justice of a province or territory
- Clerks of the courts and their deputies for a judicial or a court district.
- Forwarding authorities (Art. 3(1)):
  - Deputy Minister of Justice, Northwest Territories
  - Huissiers and sheriffs
  - Local registrars
  - Members of the law societies of all provinces and territories Members of the Board of Notaries of the Province of Québec (for non-litigious matters only)
  - Revenu Québec

Methods of service (Art. 5(1)):

Formal Service (Art. 5(1)(a))

In all provinces and territories in Canada, with the exception of the province of Québec, the term "service" covers both service and "notification".

For service requests transmitted to a Canadian Central Authority under Article 5(1)(a), service will be effected using the same methods as would be used to serve judicial documents for proceedings in the Central Authority's jurisdiction.

The normal procedure for service in Canada is personal service made by a process server in Alberta, a huissier in Québec, an enforcement officer of the Ministry of the Attorney General in Ontario or a sheriff or deputy sheriff elsewhere in Canada, on an individual or on a corporation by handing a copy of the document to the individual, or to an officer, director or agent of the corporation at its place of business.

Notification in Québec may be made by delivering the original or certified copy or abstract of the act, document or notice to the person to be notified and obtaining a receipt therefore. It can also be made by registered or certified mail.

Notification may be made by regular mail or by any other means of communication where the context does not require the sender to obtain proof of sending.

**Federal Court and Federal Court of Appeal**: Federal Courts Rules, SOR/98-106.

**Alberta**: Alberta Rules of Court, Alta. Reg. 124/2010.

**British Columbia**: Supreme Court Civil Rules, B.C. Reg. 168/2009.

Manitoba: Court of Queen's Bench Rules, Man. Reg. 553/88.

**New Brunswick**: Rules of Court, N.B. Reg. 82-73.

**Newfoundland and Labrador**: Rules of the Supreme Court, 1986, S.N.L. 1986, c 42, Sch D.

**Northwest Territories**: Rules of the Supreme Court of the Northwest Territories, N.W.T. Reg. 010-96.

Nova Scotia: Nova Scotia Civil Procedure Rules.

**Nunavut**: Rules of the Supreme Court of the Northwest Territories, N.W.T. Reg. 010-96.

Ontario: Rules of Civil Procedure, R.R.O. 1990, Reg. 194.

**Prince Edward Island**: Rules of Civil Procedure.

# **Québec:**

Service: Code of Civil Procedure, R.S.Q., chapter C-25. Notification: Code of Civil Procedure, R.S.Q., chapter C-25.

Saskatchewan: Queen's Bench Rules.

Yukon: Rules of Court, Y.O.I.C. 2009/65.

*Service by a particular method (Art. 5 (1)(b))* 

Central Authorities in Canada will consider requests for service by a particular method requested by the applicant under 5(1)(b) to the extent that such a method is not inconsistent with the law of their jurisdiction.

*Informal delivery (Art. 5(2))* 

The practice of informal delivery ("par simple remise") of judicial or extrajudicial documents is not known in Canada.

Translation requirements (Art. 5(3)):

For both formal service and service by a particular method, translation requirements will depend on the province or territory concerned.

For **Alberta, British Columbia, Newfoundland and Labrador, Nova Scotia** and **Prince Edward Island**, all documents must be written in or translated into

English.

For **Manitoba**, **Northwest Territories**, **Nunavut**, **Ontario** and **Saskatchewan** all documents must be written in or translated into English or French.

For **New Brunswick** and the **Yukon**, all documents must be written in or translated into English or French. The Central Authority of New Brunswick or the Yukon may reserve the right to require documents to be translated into English or French depending on the language understood by the addressee.

For **Québec**, translation will be required in all cases where the recipient does not understand the language in which the document is written. All documents which commence actions must be translated. Summary translation of all other documents is acceptable if the recipient agrees. Translation is to be done into the French language; however, the Québec Central Authority may, upon request, allow a translation in English at the condition that the recipient understands this language.

Click <u>here</u> to read all the declarations made by Canada under the Service Convention.

Costs for the execution of service will be \$100 Can. from August 18, 2014.

Costs relating to execution of the request for service (Art. 12):

Click <u>here</u> to access the list of all provincial and territorial Central Authorities designated by Canada to receive requests for service in their jurisdiction.

Click <u>here</u> for information on methods of payment.

The average time for performance of service is:

Alberta: 4 weeks

British Columbia: 3-6 weeks

Manitoba: 3-4 weeks

New Brunswick: 2-4 weeks

request:

Time for execution of Newfoundland and Labrador: 4 - 6 weeks

Northwest Territories: 3-6 weeks

Nova Scotia: 2-4 weeks Nunavut: 4-6 weeks Ontario: 4-6 weeks

Prince Edward Island: 2-3 weeks

Québec: 4 weeks (service); 3 weeks (notification)

Saskatchewan: 2-4 weeks

Judicial officers, officials or other competent persons (Art. 10(b)(c))

Many businesses commonly referred to as "Process Servers" serve judicial and extra-judicial documents, for a fee. These businesses are listed in the <u>Yellow</u> <u>Pages</u> under "process servers".

In the province of **Québec**, service must be effected by a sheriff or a member of the *Chambre des huissiers de justice du Québec*. Notification may also be made in Québec by delivering the document to the person to be notified, against acknowledgement of receipt.

Chambre des huissiers de justice du Québec 507, Place-d'Armes, bur. 970 Montréal, Québec H27 2W8 Telephone: +1 (514) 721 1100 Toll free: +1 (855) 721 1100 Fax: +1 (514) 721 7878 Email: <a href="mailto:chjq@chjq.ca">chjq@chjq.ca</a>

http://www.chjq.ca/

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Canada under the Service

Convention.

Art. 6:

Art. 9(1):

In addition to the Central Authorities, the sheriffs, deputy-sheriffs, sub-sheriffs, clerk of the court or his/her deputy for the judicial district (except in Manitoba where there are no judicial districts) in which the person is to be served or the *huissiers* (only in Quebec) are competent to complete the certificate of service.

Art. 8(2): No opposition

The Central Authorities in Canada designated in accordance with Articles 2 and

18 of the Convention are competent to receive requests for service transmitted

by a foreign consul within Canada.

Art. 10(a): No opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Art. 15(2): Declaration of applicability (see <u>declarations</u>)

Art. 16(3): Declaration of applicability (see <u>declarations</u>)

Derogatory channels (bilateral or multilateral agreements or internal law permitting other

transmission channels) To view the bilateral treaties regarding judicial cooperation in civil and (Arts. 11, 19, 24 and commercial matters that are in force for Canada, please visit http://www.accord-

treaty.gc.ca/ under the headings "Bilateral" and "Judicial Co-operation (civil

and commercial)".

# Disclaimer:

25)

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links: Alberta:

https://www.alberta.ca/office-of-sheriff-civil-enforcement.aspx

Quebec:

# www.justice.gouv.qc.ca/

# Saskatchewan:

www.sasklawcourts.ca
www.qp.gov.sk.ca (to view Saskatchewan legislation, regulations, rules of court and court forms)

(This page was last updated on 28 August 2018)

Canada - Competent Authority (Art. 6)

In addition to the Central Authorities, the sheriffs, deputy-sheriffs, sub-sheriffs, clerk of the court or his/her deputy for the judicial district (except in Manitoba where there are no judicial districts) in which the person is to be served or the *huissiers* (only in Quebec) are competent to complete the certificate of service.

Canada - Forwarding Authorities (Art. 3)

Requests for service to Central Authorities of other States may be transmitted by:

- Attorney General for Canada
- Attorney General, Ministry of the Attorney General or Minister of Justice of a province or territory
- Clerks of the courts and their deputies for a judicial or a court district.
- Central Authority for Alberta
- Deputy Minister of Justice, Northwest Territories
- Huissiers and sheriffs
- Local registrars
- Members of the law societies of all provinces and territories
- Members of the Board of Notaries of the Province of Québec (for non-litigious matters only)
- Revenu Québec

Canada - Competent Authority (Art. 9)

The Central Authorities in Canada designated in accordance with Articles 2 and 18 of the Convention are competent to receive requests for service transmitted by a foreign consul within Canada.

# China, People's Republic of

China - Central Authority & practical information

# **Central Authority(ies):**

Ministry of Justice, Department of Judicial Assistance and Cooperation, Division of Judicial Assistance

# **Contact details:**

Address: International Legal Cooperation Center (ILCC)

Ministry of Justice of China

33, Pinganli Xidajie Xicheng District BEIJING 100035 People's Republic of China

Telephone: +86 (10) 5560 4537

Fax: +86 (10) 5560 4538

E-mail:

General website: <a href="http://www.moj.gov.cn/organization/node\_sfxzwss.htm">http://www.moj.gov.cn/organization/node\_sfxzwss.htm</a>

1

Contact person:

Ms LI Zhiying

Empile involved

E-mail: <u>ivylee319@vip.sina.com</u>

Languages spoken by staff: Chinese, English

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 Service Convention Questionnaire)

Guide to filling out the Model Form, and FAQs (drawn up by the Chinese Ministry of Justice):

The Guide is available here.

The FAQs are available <u>here</u>.

Forwarding authorities (Art. 3(1)):

The Ministry of Justice, Higher People's Court and five province authorities: Beijing, Shanghai, Jiangsu, Zhejiang and Guangdong.

Formal Service (Art. 5(1)(a))

The Central Authority of China refers the document to the competent court. The court will serve the document directly to the addressee or the person who is entitled to receive the document. Where direct service is impracticable in some cases, other methods may be employed in accordance with the Civil Procedure Law.

Methods of service (Art. 5(1)(2)):

*Informal delivery* (Art. 5(2))

There is no such method in the Chinese domestic law, and the addressee may

refuse to accept it in any case.

*Service by a particular method* (Art. 5(1)(b))

In such cases, the Central Authority of China forwards the documents to the competent court. The competent court may execute the service to the extent pot contrary to Chinasa domestic law.

not contrary to Chinese domestic law.

Translation requirements (Art. 5(3)):

According to the Civil Procedure Law of the People's Republic of China, service requested within the meaning of Art. 5(1) of the Convention requires that all documents and evidence to be served must be written in Chinese or that a translation in Chinese be attached thereto, unless there are contrary prescriptions in the mutual treaties between China and other Contracting States of the Hague Convention.

Costs relating to execution

of the request for service (Art. 12):

Charges are incurred on a reciprocal basis and at the equivalent amount.

Time for execution of

request:

Within three to four months.

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by China under this Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

http://english.legalinfo.gov.cn/2015-06/04/content 20908416.htm

# **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links: <a href="http://english.legalinfo.gov.cn/judicialassistance.html">http://english.legalinfo.gov.cn/judicialassistance.html</a>

(This page was last updated on 27 June 2018)

China (Macao) - Other Authority (Art. 18) & practical information

# **Central Authority(ies):**

the Procuratorate of the Macao Special Administrative Region

# **Contact details:**

Address: Procuratorate of the Macao Special Administrative

Region 7th Floor

Dynasty Plaza Building

Alameda Dr. Carlos D'Assumpcao

NAPE, Macao

Telephone: +853.7978272

Fax: +853.727621

E-mail: <u>info@mp.gov.mo</u>

General website: <a href="www.mp.gov.mo/">www.mp.gov.mo/</a> (in Chinese and Portuguese only)

Contact person: Ms Lao Ian Chi (tel.: +853.786666)

Languages spoken by staff: Chinese, Portuguese

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

The judge in charge of the process in question and the Procuratorate of the Macao Special Administrative Region.

Upon the receipt of a request for service, the Central Authority forwards the request to the competent authorities of the Macao Special Administrative Region.

According to the Civil Procedure Code, service can be made through means of registered letter with reception notice or of personal contact of a judicial officer with the addressee.

Methods of service (Art. 5(1)(2)):

The service through means of personal contact of a judicial officer with the addressee is only used if the service through means of registered letter fails. The judicial officer delivers to the addressee the relevant documents. A certificate attesting that the documents have been delivered is signed by the addressee.

In certain cases, the attorney can request that service is performed by him. The attorney may declare that another person duly registered to render forensic services or another attorney (appointed by the same attorney) will serve the document.

According to the declaration made by the People's Republic of China and the Civil Procedure Code of the Macao Special Administrative Region, the documents to be served in the Macao Special Administrative Region under Art. 5(1) shall be written in either Chinese or Portuguese, or be accompanied by a translation in either Chinese or Portuguese.

Translation requirements (Art. 5(3)):

No particular agreements in this respect are applicable.

(See also <u>declarations</u>.)

Costs relating to execution of

the request for service

(Art. 12):

No charge is incurred in the receipt of a request for service.

Time for execution of

request:

Executed in 3-4 months.

(Art. 21(2)):

Oppositions and declarations Click here to read all the declarations and reservations made by China for the Macao Special Administrative Region under this Convention.

Art. 8(2): Opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Declaration of applicability Art. 15(2):

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

Besides the Hague Service Convention, no other multilateral or bilateral agreements specifically on international service are applicable.

# Disclaimer:

*Information may not be* complete or fully updated please contact the relevant authorities to verify this information.

www.court.gov.mo/ (Courts) (in Chinese and Portuguese only)

www.al.gov.mo/ (Legislative Assembly)

Useful links: http://en.io.gov.mo/ (Government Printing Bureau).

http://www.mp.gov.mo/en/main.htm (Procuratorate)

(This page was last updated on 18 July 2014)

China - Competent Authority (Art. 9)

Ministry of Justice Department of Judicial Assistance and Cooperation Division of Judicial Assistance 10, Chaoyangmen Nandajie **Chaoyang District BEIJING** P.C. 100020 People's Republic of China

tél.: +86.10.6520.6239 fax: +86.10.8563.1991

China (Hong Kong) - Other Authority (Art. 18) & practical information

# **Central Authority(ies):**

Chief Secretary for Administration

# **Contact details:**

Chief Secretary for Administration

Hong Kong Special Administrative Region Government

Room 321, 3/F, East Wing

Address: Central Government Offices

2 Tim Mei Avenue

Admiralty

Hong Kong, China

Telephone: +852 2810 3969

Fax: +852 2842 8897

E-mail: <u>cso@cso.gov.hk</u>

General website: <a href="http://www.cso.gov.hk/">http://www.cso.gov.hk/</a>

Contact person: For information on contact persons, click <u>here</u>.

Languages spoken by staff: English, Chinese

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

Chief Secretary for Administration

Methods of service (Art. 5(1)(2)):

FORMAL SERVICE (Art.5(1)(a))

Service of documents is effected by the Chief Bailiff of the Court. Unless specifically requested, otherwise, formal service will be performed in one of the following ways:

- 1. By personal service on addressee if the addressee is a natural person.
- 2. By leaving at the registered office address if the addressee is a limited company or corporation. The registered office address of a limited company or corporation could be obtained /verified by visiting the useful link of the Companies Registry at <a href="http://www.icris.cr.gov.hk/csci">http://www.icris.cr.gov.hk/csci</a>.
- 3. By personal service on an officer of the company or corporaton if the

addressee is a limited company or corporation and the registerd office is no longer occupied or used by the addressee.

INFORMAL DELIVERY (Art.5(2))

The informal delivery is also carried out by the Chief Bailiff.

SERVICE BY A PARTICULAR METHOD (Art.5(1)(b))

Service by a particular method as requested by the applicant unless such a method is incompatible with the local law.

For service in general, see Order 69 rule 3 of the Rules of the High Court, Chapter 4A, Laws of the Hong Kong Special Administrative Region and for service on companies, see section 827, Companies Ordinance, Chapter 622, Laws of the Hong Kong Special Administrative Region.

See: <a href="https://www.elegislation.gov.hk">https://www.elegislation.gov.hk</a>

Translation requirements (Art. 5(3)):

Documents have to be in English or Chinese, if not, translation into either of the 2 languages is required, (Order 69,r.3, Rules of High Court, Chapter 4A, Laws of the Hong Kong Special Administration Region).

Costs relating to execution of the request for service (Art. 12):

Hong Kong does not impose any fee for executing requests under the Convention. Service is effected by the Bailiff but if a particular method of service is requested e.g. advertisement in newspaper, the charges will have to be paid or reimbursed.

Time for execution of request:

Around 3-4 months

or other competent persons

The practice of our court is that whenever such requests are received, they will be forwarded to the competent authority for Hong Kong (Chief Secretary for Administration) for processing. Direct service through Government officials is not available in Hong Kong. However, a private agent (usually a firm of Judicial officers, officials solicitors) may be appointed directly to effect service. Such service can be effected directly without going through the Government or the judiciary.

(Art. 10(b)):

The Hong Kong Judiciary does not seek reimbursement of the costs. The charges made by solicitors appointed to serve process by foreign judicial officers, officials or other competent persons are not regulated by the Government. They vary depending on the services required and time taken to execute the request.

Oppositions and declarations (Art. 21(2)):

(Click here to read all the declarations for the Hong Kong Special Administrative Region made under the Service Convention.)

Opposition Art. 8(2):

Art. 10(a): No opposition

Art. 10(b): Additional information – See <u>declarations</u> Art. 10(c): Additional information – See <u>declarations</u>

Art. 15(2): No declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25) There are no other bilateral or multilateral agreements. There is, however, an

internal arrangement on service of process between Hong Kong Special

Administrative Region and the Mainland.

Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

<u>http://www.judiciary.hk/</u> (Court's services - Bailiff's Office)

Useful links: <a href="http://www.elegislation.gov.hk/">http://www.elegislation.gov.hk/</a> (Bilingual Laws Information System)

<u>http://www.hklii.hk/eng/</u> (Hong Kong Legal Information Institute)

(This page was last updated on 7 December 2018)

China (Hong Kong) - Competent Authority (Art. 6)

Registrar High Court 38 Queensway Hong Kong

Telephone: (852) 2825 0380 Fax: (852) 2825 4550

E-mail: <a href="mailto:enquiry@judiciary.hk">enquiry@judiciary.hk</a> Website: <a href="http://www.judiciary.hk/">http://www.judiciary.hk/</a>

Language(s) of communication: English/Chinese

Name of contact person: E Leung

(This page was last updated on 07 December 2018)

China (Hong Kong) - Competent Authority (Art. 9)

Registrar High Court 38 Queensway Hong Kong

Telephone: (852) 2825 0380

Fax: (852) 2825 4550

E-mail: <a href="mailto:enquiry@judiciary.hk">enquiry@judiciary.hk</a> Website: <a href="http://www.judiciary.hk/">http://www.judiciary.hk/</a>

Language(s) of communication: English/Chinese

Contact person: E. Leung

(This page was last updated on 7 December 2018)

China (Macao) - Competent Authority (Art. 6)

the Primary Court of the Macao Special Administrative Region languages of communication: Chinese/Portuguese

China (Macao) - Competent Authority (Art. 9)

the Procuratorate of the Macao Special Administrative Region 7th Floor Dynasty Plaza Building Alameda Dr. Carlos D'Assumpcao **NAPE** 

Macao

tel.: +853.7978272 / +853.786666 (Ms Lao Ian Chi)

fax: +853.727621

e-mail: <u>info@mp.gov.mo</u>

## Costa Rica

Costa Rica - Central Authority & practical information

# Central Authority(ies):

the Legal Directorate at the Ministry of Foreign Affairs and Worship of the Republic of Costa Rica

### **Contact details:**

Ministry of Foreign Affairs and Worship Address: Legal Directorate

Telephone:

Fax:

E-mail:

General website:

Contact person: Natalia Córdoba Ulate

> Directora, Dirección Jurídica Teléfono: (506) 2539-5527 ncordoba@rree.go.cr

Lourdes Isabel Bravo Bolivar

Encargada, Cooperación Jurídica, Dirección Jurídica

Teléfono: (506) 2539-5335

Ibravo@rree.go.cr

Katherine Contreras

Secretaria, Dirección Jurídica Teléfono: (506) 2539-5447

# kcontreras@rree.go.cr

Languages spoken by staff: Spanish

# **Practical Information:**

Forwarding authorities (Art. 3(1)):
Methods of service (Art. 5(1)(2)):
Translation requirements (Art. 5(3)):
Costs relating to execution of the request for service (Art. 12):
Time for execution of request:
Judicial officers, officials or other competent persons (Art. 10(b)):
Oppositions and declarations (Art. 21(2)):
Art. 8(2):
Art. 10(a):
Art. 10(b):
Art. 10(c):
Art. 15(2):
Art. 16(3):
Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)
<b>Disclaimer:</b> Information may not be complete or fully updated – please contact the relevant authorities to verify this information.
Useful links:
(This page was last updated on 14 December 2016)

### Croatia

Croatia - Central Authority & practical information

### Central Authority(ies):

Ministry of Justice of the Republic of Croatia

**Contact details:** 

Ministry of Justice of the Republic of Croatia

Address: Ulica Grada Vukovara 49

10 000 ZAGREB

Croatia

Telephone: +385 1 3714 347

Fax: +385 1 3714 392

E-mail: danijela.magdic@pravosudje.hr

dragana.milunicpakozdi@pravosudje.hr

General website: <a href="http://www.mprh.hr/">http://www.mprh.hr/</a>

Contact person:

Ms Danijela Magdić

Ms Dragana Milunić Pakozdi

Languages spoken by staff: Croatian, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003, 2008 and/or 2013 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

Name of forwarding authority - the forwarding authority is the authority or judicial officer that is competent under the law of your State to forward requests for service abroad

Ministry of Justice

Methods of service (Art. 5(1)(2)): Formal Service (Art. 5(1)(a))

Brief statement as to how incoming requests for service are executed in your State (i.e., how the documents are served) - reference to relevant laws (civil procedure code or court rules) The methods of service are prescribed by Civil Procedure Act (Art. 133-149).

Documents shall be served by mail, or through a particular court officer or court employee, through the competent administrative body, a notary public or directly by the court or electronic channels, according to the special law.

In Republic of Croatia, the courts are responsible to serve documents on the addressees, not the Ministry of Justice as central authority.

## Translation requirements (Art. 5(3)):

Brief statement as to whether the Central Authority requires documents, which are to be served under Article 5(1), to be in - or translated into - the official language of your State Documents served pursuant to Article 5, paragraph 1, should be accompanied by a translation into the Croatian language.

<u>Click here</u> to read all the declarations made by Croatia under the Service Convention.

Costs relating to execution of the request for service (Art. 12):

List of the types of costs (if any) that are typically reimbursable to your State pursuant to Article 12(2) of the Convention Croatia bears the costs for the service of documents.

# Time for execution of request:

Indication of the time elapsing from receipt of incoming request for service until forwarding of the certificate of service - see response to question 7

Judicial officers, officials or other competent persons (Art. 10(b)):

Name, e.g., the body of judicial officers competent to effect service of judicial documents coming from another Contracting State - only applicable for States whose internal law allows for this practice Republic of Croatia opposed to the mode of service specified in Art. 10.

Oppositions and declarations (Art. 21(2)):

<u>Click here</u> to read all the declarations made by Croatia under the Service Convention.

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

List of bilateral or multilateral agreements to which your State is party, as well as provisions of the internal law of your State permitting other methods of transmission of documents coming from abroad for service within the territory of your State

Bilateral agreements on judicial co-operation: Bosnia & Herzegovina (Split, 26 February 1996); Bosnia & Herzegovina (Split, 17 June 2002); FYR of Macedonia (Skopje, 2 September 1994); Russian Federation (Moscow, 24 February 1962); Serbia (Belgrade, 15 September 1997); Turkey (Ankara, 8 October 1973).

### Useful links:

Address of websites containing information relating to the operation of the Convention in your State

(This page was last updated on 6 July 2016)

Croatia - Competent Authority (Art. 6)

The Republic of Croatia declares that municipal courts according to residence, abode, and headquarters of the addressee of documents are competent for the completion of the certificate of reception of documents.

Croatia - Competent Authority (Art. 9)

The Republic of Croatia declares that the documents served in accordance with Article 9 of the Convention are forwarded to the Ministry of Justice of the Republic of Croatia for the purpose of service to parties.

# **Cyprus**

Cyprus - Central Authority & practical information

## Central Authority(ies):

Ministry of Justice and Public Order

### **Contact details:**

Ministry of Justice and Public Order

125 Athalassas Avenue

Address: 125 Athalassas A

Cyprus

+357 (22) 805 928

Telephone: +357 (22) 805 932

+357 (22) 805 942

Fax: +357 (22) 518 328

E-mail: <u>registry@mjpo.gov.cy</u>

General website: <a href="www.mjpo.gov.cy/">www.mjpo.gov.cy/</a>

Contact person: For more information on contact persons, see (under the heading "Registry"):

http://www.mjpo.gov.cy

Languages spoken by

staff:

### **Practical Information:**

Forwarding authorities (Art. 3(1)):

the Central Authority

Formal Service (Article 5(1)(a))

The Ministry of Justice and Public Order forwards requests for service to the Chief Registrar of the Supreme Court of Cyprus, who in turn passes them on the Registrar of the competent District Court (where the addressee is located) to be served according to the procedure prescribed by domestic

Methods of service (Art. 5(1)(2)):

law, by the Court's bailiffs.

For more information on methods of service, see: <u>European Judicial</u> Network in Civil and Commercial Matters – Service of documents – Cyprus.

Translation requirements (Art. 5(3)):

In cases where formal service is to be effected, the addressee who does not understand the language in which the document is written may refuse to accept it. In such a situation the Cyprus Central Authority will request that the document be translated or accompanied by a translation into the official language of Cyprus by the arrangement and at the expense of the requesting party.

All documents which have to be served in accordance with any court regulations or in accordance with any law are served through a court only after payment, of a flat fee of 21 Euros.

Payment of fees shall be made by bank transfer to the Ministry of Justice Costs relating to execution of and Public Order, at the following bank account:

the request for service (Art. 12):

Bank Account Number: 6001017 - Ministry of Justice and Public Order

IBAN: CY21 0010 0001 0000 0000 0600 1017

Swift Code: CBCYCY2N

All service requests should comply with the described method. However, if unaccompanied by proper payment and bank receipt, they will be returned without processing.

Time for execution of request:

(Art. 21(2)):

Oppositions and declarations Click <u>here</u> to read all the declarations and reservations made by Cyprus under this Convention.

Art. 8(2): No opposition (see <u>declarations</u>)

Art. 10(a): No opposition (see <u>declarations</u>)

Art. 10(b): No opposition (see declarations)

Art. 10(c): No opposition (see <u>declarations</u>)

Declaration of applicability Art. 15(2):

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral Bilateral agreement on judicial co-operation: *China* (Nicosia, 25 April 1995); Czech Republic (Nicosia, 23 April 1982); Egypt (Cairo, 8 July

agreements or internal law

channels)

permitting other transmission 1992); Greece (5 March 1984); Poland (Nicosia, 14 November 1996); Slovak Republic (Nicosia, 23 April 1982).

