

<b>Title</b>	<b>Draft Country Profile for the 1965 Service Convention</b>
<b>Document</b>	<b>Prel. Doc. No 9 of June 2024</b>
<b>Author</b>	PB
<b>Agenda Item</b>	IX
<b>Mandate(s)</b>	C&D Nos 47 and 49 of CGAP 2024 C&D No 48 of CGAP 2023
<b>Objective</b>	To report on the progress of the Working Group established to review and refine updates to the draft Country Profile for the 1965 Service Convention.
<b>Action to be Taken</b>	For Decision <input type="checkbox"/> For Approval <input checked="" type="checkbox"/> For Discussion <input checked="" type="checkbox"/> For Action / Completion <input type="checkbox"/> For Information <input type="checkbox"/>
<b>Annexes</b>	Annex I – Draft Country Profile for the 1965 Service Convention Annex II – Draft Agenda for Working Group on the Country Profiles for the Evidence and Service Conventions - meeting of 28 May 2024
<b>Related Documents</b>	<a href="#">Prel. Doc. No 12B of December 2023</a> – 1965 Service, 1970 Evidence, and 1980 Access to Justice Conventions: Plans for the next meeting of the Special Commission

# Draft Country Profile for the 1965 Service Convention

## I. Introduction

- 1 At its 2023 meeting, the Council on General Affairs and Policy (CGAP) welcomed the proposal to develop Country Profiles for a range of HCCH Conventions, including the *Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* (Service Convention).<sup>1</sup> Accordingly, the Permanent Bureau (PB) prepared a draft Country Profile for the consideration of HCCH Members and Contracting Parties to the Service Convention. The development of this draft Country Profile was based on the existing Practical Information Chart and the Service Convention requirements. The draft Country Profile also contains fields for information relating to the use of Information Technology (IT), taking into account the importance of the use of IT in facilitating the operation of the Service Convention.
- 2 Pursuant to CGAP's mandate at its 2024 meeting,<sup>2</sup> a Working Group (WG) was established to review and refine the contents of the draft Country Profile. The mandate provides that the WG would be engaged online, in the lead up to, and following, the meeting of the Special Commission (SC).
- 3 Once finalised and approved, the Country Profile will be a standardised document that will be available to Contracting Parties to complete, view and update electronically. Integrating the Country Profile electronically<sup>3</sup> will enable the information of a particular Contracting Party to be readily available to users of the Service Convention. It will therefore further enhance the practical operation of the Service Convention. The Country Profile will replace the Practical Information Chart for Contracting Parties on the HCCH website.
- 4 This document describes the development of the draft Country Profile in Section II and provides proposals for the SC's consideration in Section III. The current draft Country Profile is enclosed in Annex I. The agenda for the WG meeting of 28 May is at Annex II.

## II. Process

- 5 On 9 April 2024, the PB circulated a draft Country Profile to all HCCH Members and respective Central Authorities designated by Contracting Parties to the Service Convention for comment, with a consultation period of six weeks (Consultation)<sup>4</sup>. Thirteen Contracting Parties provided comments.<sup>5</sup>
- 6 The PB revised the draft Country Profile in light of comments received and circulated the revised Country Profile to WG delegates for their consideration at the WG meeting on 28 May 2024.
- 7 Forty delegates from 21 Contracting Parties<sup>6</sup> attended the first online WG meeting, with Ms Aldana Rohr (Argentina) as elected chair. The WG agreed that some suggestions received on the draft Country Profile would be addressed following the upcoming meeting of the SC. These matters include but are not limited to privacy and security considerations regarding the contact persons at various authorities; language and translation issues, the use of IT and the possibility for some questions to be optional so as to shorten the length of the draft Country Profile.

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<sup>1</sup> See C&D No 48 of CGAP 2023, available on the HCCH website at [www.hcch.net](http://www.hcch.net) under "Governance" then "Council on General Affairs and Policy" then "Archive (2000-2023)".

<sup>2</sup> See C&D No 47 of CGAP 2024.

<sup>3</sup> At the time of writing, the technical features of the Country Profile is still being explored.

<sup>4</sup> See Focused Circular No 31(24) available on the Secure Portal of the HCCH website at [www.hcch.net](http://www.hcch.net).

<sup>5</sup> Australia, Brazil, Canada, Czech Republic, France, Germany, Israel, Norway, People's Republic of China (China), Philippines, Singapore, Switzerland and the United States of America (USA).

<sup>6</sup> Argentina, Australia, Belgium, Brazil, Canada, China, Costa Rica, European Union, Finland, France, Germany, India, Israel, Japan, Latvia, Mexico, Poland, Korea (Republic of), Russian Federation, the United Kingdom and USA.