(Arts. 11, 19, 24 and 25)

For additional information, see Bilateral treaties – Ministry of Justice

### Disclaimer:

*Information may not be* complete or fully updated please contact the relevant authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas –

Service of Documents)

Useful links:

<u>International Judicial Co-operation – Ministry of Justice</u> Service of documents – Ministry of Justice

(This page was last updated on 10 December 2014)

Cyprus - Competent Authority (Art. 6)

**Permanent Secretary** Ministry of Justice and Public Order 125 Athalassas Avenue 1461 NICOSIA

tel.: +357 (22) 805 955 fax: +357 (22) 518 356

e-mail: registry@mjpo.gov.cy

(The contact details of this authority were last updated on 19 December 2005)

Cyprus - Competent Authority (Art. 9)

**Permanent Secretary** Ministry of Justice and Public Order 125 Athalassas Avenue 1461 NICOSIA

tel.: +357 (22) 805 955 fax: +357 (22) 518 356

e-mail: registry@mjpo.gov.cy

(The contact details of this authority were last updated on 19 December 2005)

Cyprus - Other Authority (Art. 18)

The Courts of the Republic. Competence: Service of documents through their Registries

# **Czech Republic**

Czech Republic - Central Authority & practical information

Central Authority(ies):

Ministry of Justice of the Czech Republic

#### **Contact details:**

Ministry of Justice of the Czech Republic

Address: Vyšehradská 16

128 10 Praha 2 Czech Republic

Telephone: +420 221 997 925

Fax: +420 224 919 919

E-mail: <u>moc@msp.justice.cz</u>

General website: <u>www.justice.cz</u>

Contact person:

Languages spoken by staff: Czech, English, German, French (Spanish)

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

proceeding courts (i.e. courts of all degrees – "okresní soudy", "krajské soudy",

"vrchní soudy", "Nejvyšší soud", "Nejvyšší správní soud")

the proceedings or representative thereof.

Service of documents is regulated in the Civil Procedure Code no. 99/1963 Coll., in the §§ 45-50l. A document is delivered by the court: during proceedings or another legal act, through a public data network to a data box, upon the addressee's request to another address or electronic address (if a document is delivered to an email address, the court shall call the addressee to confirm delivery to the court within 3 days following the document being sent in the form of a data message with an advanced electronic signature of the addressee), or the presiding judge shall order delivery through a delivering body, or a participant in

Methods of service (Art. 5(1)(2)):

For methods of service see also answer No 29 of the Questionnaire of July 2008.

Only indicatively, you can also consult: <u>European Judicial Network in Civil and Commercial Matters – Service of documents – Czech Republic</u>. However, the information given is not up-to-date.

Translation requirements (Art. 5(3)):

Czech

Costs relating to execution of the request for service (Art. 12):

Service of documents is generally free of charge. No special costs arise in the

sense of Art. 12.

Time for execution of

request:

Generally 2 - 4 months.

Oppositions and

declarations (Art. 21(2)):

Click here to read all the declarations and reservations made by the

former Czechoslovakia under this Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels

(bilateral or multilateral

agreements or internal

law permitting other transmission channels)

(Arts. 11, 19, 24 and

25)

Bilateral conventions on judicial co-operation: please click here for the list.

EC Service Regulation prevails in relationships with these States).

Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) - European Judicial Atlas in Civil Matters

Supplementary agreements to the Hague Convention of 17 July 1905 and /or of 1 March 1954 were concluded with: *Germany* and *Slovakia* (however, currently the

Useful links: <u>www.justice.cz</u>

(This page was last updated on 18 July 2014)

Czech Republic - Competent Authority (Art. 9)

Ministry of Justice of the Czech Republic

128 10 PRAHA 2 Vyšehradská 16 Czech Republic

Telephone: +420 221 997 925

Fax: +420 221 997 919 E-mail: moc@msp.justice.cz Website: http://www.justice.cz/

Language(s) of communication: Czech, English, German, French, (Spanish)

(This page was last updated on 13 November 2008)

Czech Republic - Competent Authority (Art. 6)

The Authority designated to complete the Certificate is the court competent for service (generally depending on the address of the recipient).

Czech Republic - Forwarding Authorities (Art. 3)

In the Czech Republic, the competent authorities to forward the Request for service are the courts (i.e. courts of all degrees – "okresní soudy", "krajské soudy", "vrchní soudy", "Nejvyšší soud", "Nejvyšší správní soud").

### **Denmark**

Denmark - Central Authority & practical information

# Central Authority(ies):

Ministry of Justice, Civil Law Division

### **Contact details:**

Ministry of Justice

Procedural Law Division

Address: Slotsholmsgade 10

1216 COPENHAGEN K

Denmark

Telephone: +45 72 26 84 00

Fax: +45 3393 3510

E-mail: jm@jm.dk

General website: <a href="http://www.justitsministeriet.dk">http://www.justitsministeriet.dk</a>

/

Contact person:

Languages spoken by staff: Danish, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003, 2008 and/or 2013 Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

The Courts and the Regional State Administration

Methods of service Formal Service (Art. 5(1)(a))

(Art. 5(1)(2)): After receiving a request for service the Ministry of Justice checks if the

document fulfils the provisions of the Convention. Then the document is referred to the competent court of justice; the court is instructed whether or not the addressee is under an obligation to accept the document. Service is then

effected either by mail, through a bailiff appointed by the court, by a public official of the Danish post office authorities or over tyhe telephone. Upon service of the document, the court returns it to the requesting authority or person abroad.

*Informal delivery* (Art. 5(2))

See formal service.

A translation is not required; in the case of an untranslated document, however, the addressee is informed that he is not, under Danish law, under an obligation to accept it.

Translation requirements obligation to accept it. (Art. 5(3)):

Denmark has not entered into particular agreements with other Contracting States in this respect.

Costs relating to execution of the request for service (Art. 12):

Free of charge

Time for execution of request:

Two (2) months

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Denmark under this Convention.

Art. 8(2): No opposition

No opposition

Art. 10(a):

"As for Article 10(a) Denmark has not declared that it objects to this method of transmission. However, this does not imply that such method is valid service in Denmark. The Danish courts have not yet had the opportunity to rule on the matter." (see response 11 made by the Government of Denmark to the 2003 Service Convention Questionnaire)

Art. 10(b): No opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) Supplementary agreements to the Hague Convention of 17 July 1905 and /or of 1 March 1954 were concluded with: *Germany* (Berlin, 1 June 1910 and 6 January 1932); *Austria* (8 November 1979) and *Luxembourg* (15 January 1912).

(Arts. 11, 19, 24 and 25) A multilateral convention on judicial co-operation was concluded between:

Denmark, Finland, Iceland, Norway and Sweden on 26 April 1974.

Disclaimer:

*Information may not be* A bilateral convention exists with the *United Kingdom* (London, 29 November

1932 – Article 2 to 6).

complete or fully updated
– please contact the
relevant authorities to
verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil and commercial matters, in accordance with the <u>agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil and commercial matters (Brussels, 19 October 2005).</u>

Useful links: <u>Danish Legal Information</u> (the databases are in Danish only)

(This page was last updated on 7 March 2014)

Denmark - Competent Authority (Art. 6)

The Danish court of law that has asked for the service to be made.

Denmark - Competent Authority (Art. 9)

The local judge of first instance – though, as regards the court of first instance at Copenhagen and the court of first instance of the city and of the canton of Arhus, the president of the court – is designated as competent to receive documents forwarded through consular channels in accordance with Art. 9.

# **Egypt**

Egypt - Central Authority & practical information

## Central Authority(ies):

Ministry of Justice

#### **Contact details:**

Ministry of Justice

Magles El Shaab St.

Address: Lazoughly Sq.

Lazoughly CAIRO Egypt

+20 (2) 792 2263

Telephone: +20 (2) 792 2265

+20 (2) 792 2267 +20 (2) 792 2269

Fax: +20 (2) 795 8103

E-mail: <u>mojeb@idsc.gov.eg</u>

General website: <u>www.egypt.gov.eg</u>

Contact person:

Languages spoken by staff:

### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

The Central Authority, *i.e.* the Ministry of Justice (Office for

International Judicial Co-operation)

Methods of service (Art. 5(1)(2)):

Translation requirements (Art. 5(3)):

Costs relating to execution of the request for service (Art. 12):

Time for execution of request:

Oppositions and declarations

(Art. 21(2)):

Click  $\underline{\text{here}}$  to read all the declarations and reservations made

by Egypt under this Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): No declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

Bilateral conventions on judicial co-operation: *Italy* (3 March 1978) presidential decree No 1653 / 1974; *France* (3 March 1987) presidential decree No 331 / 1982.

**Disclaimer:** 

Useful links:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

www.egypt.gov.eg/arabic/services/tasheraat.asp (Legal Gateway - Judicial Information Services) (in Arabic only)

(This page was last updated on 20 October 2009)

### **Estonia**

Address:

Estonia - Central Authority & practical information

# Central Authority(ies):

The Estonian Ministry of Justice

**Contact details:** 

Ministry of Justice

Suur-Ameerika 1,

15006 Tallinn

Estonia

Telephone: +372 6 208 186

Fax: +372 6 208 109

E-mail: <u>central.authority@just.ee</u>

General website: <u>www.just.ee</u>

Ms Anastasia ANTONOVA, Adviser International Judicial Co-operation Unit

Contact person: Ministry of Justice

tel.: +372 620 8183

e-mail: central.authority@just.ee

Languages spoken by staff: Estonian, English, Russian

#### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

Ministry of Justice

Methods of service (Art. 5(1)(2)):

After the requests arrive at the Ministry of Justice, we firstly check the request and the documents, and if the request and documents are correct, we forward the documents to the court situated in the area where the

addressee is for execution.

The manners of service of procedural documents are stipulated in

Chapter 34 of the Code of Civil procedure:

Section 311 Service of procedural documents in court premises; Section 311(1) Electronic service of procedural documents;

Section 312 Service of procedural documents through postal service

provider;

Section 313 Service of procedural documents by registered letter; Section 314 Service of procedural documents by unregistered letter or

fax:

Section 315 Service of procedural documents through bailiff, court

official, another person or institution;

Section 315(1) Service of procedural documents arranged by participant

in proceeding;

Section 316 Service of procedural documents in foreign states and on extra-territorial citizens of Republic of Estonia;

Section 316(1) Implementation of Regulation (EC) No 1393/2007 of the European Parliament and of the Council;

Section 317 Public service of procedural documents.

The certificate of service or non-service is returned by the court to the Ministry of Justice and then forwarded with the annexed documents to the requesting State.

<u>European Judicial Network in Civil and Commercial Matters – Service</u> of documents – Estonia

Translation requirements (Art. 5(3)):

Requests for service have to be in Estonian, English or French, but the the documetns to be served must be in Estonian or English.

Generally documents are served without charge.

One exception to this is that procedural documents may be served through a bailiff (i.e. when forced service is requested). A fee of 30 euros to 60 euros is charged for service through bailiff. In all cases the "invoice" (incl. payment information, deadline, etc.) is added to the documents to be returned to the applicant.

Costs relating to execution of the request for service (Art. 12):

> <u>European Judicial Network in Civil and Commercial Matters – Service</u> of documents - Estonia - question 8

Time for execution of request:

Approximately 3-6 months as the service of documents depends of the circumstances.

Judicial officers, officials or other competent persons (Art. Estonian courts 10(b)):

Oppositions and declarations (Art. 21(2)):

Click here to read all the declarations and reservations made by Estonia under this Convention.

Art. 8(2):

No opposition

Art. 10(a):

No opposition

Art. 10(b):

No opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

For more information on bilateral agreements on judicial co-operation, please click on Legislation regulating service of judicial and extrajudicial documents.

### **Disclaimer:**

Useful links:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007)

https://e-justice.europa.eu/

International judicial cooperation - Ministry of Justice

<u>International Judicial Co-operation in Civil and Commercial Matters –</u>

Ministry of Justice.

(This page was last updated on 22 August 2017)

### **Finland**

Finland - Central Authority & practical information

# Central Authority(ies):

Ministry of Justice

**Contact details:** 

Ministry of Justice

Unit for International Judicial Cooperation

Address: P.O. Box 25

FIN-00023 Government

Finland

Telephone: +358 (9) 1606 7628

Fax: +358 (9) 1606 7524

E-mail: <u>central.authority@om.fi</u>

https://oikeusministerio.fi/en/frontpage

General website: <a href="https://oikeusministerio.fi/en/service-of-">https://oikeusministerio.fi/en/service-of-</a>

documents

Contact person: Ms Maija Leppä, Legal adviser

Languages spoken by staff: Finnish, Swedish, English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

The forwarding authorities are the district courts (käräjäoikeus), the Market Court (Markkinaoikeus), the courts of appeal (hovioikeus), the Supreme Court

(Korkein oikeus) and the Ministry of Justice.

Formal Service (Art. 5(1)(a))

The national provisions for the service of documents can be found in the Code of Judicial Procedure (Oikeudenkäymiskaari, 4/1734), Chapter 11.

When the court takes responsibility for service in a legal dispute, service takes place primarily by post. The letter may arrive either with advice of receipt to the post office or direct to the home, in which case the certificate of receipt in the envelope must be returned to the court. If it is likely that service of a writ of summons by post will not be successful, or if responsibility for service is given to a party, service will be performed by a bailiff.

The service of a trial document other than a writ of summons may also be carried out by sending the document as a normal letter to the post address or another address notified to the court by the interested party. This means that for example invitations, exhortations and notices may be served on a party to civil proceedings electronically, if the party in question has indicated such an address - an e-mail address or a fax number - to the court as the address for service.

Methods of service (Art. 5(1)(2)):

Services of documents other than trial documents are performed by a process server at the request of an authority or a private individual.

In cross-border cases, the requests for service of documents by foreign authorities based on the Hague Convention are forwarded from the Central Authority to the Finnish district court in the area where the addressee has his/her/its' place of residence. The service is performed by the District Court's process server. The practical procedure is usually that a process server serves the documents on the addressee personally.

*Informal delivery* (Art. 5(2)) Service by a particular method (Art. 5(1)(b))

For more information on methods of service, see:

Service of notices – Finnish Courts: https://oikeus.fi/en/index/oikeuslaitos/tiedoksiantaminen.html.

European Judicial Network in Civil and Commercial Matters – Service of documents – Finland: <a href="https://e-justice.europa.eu/content\_service">https://e-justice.europa.eu/content\_service</a> of documents-371-fi-en.do? <a href="mailto:init=true&member=1">init=true&member=1</a>

Translation requirements (Art. 5(3)):

A translation is not required; however, if the addressee does not accept a document in a foreign language, service can only be effected if the document is translated into one of the official languages of Finland, *i.e.* Finnish or Swedish, or if the addressee must be deemed to understand the foreign language. Companies with international business relations must be deemed to understand English, German or French.

Costs relating to execution of the request for service

Service of documents effected by virtue of a request for legal assistance is free of charge. Finland applies the principle of non-payment of fees to all methods for service provided in Art. 5.

(Art. 12):

Finland has declared that its authorities are not obliged to assist in serving documents transmitted under Art. 10(b) and (c). In practice, if the service is effected, he requesting person has to pay the national fee of 80 Euros (March 2019).

Time for execution of request:

The average time for the service of documents in Finland is about four weeks.

Judicial officers, officials or other competent persons (Art. 10 (b))

Under Finnish legislation the only competent persons to effect service of a document are the process servers. They seldom receive requests from abroad under Art. 10(*b*). Finnish authorities are not obliged to assist in serving documents transmitted by using any of the methods referred to Art. 10(b) and (*c*) of the Convention.

Oppositions and declarations (Art. 21(2)):

(Click here to read all the Finnish declarations made under the Service Convention.)

No opposition Art. 8(2):

Art. 10(a): No opposition

Art. 10(b): Additional information - see declarations

Art. 10(c): Additional information - see declarations

Art. 15(2): No declaration of applicability

No declaration of applicability Art. 16(3):

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

A multilateral convention on judicial co-operation was concluded between: Denmark, Finland, Iceland, Norway and Sweden on 26 April 1974. Bilateral conventions on judicial co-operation: *Austria* (Vienna, 17 November 1986), Hungary (1981); Russian Federation (1980); United Kingdom (London, 11 August 1933 – Articles 2 to 5).

## **Disclaimer:**

Useful links:

*Information may not be* – please contact the relevant authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States complete or fully updated of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007).

(European Judicial Atlas - Service of Documents)

Act on International Judicial Assistance and the recognition and enforcement of judgments in civil and commercial matters (Laki kansainvälisestä

oikeusavusta sekä tuomioiden tunnustamisesta ja täytäntöönpanosta siviili- ja

kauppaoikeuden alalla, 426/2015), available in Finnish and Swedish:

https://www.finlex.fi/fi/laki/ajantasa/2015/20150426.

Finlex Data Bank (an online database of up-to-date legislative and other

judicial information of Finland): <a href="http://www.finlex.fi/en/">http://www.finlex.fi/en/</a>

(This page was last updated on 25 March 2019)

Finland - Competent Authority (Art. 9)

Ministry of Justice

<u>Postal address</u>: P.O. Box 25 FIN-00023 Government

Finland

Street address: Eteläesplanadi 10

FIN-00130 Helsinki

Finland

tel.: +358-9-1606 7628 fax: +358-9-1606 7524

e-mail: central.authority@om.fi

# France

France - Central Authority & practical information

## **Central Authority:**

Ministère de la Justice, Direction des Affaires civiles et du Sceau Bureau du droit de l'Union, du droit international privé et de l'entraide civile (BDIP)

### **Contact details:**

Ministère de la Justice

Direction des Affaires Civiles et du Sceau

Bureau du droit de l'Union, du droit international privé et de l'entraide civile

Address: (BDIP)

13, Place Vendôme 75042 Paris Cedex 01

France

Telephone: +33 (0)1 44 77 61 05

Fax: + 33 (0)1 44 77 61 22

E-mail: entraide-civile-internationale@justice.gouv.fr

General website: <u>www.justice.gouv.fr/</u>

www.entraide-civile-internationale.justice.gouv.fr/

Contact persons: Mme Marie Vautravers

Marie.Vautravers@justice.gouv.fr

Languages spoken by

staff:

French, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding Le greffe de la juridiction ou l'huissier de Justice (Art. 684 of the Code de

procédure civile).

authorities (Art. 3(1)):

For more information, see <a href="http://www.legifrance.gouv.fr/">http://www.legifrance.gouv.fr/</a> under "les codes en vigueur", "code de procédure civile" and "Livre I – Titre XVII – Chapitre III – Section V: Règles particulières aux notifications internationales" – Sous-section I: Notification des actes à l'étranger (Arts. 683 to 688).

Les articles 688-1 à 688-8 du Code de procédure civile prévoient *deux modes* de notification possibles pour *les actes en provenance d'un Etat étranger* dont la notification est demandée par les autorités de cet Etat : la simple remise ou la signification.

Formal service (Art. 5(1)(a))

Notification formelle (*mode secondaire*, *lié* à une demande expresse du requérant) : à la demande d'une partie, ou d'office, il est possible de faire signifier l'acte par voie de signification, accomplie par un huissier de justice. Dans ce cas, le ministère de la justice transmet l'acte qui lui a été adressé à la chambre nationale des huissiers de justice, laquelle, à son tour, l'adresse à un huissier de justice territorialement compétent pour le signifier.

En pratique, il n'est recouru à la voie de signification par un huissier de justice, qu'en cas de demande expresse du requérant.

Methods of service (Art. 5(1)(2)):

En effet, dès lors que l'intervention d'un huissier de justice a été expressément demandée, il incombe au requérant de supporter les frais occasionnés par l'intervention de cet officier ministériel.

*Informal delivery* (Art. 5(2))

Dans le cas de la notification par voie de simple remise (*mode principal*), l'acte est transmis au ministère public près le tribunal de grande instance dans le ressort duquel il doit être notifié. Il est ensuite remis au destinataire par les soins d'un fonctionnaire de police ou d'un militaire de la Gendarmerie nationale, requis à cette fin par le Parquet. Cette notification est faite sans frais.

For more information on methods of services, see: <a href="http://www.legifrance.gouv.fr/">http://www.legifrance.gouv.fr/</a>, under under "les codes en vigueur", "code de procédure civile" and "Livre I –Titre XVII – Chapitre III – Section V: Règles particulières aux notifications internationales" – Sous-section II: Notification des actes en provenance de l'étranger (Arts. 688-1 to 688-8); or <a href="European Judicial Network in Civil and Commercial Matters">https://www.legifrance.gouv.fr/</a>, under under "Livre I –Titre XVII – Chapitre III – Section V: Règles particulières aux notifications internationales" – Sous-section II: Notification des actes en provenance de l'étranger (Arts. 688-1 to 688-8); or <a href="European Judicial Network in Civil and Commercial Matters">https://www.legifrance.gouv.fr/</a>, under under "Livre I –Titre XVII – Chapitre III – Section V: Règles particulières aux notifications internationales" – Sous-section II: Notification des actes en provenance de l'étranger (Arts. 688-1 to 688-8); or <a href="European Judicial Network in Civil and Commercial Matters">https://www.legifrance.gouv.fr/</a>, aux notifications internationales «Livre III – Titre XVIII – Chapitre III – Section V: Règles particulières aux notifications internationales »—European Judicial Network in Civil and Commercial Matters – Service of documents – France.

Article 688-6 of the Code de procédure civile :"L'acte est notifié dans la langue de

l'Etat d'origine. Toutefois le destinataire qui ne connaît pas la langue dans laquelle l'acte est établi peut en refuser la notification et demander que celui-ci soit traduit ou accompagné d'une traduction en langue française, à la diligence et aux frais de la partie requérante".

Translation requirements (Art. 5(3)):

For more information, see <a href="http://www.legifrance.gouv.fr/">http://www.legifrance.gouv.fr/</a> under under "les codes en vigueur", "code de procédure civile" and "Livre I – Titre XVII – Chapitre III – Section V: Règles particulières aux notifications internationales" – Sous-section II: Notification des actes en provenance de l'étranger (Arts. 688-1 to 688-8).

Costs relating to execution of the request for service

Aucun frais pour les services de l'Etat, aucune taxe ne sont perçus à l'occasion d'une notification internationale en provenance d'un Etat contractant.

Formal Service (Art. 5(1)(a))

Conformément à l'article 12 de la Convention, lorsque la notification de l'acte est effectuée par un huissier de justice (par voie de signification), le requérant est tenu de payer les frais occasionnés par l'intervention de cet officier ministériel.

Le montant des frais dont la charge incombe au requérant dans le cas d'une notification par huissier de justice est fixe : €48.75. Ces frais sont acquittés au moyen d'un chèque libellé à l'ordre de la Chambre nationale des huissiers de justice (contact@huissier-justice.fr), qui doit impérativement accompagner l'acte, , ou bien au moyen d'un virement bancaire sur le compte bancaire dont les références sont indiquées ci-dessous. La justification du virement bancaire doit également impérativement accompagner l'acte et comporter les références du virement et le nom de l'établissement bancaire d'origine (la somme est payable d'avance ainsi que le prescrit l'art. 688-5 du Code de procédure civile et en l'absence de dispositions conventionnelles en sens contraire).

#### RIB:

Code banque: 30004 Code Agence: 02837

Numéro de compte: 00011021524

Clé RIB: 94

Agence: BNP Paribas IDF Institutions (Art. 12):

IBAN: FR76 3000 4028 3700 0110 2152 494

**BIC: BNPAFRPPXXX** 

Des règles dérogatoires sont applicables lorsque l'acte doit être notifié à une personne domiciliée dans une collectivité d'outre-mer. Dans ce cas, il convient de prendre contact préalablement avec l'autorité centrale française.

### *Informal delivery* (Art. 5(2))

Dans les cas d'une simple remise de l'acte, dans la mesure où celle-ci est assurée par les services de la Police nationale ou de la Gendarmerie nationale, la notification est totalement gratuite pour le requérant.

### *Article 10(b)*

Il est possible, en France, de recourir au mode de transmission prévu à l'article 10(b) de la Convention. Dans ce cas, le requérant doit requérir directement un huissier de justice, à l'effet de voir signifier l'acte. Le montant des frais encourus s'élève à €48.75.

For more information see décret No 96-1080 du 12 décembre 1996 at: www.legifrance.gouv.fr (under "nature de texte" choose the option "décret" and under "numéro de texte" type its number i.e. 96-1080).

of request:

Time for execution En France le délai qui s'écoule entre une demande de notification par remise et la remise effective est rarement inférieur à trois mois.

Chambre Nationale des Huissiers de Justice

Services des Actes Internationaux

Judicial officers. officials or other competent persons (Art. 10(b)):

44 rue de Douai 75009 Paris

Fax: + 33 140 16 99 35 cnhj@huissier-justice.fr www.huissier-justice.fr/

Tel: +33 149 70 12 90

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by France under this Convention.

Art. 8(2):

Opposition

Art. 10(a):

No opposition

Art. 10(b):

No opposition

Art. 10(c):

No opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels

(bilateral or multilateral agreements or internal law permitting other

transmission channels)

To consult bilateral and multilateral treaties to which France is a party, see:

http://www.doc.diplomatie.gouv.fr/pacte/index.html

(Arts. 11, 19, 24 and

25)

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13

**Disclaimer:** November 2007).

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Circulaire du Ministère de la Justice relative aux notifications internationales des

actes judiciaires et extrajudiciaires – février 2006

Useful links: <u>Modalités de transmission des actes judiciaires ou extrajudiciaires à destination de</u>

<u>l'étranger – Ministère de la Justice</u>

<u>Légifrance</u> (law information system)

(This page was last updated on 8 January 2019)

France - Competent Authority (Art. 6)

The Government of the French Republic declares that it designates as the competent authorities to complete the certificate pursuant to Article 6, in addition to the public prosecutor in whose jurisdiction the addressee of the document to be served resides, the court bailiff with territorial jurisdiction to whom the document was transmitted for service.

France - Competent Authority (Art. 9)

# **Germany**

Germany - Central Authority & practical information

## Central Authority(ies):

Click <u>here</u> to access the list of all Central Authorities designated by Germany.

N.B. Requests for service shall be addressed to the Central Authority of the Land where the request is to be complied with.

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaire)

Assistance in locating the person to be served:

For information on how to obtain assistance in locating the person to be served within Germany, <u>click here</u>.

The courts

Forwarding authorities (Art. 3(1)):

In Germany, outgoing requests for judicial assistance are formulated and prepared by the courts and then regularly checked administratively by the examining agencies. The examining agency for requests by the Local Courts and the Regional Courts is the President of the competent Regional Court; for a request by the Local Court it is only the President of the Local Court if this court is subject to his supervision. The President of the competent Higher Regional Court acts on behalf of the Higher Regional Courts. More detailed provisions are made in Section 9 of the Regulation on Judicial Assistance in Civil Matters (Rechtshilfeordnung für Zivilsachen – ZRHO), situation as of 2007. The examining agencies then forward the requests for service directly to the foreign receiving agency on behalf of the requesting courts (Section 29 of the Regulation on Judicial Assistance in Civil Matters - ZRHO).

Methods of service (Art. 5(1)(2)):

The Central Authorities are empowered to execute requests for service directly by postal channels if the conditions for service in accordance with Article 5(1)(a) of the Convention have been fulfilled. In that case the competent Central Authority will hand over the document to the postal authorities for service (this is specially the case for the *Central Authority in Baden-Württemberg* which carries out service via registered return receipt). In all other cases the local court (*Amtsgericht*) in whose district the documents are to be served shall be competent to comply with requests for service. Service shall be effected by the registry of the local court.

Under German law, the local court can perform both a *simple* (informal), as well as a *formal service in person*. This depends primarily upon the request. However, if simple service has been requested and a translation has also been enclosed, *formal service in person* – as an upgrade on a simple service, which is of benefit to the person filing the request – may also be performed.

Formal Service (Art. 5(1)(a))

Formal service under Article 5(1) of the Convention, on the other hand, is only permissible in Germany if the document to be served and any attachments thereto have been prepared in German or have otherwise been translated into German. In such case, documents may also be served against the addressee's will (*supplementary* 

*service*). This particular form of service is frequently demanded.

Unless requested otherwise, the courts generally perform service in accordance with Article 5(1)(a) of the Convention *via the postal service*.

*Informal delivery* (Art. 5(2))

Court officials or bailiffs perform this type of service.

In simple service, under Article 5(2) of the Convention the addressee may refuse to accept the documents without being required to provide any reasons for doing so.

*Service by a particular method* (Art. 5(1)(b))

Services by special request seldom occur. For more information on methods of service, see European Judicial Network in Civil and Commercial Matters – Service of <u>documents – Germany</u>.

Click <u>here</u> to read all the declarations made by Germany under the Service Convention.

Under German law, service requested within the meaning of Article 5(1) of the Convention requires that all documents to be served must be prepared in German or that a translation in German be attached thereto.

Documents prepared in foreign language without German translations can be served in accordance with Article 5(2) of the Convention.

Translation requirements (Art. 5(3)):

Germany has concluded no treaties with foreign States which deviate from the translation requirement within the meaning of Article 20 (b) of the Convention in the Convention's scope of application.

Click here to read all the declarations made by Germany under the Service Convention.

Costs relating to

request for service (Art. 12):

execution of the German offices do not regularly charge fees for service. Should costs incur, e.q. for the use of a return receipt, due to administrative expenses involved, the minimal costs incurred thereby are usually not collected on.

Time for execution of request:

The service of documents is usually processed within three months including the time required for shipment.

Oppositions and declarations (Art. 21(2)):

Click here to read all the declarations made by Germany under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Declaration of applicability Art. 16(3):

> Supplementary agreements to the Hague Convention of 17 July 1905 and/or of 1 March 1954 were concluded with: Austria (Vienna, 6 June 1959), Belgium (Brussels, 25 April 1959 – in particular Articles 1 to 3); Czech Republic (Prague, 2 February 2000); Denmark (Berlin, 1 June 1910 amended by agreement of 6 January 1932; Also, Berlin, 1 June 1914); *France* (Bonn, 6 May 1961 – Articles 1 to 3); Luxembourg (Berlin, 1 August 1909); Norway (Berlin, 2 August 1909; Oslo, 17 June 1977); the Netherlands (The Hague 30 August 1962 – Articles 1 to 3); Poland (Warsaw, 14 December 1992); Sweden (Berlin, 1 February 1910); Switzerland (Berlin, 30 April 1910; and 24 December 1929 – in particular Article 18).

Derogatory channels (bilateral or multilateral agreements or internal law transmission channels) and 25)

**Disclaimer:** the relevant authorities to verify this information.

Bilateral conventions on judicial co-operation: *United Kingdom* (London, 20 March 1928 – Articles 2 to 7). This convention also applies to *Australia* (Declaration of 6 June 1995), Bahamas (Exchange of notes 26 May 1978 / 11 August 1977), Barbados (declaration by Barbados of 14 May 1971), Canada (Exchange of notes of 30 October 1953), Cyprus (Exchange of notes of 21 March 1961/14 February 1963), Dominica (Exchange of verbal notes on 26 October 1984 / 19 April 1985), Fiji (Exchange of permitting other notes of 20 October 1971, 3 February and 28 April 1972), Gambia (Declaration of 27 October 1969), Grenada (Declaration of 19 August 1974), Guyana (British declaration of 13 April 1960), Jamaica (Exchange of notes of 5 November 1965, 29 (Arts. 11, 19, 24 April 1966 and 13 May 1966), *Kenya* (British declaration of 13 April 1960), *Lesotho* (Exchange of notes of 1 February 1971, 5 January 1972 and 12 / 21 February 1973), Malawi (Exchange of notes of 22 October 1966 and 5 April 1967), Malaysia (Exchange of notes of 10 March 1964 / 25 January 1965 / 31 May 1965), *Malta* Information may (Exchange of notes 11 April 1966 / 30 June 1966 / 28 November 1966 / 19 December not be complete 1967), Mauritius (Exchange of notes 23 May 1971), Nauru (Exchange of notes of 4 or fully updated August 1981 / 1 June 1982), New Zealand (Declaration of 1953), Nigeria (Exchange - please contact of notes of 22 August 1966 and 26 September 1966), Saint Lucia (Declaration of 1983), Seychelles, (Exchange of notes of 20 August / 26 October 1977), Sierra Leone (Declaration of 1967), *Singapore* (Exchange of notes of 15 / 22 October 1965), Solomon Islands (Exchange of notes of 13 / 22 August 1980), Swaziland (Declaration of 1971), Tanzania (Declaration of 13 April 1960), Trinidad and Tobago (Exchange of notes 4 July 1966 / 2 September 1966) and Zambia (Declaration of 30 July 1957).

> Greece (Athens, 11 May 1938 – Articles 1 to 6); Liechtenstein (17 February / 29 May 1958); Morocco (Rabat, 29 October 1985); Tunisia (Bonn, 19 July 1966), Turkey (Ankara, 28 May 1929 – Articles 9 to 17), United States of America (29 October 1954).

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents)

Useful links: <u>Internationale Rechtshilfe online</u> (in German only).

(This page was last updated on 28 April 2016)

Germany - Competent Authority (Art. 6)

The Central Authority shall complete the certificate (paragraph 1 and 2 of Article 6 of the Convention) if

it has itself arranged for the request for service to be complied with directly by postal channels; in all other cases this shall be done by the registry of the local court.

Germany - Competent Authority (Art. 9)

The Central Authority of the Land where the documents are to be served and the authorities competent under Section 1 of the Act of 18th December 1958 implementing the Convention on Civil Procedure, signed at The Hague on 1st March 1954, to receive requests from consuls of foreign States, shall be competent to receive requests for service transmitted by a foreign consul within the Federal Republic of Germany (paragraph 1 of Article 9 of the Convention). Under that Act the president of the regional court (Landgericht) in whose district the documents are to be served shall be competent; in his place the president of the local court shall be competent if the request for service is to be complied with in the district of the local court which is subject to his administrative supervision.

### Greece

Greece - Central Authority & practical information

Central Authority (as per 28 December 2006 - click here for previous details):

Hellenic Ministry of Justice, Transparency & Human Rights

### **Contact details:**

Ministry of Justice, Transparency & Human Rights

Directorate of Legislative Work, International Legal Relations and International

Judicial Co-operation

Address: Department of International Judicial Co-operation in Civil and Criminal Cases

96 Mesogeion Av. Athens 11527

Greece

Telephone: +30 213 130 7322, +30 213 130 7312

Fax: +30 213 130 7499

gkouvelas@justice.gov.gr

E-mail: avasilopoulou@justice.gov.gr

civilunit@justice.gov.gr

General website: <u>www.ministryofjustice.gr</u>

Contact person: Mr. George Kouvelas

Mrs. Athanasia Vasilopoulou

Languages spoken by

staff:

Greek, English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the

replies to the 2003 and/or 2008 Service Convention Questionnaires)

The Ministry of Justice, Transparency & Human Rights

Forwarding authorities (Art. 3(1)):

Article 134 (1)(a) of the Civil Procedure Code: the party requesting service of documents abroad submits the document to the competent Public Prosecutor (of the Court of First Instance, Court of Appeal or Supreme Court of Appeal) through its lawyer, who afterwards forwards it to the competent foreign authority.

Law 1334 / 1983 implemented the Hague Service Convention in Greece.

Methods of service (Art. 5(1)(2)):

The service of judicial and extrajudicial documents is executed by virtue of an order of the competent Public Prosecutor namely the Prosecutor of the district where the person being served is resident. According to the Civil Procedure Code, articles 122 and subsequent, the service of documents is performed by a process server.

For more information on methods of service, see <u>European Judicial</u> Network in Civil and Commercial Matters – Service of documents – **Greece** 

Translation requirements (Art. 5(3)):

Greece has declared that formal service will be effected only if the document to be served is written in, or translated into, Greek.

Click <u>here</u> to read all the declarations made by Greece under the Service Convention.

All *formal service* under Article 5(1)(a) must be sent to the competent Public Prosecutor at a flat fee.

The cost of service will be €50, starting from August 1st, 2013.

Costs relating to execution of the request for service (Art. 12):

Payment of fees shall be made by bank transfers payable to the Hellenic Ministry of Justice, Transparency & Human Rights. All service requests should comply with the described method. However, if unaccompanied by proper payment and bank receipt, they will be returned without processing. The *website* provides detailed information on method of payment.

European Judicial Network in Civil and Commercial Matters – Service of <u>documents – Greece (question 8)</u>.

Time for execution of request: One month

(Art. 21(2)):

Oppositions and declarations Click <u>here</u> to read all the declarations made by Greece under the Service Convention.

Opposition Art. 8(2):

Art. 10(a): Opposition

Art. 10(b): Opposition Art. 10(c): Opposition

Declaration of applicability Art. 15(2):

Art. 16(3): No declaration of applicability

or multilateral agreements or internal law permitting other transmission channels)

Derogatory channels (bilateral Greece has not acceded to the Hague Conventions of 1905 and 1954 and has not therefore concluded with other Contracting States any additional to the above agreements.

(Arts. 11, 19, 24 and 25)

Greece has concluded bilateral agreements on legal assistance with Germany (11 May 1938), the Czech Republic and Slovakia (22 October 1980) and Cyprus (5 March 1984).

Disclaimer:

*Information may not be* complete or fully updated – please contact the relevant authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents)

Useful links: www.mfa.gr (Ministry of Foreign Affairs)

(Latest update of this page: 16 October 2018)

# Hungary

Hungary - Central Authority & practical information

### Central Authority(ies):

Ministry of Justice

#### **Contact details:**

Ministry of Justice (Igazságügyi Minisztérium) Department of Private International Law (Nemzetközi Magánjogi Föosztály)

Address:

Kossuth tér 2-4. 1055 Budapest Hungary

*Mailing Address: / Adresse postale:* 

Address: P.O. Box 2

1357 Budapest

Hungary

Mailing Address for Delivery by Private Courier: / Adresse postale pour livraison

par transporteur privé

c/o Postal Bureau of the Parliament (Országházi Levélátvevö)

Balassi Bálint utca 1-3

1055 Budapest

Hungary

Telephone: +36 (1) 795 4846 / 795 6094 Fax: +36 (1) 795 0463

E-mail: nmfo@kim.gov.hu

General website: http://www.kormany.hu/hu/kozigazgatasi-es-igazsagugyi-miniszterium

Contact person:

staff:

Languages spoken by Hungarian, German, English, French

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding

authorities

Ministry of Public Administration and Justice

(Art. 3(1)):

Methods of service (Art. 5(1)(2)):

The special rules applicable to the service of official documents are available in Section 99 of the Code of Civil Procedure, Sections 27 to 32 of Government Decree no. 335/2012 (XII.4.) as well as Sections 35 and 35/A of Decree of the Minister of Justice no. 14/2002 (VIII.1.).

Formal Service:

Official documents are in principle served by post thus this is the method of service usually used for accomplishment of requests for formal service. The official document is posted with a specific acknowledgement of receipt. The postal service provider attempts to serve the document on the addressee or any other authorised recipient.

If the addressee declines to accept the document, the document must be considered served on the day of the unsuccessful service. In that event the postal service provider returns the official document without delay to the sender with the notice "delivery refused" and the legal consequences in connection with the served document are to be applied.

If the first service attempt is unsuccessful (but the addressee's address is otherwise correct), the postal service provider shall leave a notice at the given address informing the addressee that 1) the postal service provider tried to serve an official document, 2) it will attempt to serve the document on the fifth working day following the day of the unsuccessful delivery and 3) the addressee can collect the official document at the post office upon proof of identity.

Should the second service also be unsuccessful, the postal service provider will leave a second notice informing the addressee that the official document can be collected at the post office within five working days of the second unsuccessful service. After five working days the postal service provider will return the official document to the sender with a notice indicating that it was "not claimed for" by the addressee. In this case the documents are deemed as served on the fifth working day of the second delivery attempt.

Informal Service:

The same rules apply as for formal service but the documents cannot be considered as served when the addressee refuses to accept them or they are returned by the postal service provider as "not claimed for".

For more information, see <u>European Judicial Network in Civil and Commercial Matters</u> - <u>Service of documents</u> - <u>Hungary</u>.

Hungary has declared that service under Article 5(1) shall only be made if the document to be served is accompanied by an official translation into the Hungarian language.

Translation requirements (Art. 5(3)):

By official translation the Hungarian Central Authority means a translation that is accepted for the purposes of judicial proceedings in the requesting Contracting State under its law thus a certain quality and reliablity is ensured.

Click <u>here</u> to read all the declarations made by Hungary under the Service Convention.

Costs relating to execution of the request for service (Art. 12):

Accomplishment of requests for formal or informal service is free of charge in Hungary.

Time for execution of The average time frame of service is between two and three months that can be request: surpassed in problematic cases.

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Hungary under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and

25)

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters

Bilateral agreements with Albania, Australia, Belarus, Bosnia and Herzegovina, Canada, China, Egypt, the Former Yugoslav Republic of Macedonia, France (overseas territories), Montenegro, Russian Federation, Serbia, Turkey, Ukraine.

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

http://www.kormany.hu/hu/kozigazgatasi-es-igazsagugyi-miniszterium

(Hungarian Only)

Useful links:

http://ec.europa.eu/civiljustice/serv\_doc/serv\_doc hun\_en.htm

(Latest update of this page: 31 July 2014)

Hungary - Competent Authority (Art. 6)

The certificate of service prescribed in Article 6 of the Convention is completed in the Republic of Hungary by the court that has performed such service.

Hungary - Competent Authority (Art. 9)

Ministry of Public Administration and Justice

### **Iceland**

Address:

Iceland - Central Authority & practical information

[competent authority before the 29.09.2015]

### **Central Authority as of 29 September 2015:**

District Commissioner of Sudurnes (Sýslumaðurinn á Suðurnesjum)

### **Contact details:**

The District Commissioner of Suðurnes

Vatnsnesvegur 33 230 Keflavík

**Iceland** 

Telephone: +354-458-2200

Fax:

E-mail: <u>ingaloa@syslumenn.is</u>

General website: www.syslumenn.is

Contact person: Inga Lóa Steinarsdóttir

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and 2008 Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

The District Commissioner of Suðurnes

Methods of service

(Art. 5(1)(2)):

The Central Authority forwards the document to a process server who

carries out the task.

Translation requirements

(Art. 5(3)):

Requests for service will only be complied with when the document to be served is written in Icelandic, or if the request is accompanied by a translation, unless the document is meant to be delivered only to an addressee who accepts it voluntarily. Iceland has not entered into any

agreement with respect to article 20(b).

Costs relating to execution of

the request for service

(Art. 12):

No costs

Time for execution of request: On

On average 1-2 months.

Judicial officers, officials or other competent persons

(Art. 10(b)):

Oppositions and declarations

(Art. 21(2)):

<u>Click here</u> to read all the declarations made by Iceland under the

Service Convention.

Art. 8(2):

No opposition

Art. 10(a):

No opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

A multilateral convention on judicial co-operation was concluded between: Denmark, Finland, Iceland, Norway and Sweden on 26 April

1974.

The Lugano Convention of 16 September 1988

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 13 April 2017)

## **India**

India - Central Authority & Practical Information

### Central Authority(ies):

The Ministry of Law and Justice

### **Contact details:**

Central Authority

The Ministry of Law and Justice Department of Legal Affairs

Address: Room No. 439-A, 4th Floor A-Wing, Shastri Bhavan

New Delhi

110 001 India

+91 (11) 2338 7557

Telephone: +91 (11) 2338 0408

+91 (11) 2338 7908

+91 (11) 2338 4241

Fax: +91 (11) 2307 0248

+91 (11) 2338 4403

E-mail: judicial-dla@nic.in

sureshchandra@nic.in

General website: <a href="http://legalaffairs.gov.in">http://legalaffairs.gov.in</a>

Mr R. K. Srivastava

Deputy Legal Adviser

Contact person: Tel.: +91 (11) 2338 7543

Fax.: +91 (11) 2338 1773

E-mail: rksrivastava.dla@nic.in

Languages spoken by staff:

#### **Practical Information:**

Forwarding authorities (Art. 3(1)):	
Methods of service (Art. 5(1)(2)):	
Translation requirements (Art. 5(3)):	All requests for service of documents should be in English language or accompanied by an English translation
	Click <u>here</u> to read all the declarations made by India under the Service Convention.
Costs relating to execution of the request for service (Art. 12):	No charges are incurred for service.
Time for execution of request:	
Judicial officers, officials or other competent persons (Art. 10(b)):	5
Oppositions and declarations (Art. 21(2)):	Click <u>here</u> to read all the declarations made by India under the Service Convention.
Art. 8(2):	Opposition
Art. 10(a):	Opposition
Art. 10(b):	Opposition
Art. 10(c):	Opposition
Art. 15(2):	Declaration of applicability
Art. 16(3):	Declaration of applicability
Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)	
<b>Disclaimer:</b> Information may not be complete or fully updated – please contact the relevant authorities to verify this information.	
Useful links:	
(This page was last updated on 22 June 2017)	

# **Ireland**

Ireland - Central Authority (Art. 2) & practical information

# Central Authority(ies):

Master of the High Court or the Deputy Master for the time being appointed

#### **Contact details:**

Master of the High Court or the Deputy Master for the time being appointed

c/o Master's Section

Address: High Court Central Office

Four Courts Inns Quay Dublin 7 Ireland

Telephone: +353 (0)1 888.6000 / 6503 / 6508 / 6505 / 6442

Fax: +353 (0) 1 888.6125

E-mail: <u>HagueConvention@courts.ie</u>

General website: <u>Irish Courts Service</u>

High Court

Contact person:

Languages spoken by staff: English, Irish (Gaelic)

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

- the Central Authority;

Forwarding authorities

a practising Solicitor;a County Registrar; and

- a District Court Clerk.

Methods of service

(Art. 3(1)):

Formal Service (Art. 5 (1)(a))

(Art. 5(1)(2)): Personal or by post.

*Informal delivery (Art. 5(2))* 

This method can be used where the addressee has indicated in writing that he will accept service, or that service may be effected by delivering

documents to an intermediary e.g. a solicitor acting for him.

For information on methods of service, see:

Order: 121B Service of Foreign Process (Denmark and outside the EU,

2005)

Order: 121 Service of documents

Order: 9 Service of Summons

See also <u>European Judicial Network in Civil and Commercial Matters</u> – Service of Documents -Ireland

Translation requirements (Art. 5(3)):

It is the practice of the Irish Central Authority to insist on the translation of all documents to be served.

Costs relating to execution of the request for service (Art. 12):

At present, it is not the practice of the Irish Central Authority to seek to recoup from the requestor the costs of service in Ireland.

Time for execution of request:

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Ireland under the Service Convention.

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): Opposition (see <u>declarations</u>)

Art. 10(c): Opposition (see <u>declarations</u>)

Art. 15(2): Declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25) The Consular Convention between Ireland and the United States of America, signed at Dublin on 1 May 1950 provides in Article 17 (1) (g) that a consular officer may, within his district, serve or cause to be served judicial documents or take evidence on behalf of courts of the sending state in a manner permitted under special arrangements on this subject between the High Contracting Parties or otherwise not inconsistent with the laws of the territory.

# Disclaimer:

Useful links:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

To consult bilateral and multilateral treaties to which Ireland is a party, click here.

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents).

Department of Foreign Affairs
The Law Reform Commission
Office of the Attorney General

(This page was last updated on 26 February 2014)

Ireland - Forwarding Authorities (Art. 3)

The authority or judicial officer competent under the laws of Ireland for the purpose of Article 3 of the Convention are the Central Authority, a practising Solicitor, a County Registrar or a District Court Clerk.

Ireland - Competent Authority (Art. 6)

The Master of the High Court (including any Deputy Master for the time being appointed)

Inns Quay

DUBLIN 7

**Ireland** 

languages of communication: English, Irish (Gaelic)

# **Israel**

Israel - Central Authority & practical information

# Central Authority(ies):

Administration of Courts

#### **Contact details:**

Administration of Courts

Legal Assistance to Foreign Countries

Address: 22 Kanfei Nesharin St.

Jerusalem 95464

Israel

Telephone: +972 (2) 655 6919

Fax: +972 (2) 655 6887

E-mail: <u>Mishpatit@court.gov.il</u>

General website: -

Legal adviser for the Administrator of

Contact persons: Courts

Foreign.Countries@court.gov.il

Languages spoken by staff: English, Hebrew

### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

The Director of Courts (*i.e.* the Central Authority)

Methods of service

(Art. 5(1)(2)):

Service is effected either by registered post with a certificate of receipt of service or personally delivered by the clerks of the various Magistrate's

courts.

If the person to be served is not at the address given, the documents can be accepted by a member of the family who lives at the same address and appears to be at least 18 years old. In addition, if the documents are served by the clerk of the court, on his third visit to an address where no answer has been obtained, the clerk can post the document on the door of the intended recipient – and in this case this is regarded as legal service of the documents.

Documents intended for residents of the Palestinian Authority Please note that documents intended for residents of the Palestinian Authority should be forwarded through the Director of Courts. This authority forwards the documents to the Palestinian Authority. In addition:

- a. The documents are to be translated into Arabic and Hebrew.
- *b*. The request must include the full name (four names) of the recipient.
- *c*. The request must include the Identification Number of the recipient.
- *d*. The request must include the full address as far as possible.

Translation requirements (Art. 5(3)):

The documents to be served must be translated into Hebrew, English or Arabic.

Costs relating to execution of the request for service (Art. 12):

No fees are charged by the Israeli authorities for service of documents under the Convention.

Time for execution of request:

1 to 4 months.

Judicial officers, officials or other competent persons Not applicable. (Art. 10(b)):

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Israel under the Service

Convention.

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): Additional information - see <u>declarations</u>

Art. 10(c): Additional information - see <u>declarations</u>

Art. 15(2): No declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral

To consult bilateral and multilateral treaties to which Israel is a party, click

agreements or internal law permitting other transmission channels)
(Arts. 11, 19, 24 and 25) here.

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links: <u>The Judicial Authority</u>

(This page was last updated on 24 November 2016)

Israel - Competent Authority (Art. 6, 18)

# **Contact details:**

Administration of Courts

Legal Assistance to Foreign Countries

Address: 22 Kanfei Nesharim st.

Jerusalem 95464

Israel

Telephone: +972 (2) 655 6919

Fax: +972 (2) 655 6887

E-mail: <u>Mishpatit@court.gov.il</u>

General website: -

Legal adviser for the Administrator of

Contact person: Courts

E-mail: Foreign.Countries@court.gov.il

Languages spoken by staff: English, Hebrew

(This page was last updated on 1 December 2016)

# **Italy**

Italy - Central Authority & practical information

# Central Authority(ies):

Ufficio unico degli ufficiali giudiziari presso la corte di appello di Roma

**Contact details:** 

Ufficio Unico Ufficiali Giudiziari presso la Corte d'Appello di Roma

Address:

Viale Giulio Cesare, 52

00192 ROMA

Telephone:

+3906-3283 67058 +3906-3283 67059

Fax:

+3906-3283 67933

E-mail:

unep.ca.roma@giustizia.it

General website:

Currently undergoing update

Contact person:

Sezione Atti Esteri - UNEP di Roma

Languages spoken by staff: Italian, English.

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

Ufficio Unico Ufficiali Giudiziari existing in each Tribunale and

Corte di Appello

Methods of service

(Art. 5(1)(2)):

The receiving Central Authority sends the request to the local Bailiff. (Ufficio Unico Ufficiali Giudiziari at the local Tribunale or Corte di Appello). The document is served in accordance with

Art. 5 of the Convention.

Translation requirements

(Art. 5(3)):

Pursuant to Article 5(3) of the Convention Italy will require the

document translated into the Italian Language

Costs relating to execution of the

request for service

(Art. 12):

No costs are charged in relation to the execution of the request of

service.

Time for execution of request:

Oppositions and declarations

(Art. 21(2)):

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): No opposition Art. 10(c): No opposition

Art. 15(2): No declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters.

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links: <a href="http://www.esteri.it/mae/resource/doc/2017/12/guida notifiche ci">http://www.esteri.it/mae/resource/doc/2017/12/guida notifiche ci</a>

vile 2018 con allegati.pdf

(This page was last updated on 12 March 2018)

Italy - Competent Authority (Art. 6)

"Gli Uffici unici degli ufficiali giudiziari costituiti presso le Corti di Appello e i Tribunali e gli Ufficiali giudiziari addetti alle preture" (the registries of the courts of appeal and other courts, and the bailiffs appointed to the courts of first instance) are competent to issue the certificate pursuant to Article 6.

Italy - Competent Authority (Art. 9)

"Gli Uffici unici degli Ufficiali giudiziari presso le Corti di Appello e i Tribunali e gli Ufficiali giudiziari addetti alle preture" (the registries of the courts of appeal and other courts, and the bailiffs appointed to the courts of first instance) are competent to receive for the purpose of service, documents forwarded by consular or diplomatic authorities pursuant to Article 9

# Japan

Japan - Central Authority & practical information

### Central Authority(ies):

Ministry of Foreign Affairs

### **Contact details:**

Ministry of Foreign Affairs

Address: 2-2-1 Kasumigaseki Chiyoda-ku

**TOKYO** 

100-8919 Japan

Telephone: +81 3 5501 8152

Fax: +81 3 5501 8148

E-mail:

General website: https://www.mofa.go.jp/ca/cp/page25e 000251.html

Contact point: Consular Policy Division

Languages spoken by staff: Japanese (by telephone)

Japanese and English (by fax)

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

the judges

Formal Service (Art. 5 (1)(a))

The Minister for Foreign Affairs refers the document to the competent court of justice. Service is then effected either by post (special postal service, Article 49 of the Mail Act; a report of service is drawn up by the postman) or through a marshal.

*Informal delivery* (Art. 5(2))

Methods of service (Art. 5(1)(2)):

The Minister for Foreign Affairs refers the documents sent to it to the competent court clerk. The court clerk informs the addressee of the documents to be served and the addressee then either presents himself / herself to the court or requests that they be forwarded to him / her. In the latter case special postal service will be effected (Article 49 of the Mail Act; the postman will draw up a report of the delivery). When the person to be served refuses to accept the documents, or fails to appear or to apply for forwarding the documents to him / her within three weeks of the date on which he/she was informed, the documents will be returned to the applicant.

*Service by a particular method* (Art. 5(1)(b))

When it is so requested, a marshal will effect service by delivering the document directly to the person after ascertaining that he / she is the addressee.

Translation requirements (Art. 5(3)):

Full translation is required for any document to be served under Article 5(1)(a) (b). We serve the translation to the addressee together with the original.

Japan has not concluded any agreements under Article 20(b).

Costs relating to for service (Art. 12):

In principle, the applicant incurs no charges because the National Treasury bears execution of the request costs of service. However, in the case of service by a marshal, a fee is charged and should be reimbursed. To that end, the court which effected the service sends a bill of the costs to be reimbursed to the applicant together with the certificate referred to in Article 6.

When executed by a marshal, the amount to be paid for the performance of service is 1,800 yen (service in working hours on weekdays) or 4,200 yen (service in night times, weekends or holidays) plus the marshal's travel expenses, which is 37 yen per kilometer from the competent district court to which he / she belongs.

Time for execution of

request:

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Japan under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Opposition Art. 10(c):

Art. 15(2): Declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Consular Convention between Japan and the United States of America

Consular Convention between Japan and the United Kingdom of Great Britain and Northern Ireland

### Disclaimer:

Information may not be complete or fully updated – please contact the relevant *authorities* to verify this information.

Agreements or arrangements concerning judicial assistance between Japan and; Swiss Confederation, Kingdom of Denmark, Republic of Italy, Democratic Socialist Republic of Sri Lanka, Federative Republic of Brazil, Kingdom of Thailand, Federal Republic of Germany, United Kingdom of Great Britain and Northern Ireland, Syrian Arab Republic, Kingdom of Norway, Australia, Islamic Republic of Iran, Republic of Austria, State of Kuwait, Republic of Iraq, State of Israel

Useful links:

(This page was last updated on 7 January 2018)

Japan - Competent Authority (Art. 6)

The District Court which has rendered judicial aid with respect to the service is designated as the authority competent to complete the certificate in the form of the model annexed to the Convention, pursuant to the first paragraph of Article 6.

Japan - Competent Authority (Art. 9)

Ministry of Foreign Affairs

2-2-1 Kasumigaseki Chiyoda-ku

Tokyo

100-8919 Japan

tel.: +81-3-3580.3311

# Korea, Republic of

Korea, Republic of - Central Authority & practical information

# **Central Authority(ies):**

Director of International Affairs National Court Administration Supreme Court of Korea

### **Contact details:**

National Court Administration

Attn.: Director of International Affairs

Seocho-daero 219

Address: Seocho-gu

SEOUL 06590 Republic of Korea

Telephone: +82 (2) 3480 1734

Fax: +82 (2) 533 2824

E-mail: <u>international@scourt.go.kr</u>

General website: <a href="http://www.scourt.go.kr/scourt\_en/index.html">http://www.scourt.go.kr/scourt\_en/index.html</a> (Supreme Court of

Korea)

Contact person: Director of International Affairs

Languages spoken by staff: Korean (by phone), English (by email/fax/in writing)

# **Practical Information:**

Forwarding authorities

(Art. 3(1)):

The court in which the proceedings were intiated.

Methods of service (Art. 5(1)(2)):

In principle, a competent court, as an appropriate agency, serves the document by registered mail (recorded delivery) or an

execution officer serves the documents as prescribed by the Korean

Supreme Court Regulations.

Where the translated document is not attached, or the applicant requests so, the competent court may serve by informal method

pursuant to Article 5(1)(b).

Relevant laws: *Civil Procedure Act* (applicable with Contracting States to the Service Convention), *Act on International Judicial Mutual Assistance in Civil Matters* (applicable with non-

Contracting States to the Service Convention).

Translation requirements (Art. 5(3)):

In case where the document is served under Article 5(1), translation into the official language (Korean) should be attached.

Costs relating to execution of the request for service (Art. 12):

- 1. When an execution officer serves the documents pursuant to Article 5(1).
- 2. The use of a particular method of service, pursuant to Article 5(2).

The following data is in accordance with the recent survey conducted by the National Court of Administration.

In 2012, the Central Authority received 604 requests for service. Of these:

- 200 were executed in less than 2 months
- 240 were executed in 2-4 months
- 99 were executed in 4-6 months
- 21 were executed in 6-12 months
- Time for execution of request:

   8 were executed in 6-12 months
  - 4 are currently pending

In 2014, 435 requests were received. Of these:

- 259 were executed in less than 2 months• 73 were executed in 2-4 months
- 18 were executed in 4-6 months
- 22 executed in 6-12 months
- 0 were executed in more than 12 months
- 63 are currently pending

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by the Republic of Korea under this Convention

Art. 8(2):

**Opposition** 

Art. 10(a):

**Opposition** 

Art. 10(b):

**Opposition** 

Art. 10(c):

**Opposition** 

Art. 15(2):

Declaration of applicability

Art. 16(3):

No declaration

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) 1. Domestic regulation *Act on International Judicial Mutual Assistance in Civil Matters* (in

particular Chapter 2 and 3)

(Arts. 11, 19, 24 and 25)

2. Bilateral Agreements on judicial assistance in civil and commercial matters: *Australia* (17 September 1999); *People's Republic of China* (7 July 2003); *Uzbekistan* (23 November 2004); *Mangalia* (15 October 2009)

#### Disclaimer:

*Information may not be complete or Mongolia* (15 October 2008). *fully updated – please contact the* 

relevant authorities to verify this information.

Civil Procedure Act and Civil Procedure Rules (Part I, Chapter IV,

Section 4).

Useful links: Available at: <a href="http://www.law.go.kr/main.html">http://www.law.go.kr/main.html</a>

An English translation is available at: <a href="http://elaw.klri.re.kr/">http://elaw.klri.re.kr/</a>

(This page was last updated on 16 June 2016)

Korea, Republic of - Competent Authority (Art. 6)

In addition to the Central Authority, the clerk of the court for the judicial district in which the person is to be served.

# Latvia

Latvia - Central Authority & practical information

# Central Authority(ies):

Council of Sworn Bailiffs of Latvia

### **Contact details:**

Council of Sworn Bailiffs

Brivibas Street 82-3

Address: Riga, LV-1001

Latvia

Telephone: +371 6729 0005

Fax: +371 6729 0006

E-mail: documents@lzti.lv

General website: <a href="http://www.lzti.lv/">http://www.lzti.lv/</a>

Contact person:

Languages spoken by staff:

# **Practical Information:**

Forwarding authorities (Art. 3(1)):

The all instance courts of the Republic of Latvia examining civil cases are competent to forward a request for the service of documents to the executing

1)): country.

Methods of service Documents are received in the Central Authority and forwarded to competent

Bailiff of Latvia for the execution of the request.

In accordance with the Civil Procedure Law, documents can be served using:

- 1) registered mail;
- 2) by registered mail with notification of receipt;

(Art. 5(1)(2)):

- 3) by ordinary mail;
- 4) by electronic mail;
- 5) The judicial documents may also be delivered to the workplace of the person. If the addressee is absent, the documents may be handed to the administration of the place of employment to be forwarded to the addressee.
- 6) Documents may be handed to an adult person met at the address indicated for service.

Translation requirements (Art. 5(3)):

Translation is required if the addressee refuses to accept the document because the document is not prepared in the official language of Latvia (Latvian) or in a language that the addressee understands.

In such a case the document is returned to the requesting State to be translated either into Latvian or any other language that the addressee has specified.

Latvia asks EUR 113,97 (including VAT) charge for each request for service of documents. The payment must be settled through a bank transfer and all bank commission fees must be covered by the person who settles the principal payment for service of documents.

Costs relating to execution of the request for service (Art. 12):

Bank account information: Registration No. 90001497619

Registered office: 82-3 Brivibas Street, Riga, LV-1001, Latvia

Bank: Swedbank AS

Account No.: LV93HABA0551038096742

SWIFT code: HABALV22

Payment purpose: information on the addressee.

Time for execution of request:

If the document cannot be served within one month from the receipt of the document in the Council of Sworn Bailiffs of Latvia or within the time limit provided for in the request, the Bailiff to which the request has been forwarded to has to inform the Council of Sworn Bailiffs of Latvia about this fact as well as about the reasons that have delayed the service of the document.

Judicial officers, officials or other competent persons (Art. 10(b)):

None.

Oppositions and declarations (Art. 21(2)):

<u>Click here</u> to read all the declarations made by Latvia under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): No opposition, but only if the documents are translated into Latvian and are delivered using a registered postal letter with an acknowledgment of receipt.

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels

(bilateral or multilateral agreements or internal law permitting other transmission

transmission Bilateral conventions on judicial co-operation: Russian Federation; Belarus; channels) Ukraine; Moldova; Uzbekistan; Kyrgystan.

(Arts. 11, 19, 24 and

25)

25) <u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg,

Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

13 November 2007) (European Judicial Atlas – Service of Documents).

Useful links: https://www.tm.gov.lv/lv/cits/vispariga-informacija-par-tiesisko-sadarbibu-

civillietas-1

(This page was last updated on 6 February 2019)

Latvia - Competent Authority (Art. 9)

Ministry of Justice Brivibas blvd 36 RIGA, LV - 1536

Latvia

tel.: +371 6716 2669 / +371 6716 2671 fax: +371 6721 0823 / +371 6728 5575

e-mail: <a href="mailto:tm.kanceleja@tm.gov.lv">tm.kanceleja@tm.gov.lv</a>
website: <a href="mailto:http://www.tm.gov.lv/en/">http://www.tm.gov.lv/en/</a>

languages of communication: English, Russian, Latvian

contact person: Ms Liene Jenca

Latvia - Competent Authority (Art. 6)

In accordance with paragraph 1 of Article 6 of the Convention the Authority of the Republic of Latvia designated to complete a certificate in the form of the model, annexed to the Convention, is the sworn bailiff competent for service of documents under the relevant Latvian laws and regulations.

Latvia - Forwarding authority (Art. 3)

The all instance courts of the Republic of Latvia examining civil cases are competent to forward a request for the service of documents to the executing country.

# Lithuania

Lithuania - Central Authority & practical information

# Central Authority(ies):

Ministry of Justice

**Contact details:** 

Ministry of Justice

Address: Gedimino ave. 30

LT-01104

Telephone: +370 (5) 266 2940

Fax: +370 (5) 262 5940

E-mail: <u>tbs@tm.lt</u>

General website: <a href="http://www.tm.lt/">http://www.tm.lt/</a>

Ms Andrada Bavejan

Contact person: Head of International Co-operation

Division of International Law Department

Languages spoken by staff: Lithuanian, English, French, German, Russian

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 Service Convention Questionnaire)

Forwarding authorities (Art. 3(1)):

The courts of the Republic of Lithuania (all instances, i.e., district courts of cities and regions - in total 49 -, county courts - in total 5 -, the Lithuanian Court of Appeals and the Lithuanian Supreme Court) examining civil or commercial cases are competent to forward a request for service of documents to the foreign Central Authority.

Documents may be served (delivered) to a person:

- sent by registered letter at the residential, official or registered office address of the person (the addressee);

Methods of service (Art. 5(1)(2)):

- served personally upon signed acknowledgement at the residence, official or registered office address of the person (the addressee);

- other methods of service provided this method of service (delivery) ensures that the document is served (the entire information contained therein will be delivered (will become known to) the recipient.

denvered (win become known to) the recipient.

Costs relating to The fee for service of documents in the Republic of Lithuania is EUR 110 (one

hundred ten euro).

The application for service of documents shall be accompanied with the evidence supporting the payment of the fee by a bank transfer to the account of the Chamber of Judicial Officers of Lithuania:

Chamber of Judicial Officers of Lithuania

Address: Konstitucijos Ave. 15, LT-09319 Vilnius, Republic of Lithuania

Account No. LT92 4010 0424 0031 5815, AB "DnB bankas",

bank code 40100 Data accumulated and stored in the Register of Legal

Entities, code 126198978.

Tel. +370 5 2750067, +370 5 275 0068

E-mail: <a href="mailto:info@antstoliurumai.lt">info@antstoliurumai.lt</a> Website: <a href="mailto:www.antstoliurumai.lt">www.antstoliurumai.lt</a>

execution of the request for service (Art. 12):

Where in relation to the submission of the application the fee of EUR 110 is not paid, and no documents supporting the payment of the fee are submitted, the Central Authority shall return the documents in the same order as they were received, indicate the reason for returning the documents, and provide the information about the amount of the fee and possible payment methods. The return of the documents does not mean the documents cannot be submitted for service repeatedly.

Within the Republic of Lithuania, the documents can be served without having paid the fee of EUR 110, provided the applicant submits the evidence that the fee has been paid or compensated from the funds of the State-guaranteed legal assistance.

In case the application includes a request for service of the documents in a specific way requiring additional expenses the applicant shall defray the expenses not included in the fee of EUR 110 in advance and in the specific required way according to the documents supporting the amount of the specific expenses submitted by the Chamber of Judicial Officers of Lithuania (bailiffs).

Time for execution of request:

1.5 - 2 months

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Lithuania under this Convention.

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels

Bilateral conventions on judicial co-operation: Azerbaijan, Belarus, People's

(bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Republic of China, Kazakhstan, Republic of Moldova, Poland, Russian Federation, Ukraine, Uzbekistan.

Agreement between *Lithuania*, *Estonia* and *Latvia* on legal assistance and legal relations.

**Disclaimer:** 

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents).

Useful links:

(This page was last updated on 4 April 2016)

Lithuania - Competent Authority (Art. 6)

The judicial officer with territorial jurisdiction to whom the document was transmitted for service is competent to complete the certificate pursuant to Article 6.

Lithuania - other authorities (Art. 18)

The competent authority designated in the Republic of Lithuania - the Chamber of Judicial Officers of Lithuania to which the Central Authority transfers the requests of all Contracting States regarding the service of documents. The Chamber of Judicial Officers of Lithuania organises and coordinates the service of the documents and their forwarding to judicial officers for execution according to the operational territory.

# Luxembourg

Address:

Luxembourg - Central Authority & practical information

# **Central Authority(ies):**

Le Procureur général d'Etat

**Contact details:** 

Le Procureur général d'Etat

Cité judiciaire

Plateau du St-Esprit L-2080 Luxembourg

Telephone: +352 47 59 81-336

Fax: +352 47 05 50

E-mail: <u>parquet.general@justice.etat.lu</u>

General website: <u>www.justice.public.lu</u>

Mme Monique SCHMITZ, Avocat Général

tél.: +352 47 59 81-336/393 en son absence / in her absence: Avocat général de permanence

Languages spoken by staff: French, German, English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

a) the Parquet général;

Forwarding *b)* the *Parquets* of the regional courts;

authorities *c)* the *huissiers de justice*;

(Art. 3(1)): *d*) in respect of certain special subjects (law of employment, lease for rent) the

registrars of the justice de paix.

Jusqu'en 2001 la simple remise de l'acte pouvait être effectuée par la Gendarmerie ou la Police. Depuis, dans tous les cas, il est procédé à la notification formelle de l'acte au sens de l'article 5(1), c'est-à-dire à la signification de l'acte par un huissier de justice.

Methods of service (Art. 5(1)(2)):

Contact person:

For more information on methods of service, see <u>European Judicial Network in Civil and Commercial Matters</u> – Service of Documents – Luxembourg.

When foreign judicial documents are served, in connection with Articles 5(a) and 10(b) and (c), through the intermediary of a Luxembourg official, they must be drawn up in French or German or accompanied by a translation into one of those languages.

Translation requirements (Art. 5(3)):

Exceptionnellement l'Autorité centrale peut accepter un acte rédigé dans une autre langue s'il est établi que le destinataire comprend la langue et accepte l'acte volontairement. Le Luxembourg exige la traduction intégrale de l'acte à signifier et des pièces.

Click <u>here</u> to read all the declarations and reservations made by Luxembourg under this Convention.

Costs relating to execution of the request for service (Art. 12):

Le Luxembourg n'applique en principe pas l'article 12 en relation avec les modes de notifications ou de significations prévus à l'article 5. Dans le cadre des modes de notifications ou de significations prévus à l'article 5 le Luxembourg renonce en principe au remboursement des frais occasionnés par les notifications ou significations.

En cas de transmission directe de l'acte par les soins d'un huissier de justice, les frais à charge du requérant englobent un droit fixe de 60 euros, les frais de voyage et la TVA (17%). Les frais de voyage s'élèvent à 0.60 euro pour chaque kilomètre parcouru à l'aller et au retour. A l'intérieur de la Ville de Luxembourg les frais son tarifés à 8 euros. A l'intérieur des villes d'Esch-sur-Alzette et de Diekirch le forfait est fixé à 4 euros. Si l'huissier de justice doit remettre plusieurs copies d'une acte il lui est dû par copie supplémentaire ¼ du droit fixe (c'est-à-dire 15 euros). En outre, lorsque l'huissier ne peut signifier à personne et doit contrôler l'adresse, les frais sont augmentés de 1/10 du droit fixe (6 euros). S'y ajoutent encore, lorsque l'acte

doit être enregistré au Luxembourg, un droit fixe de 12 euros et un droit de timbre de 2 euros par feuille.

En sus des frais et débours susmentionnés peuvent être facturés, le cas échéant, des frais occasionnés par un envoi postal ou des frais de stationnement.

La facture est envoyée au demandeur. Certains huissiers exigent qu'une avance sur frais soit payée avant de procéder à la signification ; d'autres, procèdent immédiatement à la signification, mais ne rendent l'original de l'acte signifié qu'après l'obtention du paiement.

Time for execution of request:

About two weeks

Judicial officers, officials or other competent persons Chambre des huissiers de justice du Grand-Duché de Luxembourg

65, rue d'Eich

L-1461 Luxembourg (Art. 10(b)): http://www.huissier.lu/

Oppositions and declarations (Art. 21(2)):

Click here to read all the declarations and reservations made by Luxembourg under this Convention.

Art. 8(2): Opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Declaration of applicability Art. 15(2):

Art. 16(3): Declaration of applicability

Derogatory channels

(bilateral or multilateral

agreements or internal law permitting other transmission

Supplementary agreements to the Hague Convention of 17 July 1905 and/or that of 1 March 1954 were concluded with: Austria (17 March 1972); Denmark (15

January 1912); *Norway* (1 June 1910 – Articles 1 and 2).

channels)

Bilateral conventions on judicial co-operation: Belgium (Brussels, 11 and 19 March (Arts. 11, 19, 24 and 1974 – Articles 1 to 3)); France (Paris, 14 March 1884; also, Exchange of

Declarations of 23 July 1956); Netherlands (9 January, 11 and 14 February 1974);

Switzerland (12 and 15 February 1979).

**Disclaimer:** 

25)

updated – please contact the relevant authorities to verify this information.

Information may not Council Regulation (EC) No 1393/2007 on the service in the Member States of be complete or fully judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents).

Useful links: <u>Legilux – le portail juridique du Gouvernement</u>

(This page was last updated on 17 January 2018)

# Malta

Malta - Central Authority (Art. 2)

Attorney General The Palace VALLETTA Malta

# Mexico

Mexico - Central Authority & practical information

# Central Authority(ies):

General Direction of Legal Affairs Ministry of Foreign Affairs (la Dirección General de Asuntos Jurídicos de la Secretaría de Relaciones Exteriores)

### **Contact details:**

Ministry of Foreign Affairs

Directorate-General of Legal Affairs Plaza Juárez No. 20, Planta Baja

Address: Edificio Tlatelolco

Colonia Centro

delegación Cuauhtémoc

C.P. 06010

Mexico, Distrito Federal

Telephone: +52 (55) 3686 5100

(ext. 6421, 6438, 6127)

Fax: +52 (55) 36865236

E-mail: <u>dgajuridicos@sre.gob.mx</u>

General website: <a href="http://www.sre.gob.mx/en/">http://www.sre.gob.mx/en/</a>

Contact person: For more information on contact persons, click <u>here</u> (in Spanish

only).

Languages spoken by staff: Spanish

### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

Judges and the General Direction of Legal Affairs Ministry of Foreign Affairs (incl. its regional offices)

Methods of service:

(Art. 5(1)(2))

Personal service

Translation requirements:

(Art. 5(3))

In relation to Article 5, when the judicial and extrajudicial documents to be served in Mexican territory are written in a language other than Spanish, they must be accompanied by the corresponding Spanish translation.

<u>Click here</u> to read all the declarations and reservations made by Mexico under this Convention.

Costs relating to execution of the Request for service (Art. 12(2))

In relation to the second paragraph of Article 12, the costs incurred by serving judicial or extrajudicial documents will be covered by the applicant.

<u>Click here</u> to read all the declarations and reservations made by Mexico under this Convention.

Other Information:

Filling the blanks of the forms in Spanish is most appreciated (see however Art. 7(2)).

Oppositions and declarations (Art. 21(2)):

(Click <u>here</u> to read all the declarations and reservations made by Mexico under this Convention.)

Art. 8(2): Opposition (see declarations)

Art. 10: Opposition

Art. 15(2): Declaration of non-applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

To consult bilateral and multilateral treaties to which Mexico is a party, see: http://www.sre.gob.mx/tratados/.

# Disclaimer:

Information may not be complete or fully updated - please contact the relevant authorities to verify this information.

Multilateral conventions on judicial co-operation:

- Inter-American Convention on Letters Rogatory (Panama City, 13 January 1975).
- Additional Protocol to the Inter-American Convention on Letters Rogatory (Montevideo, 8 May 1979).

  www.oas.org

http://webapps.sre.gob.mx/rogatorias/ (track service for letters rogatory)

(only in Spanish)

Useful links: <a href="http://www.sre.gob.mx/index.php/tramites-y-servicios/exhorto-o-carta-rogatoria-internacional">http://www.sre.gob.mx/index.php/tramites-y-servicios/exhorto-o-carta-rogatoria-internacional</a> (International letters rogatory) (Ministry of

Foreign Affairs)

(This page was last updated on 18 July 2014)

Mexico - competent authority (Art. 6)

The competent judicial authority handling the request for service will also be responsible for issuing the certificate concerning the service of the document in accordance with the model form. The Central Authority will only validate the certificate.

### Monaco

Monaco - Central Authority & practical information

# **Central Authority(ies):**

Direction des Services judiciaires

**Contact details:** 

Direction des Services judiciaires

Palais de Justice

Address: 5, rue Colonel Bellando de Castro

MC - 98000 MONACO

Telephone: +377 98 98 88 11

Fax: +377 98 98 85 89

E-mail: <u>dsj@justice.mc</u>

General website:

Mme Antonella SAMPO-COUMA

Conseiller auprès du Directeur des Services Judiciaires

Contact person:

M. Bruno NARDI Assistant Judiciaire

Languages spoken by staff: French, English

#### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

L'huissier de Justice qui, pour les significations d'actes aux personnes qui n'habitent pas dans la Principauté, remet l'acte au parquet du procureur général, lequel le fait suivre à la Direction des Services Judiciaires, autorité

centrale (article 150 du code de procédure civile).

Methods of service (Art. 5(1)(2)):

De manière générale, la simple remise de l'acte (art. 5(2)) est utilisée.

Dans le cas de la notification par voie de simple remise (mode principal), l'acte est reçu par la Direction des Services Judiciaires, autorité centrale, puis transmis au Parquet Général.

Le Parquet Général adresse l'acte à remettre à la Sûreté Publique dont un agent, requis à cette fin par le Parquet, est chargé de la remise au destinataire. Cette notification est faite sans frais.

Les articles 136 à 183 du Code de procédure civile régissent la procédure de la signification.

A la demande d'une partie, ou d'office, il est possible de faire signifier l'acte par voie de signification, accomplie par un huissier de justice. Dans cas, lorsqu'un acte est reçu de l'étranger, la Direction des services judiciaires le transmet au Parquet Général qui en saisit un huissier.

En pratique, il n'est recouru à la voie de signification par un huissier de justice, qu'en cas de demande expresse du requérant. Ce mode de remise engendre des frais.

Translation requirements (Art. 5(3)):

En dehors des exigences de l'article 7 de la Convention et dans la mesure où les indications du formulaire permettent d'obtenir les renseignements suffisants sur la nature et l'objet de l'acte, la Principauté de Monaco n'a pas d'exigence particulière pour ce qui concerne les traductions des actes.

En revanche, au cas par cas, des demandes d'éclaircissement pourront être demandées à la partie requérante.

Aucun frais pour les services de l'Etat, aucune taxe ne sont perçus à l'occasion d'une notification internationale en provenance d'un Etat contractant.

Costs relating to execution of the request for service (Art. 12):

La simple remise de l'acte est gratuite pour le requérant. En revanche, si le mode de remise choisi par l'autorité requérante est la signification, c'est-à-dire la remise de l'acte par un huissier, le paiement de

A Monaco, les délais d'exécution d'une demande de notification par remise et la remise effective excèdent rarement un mois. À Monaco, les délais d'exécution d'une demande de notification par remise et la remise effective excèdent rarement un mois.

Time for execution of request:

En cas de défaillance du destinataire, plusieurs tentatives de remise sont effectuées dans un délai n'excédant pas, de manière générale, 6 à 8 semaines.

Huissiers de Justice:

frais sera exigé.

Mme Marie-Thérèse ESCAUT-MARQUET O. de l'Ordre de Saint-Charles 29, boulevard des Moulins (Téléphone : +377 93.30.74.03)

Judicial officers, officials or 29, boulevard des Moulins other competent persons (Téléphone : +377 93.30.74 (Art. 10(b)):

Mme Claire NOTARI "L'Héraclès" 17 boulevard Albert Ier

(Téléphone: +377 97.97.09.09)

Oppositions and declarations (Click here to read all the declarations and reservations made by Monaco

(Art. 21(2)):

under this Convention.)

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

No opposition

Art. 10(c):

No opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

La Convention franco-monégasque du 2 décembre 1949 relative à l'aide mutuelle judiciaire (en ces matières civile et commerciale) et l'<u>Échange de notes des 24 août/28 septembre 1961 entre la Suisse et Monaco concernant le règlement des questions relatives à la notification des actes judiciaires et extrajudiciaires en matière civile et commerciale sont maintenus.</u>

#### Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 16 April 2018)

Monaco - Competent Authority (Art. 6, 9)

la Direction des Services judiciaires Palais de Justice 5, rue Colonel Bellando de Castro

MC - 98000 MONACO Tel.: +377 98 98 88 11 Fax: +377 98 98 85 89

# Montenegro

Montenegro - Central Authority

The Ministry of Justice is designated as a Central Authority which will undertake to receive requests for service coming from other Contracting States pursuant to Article 2 and Article 9 of the Convention.

Montenegro - Competent Authority (Art. 6)

Completion of the certificate in accordance with Article 6 of the Convention shall be completed by the Court which is competent for completion of the certificate.

# Morocco

Morocco - Central Authority (Art. 2)

Ministère de la Justice Direction des Affaires Civiles Service de l'Entraide Judiciaire en Matière Civile Palais de la Mamounia RABAT

numéro de téléphone/telephone number: +212 (0) 537 213 675 numéro de télécopie/fax number: +212 (0) 537 705 914

courriel/e-mail: entraidejcivil@justice.gov.ma

# Personnes à contacter / Persons to contact:

- M. El Hassan EL GUASSEM
   Directeur des Affaires Civiles dac@justice.gov.ma
- M. Abdelali BOUHMALA Chef de Service baraebouhmala@gmail.com

(This page was last updated on 09 October 2018)

# **Netherlands**

Netherlands - Central Authority & practical information

# **Central Authority(ies):**

De Officier van Justitie (Public Prosecutor at the District Court of The Hague)

### **Contact details:**

De Officier van Justitie

Postbus 20302

Address: 2500 EH THE HAGUE

Netherlands

Telephone: +31 (0)88 699 1300

Fax: +31 (0)70 381 2160

E-mail: serviceconvention@om.nl

General website:

Contact person: Mr Kishen Raghoebier – Tel.: +31 88 699 7821

Mr Leo Buis – Tel.: +31 88 699 7802

Languages spoken by staff: Dutch, English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

> For the *Kingdom in Europe*: the Public Prosecutors and the Supreme Court Procurator General in cases heard or to be heard by the Supreme Court, as well as the courts and the bailiffs.

For *Aruba*:

Forwarding authorities (Art. 3(1)):

the Procurator General Havenstraat 2 Oranjestad Aruba

tel.: +297 582 1415 fax: +297 583 8891

e-mail: om.aruba@setarnet.aw

# Formal Service (Article 5(1)(a))

If the documents are to be served in the Court District of The Hague, the Central Authority sends them to a randomly selected bailiff, with the request to serve the documents on the person concerned. If documents are to be served in another court district, the Central Authority sends them to the designated Public Prosecutor's Office / International Legal Assistance Center (IRC) and requests for service by a bailiff.

The Public Prosecutor will serve by way of police; also in practice done via postal service - if no one is there, a message is left stating where the document can be collected.

*Informal delivery* (Article 5(2))

Methods of service (Art. 5(1)(2)):

With regard to the authorities involved, informal delivery works in the same way as formal service (see above). The explanatory memorandum to the Implementation Act states that, as a rule, a local police officer in the Court District concerned should be deployed by the Public Prosecutor for an issue in the Dutch language. However in practice, there is no real uniformity. Depending on where the documents are to be served, they are sometimes served via postal channels, by the police or by a member of the "documents service brigade".

*Service by a particular method* (Article 5(1)(b)) A special request has never been received.

For more information on service of documents, see <u>European Judicial Network</u> in Civil and Commercial Matters – Service of documents – The Netherlands.

Translation requirements (Art. 5(3)):

No translation is required. However, a translation of the summary is desirable. There are no agreements with other countries.

Costs relating to for service

Charges are only incurred if documents are served by a bailiff. The charges vary execution of the request according to the request and the bailiff concerned. When implementation documents are sent to the requesting state, the bill of the bailiff's charges is also

sent.

(Art. 12):

Also, see <u>European Judicial Network in Civil and Commercial Matters</u> –

<u>Service of documents – The Netherlands (question 8)</u>.

Time for execution of

request:

An average of two to three months.

Royal Professional Association of Judicial Officers in The Netherlands / Organisation professionnelle royale des huissiers de justice / Koninklijke

Beroepsorganisatie van Gerechtsdeurwaarders (KBvG)

Judicial officers, officials or other competent persons (Art. 10(b)):

Prinses Margrietplantsoen 49

2595 BR DEN HAAG Tel: + 31 (0)70 890 3530 Fax: +31 (0)70 890 3531

kbvg@kbvg.nl http://www.kbvg.nl/

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by The

Netherlands under this Convention

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas - Service of Documents).

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 19 July 2018)

Netherlands - Competent Authority (Art. 6)

The Public Prosecutor at the District Court in the area of jurisdiction where service of the document has been requested is competent to complete a certificate as referred to under Article 6 of the Convention.

Netherlands - Competent Authority (Art. 9)

Any Court that handles the request.

Netherlands - Other Authority (Art. 18)

Pursuant to Article 18, paragraph 1, of the Convention, the Public Prosecutor at a District Court other than that of The Hague is likewise competent to receive requests and serve documents in accordance with Articles 3 to 6 of the Convention within the area of jurisdiction of such other Court.

Netherlands - Forwarding Authorities (Art. 3)

The Prosecutor's Office, the courts and the bailiffs.

# **Norway**

Norway - Central Authority & practical information

# Central Authority(ies):

The Royal Ministry of Justice and Public Security
Department of Civil Affairs

# **Contact details:**

The Royal Ministry of Justice and Public Security Department of Civil Affairs

Regular Postal address:

Ministry of Justice and Public Security Department of Civil Affairs

P.O Box 8005 Dep

0030 Oslo Norway

Address:

Delivery address (for documents sent by

courier):

The Royal Ministry of Justice and Public

Security

Department of Civil Affairs

Varemottak Akersgata 59 0180 Oslo Norway

Telephone: +47 2224 5451

Fax: +47 2224 2722

E-mail: <u>postmottak@jd.dep.no</u>

General website: <a href="http://www.regjeringen.no/jd">http://www.regjeringen.no/jd</a>

Contact person:

Languages spoken by staff: Norwegian, Swedish, Danish, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

The courts (including the conciliation boards) and certain administrative authorities such as the County Governors and the Labour and Welfare Administration.

The Central Authority forwards the document to the competent District or City Court instructing the Court to effect service. The Court will sometimes effect service itself, but very often this task is carried out by a process server.

Methods of service (Art. 5(1)(2)):

In general, a process server is used. If the documents are written in Norwegian, Swedish or Danish or accompanied by a translation into one of these languages and if it does not include a date set for hearing in the near future, the documents may be served by post.

Under the regulations adopted by Royal Decree on 12 September 1969, requests for service will only be complied with when the document to be served is written in Norwegian, Danish or Swedish, or if the request is accompanied by a translation into one of these languages, unless the document Translation requirements is meant to be delivered only to an addressee who accepts it voluntarily.

Translation requirements (Art. 5(3)):

However, the Ministry of Justice may also in other cases permit the service of documents if it is convinced that the addressee understands the language used in the document.

Norway has not entered into any agreement with respect to article 20(b).

Costs relating to execution of the request for service (Art. 12):

No costs

Time for execution of request:

The average time from receipt at the Central Authority to execution of the request varies between 3-5 months.

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Norway under this Convention

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels

(bilateral or multilateral agreements or internal law permitting other transmission channels) Supplementary agreements to the Hague Convention of 17 July 1905 and/or of 1 March 1954 were concluded with: *Austria*; *Germany* (Berlin, 2 August 1909); *Luxembourg* (1 June 1910 – Articles 1 and 2).

(Arts. 11, 19, 24 and 25) A multilateral convention on judicial co-operation was concluded between:

Denmark, Finland, Iceland, Norway and Sweden on 26 April 1974.

Disclaimer:

*Information may not be* Lugano Convention of 16 September 1988.

complete or fully

updated – please contact Bilateral convention on judicial co-operation: Austria (21 May 1984);

the relevant authorities Germany (17 June 1977); United Kingdom (London, 31 January 1931 - Articles to verify this 2 to 5).

*information.* 

Useful links: Ministry of Justice and the Police and Rettsanmodninger i sivile saker – lister

over sentralmyndigheter (in Norwegian only)

(This page was last updated on 06 September 2018)

Norway - Competent Authority (Art. 6)

In accordance with Article 6, the County or Town Court in whose district the document has been served is designated for the purpose of completing the certificate in the form annexed to the Convention.

Internet: www.domstol.no

Language(s) of communication: Norwegian, Swedish, Danish and English.

Norway - Competent Authority (Art. 9)

In accordance with Article 9, first paragraph, the County or Town Court in whose district the person to be served is a resident or is staying, is designated as receiver of documents forwarded through consular channels.

Website: www.domstol.no

Language(s) of communication: Norwegian, Swedish, Danish and English.

### **Poland**

Poland - Central Authority & practical information

# Central Authority(ies):

Ministerstwo Sprawiedliwości (Ministry of Justice) Departament Współpracy Międzynarodowej i Praw Człowieka (Department of International Cooperation and Human Rights)

### **Contact details:**

Ministry of Justice (Ministerstwo Sprawiedliwości)

Departament Współpracy Międzynarodowej i Praw Człowieka

Address: Al. Ujazdowskie 11

00-950 Warsaw P.O. Box 33 Poland

Telephone: +48 22 2390 870

Fax: +48 22 6280 949

E-mail: sekretariat.dwmpc@ms.gov.pl

Pawel.Kosmulski@ms.gov.pl

General website: <a href="http://www.ms.gov.pl/">http://www.ms.gov.pl/</a>

Contact person: Mr Paweł Kosmulski

Languages spoken by staff: Polish, English, German

# **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

The courts.

Formal Service (Art. 5 (1)(a))

The Polish Central Authority is not directly involved in the service of documents. Documents are sent to competent courts. These courts may use for formal service the post, a bailiff or the court's service officials. The formal service may also be conducted by directly handing a document to the

addressee in the court registry.

Methods of service (Art. 5(1)(2)):

*Informal delivery* (Art. 5(2))

Informal delivery within the meaning of Article 5(2) may be conducted only by directly handing a document to the addressee in the court registry.

*Service by a particular method* (Art. 5(1)(b))

Service by a particular method requested by the applicant may be conducted,

for example, by police officers or by notary.

For more information on methods of service, see <u>European Judicial Network</u> in Civil and Commercial Matters – Service of documents – Poland.

The document, which is to be served under Article 5(1) of the Convention, should be generally translated into Polish. According to Article 1132(2) of the Polish Code Civil Procedure, if a court or other authority of a foreign state applies to a Polish court for the service of document on a person staying in Poland, without attaching a translation of the document into Polish, the document is served on the addressee if he chooses to accept it.

Translation requirements (Art. 5(3)):

The only exception is provided by Agreement of 5 July 1987 between Poland and China, which allows enclosing a translation of judicial documents into English. However in practice, documents from China which are delivered to a Polish authority with translation into English should be translated into Polish by the Central Authority or by the competent regional court.

Costs relating to execution of the request for service (Art. 12):

The costs include the postage, which is not regained by the courts.

Time for execution of request:

Two to three months

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Poland under this Convention

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): No declaration of applicability

No declaration of applicability Art. 16(3):

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Bilateral conventions on judicial co-operation: Belarus, Bulgaria, China (People's Republic of), Czech Republic, Egypt, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Russian Federation, Turkey and Ukraine.

### Disclaimer:

*Information may not be* please contact the relevant Documents). authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters complete or fully updated – (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of

Useful links:

(This page was last updated on 7 January 2019)

Poland - Other Authority (Art. 18)

Other authorities (in addition to the Central Authority) designated to receive requests for service are Presidents of the regional courts (Prezes sadu okregowego).

Poland - Competent Authority (Art. 6)

The authority designated to complete a certificate of service in the Republic of Poland shall be the court that has performed such service.

Poland - Competent Authority (Art. 9)

The regional courts

# **Portugal**

Portugal - Central Authority & practical information

# **Central Authority(ies):**

Direcção-Geral da Administração da Justiça - Ministério da Justiça (Directorate-General of Justice Administration - Ministry of Justice)

#### **Contact details:**

Direcção-Geral da Administração da Justiça

Ministério da Justiça

(Directorate-General of Justice Administration - Ministry of Justice)

Address: Av. D. João II, nº 1.08.01 D/E

Pisos 0, 9° ao 14° 1990-097 Lisbon

Portugal

Telephone: +351 21 790 62 00

+351 21 790 62 18

Fax: +351 21 154 51 16

E-mail: correio@dgaj.mj.pt

cji.dsaj@dgaj.mj.pt

General website: <u>www.dgaj.mj.pt</u>

www.cji-dgaj.mj.pt

Contact person: Mrs. Renata Chambel MARGARIDO (<u>renata.c.margarido@dgaj.mj.pt</u>)

Mrs. Cláudia KONG (<a href="mailto:claudia.a.kong@dgaj.mj.pt">claudia.a.kong@dgaj.mj.pt</a>)

Languages spoken by staff: Portuguese, French, English, Spanish

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

Methods of service

(Art. 5(1)(2)):

The Central Authority, Courts, Lawyers/Solicitors, Implementing Agents, Private Notaries, Registrars

The Central Authority forwards the documents to the competent court/entity (of the area in which the addressee usually resides) to perform the service. The methods prescribed by our domestic law for the service of documents in domestic actions are the following:

- service by registered mail with acknowledgement of receipt;
- service by regular mail in case of failure of the service by registered
- personal service by a court clerk/implementing agents;
- if the first attempt is not successful, personal service by a court clerk/implementing service by prior arrangement of the exact time of the service on the person to be served or on another person present at the specified location who is shown to be in the best position for passing on the communication.

Once documents are served, they are returned to the Central Authority to be forwarded to the competent entities of the requesting State.

For more information on methods of service, see:

- a) European Judicial Network in Civil and Commercial Matters Service of documents - Portugal
- b) e-Justice Portal

Translation requirements (Art. 5(3)):

Translation into Portuguese of the document to be served, as well as the document's summary and annexes thereto is mandatory.

In case of personal service by a court clerk no costs are incurred. Should the court opt for postal service then it is responsible for any costs incurred without possibility of reimbursement.

Costs relating to execution of the request for service (Art. 12):

Costs could be incurred when service is performed by implementing agents, lawyers and solicitors.

Portugal will invoke Article 12(2)(b) of the Convention only if the applicant requests a particular method of service in which an expert is needed.

Time for execution of request:

Between 30 and 60 days.

Judicial officers, officials or other competent persons (Art. Court clerks, implementing agents, lawyers, solicitors. 10(b)):

(Art. 21(2)):

Oppositions and declarations Click <u>here</u> to read all the declarations and reservations made by Portugal under this Convention

Art. 8(2): Opposition

Art. 10(a): No opposition Art. 10(b): No opposition

Art. 10(c): No opposition

Declaration of applicability Art. 15(2):

Declaration of applicability Art. 16(3):

Derogatory channels

(bilateral or multilateral agreements or internal law

channels)

(Arts. 11, 19, 24 and 25)

Bilateral conventions on judicial co-operation: *Angola* (30 August 1995); Cape Verde (2 February 2003); China (People's Republic of, including permitting other transmission Macao) (1 July 2001); Guinea-Bissau (5 July 1988), Mozambique (12 April 1990); Sao Tome and Principe (23 March 1976); Spain (19 November 1997); *United Kingdom* (London, 9 July 1931 – Articles 2 to

5).

Disclaimer:

*Information may not be* complete or fully updated – please contact the relevant authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourh, 13 November 2007) (European Judicial Atlas – Service of Documents).

Gabinete de Documentação e Direito Comparado

Useful links: <u>International Affairs Department - Portuguese Directorate-General for</u>

<u>Justice Policy - Ministry of Justice</u>

(This page was last updated on 21 July 2014)

Portugal - Competent Authority (Art. 6)

The Justice Department officials: court clerks (escrivães) and process-servers (officiais de diligências) have been designated as the persons competent to prepare the certificate referred to in Article 6 of the Convention.

# Republic of Moldova

Republic of Moldova - Central Authority

# **Central Authority(ies):**

Ministry of Justice of the Republic of Moldova

**Contact details:** 

82, 31 August 1989 str.

Address: MD-2012 Chisinau

Republic of Moldova

+373 (0)22 201 468 Telephone:

+373 (0)22 201 455

E-mail:	secretariat@ju	stice.gov.md
General website:	http://www.jus	stice.md/
Contact person:	Daniela DAN Head of Intern +373(0)22 201 daniela.dan@j	
Languages spoken by staff: English, French, Romanian, Russian		
Practical Information:		
Forwarding authorities (Art. 3(1)):		The courts
Methods of service (Art. 5(1)(2)):		The documents are served by the judges from the territorial competent courts in accordance to the domicile of the persons
Translation requirements (Art. 5(3)):		The documents to be served within the territory of the Republic of Moldova shall only be accepted if they have been translated into the official language of the Republic of Moldova
Costs relating to execution of the request for service (Art. 12):		None
Time for execution of request:		4 months
Judicial officers, officials or other competent persons (Art. 10(b)		-
Oppositions and declarations (Art. 21(2)):		(Click <u>here</u> to read all declarations and reservations made by the Republic of Moldova under this Convention.)
Art. 8(2):		Opposition
Art. 10(a):		Opposition
Art. 10(b):		Opposition
Art. 10(c):		Opposition
Art. 15(2):		Declaration of applicability
Art. 16(3):		Declaration of applicability

+373 (0) 22 234 774

Fax:

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

**Disclaimer:** 

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 15 August 2016)

Republic of Moldova - Competent Authority (Art. 6)

Name: Ministry of Justice of the Republic of Moldova

Address: 82, 31 August 1989 street

MD-2012 Chisinau Republic of Moldova

Telephone: +373 (0) 22 234 795

Fax: +373 (0) 22 234 797

E-mail: <a href="mailto:secretariat@justice.gov.md">secretariat@justice.gov.md</a>

# Republic of North Macedonia

Republic of North Macedonia - Central Authority (Art. 2)

## **Central Authority(ies):**

The Ministry of Justice

### **Contact details:**

Ministry of Justice

Dimitrie Cupovski no. 9

1000 Skopje

Republic of North Macedonia

Telephone: +389 3117-277

Fax: +389 3226-975

E-mail:

Address:

General website: <u>www.covekovi-prava.gov.mk</u>

Contact person:

Languages spoken by staff:

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

Methods of service (Art. 5(1)(2)):

> The F.Y.R. of Macedonia declares that all documents which are served pursuant to Article 5, paragraph 1, of the Convention should be written in or translated into, the Macedonian language according to the Article 7 of the Constitution of the Republic of Macedonia dated 17 November 1991.\*

Translation requirements (Art. 5(3)):

\* See also the <u>declaration made by Greece</u> on 27 July 2009.

Click here to read all the declarations made by the former Yugoslav Republic of Macedonia under the Service Convention.

Costs relating to execution of the request for service (Art. 12):

Time for execution of request:

Judicial officers, officials or other competent persons (Art. 10(b)):

Oppositions and declarations

(Art. 21(2)):

<u>Click here</u> to read all the declarations made by the former Yugoslav Republic of Macedonia under the Service Convention.

Opposition Art. 8(2):

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Declaration of applicability Art. 15(2):

Declaration of applicability Art. 16(3):

multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Derogatory channels (bilateral or Albania (15 January 1998), Bosnia and Herzegovina (13 September 1995), Bulgaria (15 May 2000), Croatia (2 September 1994), Romania (12 November 2003), Serbia (29 September 2004), Serbia and Montenegro (9 March 2005), Slovenia (6 February 1996), Turkey (24 February 1997), *Ukraine* (10 April 2000)

### Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 24 August 2009)

## Romania

Romania - Central Authority & practical information

## Central Authority(ies):

Ministry of Justice

## **Contact details:**

Ministry of Justice

Department of International Law and Treaties

Unit of judicial co-operation in civil and commercial

matters

Address: Strada Apollodor 17

Sector 5 BUCURESTI

Cod 050741 Romania

Telephone: +40372041077, +403742041078 (director's office)

+40372041083, +40372041217, +40372041218

Fax: +4037204 1079

E-mail: <a href="mailto:ddit@just.ro">ddit@just.ro</a>

General website: <a href="http://www.just.ro/">http://www.just.ro/</a>

Contact person:

Ms Viviana Onaca

Director

Languages of communication: Romanian, English, French

### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

the courts and public notaries

Methods of service Formal service (Art. 5(1)(a))

(Art. 5(1)(2)): The documents are served by procedural agents or by any other

judicial officers from the territorial competent court.

*Informal delivery (Art. 5(2))* 

By procedural agents. The addressee is informed that he/she can refuse the documents.

See *Ghid de cooperare judiciara internationala în materie civila si comerciala* (in Romanian only)

Translation requirements (Art. 5(3)):

No

Costs relating to execution of the request for service (Art. 12):

Time for execution of request:

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Romania under this Convention.

Art. 8(2): Opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Art. 15(2): No declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

To consult bilateral and multilateral treaties to which Romania is a party, see: <u>Guide of Romanian Legislation and Procedures on Judicial Co-operation in Civil and Commercial Matters and in Matters of Family Law.</u>

## **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas - Service of Documents)

Cooperare judiciara internationala - Ministry of Justice

Useful links: <u>Ghid de cooperare judiciara internationala în materie civila si</u>

comerciala (in Romanian only)

(This page was last updated on 22 January 2010)

Romania - Competent Authority (Art. 6)

In accordance with Article 6, paragraph 1, of the Convention, the law court is the competent authority designated to complete the certificate in the form of the model annexed to the Convention.

## **Russian Federation**

Russian Federation - Competent Authority (Art. 9)

The Ministry of Justice of the Russian Federation is designated as the Central Authority for the purposes of Article 2 of the Convention, as well as the authority competent to receive documents transmitted by consular channels, pursuant to Article 9 of the Convention.

Contact details:

The Ministry of Justice of the Russian Federation ul. Zhitnaya, 14 Moscow 117970 Russian Federation

Telephone: +7 (495) 200 1579 / +7 (495) 209 6138 / +7 (495) 209 7475 / +7 (495) 209 5999

Fax: +7 (495) 209 6179

(The contact details of this authority were last updated on 1 November 2006)

Russian Federation - Forwarding Authorities (Art. 3)

The following authorities are competent to forward requests in accordance with Article 3 of the Convention:

- Federal courts (the Constitution Court of the Russian Federation; the Supreme Court of the Russian Federation; the supreme courts of Republics, the courts of Krai (Territory) and Oblast (Region), the courts of cities of federal importance (Moscow and St. Petersburg), the courts of Autonomous Oblast and Autonomous Okrug, regional courts, military and specialized courts, which form the system of federal courts of common jurisdiction; The Higher Arbitration Court of the Russian Federation, federal arbitration courts of Okrug (arbitration cassation courts), arbitration appellate courts, arbitration courts of the subjects of the Russian Federation, which form the system of federal arbitration courts), constitutional (charter) courts and Justices of the Peace of the subjects of the Russian Federation;
- Federal bodies of executive power and bodies of executive power of the subjects of the Russian Federation:
- The Procurator's Office of the Russian Federation;
- Civilian registry offices;
- Notaries and other officials authorised to perform notary functions;
- Guardianship and trusteeship bodies;
- Members of advocacy.

Russian Federation - Competent Authority (Art. 6)

the courts of the Russian Federation

Russian Federation - Central Authority & practical information

## **Central Authority(ies):**

*The Ministry of Justice of the Russian Federation* 

### **Contact details:**

The Ministry of Justice of the Russian Federation

Address:

ul.Zhitnaya, 14 Moscow, 119991 Russian Federation

Telephone: +7 (495) 955-59-99

+7 (495) 677-09-15

Fax: +7 (495) 677-06-87

E-mail:

General website: <a href="http://www.minjust.ru">http://www.minjust.ru</a>

Julietta Arzumanyan

Contact person: Expert, Division of Legal Aid, Department of International Law and

Cooperation

Tel.: +7 (495) 677-09-16

Languages spoken by

staff:

Russian, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the reply to to a Questionnaire prepared by the Permanent Bureau in connection with a Seminar on the Service Convention held in Saint Petersburg in 2007)

- Federal courts (the Constitution Court of the Russian Federation; the Supreme Court of the Russian Federation; the supreme courts of Republics, the courts of Krai (Territory) and Oblast (Region), the courts of cities of federal importance (Moscow and St. Petersburg), the courts of Autonomous Oblast and Autonomous Okrug, regional courts, military and specialized courts, which form the system of federal courts of common jurisdiction; The Higher Arbitration Court of the Russian Federation, federal arbitration courts of Okrug (arbitration cassation courts), arbitration appellate courts, arbitration courts of the subjects of the Russian Federation, which form the system of federal arbitration courts), constitutional (charter) courts and Justices of the Peace of the subjects of the Russian Federation;

Forwarding authorities (Art. 3(1)):

- Federal bodies of executive power and bodies of executive power of the subjects of the Russian Federation:
- The Procurator's Office of the Russian Federation;
- Civilian registry offices;- Notaries and other officials authorised to perform notary functions;
- Guardianship and trusteeship bodies;
- Members of advocacy.

Click <u>here</u> to read all the declarations made by the Russian Federation under the Service Convention.

Methods of service (Art. 5(1)(2)):

Legal assistance within the Russian Federation is provided in accordance with the rules of the Code of Civil Procedure and the Code of Arbitration Procedure of the Russian Federation which regulate, respectively, procedural aspects of operation of the general jurisdiction courts and arbitration courts in the Russian Federation. Writs of summons or other notices are delivered by mail or by a person who was instructed by the judge to deliver the same. The time of their service on the addressee is documented by means

used for that purpose by postal offices or is specified in a document to be returned to the court. A writ of summons addressed to an individual is served on him/her personally against his/her signature affixed to the summons stub which should be returned to the court. A writ of summons addressed to an entity is served on a respective official who should sign the summons stub to confirm the receipt of the writ of summons. Should the addressee refuse to accept the writ of summons or another court notice, the person delivering or serving the same makes a respective note on the writ of summons or the court notice which is then returned to the court. The addressee who has refused to accept the writ of summons or another court notice is deemed to have been notified of the place, date, and time of a respective court proceeding or another particular proceeding. In practice, requests are executed by means of the court summoning the addressee to hand respective documents over to him/her against his/her signature. The court which has directly considered a request draws up a certificate confirming that the documents have been served or setting out the reasons which have prevented execution of the request. Documents drawn up in connection with execution of the request are sent to the Russian CA to be further sent to the requesting authority.

Russian courts assist the applicants in completing documents as provided for by national procedural laws.

The Russian CA has not received any requests for service using a "particular method".

Translation requirements (Art. 5(3)):

Pursuant to Article 5(3) of the Convention documents to be served within the territory of the Russian Federation shall only be accepted if they have been written in, or translated into the Russian language.

Click here to read all the declarations made by the Russian Federation under the Service Convention.

request for service (Art. 12):

The Russian Federation assumes that in accordance with Article 12 of the Convention the service of judicial documents coming from a Contracting State shall not give rise to any payment or reimbursement of taxes or costs for the services rendered by the State Costs relating to addressed. Collection of such costs (with the exception of those provided for by execution of the subparagraphs a) and b) of the second paragraph of Article 12) by any Contracting State shall be viewed by the Russian Federation as refusal to uphold the Convention in relation to the Russian Federation, and, consequently, the Russian Federation shall not apply the Convention in relation to this Contracting State.

> Click here to read all the declarations made by the Russian Federation under the Service Convention.

Time for execution of request:

3-6 months

Judicial officers, officials or other competent persons (Art. 10(b)):

Service of documents by methods listed in Article 10 of the Convention is not permitted in the Russian Federation.

Oppositions and declarations (Art. 21(2)):

Click here to read all the declarations made by the Russian Federation under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory

channels The Russian Federation is a State party to the CIS [Commonwealth of Independent (bilateral or States] Convention of January 22, 1993 on Legal Assistance and Legal Relations in

multilateral Civil, Family and Criminal Matters and its Protocol of 6 March 1998.

agreements or <a href="http://www.cis.minsk.by/main.aspx?uid=74">http://www.cis.minsk.by/main.aspx?uid=74</a>

internal law permitting other February 1982); *Argentina* (20 November 2000); *Austria* (11 March 1970); *Azerbaijan* transmission (22 December 1992); *Bulgaria* (19 February 1975); *China*, *People's Republic of* (19 June 1992); *Cuba* (28 November 1984); *Cyprus* (19 January 1984); *Czechoslovak* (Arts. 11, 19, 24 *Socialist Republic* (12 August 1982); *Egypt* (23 September 1997); *Estonia* (26 January 1993), *Finland* (11 August 1978 with the Protocol of 11 August 1978); *France* (11

August 1026): Crases (21 May 1091): Hungary (15 July 1059 with the Protocol of 10

August 1936); *Greece* (21 May 1981); *Hungary* (15 July 1958 with the Protocol of 19

**Disclaimer:** October 1971); *Italy* (25 January 1979); *Iran* (5 March 1996); *Iraq* (22 June 1973); *Information may Korea, Democratic People's Republic of* (16 December 1957); *Kyrgyzstan* (14 September 1992); *Latvia* (3 February 1993); *Lithuania* (21 July 1992); *Moldova* (25 or fully updated February 1993); *Mongolia* (23 September 1998 with Protocol of 23 September 1988); *Poland* (16 September 1996); *Romania* (3 April 1958); *Spain* (26 October 1990);

the relevant Tunisia (26 June 1984); United Kingdom (exchange of notes of 17 June and 26 June 1930); United States (22 November 1935); Viet Nam (10 December 1981); Yemen (6 Verify this December 1985); Yugoslavia, Federal People's Republic of (24 February 1962).

information.

Useful links: <u>International Jurisdiction and Co-operation (Arbitration Courts)</u>

(This page was last updated on 18 July 2014)

### Serbia

Serbia - Central Authority and practical information

### Central Authority as per 3 January 2014:

Ministry of Justice

## **Contact details:**

Address: Ministry of Justice of the Republic of Serbia

Sector for international legal assistance

Department for international legal assistance in civil

matters

Nemanjina 22/26 Str. 11000 Belgrade Republic of Serbia

Telephone: +381 (11) 3622 352

Fax: +381 (11) 3622 352

E-mail: (see below)

General website: http://mpravde.gov.rs/en/index.php

Mr Nikola Naumovski

nikola.naumovski@mpravde.gov.rs

Ms Maja Cvetanovic

majacvetanovic@mpravde.gov.rs

Ms Sanja Kos

e-mail: <a href="mailto:sanja.kos@mpravde.gov.rs">sanja.kos@mpravde.gov.rs</a>

Languages spoken by staff: English

## **Practical Information:**

Forwarding authorities (Art. 3(1)):

Contact person:

In accordance with the Civil Procedure Act, the incoming

requests are executed as follows:

Methods of service (Art. 5(1)(2)):

The party is summoned by the Court, for the purpose of

service of documents.

If the party does not appear before the Court, the document

is sent to the party through the Post.

The Republic of Serbia requires documents, which are to

be served under Article 5(1), to be in - or translated into -

the official language of the Republic of Serbia.

Translation requirements

(Art. 5(3)):

Click here to read all the declarations made by the

Republic of Serbia under the Service Convention.

Costs relating to execution of the request for service

(Art. 12):

Time for execution of request:

Oppositions and declarations

(Art. 21(2)):

Click <u>here</u> to read all the declarations made by Serbia

under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): No opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration that application for relief will not be entertained if it is filed after the expiration of one year

following the date of the judgment.

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 18 February 2019)

Serbia - competent authority (Art. 9)

Ministry of Justice of the Republic of Serbia Sector for international legal assistance Department for international legal assistance in civil matters Nemanjina 22/26 Str. 11000 Belgrade Republic of Serbia

Tel/Fax: +381 (11) 3622 352

# **Contact persons:**

• Mr Nikola Naumovski e-mail: nikola.naumovski@mpravde.gov.rs

Ms Maja Cvetanovic

e-mail: majacvetanovic@mpravde.gov.rs

Ms Sanja Kos

e-mail: <a href="mailto:sanja.kos@mpravde.gov.rs">sanja.kos@mpravde.gov.rs</a>

Languag/es spoken by staff: English

(This page was last updated on 18 February 2019)

## Slovakia

Slovakia - Central Authority & practical information

## Central Authority(ies):

Ministerstvo spravodlivosti Slovenskej republiky (Ministry of Justice of the Slovak Republic)

### **Contact details:**

Department of Private and Procedural International

Law

Address: Ministry of Justice

Zupné námestie 13 813 11 BRATISLAVA

Slovak Republic

Telephone: +421 (2) 593 535 49

Fax: +421 (2) 59 353 604

E-mail: <u>civil.inter.coop@justice.sk</u>

General website: <a href="http://www.justice.gov.sk/">http://www.justice.gov.sk/</a>

Contact person: JUDr. Tatiana Ha?ková, Mgr. Martina Kallayová

Languages spoken by staff: Slovak, Czech, English, French, German

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

The Ministry of Justice and the courts.

Methods of service (Art. 5(1)(2)):

The courts are responsible for serving documents on the addressees.

Formal Service (Art. 5(1)(a))

Service under Article 5(1)(a) is done either by the court summoning the addressee and handing over the documents, or by postal service (special form of delivery, so-called "service into own hands", with the possibility of alternative service by deposit, under the strict circumstances prescribed by law). Postal service is done only if a Slovak translation is attached to the documents or if it can be concluded that the addressee understands the

language of the document.

In special cases, the court may use the court bailiff, police officer,

municipality or the Ministry of Justice to serve.

*Informal delivery* (Art. 5(2))

Informal delivery is done by the court, which summons the addressee and informs him of the possibility to refuse service. If he accepts, the documents are handed over; if the does not accept, the request is returned without

execution.

*Service by a particular method* (Art. 5(1)(b))

Service "into own hands" may be required (i.e. no other person but the addressee may receive the document).

For more information on methods of service, see <u>European Judicial Network</u> in Civil and Commercial Matters - Service of documents - Slovakia.

Les documents (à l'exception des jugements, convocations à l'audience et documents destinés en main propre) peuvent être signifiés ou notifiés par voie électronique, si le destinateur demande ce mode et informe le tribunal de son adresse électronique.

Translation requirements (Art. 5(3)):

A translation into Slovak is required for service under Article 5(1)(a), unless it can be concluded that the addressee understands the language of the document. Such presumption is applied to the nationals of the requesting State residing on the territory of Slovakia, unless specifically pointed out by the requesting authority.

Specific agreement on language requirements exists only in the relation with the Czech Republic. However, provisions concerning language requirements in bilateral treaties regulating judicial assistance might be applicable.

of the request for service (Art. 12):

Costs relating to execution There are no charges for service of documents. However, a request for a specific method of service might give rise to costs, which would have to be reimbursed.

Time for execution of request:

4 months

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Slovakia under the Service Convention.

Opposition Art. 8(2):

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Declaration of applicability Art. 15(2):

No declaration of applicability Art. 16(3):

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

To consult bilateral and multilateral treaties to which Slovakia is a party, click here.

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of

### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 18 July 2014)

Slovakia - Competent Authority (Art. 6)

Ministerstvo spravodlivosti Slovenskej republiky (Ministry of Justice of the Slovak Republic)
Odbor medzinárodného práva súkromného a procesného (Private International Law Division)
Zupné námestie 13
813 11 BRATISLAVA
Slovakia

Email: <a href="mailto:civil.inter.coop@justice.sk">civil.inter.coop@justice.sk</a>

## **Contact persons:**

 Dr. Miloš Hat'apka phone: + 421 2 5935 3349 (languages of communication: English, German)

 Dr. Tatiana Hacková phone: + 421 2 5935 3258 (languages of communication: French, German)

(This page was last updated on 14 June 2011)

Slovakia - Competent Authority (Art. 9)

Ministerstvo spravodlivosti Slovenskej republiky (Ministry of Justice of the Slovak Republic)
Odbor medzinárodného práva súkromného a procesného (Private International Law Division)
Zupné námestie 13
813 11 BRATISLAVA
Slovakia

Email: <a href="mailto:civil.inter.coop@justice.sk">civil.inter.coop@justice.sk</a>

## **Contact persons:**

• Dr. Miloš Hat'apka phone: + 421 2 5935 3349 (languages of communication: English, German)

 Dr. Tatiana Hacková phone: + 421 2 5935 3258 (languages of communication: French, German)

(This page was last updated on 14 June 2011)

the courts, the Ministry of Justice of the Slovak Republic.

## Slovenia

Slovenia - Central Authority & practical information

## **Central Authority(ies):**

The Ministry of Justice of the Republic of Slovenia

### **Contact details:**

The Ministry of Justice of the Republic of

Slovenia

Address: Županciceva 3

1000 Ljubljana

Slovenia

Telephone: +386 1 369 5268

Fax: +386 1 369 5233

E-mail: gp.mp@gov.si

General website: <a href="www.mp.gov.si">www.mp.gov.si</a>

Contact person: mag. Špela Štebal Rencelj

Head of Department for mutual legal assistance

Languages spoken by staff: English, German, French

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2013 Service Convention Questionnaire)

Forwarding authorities (Art. 3(1)):

All Slovenian county courts (44), district courts (11) of the Republic of Slovenia, 4 High Courts of the RS (Ljubljana, Maribor, Koper, Celje), 4 specialized Courts for Labour and Social Law (1. instance) and High Labour and Social Court in Ljubljana (2. instance), The Supreme Court of the RS.

Methods of service (Art. 5(1)(2)):

When a request by a foreign court to serve documents is not accompanied by a translation into Slovene, even though required by international treaties that the documents to be served must be written in the language of the requested country, then the court informs the party invited for the first time due to the serving of documents by a foreign court without a translation, that this court act shall be sent by postal channel if the party does not appear in the court at the first invitation and the party shall therefore lose the opportunity to decline to accept this foreign court act. (Art. 92 of the Court Rules).

The service of documents will be performed according to the national rules which regulate service of documents of national courts. (Art. 92 of the Court Rules)

A party who appears in court in order to be served on in person with a foreign court act without a translation, shall be informed by the court of the right to decline to accept it. (Art. 92 of the Court Rules).

See also the website of the European Judicial Network in Civil and Commercial Matters - Service of documents - Slovenia

Translation requirements (Art. 5(3)):

Costs relating to for service (Art. 12):

As a rule there is no obligation to pay for the service of documents, except where the court orders - at a party's request - that documents be served by a legal or natural person that performs service as a registered activity on the basis of a execution of the request special authorisation from the Minister responsible for Justice. In that case the party proposing service by process-server must pay an advance on the costs of service; at the end of the proceedings the costs of the proceedings are borne by the party that loses or by both parties, each proportionate to its success in the case.

Time for execution of request:

Executed in less than 2 months

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Slovenia under the Service Convention.

Art. 8(2): Opposition

Art. 10(a): Qualified opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Declaration of applicability Art. 15(2):

Somalia, Seychelles).

Declaration that application for relief will not be entertained if it is filed after the Art. 16(3): expiration of one year following the date of the judgment.

Derogatory channels agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Bilateral conventions on judicial co-operation: Algeria, Democratic People's (bilateral or multilateral Republic of, (31 March 1982); Bosnia and Herzegovina (2010); Croatia (7 February 1994); FYR of Macedonia (6 February 1996); Mongolia (8 June 1961); Soviet Union (24 February 1962) (applies to Russian Federation and Ukraine); Turkey (3 July 1934); United Kingdom (applicability extended to Australia, the Bahamas, Barbados, Bermuda, Borneo, Sri Lanka, Honduras, Fiji, Falkland Islands, Gambia, Gibraltar, Hong Kong, Jamaica, Canada, Kenya, Malta, Mauritius, Nigeria, Papua New Guinea, New Zealand, Uganda, Tonga,

### **Disclaimer:**

*Information may not be* 

complete or fully updated – please

contact the relevant

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg,

authorities to verify this 13 November 2007) (European Judicial Atlas - Service of Documents)

information.

Useful links:

(This page was last updated on 18 July 2014)

## **Spain**

Spain - Central Authority & practical information

# Central Authority(ies):

Subdirección General de Cooperación Jurídica Internacional Ministerio de Justicia (Ministry of Justice)

### **Contact details:**

Subdirección General de Cooperación Jurídica

Internacional

Address: Ministerio de Justicia

c/ San Bernardo N° 62 28071 MADRID

Spain

Telephone: +34 91 390 23 86 / 44 11

Fax: +34 91 390 2475 / 4457

E-mail: <u>laura.fernandez@mjusticia.es</u>

silvia.villa@mjusticia.es

General website: <a href="http://www.mjusticia.es/">http://www.mjusticia.es/</a>

Contact person:

Ms Laura Fernández Domínguez

Ms Cilcia Villa Albantici

Ms Silvia Villa Albertini

Languages spoken by staff: Spanish, English, French

Working hours from Monday to Friday - 9:00 to 15:00

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities The head of the court administration (Secretario Judicial) of each court is

(Art. 3(1)): responsible for the service of documents and other acts of communication.

Methods of service Formal Service (Art. 5(1)(a))

The Central Authority forwards the document to the Dean Judge (*Juzgado Decano*) of the Courts of First Instance within the judicial territory (*partido judicial*) where the document is to be served. This court office is competent for distributing the different proceedings (including service of documents) among the judicial authorities that fall under its jurisdiction. Service is done by the Court of First Instance to which the matter has been forwarded.

*Informal delivery* (Art. 5(2))

(Art. 5(1)(2)):

In principle, although a different form of service is not prohibited nor allowed in Spanish domestic law, the Central Authority does not practice informal delivery within the meaning of Article 5(2).

*Service by a particular method* (Art. 5(1)(b))

In principle, although a different form of service is not prohibited nor allowed in Spanish domestic law, the Central Authority does not usually receive a special request by the applicant according to Article 5(1)(b).

For more information on methods of service, see <u>European Judicial Network in Civil and Commercial Matters – Service of documents – Spain.</u>

Spain has not made a general declaration regarding the necessity to draft or translate all documents into Spanish. This means that, in principle, the Central Authority has the discretion to require such a translation or not. Article 144 of the Spanish Procedural Law establishes that all documents drafted in a foreign language must be accompanied by a translation into Spanish. The requirement for translation is extended to the document or evidence to be served, and if applicable, to the document's summary.

In practice, the Central Authority requires a Spanish translation of all the requests for service. Some exceptions have been made, such as, considering the mother tongue of the addressee. However, there have been uneven results on the part of the judicial organs.

Translation requirements (Art. 5(3)):

Only if the forwarding authority justifies sufficiently that the translation is not needed in a particular case, may the Central Authority consider the possibility of accepting the request for service in the original language. However, a summary of the document should always be translated in the official language of the requested country.

Spain has concluded a bilateral agreement with *Portugal* in 1997 aiming to exclude translation requirements in legal assistance matters. There is also a bilateral agreement with *Austria* for the same purpose, but its application was directly related to the application of the Civil Procedure Convention of 1954 between the two countries, and, as regards service of documents, the latter has been recently substituted by the EU Regulation.

Costs relating to execution of the request for service (Art. 12):

Service of documents is costless, according to Spanish domestic law, and it is performed by public authorities. Special costs deriving from a particular form of service required by the applicant should be dealt with according to the circumstances of the case.

Also see <u>European Judicial Network in Civil and Commercial Matters</u> – <u>Service of documents</u> – <u>Spain (question 8)</u>.

Time for execution of

request:

Oppositions and declarations

Click <u>here</u> to read all the declarations and reservations made by Spain under this Convention

(Art. 21(2)):

uns Convention

Art. 8(2):

No opposition

Art. 10(a):

No opposition

Art. 10(b):

No opposition

Art. 10(c):

No opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

To consult bilateral and multilateral treaties to which Spain is a party, see: <a href="https://www.boe.es/g/es/bases">www.boe.es/g/es/bases</a> datos/iberlex.php (in Spanish only) and <a href="https://www.prontuario.org/">www.prontuario.org/</a>.

### Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents).

Inter-American Convention on Letters Rogatory (Panama City, 13 January 1975) (<a href="http://www.oas.org/DIL/treaties">http://www.oas.org/DIL/treaties</a> and agreements.htm).

Consejo General del Poder Judicial (in Spanish only)

Useful links:

Prontuario Auxilio Judicial Internacional – Guide to International Judicial Co-

operation in Spain (Ministry of Justice)

(This page was last updated on 18 July 2014)

Spain - competent authority (Art. 6)

All the competent Courts of First Instance.

For the contact details, see <u>www.mjusticia.es</u> > Portal del Ministerio de Justicia > Juzgados y Tribunales

Spain - competent authority (Art. 9)

Subdirección General De Cooperación Jurídica Internacional

Ministerio De Justicia. C/ San Bernardo nº 62

28071- Madrid

Spain

Telephone: +34 91 390 2386 / 4433 / 4468

Fax: +34 91 390 2475 / 4457

Email: silvia.villa@mjusticia.es / paula.monge@mjusticia.es / mariaisabel.vevia@mjusticia.es

Website: www.mjusticia.es

Language(s) of communication: Spanish, English, French

Contact persons: Ms Silvia Villa / Ms Paula Monge / Ms Isabel Vevia

## Sri Lanka

Sri Lanka - Central Authority & practical information

## **Central Authority(ies):**

Secretary to the Ministry of Justice

**Contact details:** 

Secretary

Ministry of Justice

Address: Hulftsdorp

COLOMBO 12

Sri Lanka

Telephone: +94 1 1244 9959

Fax: +94 1 1244 5447

E-mail: kamalini.desilva@gmail.com

General website: <a href="http://www.justiceministry.gov.lk/">http://www.justiceministry.gov.lk/</a>

Contact person: Mrs Kamalini de Silva, Secretary

Languages spoken by staff: English, Sinhala/Tamil

**Practical Information:** 

Forwarding authorities

(Art. 3(1)):

Secretary to the Ministry of Justice of Sri Lanka

Secretary to the Justice Ministry forwards to the District
Methods of service

Judge/Courts for service for execution under Section 50

(A + F(1)(2))

(Art. 5(1)(2)):

Judge/Courts for service for execution under Section 50 of the Civil Procedure Code. For more information on methods of

service, click Ministry of Justice.

Translation requirements

(Art. 5(3)):

Either in English or in one of the official languages in Sri Lanka

(Sinhala and Tamil)

Costs relating to execution of the

request for service

(Art. 12):

The Government of Sri Lanka does not charge any fees for the

execution of services.

Time for execution of request: 2 - 4 months

Judicial officers, officials or other competent persons (Art. 10(b)):

District Court Judges under the Civil Procedure Code of Sri

Lanka

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations made by Sri Lanka under the Service Convention.

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

No opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Disclaimer:

Mutual Legal Assistance in Civil and Commercial Matters Agreements, and the Act No. 39 of 2000 relating to Mutual Legal Assistance in Civil and Commercial Matters.

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Ministry of Justice

Useful links:

<u>International Mutual Assistance – Ministry of Justice</u>

<u>International Mutual Assistance – Service of documents – Ministrum of Luction</u>

Ministry of Justice.

(This page was last updated on 18 July 2014)

Sri Lanka - Competent Authority (Art. 6)

The authority competent to act upon a Letter of Request pursuant to Article 6 would be the Secretary, Ministry of Justice and Constitutional Affairs/Registrar of the Court of Appeal.

Sri Lanka - Competent Authority (Art. 9)

Secretary/Ministry of Foreign Affairs would be the competent authority to receive documents transmitted by consular channels, pursuant to Article 9.

### Sweden

Sweden - Central Authority & practical information

**Central Authority** (as per 1 January 2014 - <u>click here for previous info</u>):

# County Administrative Board of Stockholm The central authority for international service of documents

#### Contact details:

Länsstyrelsen i Stockholms län

(County Administrative Board of Stockholm) Centralmyndigheten för internationell

delgivning

Address: (The central authority for international service of documents)

Box 22067

SE-104 22 STOCKHOLM

Sweden

Telephone: +46 8 785 4000

Fax: +46 8 785 4001

E-mail: <u>stockholm@lansstyrelsen.se</u>

General website: http://www.lansstyrelsen.se/stockholm/Sv/om-lansstyrelsen/kungorelser-och-

delgivningar/internationell-delgivning/Pages/default.aspx

Contact person: -

Languages spoken

by staff:

Swedish, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003, 2008 and/or 2013 Service Convention Questionnaires)

Forwarding authorities

(Art. 3(1)):

Courts, enforcement agencies and other authorities that serve documents

in civil and commercial matters.

Methods of service (Art. 5(1)(2)):

Formal service (Art. 5(1)(a))

Ordinary service:

to the addressee.

The most common procedure is service by post. The letter is accompanied by a receipt of service, which the addressee is required to sign and return. Service by electronic means may be used by authorities only, should this way of service not be deemed inappropriate with respect to the content of

the document to be served or other circumstances.

Oral service:

The content of a document is read to the addressee. The document is hereafter sent to the addressee. This method can not be used in service of

documents that initiates a proceeding.

Simplified service:

The document is sent by post to the addressee's last known address followed by a notice one day later, stating that the document has been sent. Evidence of reception or receipt is thus not required. Simplified service can only be used if the authority has informed the addressee that this way of serving may be used in the proceedings.

Special service on a legal entity:

In certain circumstances a document can be served on a legal entity by sending it to its registered office followed by a notice one day later, stating that the document has been sent.

Service by a process server:

Personal service is effected by a process server or other appointed officials e.g. a police officer or bailiff.

Substituted service may be carried out in certain circumstances. The document is then handed to someone other than the addressee, for example an adult member of the addressee's household or his/her employer.

If there is reason to believe that a person is acting to avoid being served and no other person can be served (substituted service), the document may under certain circumstances be left at the addressee's home.

Service by proclamation:

Service by proclamation may be carried out under certain circumstances. The document is made available at the offices of the authority or the court and at the same time it is notified and a summary of the document is published on the website of the gazette Post och Inrikes tidningar and, if there is a reason for it, also in a local newspaper.

Any document to be served under Article 5(1) must be written in or translated into Swedish. However, documents in Danish or Norwegian are also accepted.

Click <u>here</u> to read all the declarations made by Sweden under the Service Convention.

There are no costs for the service of documents in Sweden. But if a particular method requested by the applicant creates costs for the Swedish Central Authority, Article 12(2)(b) gives the legal basis to require the applicant to reimburse these costs. This Article, however, is very rarely applied.

Costs relating to execution of

If a payment or reimbursement is required, the amount of the fee corresponds to the cost incurred. The fees are the same for all applicants and do not depend on the requesting State. Also, the fees are not proportional to the value of the litigation.

Time for execution of request:

the request for service

(Art. 12):

Normally, police authorities carry out service in Sweden within two months. Service by post is effected within less than a month.

Translation requirements (Art. 5(3)):

(Art. 21(2)):

Oppositions and declarations Click <u>here</u> to read all the declarations made by Sweden under the Service

Convention.

Art. 8(2):

No opposition

Art. 10(a):

No opposition

Art. 10(b):

Additional information - see declarations

Art. 10(c):

Additional information - see declarations

Art. 15(2):

No declaration of applicability

Art. 16(3):

No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

Council Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas –

Service of Documents).

## **Disclaimer:**

Information may not be complete or fully updated please contact the relevant authorities to verify this information.

<u>Delgivningshandboken</u> (Practical Handbook on Service of Documents,

Useful links:

section "Service Abroad" - issued by the National Courts Administration)

(only in Swedish)

(This page was last updated on 10 March 2014)

Sweden - Competent Authority (Art. 9)

Länsstyrelsen i Stockholms län (County Administrative Board of Stockholm) Centralmyndigheten för internationell delgivning (The central authority for international service of documents) Box 22067 SE-104 22 STOCKHOLM

Sweden

(This page was last updated on 3 March 2015)

# **Switzerland**

Switzerland - Central Authority & practical information

**Central Authority(ies):** 

In accordance with Article 21, first paragraph (*a*), Switzerland designates the cantonal authorities as Central Authorities as referred to in Articles 2 and 18 of the Convention. Requests for the service of documents may also be addressed to the Federal Justice and Police Department in Bern, which will forward them to the appropriate Central Authority.

**Cantonal Central Authorities** (list up to date as per 5 April 2016)

The list of Central Cantonal Authorities including their addresses and phone/fax numbers can be consulted online.

To determine the Central Authority competent by reason of its location, the database of the Swiss localities and Courts can be consulted online at the following address: <a href="http://www.elorge.admin.ch/">http://www.elorge.admin.ch/</a>.

Les demandes en vue de signification ou de notification d'actes peuvent également être adressées au Département fédéral de justice et police, Office fédéral de la justice, à Berne (Autorité centrale fédérale), qui se chargera de les transmettre aux Autorités centrales compétentes.

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003, 2008 and/or 2013 Service Convention Questionnaires)

- Les Autorités centrales;
- Les autorités fédérales : le Tribunal fédéral à Lausanne et à Lucerne, le Tribunal administratif fédéral, le Tribunal fédéral des brevets ainsi que l'Institut Fédéral de la Propriété Intellectuelle (IPI);
- Les autorités cantonales : les tribunaux cantonaux supérieurs, les autorités de surveillance en matière de poursuites et de faillites, les tribunaux de district et les offices des poursuites et des faillites.

Forwarding authorities (Art. 3(1)):

Selon les cantons où elles se trouvent, ces autorités ont p.ex. les noms suivants: Obergericht, Kantonsgericht, Appellationsgericht, Zivilgericht, Handelsgericht, Versicherungsgericht, Kreisgericht, Bezirksgericht, Amtsgericht, Landgericht, Regionalgericht, Friedensgericht, Vermittlungsamt, Bezirksamt, Regionale Schlichtungsbehörde, Betreibungsamt, Konkursamt, Aufsichtsbehörde in Betreibungs- und Konkurssachen, Tribunal cantonal, Cour suprême, Tribunal de commerce, Cour de justice, Cour civile, Chambre d'assurance, Tribunal d'arrondissement, Tribunal de district, Tribunal de 1ère instance, Tribunal régional, Autorité régionale de conciliation, Tribunal des baux à loyer et à ferme, Tribunal des Prud'hommes, Cour des poursuites et faillites, Office des poursuites (et faillites), Camera civile, Camera di esecuzione e fallimenti, Camera cantonale delle assicurazioni, Pretura della giurisdizione di Distretto, Uffici esecuzione e fallimenti.

Methods of service (Art. 5(1)(2)):

Selon l'article 138 du Code de procédure civile, les citations, les ordonnances et les décisions sont notifiées par envoi recommandé ou d'une autre manière contre accusé de réception. L'acte est réputé notifié lorsqu'il a été remis au destinataire, à un de ses employés ou à une personne de seize ans au moins vivant dans le même ménage. L'ordre donné par le tribunal de notifier l'acte personnellement au destinataire est réservé.

L'envoi par courrier recommandé peut être fait comme « acte judiciaire » (AJ). L'envoi comme AJ est réglé dans les conditions générales de la Poste Suisse et ses brochures d'informations. Le produit AJ de la Poste Suisse sert à l'envoi (à l'intérieur de la Suisse) p.ex. de citations, décisions judiciaires, autres jugements et actes judiciaires. L'accusé de réception est retourné à l'expéditeur après distribution postale de l'AJ. Les AJ peuvent également être envoyés avec la mention « Remise

en main propre ».

En pratique, les notifications « d'une autre manière contre accusé de réception » peuvent être exécutées par un huissier, par un agent de police ou par convocation du destinataire pour retirer les actes au greffe du tribunal. S'il ne se présente pas, les services de police peuvent être chargés de procéder à la notification.

En règle générale, les Autorités centrales notifient les actes selon les règles de procédure civile, à savoir de manière formelle, que l'on soit dans le cadre de l'article 5(1) a) ou de l'article 5(2). Lorsque la requête n'est pas accompagnée d'une traduction et que le destinataire refuse d'accepter la notification, l'Autorité centrale ou le Tribunal cantonal compétent en fera mention sur l'attestation et informera l'Etat requérant que la notification doit être effectuée conformément à l'article 5(1) (i.e. formellement au sens de la CLaH65) ; une traduction sera alors exigée (voir la réserve de la Suisse).

For more information on methods of service, see "Guidelines Civil Matters".

Liens Internet:

Article 138 du Code de procédure civile

Poste suisse, Actes judiciaires

Translation requirements (Art. 5(3)):

Switzerland declares that in cases where the addressee does not voluntarily accept a document, it cannot officially be served on him or her in accordance with Article 5(1), unless it is in the language of the authority addressed, i.e. in German, French or Italian, or accompanied by a translation into one of these languages, depending on the part of Switzerland in which the document is to be served (the official languages of every canton are mentioned on the <u>list of Cantonal Central Authorities</u>).

Click <u>here</u> to read all the declarations and reservations made by Switzerland under this Convention.

Les frais engendrés par les notifications sont, en règle générale, supportés par les autorités suisses d'exécution.

Costs relating to execution of the request for service (Art. 12):

La notification est effectuée gratuitement chaque fois qu'aucune forme particulière n'est requise (i.e. chaque fois que la notification est effectuée selon la procédure prévue par le Code de procédure civile). Seul l'article 12(2) b) entre ainsi en ligne de compte. Cette disposition n'est invoquée que lorsque l'Etat requérant a émis des souhaits particuliers qui ont donné lieu à des frais.

Les sommes réclamées correspondent aux frais encourus. Aucune distinction n'est faite en fonction de l'Etat d'origine.

Time for execution of request:

Entre 2 semaines et 2 mois pour l'exécution de demandes par des autorités suisses.

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Switzerland under this Convention.

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): No declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

channels) (Arts. 11, 19, 24

and 25)

To consult bilateral and multilateral treaties to which Switzerland is a party, see:

Recueil systématique du droit fédéral.

See also <u>la Banque de données des traités internationaux du Département fédéral</u> des affaires étrangères.

**Disclaimer:** 

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

<u>Guide de l'entraide judiciaire - Office fédéral de la justice - Division de l'entraide</u>

judiciaire internationale

Useful links: Entraide judiciaire internationale en matière civile - Département fédéral de justice

et police - Office fédéral de la Justice

<u>Lignes directrices : Entraide judiciaire internationale en Matière Civile - Département fédéral de justice et police - Office fédéral de la Justice</u>

(This page was last updated on 5 April 2016)

Switzerland - Competent Authority (Art. 6)

In accordance with Article 21, first paragraph (*b*), Switzerland designates the competent cantonal court or the cantonal Central Authority as the body responsible for completing the certificate referred to in Article 6.

Switzerland - Competent Authority (Art. 9)

In accordance with Article 21, first paragraph (*c*), Switzerland designates the cantonal Central Authorities as the authorities competent to receive documents transmitted by consular channels pursuant to Article 9 of the Convention.

## **Tunisia**

Address:

Tunisia - Central Authority

# Central Authority(ies):

Ministry of Justice

## **Contact details:**

Ministry of Justice

**Boulevard Bab Bnet** 

Tunis

Tunisia

Telephone: +216 71 57 23 40

+216 54 62 36 14

Fax: +216 71 56 57 45

E-mail: <u>mohamed.askri@e-justice.tn</u>

General website: -

Contact person: Mr Mohamed ASKRI

Procureur Général des affaires civiles

Languages spoken by staff: Arabic, French

(This page was last updated on 22 February 2019)

# **Turkey**

Turkey - Central Authority & practical information

## Central Authority(ies):

General Directorate of International Law and Foreign Relations Ministry of Justice

### **Contact details:**

General Directorate of International Law and Foreign

Relations

Address: Adalet Bakanlığı Ek Binası

Namık Kemal Mah. Milli Müdafaa Caddesi No:22

Çankaya / ANKARA Turkey

Telephone: +90 (312) 515 8414/ +90(312) 414 8724

Fax: +90 (312) 219 45 23

E-mail: <u>uhdigm@adalet.gov.tr</u>

General website: <a href="http://www.uhdigm.adalet.gov.tr/">http://www.uhdigm.adalet.gov.tr/</a>

Contact person: Mr Abdullah MURAT

Ms Gubert ALTINKAYNAK

Languages spoken by staff: Turkish, English

### **Practical Information:**

Forwarding authorities (Art. 3(1)):

Name of forwarding authority - the forwarding authority is the authority or judicial officer that is competent under the law of your State to forward requests for service abroad

Chief Public Prosecutor's Offices, Court of Cassation, Council of State, courts, bailiffs and notaries

service under the article 5/1 of the Convention are preapared in Turkish or that a translation in Turkish be attached with the original documents, The Chief Public Prosecutor's Office perform the service via post offices in accordance with our domestic law. In such a case, documents may also be served against the addressee's will, so this method is generally

If the documents and its attachments which are requested for

demanded.

Methods of service (Art. 5(1)(2)):

Brief statement as to how incoming requests for service are executed in your State (i.e., how the documents are served) - reference to relevant laws (civil procedure code or court rules)

On the other hand the documents transmitted without its translation are served in accordance with Article 5/2 of the Convention. In such a case the addressee may refuse to accept the documents by reason of not having the translated documents, so in this form of service, the performance of the service is up to the Addressee's will.

In these methods of service, the Chief Public Prosecutor's Office perform the service via post offices.

Translation requirements (Art. 5(3)):

Brief statement as to whether the Central Authority requires documents, which are to be served under Article 5(1), to be in - or translated into - the official language of your State As stated before, the addressee may refuse to accept the documents prepared in another language different from the requested states.

Costs relating to execution of the request for service (Art. 12):

No fee is charged for service.

List of the types of costs (if any) that are typically reimbursable to your State pursuant

## Time for execution of request:

Indication of the time elapsing from receipt of incoming request for service until forwarding of the certificate of service - see response to question 7

*Indication of the time elapsing from receipt of*The service of documents is executed in three months time.

Judicial officers, officials or other competent persons (Art. 10(b)):

Name, e.g., the body of judicial officers competent to effect service of judicial documents coming from another Contracting State - only applicable for States whose internal law allows for this practice

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by Turkey under this Convention

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

List of bilateral or multilateral agreements to which your State is party, as well as provisions of the internal law of your State permitting other methods of transmission of documents coming from abroad for service within the territory of your State

Bilateral conventions on judicial co-operation: *Germany* (Ankara, 28 May 1929 – Articles 9 to 17), *Albania* (Tiran, 22 May 1998-Articles), *United Kingdom* (Ankara, 28 November 1931 – Articles 2 to 6)

## Useful links:

Address of websites containing information relating to the operation of the Convention in your State

(This page was last updated on 14 December 2016)

Turkey - Competent Authority (Art. 6)

Direction Générale des Affaires Civiles

Ministère de la Justice (Adalet Bakanligi Hukuk Isleri Genel Müdürlügü, Ankara)

Turkey - Competent Authority (Art. 9)

Direction Générale des Affaires Civiles Ministère de la Justice (Adalet Bakanligi Hukuk Isleri Genel Müdürlügü, Ankara)

## **Ukraine**

Ukraine - Central Authority & practical information

# **Central Authority(ies):**

Ministry of Justice of Ukraine

### **Contact details:**

Ministry of Justice of Ukraine

Directorate on International Law and Co-operation

Address: Department on International Law

13, Horodetskogo St.

KYIV 01001 Ukraine

+380 44 279 6977

Telephone: +380 44 278 1176

+380 44 279 7256

Fax: +380 44 278 1176

E-mail: <u>ilad@minjust.gov.ua</u> or <u>mdcivil@minjust.gov.ua</u>

General website: <a href="http://www.minjust.gov.ua/">http://www.minjust.gov.ua/</a>

• Mrs Kateryna Shevchenko, Deputy Head of the Directorate – Head of the Department on International Law (Russian, English, French)

• Mrs Ryabets Tetyana, Deputy Head of the Division on Private International

Law (language of communication: Russian)

• Mrs Victoria Bilokon, Chief specialist of the Division on Private International Law (languages of communication: Russian, English)

Languages spoken

by staff:

Ukrainian, Russian, English, French

## **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

In Ukraine a court which considers the case, is competent to forward requests for service to the Central Authorities of foreign States.

The procedure of execution of the requests for service of the documents is prescribed by the Civil Procedural Code of Ukraine.

The Central Authority sends the request for service of the documents to the local Department of Justice for further transmission to the court at the place of residence of a person or the location of the legal entity and sets the term of its fulfilment.

If necessary, the measures to establish the place of person's residence or legal entity location are taken.

Formal Service (Art. 5(1))

Methods of service (Art. 5(1)(2)):

The court summons the person in order to deliver the documents and such documents are received by the person during the court hearing. The recipient of the documents puts his/her signature on the certificate, his/her signature is certified by the signature of the judge, and also the court record is composed. The court forwards the comments to the local Department of Justice. Based on the information obtained from the court the local Department of Justice draws up the certificate about delivery of the Hague form.

In case the service of the documents was not performed, the court states its reasons in the court record, then it is mentioned in the certificate and the documents are returned to the Ministry of Justice.

The Ministry of Justice of Ukraine sends the second package of documents and the certificate about delivery to the requesting authority.

*Informal Service (Art. 5(2))* 

The delivery of the documents to the person who accepts them voluntarily may be performed by the local Department of Justice.

It is necessary to note that all the documents, which are to be served, should be translated into Ukrainian.

Translation requirements (Art. 5(3)):

If the addressee is fluent in the language in which the documents to be served are written, the translation of documents to be served is not necessary.

The requests for service are complied for free of charge.

Costs relating to execution of the request for service (Art. 12):

If the fulfilment of the request requires costs the Ukrainian court informs the requesting authority directly or through the Ministry of Justice of Ukraine and it's local Departments of Justice about the amount of expenses and informs of the bank accounts for money transfer.

The further fulfilment of the request for service may be accomplished after payment of the costs.

Time for execution of request:

Two to three months after it is received by the Ministry of Justice of Ukraine.

Oppositions and declarations (Art. 21(2)):

Click here to read all the declarations made by Ukraine under the Service

Convention.

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral

agreements or internal

Bilateral conventions on judicial co-operation:

law permitting other

transmission channels) (Arts. 11, 19, 24 and 25)

Bulgaria (2004); China, People's Republic of (1992); Cyprus (2004); Czech Republic (2001); Estonia (1995); Georgia (1995); Greece (2002); Hungary

(2001); Iran, Islamic Republic of (2004); Korea, Democratic People's Republic

**Disclaimer:** *Information may not be* 

complete or fully

updated – please contact Arabian Republic of (2008); Turkey (2000); United Arab Emirates the relevant authorities

to verify this information.

of (2003); Latvia (1995); Libyan Arabian Jamahiriya, the Great Socialist People's (2008); Lithuania (1993); FYR of Macedonia (2000); Moldova, Republic of (1993); Mongolia (1995); Poland (1993); Romania (2002); Syria,

(2012).Uzbekistan (1998); Vietnam (2000).

Useful links: Ministry of Justice

(This page was last updated on 21 July 2014)

Ukraine - Competent Authority (Art. 6)

The Ministry of Justice of Ukraine and its territorial departments of justice are competent to complete the certificate of service.

Ukraine - Competent Authority (Art. 9)

Ministry of Justice of Ukraine 13, Horodetskogo St.

**KYIV 01001** Ukraine

Telephone:+ 380 44 278 11 76 / +380 44 279 69 77

Fax:+ 380 44 278 11 76

E-mail: <u>ilad@minjust.gov.ua</u> or <u>dvszag@minjust.gov.ua</u>

Website: <a href="http://www.minjust.gov.ua">http://www.minjust.gov.ua</a>

Languages of communication: English, Russian, French, Ukrainian

Contact persons: Tetyana Ryabets, Natalia Khvastunova

# **United Kingdom of Great Britain and Northern Ireland**

United Kingdom - Central Authority & practical information

# Central Authority(ies):

[Until 21 August 2008: Her Majesty's Principal Secretary of State for Foreign Affairs]

As per 22 August 2008: The Senior Master, Royal Courts of Justice

### **Contact details:**

The Senior Master

For the attention of the Foreign Process Section

Room E16

Address: Royal Courts of Justice

Strand

LONDON WC2A 2LL

Telephone: +44 207 947 6691 / 7786 / 6488 / 6327 / 1741

Fax: +44 870 324 0025

E-mail: <u>foreignprocess.rcj@hmcts.gsi.gov.uk</u>

General website: <u>www.justice.gov.uk</u>

Contact person: -

Languages spoken by staff: English

### **Practical Information:**

Forwarding authorities

(Art. 3(1)):

**England and Wales:** 

The Senior Master of the Royal Courts of Justice

Strand

London WC2A 2 LL

Switchboard: +44 207 947 6000

Tel: +44 20 7947 6691 Fax: +44 20 7947 6237

Website: <a href="http://www.hmcourts-service.gov.uk/">http://www.hmcourts-service.gov.uk/</a>

Scotland:

Scottish Government Justice Directorate Central Authority & International Law Team

St. Andrew's House (GW15) EDINBURGH EH1 3DG

Scotland, UK

E-mail: paula.nugent@gov.scot

tel.: +44 (131) 244 4829 fax: +44 (131) 244 4848

Northern Ireland:

The Master (Queen's Bench and Appeals)

Royal Courts of Justice

Chichester Street Belfast BT1 3JF

Tel: + 44 28 90 72 47 06 Fax: + 44 28 90 23 51 86 adminoffice@courtsni.gov.uk

Website: <a href="https://www.courtsni.gov.uk/en-GB/">www.courtsni.gov.uk/en-GB/</a>

Personal service on individuals & postal service on registered offices of companies. If this fails by first class post.

## **England and Wales:**

<u>European Judicial Network in Civil and Commercial Matters – Service of</u> documents.

### Scotland:

Methods of service (Art. 5(1)(2)):

<u>European Judicial Network in Civil and Commercial Matters – Service of</u> documents.

### Northern Ireland:

European Judicial Network in Civil and Commercial Matters – Service of documents.

### Gibraltar:

<u>European Judicial Network in Civil and Commercial Matters – Service of</u> documents.

Translation requirements (Art. 5(3)):

Pursuant to Article 5(3) of the Convention United Kingdom will require the documents to be written in, or translated into, the English language.

Click <u>here</u> to read all the declarations and reservations made by the United Kingdom under this Convention.

Costs relating to execution of the request for service (Art. 12):

As from 1 January 1979 no charge is made for service in normal circumstances. However, if the request is for service by a particular method, which incurs extra costs, or in other exceptional circumstances, actual costs of service will be reclaimed.

**N.B.:** This applies only to England and Wales, Scotland and Northern Ireland, and not to those overseas territories for whose international relations the United Kingdom is responsible.

## Time for execution of request:

Direct communication between:

other competent persons (Art. 10 b)), and

With reference to Article 10(b) and (c) of the Convention, documents for service through official channels will be accepted in the United Kingdom only by the Central or additional authorities and only from judicial, - Judicial officers, officials or consular or diplomatic officers of other Contracting States (see however English letter below).\*

- Any person interested in a judicial proceeding and

\* Extract from a letter dated 11 September 1980 addressed by the Foreign and Commonwealth Office to the Permanent Bureau:

"(...) Thank you for your letter of 31 July in which you ask for assistance in the interpretation of the declaration made by the United Kingdom on 17 November 1967 in relation to Article 10 c) of the Convention.

I am happy to confirm that our declaration does not preclude any person in another Contracting State who is interested in a judicial proceeding (including his lawyer) from effecting service in the United Kingdom "directly" through a competent person other than a judicial officer or official, e.g., a solicitor. (...)"

judicial officers, officials or other competent persons (Art. 10 c))

Conclusion and Recommendation No 58 of the 2003 Special Commission (SC)

"The 2003 SC noted that the UK confirmed its position expressed at the Special Commission meeting of 1989, indicating its preference for the use of direct service through English solicitors on residents of England and Wales." (See Conclusions and Recommendations of the 2003 SC)

Click <u>here</u> to read all the declarations and reservations made by the United Kingdom under this Convention.

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by the United Kingdom under this Convention.

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): Additional information - see above and <u>declarations</u>

Art. 10(c): Additional information - see above and <u>declarations</u>

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration for Scotland only

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

To consult bilateral and multilateral treaties to which United Kingdom is a party, click <u>here</u>.

## Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

<u>Council Regulation (EC) No 1393/2007</u> on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Strasbourg, 13 November 2007) (European Judicial Atlas – Service of Documents).

Useful links: <u>Civil Procedures Rules – Department of Constitutional Affairs.</u>

(This page was last updated on 29 March 2018)

United Kingdom - Competent Authority (Art. 6)

The authorities competent under Article 6 of the Convention to complete the Certificate of Service are the authorities designated under Articles 2 and 18.

United Kingdom - Competent Authority (Art. 9)

In accordance with the provisions of Article 9 of the Convention, the United Kingdom designates as receivers of process through consular channels the same authorities as those designated under Articles 2 and 18.

United Kingdom - Other Authorities (Art. 18)

## For England and Wales:

The Senior Master
For the attention of the Foreign Process Section
Room E16
Royal Courts of Justice
Strand
LONDON WC2A 2LL

tel.: +44 207 947 6691 / 7786 / 6488 / 6327 / 1741

fax: +44 870 324 0025

## For Scotland:

Scottish Government Justice Directorate Central Authority & International Law Team St. Andrew's House (GW15) EDINBURGH EH1 3DG Scotland, UK

tel.: +44 (131) 244 4829 fax: +44 (131) 244 4848

## For Northern Ireland:

The Master (Queen's Bench and Appeals) Royal Courts of Justice BELFAST 1 Northern Ireland

## For the overseas territories - with the following declarations:

- "(a) In accordance with Article 18 of the Convention the authority shown against the name of each territory in the Annex (hereinafter severally called "the designated authority") is designated as the authority in that territory competent to receive requests for service in accordance with Article 2 of the Convention.
- (b) The authority in each territory competent under Article 6 of the Convention to complete the Certificate of Service is the designated authority.
- (c) In accordance with the provisions of Article 9 of the Convention, the designated Authority shall receive process sent through consular channels.
- (d) With reference to the provisions of paragraphs (b) and (c) of Article 10 of the Convention, documents sent for service through official channels will be accepted in a territory listed in the Annex by the designated authority and only from judicial, consular or diplomatic officers of other Contracting States.
- (e) The acceptance by the United Kingdom of the provisions of the second paragraph of Article 15 of the Convention shall equally apply to the territories named in the Annex.

The authorities designated in the Annex will require all documents forwarded to them for service under the provisions of the Convention to be in duplicate and, pursuant to the third paragraph of Article 5 of the Convention, will require the documents to be written in, or translated into, the English language."

Annex:

Antigua <sup>1)</sup>	Please <u>click here</u> for the Central Authority of Antigua and Barbuda
Bermuda	The Registrar of the Supreme Court, Bermuda.
British Honduras (since 21 September 1981: Belize) $\frac{2}{2}$	
British Solomon Islands (since 7 July 1978: the Solomon Islands) $\frac{2}{2}$	
British Virgin Islands	Registrar of the Supreme Court Supreme Court Registry No. 84 Main Street P.O. Box 418 Road Town, Tortola, British Virgin Islands VG1110 Tel: (284) 468-5001 Fax: (284) 468-4951
Cayman Islands	The Clerk of the Courts, Grand Cayman, Cayman Islands
Central and Southern Line Islands (since 12 July 1979: Kiribati) $^{2)}$	
Falkland Islands and Dependencies	The Registrar of the Supreme Court, Stanley, Falkland Islands.
Fiji <sup>2)</sup>	
Gibraltar	The Registrar of the Supreme Court, Gibraltar*
Gilbert and Ellice Islands (became respectively Kiribat (12 July 1979) and Tuvalu (1 October 1978)) <sup>2)</sup>	i 
Guernsey	The Bailiff, Bailiff's Office, Royal Court House, Guernsey, Channel Islands.
Isle of Man (as per 15 March 2010) (previous authority: the First Deemster and Clerk of the Rolls)	The Chief Registrar Isle of Man Courts of Justice Deemsters Walk Douglas ISLE OF MAN IM1 3AR
Jersey	The Attorney General, Jersey, Channel Islands.
Montserrat	The Registrar of the High Court, Montserrat.
Pitcairn	The Governor and Commander-in-Chief, Pitcairn.

St.Helena and Dependencies

The Supreme Court, St. Helena.

St.Lucia <sup>2)</sup>

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St.Vincent 1)

please <u>click here</u> for the Central Authority of

St.-Vincent and the Grenadines

Seychelles 3)

please <u>click here</u> for the Central Authority of

Seychelles

Turks and Caicos Islands

The Registrar of the Supreme Court, Turks and Caicos Islands.

By Note dated 28 October 1997, the British Embassy at The Hague informed the depositary of the following:

"Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands as depositary of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters done at The Hague on 15 November 1965 (hereinafter referred to as the `Convention'), and have the honour to refer to the Ministry's Note No 5/1997 of 1 September 1997 communicating the recent declaration by Spain to the effect that it does not recognise the Supreme Court of Gibraltar as an authority for the purposes of the Convention.

Under Article 18 of the Convention a Contracting State may designate 'other authorities in addition to the Central Authority and shall determine the extent of their competence'. The Registrar of the Supreme Court of Gibraltar was designated as such authority for Gibraltar by the United Kingdom in 1970.

The Kingdom of Spain ratified the Convention in 1987, and has made no previous objection to the United Kingdom's pre-existing designation of the Supreme Court of Gibraltar. In such circumstances, the United Kingdom is of the view that Spain may not object legitimately to this designation now. Thus the Supreme Court of Gibraltar remains the United Kingdom's designated authority for Gibraltar for the purposes of the Convention.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of their highest consideration."

#### For Anguilla:

the Registrar of the Supreme Court

(This page was last updated on 25 November 2015)

### **United States of America**

United States of America - Central Authority & practical information

#### Central Authority(ies):

## **Central Authority:**

U.S. Department of Justice Civil Division Office of International Judicial Assistance Benjamin Franklin Station P.O. Box 14360 Washington, D.C. 20004 United States of America

tel.: +1 202-514-6700 fax: +1 202-514-6584

Contact person: Ms Jeanne Davidson, Director

(language of communication: English)

<sup>1)</sup> This country achieved independence and declared that it considers itself bound by the Convention.

<sup>2)</sup> This country achieved independence, but has not declared that it considers itself bound by the Convention.

<sup>3)</sup> This country achieved independence and acceded to the Convention.

<sup>\*</sup> By Note dated 26 August 1997, the Embassy of Spain at The Hague informed the depositary of the following declaration: "España no reconoce, para la aplicación del presente Convenio, como autoridad al Tribunal Supremo de Gibraltar, y en consecuencia, cualquier documentación intervenida por dicho organo se considerará como nula y no existente."

### Outsourcing of Central Authority's activities to ABC Legal

Extract of the Notification sent by the Depositary (i.e. the Ministry of Foreign Affairs of the Netherlands) on 16 June 2015. To view the complete Notification, <u>click here</u>.

"(...) Since 2003, the Department of Justice of the United States of America has contracted the service of process function performed by the Central Authority to a private contractor to handle requests for service of process in civil and commercial matters in the United States pursuant to the Hague Service Convention.

The Department of Justice of the United States of America has informed the Department of State that, on February 1, 2015, it renewed its contract for the service of process function with **ABC Legal, which does business as Process Forwarding International**, located in Seattle, Washington. The use of a private contractor to perform the service of process function does not imply the designation of a new U.S. Central Authority for the Hague Service Convention, but rather reflects the contracting of certain activities conducted by the U.S. Central Authority, which remains the U.S. Department of Justice.

Process Forwarding International is the **only private process server company authorized to act on behalf of the United States** to receive requests for service, proceed to serve the documents, and complete the certificate of service. Process Forwarding International is responsible for executing requests for service of process in the following areas: the United States (the fifty states and the District of Columbia), Guam, American Samoa, Puerto Rico, the U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands (...)" (emphasis added).

## **Contact details:**

ABC Legal

Address: 633 Yesler Way

Seattle, WA 98104

**USA** 

Telephone: +1 206 521 2979

Fax: +1 206 224 3410

E-mail: <u>info@hagueservice.net</u>

General website: <a href="http://www.hagueservice.net/">http://www.hagueservice.net/</a>

Contact person: Rick Hamilton

Director of Operations
RickH@abclegal.com
Phone: +1 206-521-2861
Fax: +1 206-224-3410

Karen Adams

Payment Processing Phone: +1 206-521-2946 Fax: +1 206-224-3410 Languages spoken by staff: English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

The persons and entities within the United States competent to forward service requests pursuant to Article 3 include any court official, any attorney, or any other person or entity authorized by the rules of the court.

Formal Service (Art. 5(1)(a))

Personal service will be the preferred method used in executing all requests. In the event personal service is impracticable to effect, Process Forwarding International will serve process by such other method or methods as may be permitted under the law of the jurisdiction in which service is to be effected.

Requests for service must be transmitted in duplicate with an appropriate translation (one set will be served and the other will be returned by Process Forwarding International with a certificate of service). The full name and street address for the person or entity to be served must be included. For requests made under the Hague Service Convention, the **Model Form** for that Convention must be used.

Methods of service (Art. 5(1)(2)):

*Informal delivery* (Art. 5(2))

Informal service is authorized within the United States in a variety ways: through members of diplomatic or consular missions in the United States, through the mails or by private persons if that would be effective under applicable law, provided no compulsion is used. The requesting authority would make arrangements for service using one of these informal means.

*Service by a particular method* (Art. 5(1)(b))

We are presently unaware of "special requests" that would require service by a means other than those discussed above.

All formal requests for the service of documents made pursuant to Article 5(1), and submitted to Process Forwarding International, must be translated into English, along with a translation of the underlying documents, although papers solely in French will be served as well.

Translation requirements (Art. 5(3)):

Please note that there is no similar requirement that service made through informal means such as mail, consular channels or privately retained process services be translated. Some courts may rule, however, and typically only if challenged by the defendant, that service of documents not translated into English and made through these informal mechanisms may not provide the recipient with sufficient notice of the nature of the proceeding and an opportunity to respond, and, therefore, not be enforceable as a matter of due process.

Costs relating to for service

All formal service requests under Article 5(1) must be sent directly to execution of the request **Process Forwarding International and are assessed a flat fee of \$95.** There is no additional fee for expedited service requests. Payment of the fee may be

made by Visa, MasterCard, most international credit cards, bank transfers, international money orders, and government-issued checks payable to Process Forwarding International. Personal checks are not accepted.

All service requests must comply with the payment schedule and method of payment described on Process Forwarding International's website. All service requests unaccompanied by proper payment in the manner indicated will be returned without processing. The website for Process Forwarding International provides specific guidance on methods of payment.

(Art. 12):

It will also be possible to check on the status of a service request on Process Forwarding International's website.

The private contractor, however, does not serve papers upon the United States or its departments, agencies or instrumentalities. Such service requests will be directed to the U.S. Department of Justice for handling. No fee is imposed in such cases.

The United States notes that there is no requirement under U.S. federal law that requests for service be sent to Processing Forwarding International. The United States has no objection to the informal delivery of such documents by members of diplomatic or consular missions in the United States, through the mails or by private persons if that would be effective under applicable law, provided no compulsion is used.

Time for execution of request:

Process Forwarding International is required to complete service of documents for return to the foreign requestor within 30 business days of receipt. In addition, Process Forwarding International will accept requests for expedited service, service within seven (7) business days of receipt, without charging an additional fee. Expedited service must be specifically requested; if it is not, service will be completed within 30 business days of receipt.

Judicial officers, officials or other competent persons (Art. 10(b)):

The United States does not have a system of transmission between *huissiers*. That said, we would have no objection to *huissiers* contacting Process Forwarding International directly. Attorneys in the United States are authorized to perform legal functions in the State to which they are admitted to the bar.

Any person interested in judicial officers, officials or other competent persons (Art. 10(c)):

a judicial proceeding and We have no objection to interested parties initiating service through mail service or through any person or official authorized by the rules of the United States courts.

Oppositions and declarations (Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made by the United States under this Convention

No opposition

Consular officers of the United States are prohibited by regulation from serving Art. 8(2): legal process or appointing other persons to do so (see declarations).

Art. 10(a): No opposition Art. 10(b): No opposition

Art. 10(c): No opposition

Declaration of applicability Art. 15(2):

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral

agreements or internal law permitting other

- Inter-American Convention on Letters Rogatory (Panama City, 13 January

1975).

transmission channels) - Additional Protocol to the Inter-American Convention on Letters Rogatory

(Arts. 11, 19, 24 and 25) (Montevideo, 8 May 1979)

www.oas.org/DIL/treaties and agreements.htm

### **Disclaimer:**

complete or fully the relevant authorities

*Information may not be* Although some bilateral consular conventions provide for service of process by consular officers, U.S. consular officers are generally prohibited from doing so *updated* – *please contact* unless authorized by the Department of State. See, Title 22, Code of Federal Regulations, Part 92.85.

to verify this information.

U.S. Department of State - Judicial Assistance / Service of Process Abroad

Useful links:

ABC Legal - Hague Service Convention

(This page was last updated on 18 September 2018)

### Venezuela

Venezuela - Central Authority & practical information

#### **Central Authority(ies):**

Ministerio del Poder Popular Para Relaciones Exteriores (Ministry of Popular Power for Foreign Affairs)

#### Contact details:

Ministerio del Poder Popular para Relaciones Exteriores

Oficina de Relaciones Consulares

(Ministry of People's Power of Foreign Affairs

Office of Consular Affairs)

Address: Avenida Urdaneta

> Esquina Carmelitas a Puente Llaguno Torre Anexo a Torre MRE Piso 1

Caracas, 1010

República Bolivariana de Venezuela

Telephone: +58 (0) 212 806 4449/802-800, Ext. 6701-6704-6709-6713

Fax:

relaciones.consulares@mppre.gob.ve E-mail:

exhortos.rogatorias@mppre.gob.ve

General website: http://www.mppre.gob.ve/

• Eulalia Tabares Roldán

Directora General de la Oficina de Relaciones Consulares

Director-General of the Office of Consular Affairs

Telephone: +58 (212) 8064449 / 802-8000 Ext. 6701-6713

E-mail: eulalia.tabares@mppre.gob.ve

• Eudys Javier Almeida Gaona

Director del Servicio Consular Extranjero Director of Foreign Consular Service

Telephone: +58 (212) 8064449 / 802-8000 Ext. 6713

E-mail: eudvs.almeida831@mppre.gob.ve

Contact persons: Gradiska Puglisi

> Coordinadora Jurídica Internacional International Legal Coordinator

Telephone: +58 (212) 8064449 / 802-8000 Ext. 6707-6704

E-mail: gradiska.puglisi213@mppre.gob.ve

Language: Spanish and English

• Darío Márquez (Analyst)

E-mail: dario.marquez@mppregob.ve

• Osmel García (Analyst)

E-mail: osmel.garcia@mppre.gob.ve

Telephone: +58 (212) 8064449 / 802-8000 Ext. 6709

Languages spoken by staff: Spanish, English

### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 Service Convention Questionnaire)

Forwarding authorities

(Art. 3(1)):

The Central Authority (Bureau of Consular Relations)

Methods of service

(Art. 5(1)(2)):

The methods prescribed by our domestic law. Once the service has been performed the documents are sent back to the Central Authority of the requesting State by Diplomatic Channels.

Translation requirements

(Art. 5(3)):

The Bolivarian Republic of Venezuela shall not accept documents to be served or transmitted unless they are

accompanied by a corresponding translation into the Spanish

language.

Costs relating to execution of the request

for service (Art. 12):

It has no costs.

Time for execution of request:

Venezuelan legislation does not establish a period of time for

services to be made.

Oppositions and declarations

(Art. 21(2)):

Click <u>here</u> to read all the declarations and reservations made

by Venezuela under this Convention

Art. 8(2): Opposition

Art. 10(a): Opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Art. 15(2): Declaration of applicability

Art. 16(3): Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

See www.oas.org

Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

- <u>Inter-American Convention on Letters Rogatory</u> (Panama City, 13 January 1975).

- <u>Additional Protocol to the Inter-American Convention on</u> <u>Letters Rogatory</u> (Montevideo, 8 May 1979)

Useful links:

(This page was last updated on 8 October 2018)

### Viet Nam

Viet Nam - Central Authority

### Central Authority(ies):

Ministry of Justice of the Socialist Republic of Viet Nam

**Contact details:** 

Address: Ministry of Justice

Attn: International Law Department

60 Tran Phu street Ba Dinh district Ha Noi city Viet Nam

Telephone: + 84 46273 9532

Fax: +84 6273 9359

E-mail: haguevietnam@moj.gov.vn

General website:

Contact person: Private International Law Division

Languages spoken by staff: Vietnamese (by phone); English (by email/fax/writing)

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

Ministry of Justice

Formal Service (Art. 5(1)(a))

The Central Authority of Viet Nam forwards the document to the competent authority or bailiff office. The competent authority or bailiff office will serve the document directly to the addressee or the person who is entitled to receive the document. In some cases where direct service is impracticable, other methods may be employed in accordance with the Civil Procedure Code; Mutual Legal Assistance Law.

Methods of service (Art. 5(1)(2)):

Service by a particular method (Art. 5(1)(b))

In such cases, the Central Authority of Viet Nam forwards the documents to the competent authority or bailiff office. The competent authority or bailiff office may execute the service to the extent that it is not contrary to Vietnamese domestic law.

Informal delivery (Art. 5(2))

Competent authority or bailiff office performs this type of service. The addressee may refuse to accept it in any case.

Translation requirements (Art. 5(3)):

Full translation is required for any document to be served under Article 5(1)(a) (b). The competent authority or bailiff office serves the translation to the addressee together with the original.

Costs relating to

Charges are only incurred if documents are served by a bailiff office or the use execution of the request of a particular method of service. In that case the Central Authority will inform for service (Art. 12):

the Requesting State. All charges must be paid before the competent authority

or bailiff office executes the request

Time for execution of

request:

About 3 to 6 months

Oppositions and declarations

(Art. 21(2)):

Click <u>here</u> to read all the declarations made by Viet Nam under the Service

Convention.

Art. 8(2): Opposition

Art. 10(a): Qualified opposition

Art. 10(b): Opposition

Art. 10(c): Opposition

Art. 15(2): Declaration of applicability

Art. 16(3): No declaration

Derogatory channels (bilateral or multilateral agreements or internal

law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

Bilateral Agreements on mutual judicial assistance in civil and commercial matters: Slovensko-Czech and Slovakia succeed (12 October 1982); Russia (25 August 1998); People's Republic of China (19 October 1998); Hungary (18 January 1985); Mongolia(14 July 2000), Ukraine (06 April 2000); Belarus (14 September 2000); Poland (22 March 1993); Bulgaria (03 October 1986); France (24 February 1999); Lao PDR (06 July 1998); Kazakhstan (31 August 2011); Cuba (30 November 1984), Kingdom of Cambodia (22 January 2013),

Disclaimer:

Information may not be complete or fully 2011); Cuba (30 November 1984), K updated – please contact Chinese Taipei (2011); North Korea. the relevant authorities to verify this information.

Useful links:

(This page was last updated on 19 January 2017)

Viet Nam - Competent Authority (Art. 6)

The Ministry of Justice of the Socialist Republic of Viet Nam is designated to be the Central Authority in accordance with Article 2 of the Convention and the one and only authority designated for the purpose of Article 6 and Article 9 of the Convention.

Viet Nam - Competent Authority (Art. 9)

The Ministry of Justice of the Socialist Republic of Viet Nam is designated to be the Central Authority in accordance with Article 2 of the Convention and the one and only authority designated for the purpose of Article 6 and Article 9 of the Convention.

# **Non-Member Parties of the Organisation**

# **Antigua and Barbuda**

Antigua and Barbuda - Central Authority

# **Designated Central Authority(ies):**

- 1) The Governor General, Antigua and Barbuda
- 2) The Registrar of the High Court of Antigua and Barbuda, St. Johns, Antigua.

# **Contact details:**

Registrar Supreme Court

High Street

Address: Parliament Drive

St John's Antigua

Telephone: +1 (268) 462 0609

+1 (268) 462 1585

Fax: +1 (268) 462 3929

E-mail: -

General website: -

### **Bahamas**

Bahamas - Central Authority & practical information

# Central Authority(ies):

Office of the Attorney General

#### **Contact details:**

Office of the Attorney General

Post Office Building

Address: East Hill Street P.O. Box N-3007

NASSAU

Bahamas

Telephone: +1 (242) 502 0400

Fax: +1 (242) 322 2255

E-mail:

General website:

Contact person: Mrs Denise Saunders

Languages spoken by staff: English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities (Art. 3(1)):

> Personal service is the normal method unless another form is specified by the Requesting State.

Methods of service (Art. 5(1)(2)):

The Office of the Attorney General, Central Authority invokes the assistance of a peace officer to have documents served under the Service Convention for which a fee of eighty dollars (US\$80.00) is levied.

The following methods are also prescribed under Bahamian legislation: laws.bahamas.gov.bs

Translation requirements (Art. 5(3)):

> For each attempt made by the peace officer to have the document successfully served on the individual / company the fee of eighty dollars (US\$80) is charged.

Costs relating to for service (Art. 12):

If the address provided by the requesting State is incorrect and the peace officer execution of the request has to verify the same by searching the Registrar General's Companies Department to ascertain the correct address of the company, the sum of one hundred and sixty dollars (US\$160) would be charged. This figure is based on the fact that he would have made an attempt to serve the documents with the address originally provided, and then on the second occasion when the correct address has been established, the documents would then be served on the company.

Time for execution of request:

Oppositions and declarations (Art. 21(2)):

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): No opposition Art. 10(c): No opposition

Art. 15(2): No declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

### Disclaimer:

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 11 May 2009)

# **Barbados**

Barbados - Central Authority & pratical information

# **Central Authority(ies):**

The Registrar of the Supreme Court of Barbados

**Contact details:** 

The Registrar of the Supreme Court of Barbados

Registration Department

Address: Coleridge Street

Bridgetown Barbados, W.I.

Telephone: +1 (246) 426 3461

Fax: +1 (246) 426 2405

E-mail:

General website: <a href="http://www.lawcourts.gov.bb/">http://www.lawcourts.gov.bb/</a>

Contact person:

Languages spoken by staff:

#### **Practical Information:**

Forwarding authorities (Art. 3(1)):

The Central Authority

Formal Service (Art. 5(1)(a))

Methods of service (Art. 5(1)(2)):

Where a service is on an individual, a limited Company (on the Secretary) and a partnership firm (on a partner) personal service is employed through a process server. Process Servers are officers of the Registration Department under the control and direction of the Attorney General.

Translation requirements (Art. 5(3)):

Costs relating to execution of the request for service (Art. 12):

Time for execution of request:

Oppositions and declarations (Art. 21(2)):

Art. 8(2): No opposition

Art. 10(a): No opposition

Art. 10(b): No opposition

Art. 10(c): No opposition

Art. 15(2): No declaration of applicability

Art. 16(3): No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

#### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information. Bilateral convention on judicial co-operation: *Germany* (the bilateral Convention between the United Kingdom and Germany (London, 20 March 1928 – Articles 2 to 7) applies to Barbados by virtue of the Declaration by Barbados of 14 May 1971).

## Useful links:

(This page was last updated on 11 September 2006)

### **Belize**

Belize - Central Authority & practical information

# **Central Authority(ies):**

the Registrar of the Supreme Court of Belize at the Ministry of Justice.

**Contact details:** 

the Registrar of the Supreme Court of Belize

Address: # 1 Treasure Lane

Belize City

Telephone: +501 227 0045

Fax: -

E-mail: <u>velflo@yahoo.com</u>

General website: -

Contact person: Madame Velda M. Flowers

Languages spoken by staff: -

(This page was last updated on 17 August 2016)

#### Botswana

Botswana - Central Authority & practical information

# Central Authority(ies):

The Minister of State in the Office of the President of the Republic of Botswana

#### **Contact details:**

Address: The Minister of State in the Office of the President

P/Bag 001 Gaborone Botswana

Telephone: +267 395 0800

Fax: +267 395 0858

E-mail: <u>op.registry@gov.bw</u>

General website: <u>www.gov.bw</u>

Contact person:

Languages spoken by staff:

### **Practical Information:**

Forwarding authorities (Art. 3(1)):

Any attorney (i.e. solicitor) who is on the roll of attorneys in Botswana is a "forwarding authority". Such attorneys include all those whose practices are in Bostwana, and others who, although their practices are in South Africa, have been admitted to practice in Botswana.

Methods of service (Art. 5(1)(2)):

Formal Service (Art. 5(1)(a))

Service is effected in matters before the High Court (which is competent in respect of claims exceeding P.2000.00 and in matters involving status) by the Deputy Sheriff (who is a court official) and in matters before the Magistrates Courts in the various districts of Botswana (Gaborone, Lobatse, Mahalapye, Serowe, Selibe-Phikwe, Francistown and Maun) by the Bailiff (who is also a court official).

This is so, both in case of proceedings *by action*, instituted by summons (in which pleadings are filed, and witnesses give oral evidence), and of proceedings *by application or petition* (on Notice of Motion, based on affidavits). In the latter case, however, and in the case of processes *by action* other than the initiating process, service may also be effected by attorneys or their clerks.

*The following methods of service are employed:* 

#### *i*. Upon an individual

By personal service on the defendant or, under certain circumstances, on his agents or members of his family.

If service cannot be effected by the usual means, the court may order "substituted service", which is usually by publication in a nominated newspaper.

If the Botswana court has jurisdiction to try the matter but the defendant is not resident within the jurisdiction, service is effected by edictal citation according to the directions given by the High Court in each particular case.

#### *ii.* Upon legal persons

By service on the director or the secretary, or at the registered office of the company or other juristic person.

iii. Upon universitas, churches, clubs, etc.

By delivery to the person named for that purpose in the Constitution of the *Universitas*. Otherwise, the court will direct the form of service, for example by the publication of a rule *nisi* in a nominated newspaper. In Magistrates Courts, under certain circumstances, service can also be effected by registered post.

Translation requirements (Art. 5(3)):

The authorities designated will require all documents forwarded to them for service under the provisions of the Convention to be in duplicate and pursuant to Art. 5(3) of the Convention will require the documents to be written in, or translated into the English language.

<u>Click here</u> to read all the declarations made by Botswana under this Convention

Costs relating to execution of the request for service (Art. 12):

Time for execution of request:

Oppositions and declarations <u>Click here</u> to read all the declarations made by Botswana under this Convention.

(Art. 21(2)):

Art. 8(2):

No opposition

Art. 10(a):

No opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

# **Disclaimer:**

*Information may not be* complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 12 September 2006)

Botswana - Competent Authority (Art. 6)

The Registrar of the High Court of Botswana is designated as the authority competent to complete the certificate in the form of the Model annexed to the Convention pursuant to the first paragraph of Article 6.

Botswana - Competent Authority (Art. 9)

In accordance with the provisions of Article 9 of the Convention the Minister of State in the Office of the President is designated as the receiver of process sent through Consular channels.

# Colombia

Colombia - Central Authority and practical information

# Central Authority(ies):

Ministerio de Relaciones Exteriores Dirección de Asuntos Migratorios, Consulares y Servicio al Ciudadano

### **Contact details:**

Ministerio de Relaciones Exteriores

Dirección de Asuntos Migratorios, Consulares y Servicio al

Ciudadano

Address: Edificio Luis López de Mesa

Carrera 6, Número 9 – 46

Bogotá D.C. COLOMBIA

Telephone: +57 (1) 381 4000

Fax: +57 (1) 381 4747 / +57 561 1796

E-mail: margarita.manjarrez@cancilleria.gov.co

daniel.escobar@cancilleria.gov.co

General website: <a href="www.cancilleria.gov.co">www.cancilleria.gov.co</a>

Embajadora Margarita Eliana Manjarrez Herrera

Directora de Asuntos Migratorios, Consulares y Servicio al Ciudadano

Contact persons:

Daniel Ricardo Escobar Cardozo

Coordinador Grupo Interno de Trabajo de Asuntos Consulares

Languages spoken by staff: Spanish

#### **Practical Information:**

(Art. 3(1)):	
Methods of service (Art. 5(1)(2)):	
Translation requirements (Art. 5(3)):	
Costs relating to execution of the request for service (Art. 12):	
Time for execution of request:	
Judicial officers, officials or other competent persons (Art. 10(b)):	
Other Information:	Filling the blanks of the forms in Spanish is most appreciated (see however Art. 7(2)).
Oppositions and declarations (Art. 21(2)):	
Art. 8(2):	
Art. 10(a):	
Art. 10(b):	
Art. 10(c):	
Art. 15(2):	
Art. 16(3):	
Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)	
<b>Disclaimer:</b> Information may not be complete or fully updated – please contact the relevant authorities to verify this information.	
Useful links:	
(This page was last updated on 19 December 2018)	

# Kuwait

Kuwait - Central Authority & practical information

#### Contact details:

The State of Kuwait Ministry of Justice

**International Relations Department** 

Ministries Complex Address: **Building No 14** 

P.O. Box 6 Safat 13001 **Kuwait City** 

Telephone: +965 2248 6701 / +965 2248 6367

Fax: +965 2244 2475 / +965 2245 0639

E-mail: ird@moj.gov.kw

Ministry of Justice General website:

Ministry of Justice - Directory

Hanadi Ahmad Abdulrahman, Contact person:

Asst. Director, International Relations Department

Languages spoken by staff: Arabic, English

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 and/or 2008 Service Convention Questionnaires)

Forwarding authorities Ministry of Justice

(Art. 3(1)): **International Relations Department** 

The Central Authority receives the requests and sends them to the Methods of service

competent authorities for service in accordance with Articles (5-21) (Art. 5(1)(2)):

from the Convention.

Yes. Requires the availability of two copies of judicial documents Translation requirements

translated into the Arabic language, and the addressee may

optionally accept them if not translated.

Costs relating to execution of the

request for service

(Art. 12):

(Art. 5(3)):

No cost.

Less than two months Time for execution of request:

Implemented within 2 to 3 months.

Judicial officers, officials or other Object to the manner of service provided for in Article 10 of the

competent persons (Art. 10(b)): Convention.

Oppositions and declarations <u>Click here</u> to read all the declarations made by Kuwait under this Convention (Art. 21(2)): Art. 8(2): Opposition Art. 10(a): Opposition Art. 10(b): Opposition Art. 10(c): Opposition No declaration of applicability (see declaration confirming non-Art. 15(2): applicability) Declaration Art. 16(3): The Service Convention does not prevent the implementation of bilateral agreements in the civil field between Kuwait and other countries. Derogatory channels (bilateral or multilateral agreements or internal Bilateral conventions on judicial co-operation: *Bulgaria*, *Egypt* law permitting other transmission (ratified by law 96/1977); Lebanon; Morocco (ratified by law channels) 43/1998); Tunisia (ratified by law 123/1977); Turkey. (Arts. 11, 19, 24 and 25) A multilateral convention on judicial co-operation was concluded **Disclaimer:** between the States of the Co-operation Council for the Arab States *Information may not be complete* of the Gulf: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and or fully updated – please contact the *United Arab Emirates* (ratified by law 44/1998). the relevant authorities to verify this information. Co-operation Council for the Arab States of the Gulf www.gcc-sg.org/eng/ Useful links: (This page was last updated on 20 August 2015) Kuwait - Competent Authority (Art. 6) Ministry of Justice

Kuwait - Competent Authority (Art. 9)

Ministry of Justice **International Relations Department** 

#### Malawi

Malawi - Central Authority & practical information

### Central Authority(ies):

The Registrar of the High Court of Malawi

#### **Contact details:**

The Registrar of the High Court of Malawi

P.O. Box 30244

Address: Blantyre 3

Malawi

Telephone: +265 670 255 +265 677 223

Fax: +265 670 938 +265 670 213

E-mail: <a href="mailto:highcourt@sdnp.org.mw">highcourt@sdnp.org.mw</a>

General website: <a href="https://www.sdnp.org.mw/ruleoflaw/highcourt/">www.sdnp.org.mw/ruleoflaw/highcourt/</a>

Contact person:

Hon. Mr Sylvester A. Kalembera

The Registrar

Languages spoken by staff:

#### **Practical Information:**

(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 Service Convention Questionnaire)

Forwarding authorities

(Art. 3(1)):

The Registrar of the High Court of Malawi

Formal Service (Art. 5(1)(a))

Service may be made by an officer of the High Court and any

Subordinate Court.

Personal service

Methods of service

(Art. 5(1)(2)):

*a*. Upon an individual – by personal service on the defendant / respondent. Where personal service has proved impracticable the Court may / can grant leave for an Order of substituted

service.

*b*. Upon a company or body corporate – by service on the director, or secretary of the company or body corporate, or on

the registered office thereof.

Translation requirements (Art. 5(3)):

Costs relating to execution of the request for service (Art. 12):

Time for execution of request:

Oppositions and declarations (Art. 21(2)):				
Art. 8(2):	No opposition			
Art. 10(a):	No opposition			
Art. 10(b):	No opposition			
Art. 10(c):	No opposition			
Art. 15(2):	No declaration of applicability			
Art. 16(3):	No declaration of applicability			
Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)  Disclaimer: Information may not be complete or fully updated – please contact the relevant authorities to verify this information.	Germany (the bilateral Convention between the United Kingdom and Germany (London, 20 March 1928 – Articles 2 to 7) applies to Malawi by virtue of the Declaration by Malawi of 18 March 1967).			
Useful links:  (This page was last undated on 25 Senter	mbox 2006)			
(This page was last updated on 25 September 2006)				
Pakistan Pakistan - Central Authority & practical information				
Central Authority(ies):				
The Solicitor, Ministry of Law and Justice				
Contact details:				
The Solicitor Ministry of Law and Justice				

Telephone:

Address:

+ 92 51 920 1367

R Block, Pak. Sectt.

+ 92 51 922 1255

Islamabad Pakistan

+ 92 51 920 9265

Fax:

General website:	www.molaw.gov.pk			
Contact person:				
Languages spoken by staff:				
Practical Information:				
Forwarding authorities (Art. 3(1)):				
Methods of service (Art. 5(1)(2)):				
Translation requirements (Art. 5(3)):				
Costs relating to execution (Art. 12):	of the request for service			
Time for execution of reque	est:			
Oppositions and declaration (Art. 21(2)):	1S	<u>Click here</u> to read all the declarations made by Pakistan under this Convention.		
Art. 8(2):		Opposition		
Art. 10(a):		No opposition (see <u>declarations</u> )		
Art. 10(b):		No opposition (see <u>declarations</u> )		
Art. 10(c):		No opposition (see <u>declarations</u> )		
Art. 15(2):		Declaration of applicability		
Art. 16(3):		Declaration of applicability		
Derogatory channels (bilate internal law permitting other (Arts. 11, 19, 24 and 25)	eral or multilateral agreements or er transmission channels)			
<b>Disclaimer:</b> Information may not be con-	nnlete or fully undated — nlease			

*Information may not be complete or fully updated – please contact the relevant authorities to verify this information.* 

Useful links:

E-mail:

(This page was last updated on 25 September 2006)

Pakistan - Other Authority (Art. 18)

"Registrars of Lahore High Court Lahore, Peshawar High Court Peshawar, Baluchistan High Court Quetta, and the High Court of Sind, Karachi", within their respective territorial jurisdictions.

Pakistan - Competent Authority (Art. 6)

The certificate prescribed by Article 6 of the Convention if not completed by a judicial authority shall be completed or countersigned by the Registrars of the High Courts.

# Saint Vincent and the Grenadines

Saint Vincent and the Grenadines - Central Authority

# **Designated Central Authority**

Registrar of the High Court of Justice

#### **Contact details:**

High Court:

Ms Colleen Mc Donald

Address: Registrar

High Court KINGSTOWN

St. Vincent and the Grenadines

Telephone: +1 784 451 2945

Fax: +1 784 457 1888

E-mail: svgregistry@vincysurf.com

General website: -

(This page was last updated on 6 December 2011)

Saint Vincent and the Grenadines - Competent Authority (Art. 6)

The authority competent under article 6 of the Convention to complete the Certificate of Service is the Registrar of the High Court of Justice in Kingstown .

(This page was last updated on 7 March 2008)

Saint Vincent and the Grenadines - Competent Authority (Art. 9)

In accordance with the provisions of Article 9 of the Convention the Central Authority shall receive process sent through consular channels.

(This page was last updated on 7 March 2008)

# San Marino

San Marino - Central Authority (Art. 2, 18) & practical information

(previous Central Authority information)

## Central Authority (as per 27 January 2010):

Tribunale Unico of the Republic of San Marino

**Contact details:** 

Tribunale Unico of the Republic of San Marino

Via 28 Luglio n. 194

Address: 47893 Borgo Maggiore

Repubblica di San Marino

Telephone: +378 0549 885 435

Fax: +378 0549 882 598

E-mail: <u>aia.tribunale@pa.sm</u>

General website: -

Contact person:

Avv. Davide Gasperoni

Avv. Silvia Ricci

Languages spoken by staff: Italian, English, French

## **Practical Information:**

Forwarding authorities

(Art. 3(1)):

Judicial authorities and those that have jurisdictional functions

Formal service (Art. 5(1)(a))

Methods of service

(Art. 5(1)(2)):

Formal service under Article 5(1) of the Convention, on the other hand, is the only permissible. The original document must be served and any attachments thereto have been prepared in Italian

or have optherwise been translated into Italian.

Translation requirements

(Art. 5(3)):

Service requested within the meaning of Article 5(1) of the Convention requires that all documents to be served must be prepared in Italian or that a legalized and sworn translation in

Italian be attached thereto.

Costs relating to execution of the

request for service

(Art. 12):

The costs proceeding from each request for service in accordance with Article 5(1)(a)(b) have to be paid in advance in the amount of 50,00 Euro.

The payment of service costs should be made to:

Ufficio Registro e Ipoteche della Repubblica di San Marino

Via 28 Luglio n. 196 47893 Borgo Maggiore Repubblica di San Marino

SWIFT CODE: ICSMSMSMXXX

IBAN SM44 A032 2509 8000 0001 0005 403

Copy of payment should be attached to the documents.

Time for execution of request:

The service of documents is usually processed within 4-6 weeks

excluding the time required for shipment.

Oppositions and declarations

(Art. 21(2)):

<u>Click here</u> to read all the declarations made by San Marino under

this Convention.

Art. 8(2):

Opposition

Art. 10(a):

Opposition

Art. 10(b):

Opposition

Art. 10(c):

Opposition

Art. 15(2):

Declaration of applicability

Art. 16(3):

No declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels)

(Arts. 11, 19, 24 and 25)

#### **Disclaimer:**

Information may not be complete or fully updated – please contact the relevant authorities to verify this information.

Useful links:

(This page was last updated on 25 January 2012)

San Marino - Competent Authority (Art. 6)

The Single Court of the Republic of San Marino Via XVIII Luglio n. 194 47893 Borgo Maggiore Republica di San Marino

San Marino - Competent Authority (Art. 9)

Secretariat of State for Foreign Affairs

# Seychelles

**Contact details:** 

Seychelles - Central Authority & practical information

# **Central Authority(ies):**

The Registrar of the Supreme Court

Address:	The Registrar of the Supreme C Supreme Court PO Box 157 Victoria Republic of Seychelles	Court		
Telephone:	+248 4 224 224			
Fax:	+248 4 224 197			
E-mail:				
General website:				
Contact person:				
Languages spoken by staff:				
Practical Information:				
Forwarding authorities (Art. 3(1)):				
Methods of service (Art. 5(1)(2)):				
Translation requirements (Art. 5(3)):				
Costs relating to execution (Art. 12):	of the request for service			
Time for execution of reque	est:			
Oppositions and declaration (Art. 21(2)):	18	<u>Click here</u> to read all the declarations made by Seychelles under this Convention.		
Art. 8(2):		Opposition		
Art. 10(a):		No opposition		

Art. 10(b):

Art. 10(c):

Additional information (see <u>declarations</u>)

Art. 15(2):

Declaration of applicability

Art. 16(3):

Declaration of applicability

Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)

## Disclaimer:

*Information may not be complete or fully updated – please contact the relevant authorities to verify this information.* 

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(This page was last updated on 2 October 2006)

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