- 8 Some of the feedback received through the Consultation suggested additional technical functionality for the online Country Profile. These suggestions will be considered at a later stage of the project and will need to align with the technical features and capabilities available for other HCCH Convention Country Profiles being developed.
- 9 All PB revisions that were made to the draft Country Profile in response to the Consultation, and approved by the WG, are incorporated into the draft Country Profile at Annex I. Additional amendments to the Country Profile, suggested during the first WG meeting, are yet to be incorporated.
- 10 The PB will further revise the draft Country Profile to reflect the WG discussions and will circulate these updates to WG members following the meeting of the SC.
- 11 The WG will reconvene following the meeting of the SC to refine the draft Country Profile with a view to agreeing a final version.<sup>7</sup>
- 12 As decided by CGAP at its 2024 meeting,<sup>8</sup> following the meeting of the SC, and upon finalisation by the WG, the draft Country Profile will be submitted to CGAP 2025 for approval. However, if the draft Country Profile is finalised well in advance of CGAP 2025, CGAP decided that it could be approved through a written procedure and, in the absence of any objection within one month after the circulation, would be taken to be approved. It was further decided that in the case of one or more objections, the PB would immediately notify Members of any objection and the draft Country Profile would be submitted to CGAP 2025.

### III. Proposal for the SC

- 13 The SC is invited to note the work completed on the draft Country Profile. The SC is invited to note that the WG will reconvene online for a second meeting to further consider the draft Country Profile. At that meeting, the WG will assess whether additional meetings are required to settle the draft Country Profile before its submission for final approval.
- 14 The SC is also asked to recommend that CGAP approve the draft Country Profile.

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<sup>7</sup> A date for the second meeting has not been determined. However, the meeting is likely to take place in late August or early September 2024.

<sup>8</sup> See C&D No 49 of CGAP 2024.

## **ANNEXES**

## **Annex I: Draft Country Profile for the 1965 Service Convention**

# 1965 Service Convention – Country Profile

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## I. General information

Central and other Authorities	<input type="checkbox"/> [name of your State] has one Central Authority. <input type="checkbox"/> [name of your State] has more than one Central or other Authority(ies). Any comments if relevant:
Status of the Service Convention	Information about the status of the Service Convention in [name of your State] : <ul style="list-style-type: none"> <li>▪ Entry into force, territorial applications of the Convention, declarations and reservations are available at <a href="#">HCCH   #14 - Status table</a></li> </ul> Any comments if relevant:
Available channels for the transmission of documents for service	In addition to the main channel (Art. 5), and the indirect consular and diplomatic channel (Art. 9), the available channels for the transmission of documents to [name of your State] are:  <i>Please tick all the boxes that apply.</i> <input type="checkbox"/> Direct diplomatic or consular channel (Article 8(1)) <input type="checkbox"/> with an Article 8 declaration <input type="checkbox"/> without an Article 8 declaration <input type="checkbox"/> Postal channels (Article 10(a)) <input type="checkbox"/> Direct communication between “judicial officers, officials or other competent persons” (Article 10(b)) <input type="checkbox"/> Direct communication between a person interested in a judicial proceeding and a judicial officer, official or other competent person (Article 10(c))
Preparation and transmission of requests for service under the main channel – see Section III below	

## II. Contact information for Central and other Authority(ies)

### 1. Central Authority (Art. 2)

Central Authority name	
Address	
Telephone	



Fax	
E-mail	
Website	
Language(s) of communication	
Contact person 1, if applicable	<p>Direct contact details (including Name, Designation/Position and Office Address):</p> <p>Direct telephone:</p> <p>Fax:</p> <p>Direct e-mail:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
Contact person 2, if applicable	<p>Direct contact details (including Name, Designation/Position and Office Address):</p> <p>Direct telephone:</p> <p>Fax:</p> <p>Direct e-mail:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

Last Update: [INSERT DATE]<sup>1</sup>

## 2. Other designated Central Authorities in Federal States (Art. 18(3))<sup>2</sup>

Central Authority name	
Address	
Territorial and / or other extent of functions	
Telephone	
Fax	
E-mail	
Website	
Language(s) of communication	
Contact person 1, if applicable	Direct contact details (including Name, Designation/Position and Office Address): Direct telephone: Fax: Direct email: Language(s) of communication:  Preferred method of communication: <input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> E-mail <input type="checkbox"/> Other ( <i>please specify</i> ):
Contact person 2, if applicable	Direct contact details (including Name, Designation/Position and Office Address): Direct telephone: Fax: Direct email: Language(s) of communication:

<sup>1</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>2</sup> This section will be expandable in order to allow for the inclusion of additional Central Authorities.

	Preferred method of communication: <input type="checkbox"/> Phone <input type="checkbox"/> Fax <input type="checkbox"/> E-mail <input type="checkbox"/> Other ( <i>please specify</i> ):
<b>Last Update: [INSERT DATE]<sup>3</sup></b>	

### 3. Other designated authorities (Art. 18(1))<sup>4</sup>

Other designated authorities	Has [name of your State] designated other authorities in addition to the Central Authority? <input type="checkbox"/> Yes ( <i>please complete the fields below</i> ) <input type="checkbox"/> No
Designated authority name	
Address	
Telephone	
Fax	
E-mail	
Website	
Language(s) of communication	
Please describe the competence of each designated authority	
Contact person 1, if applicable	Direct contact details (including Name, Designation/Position and Office Address):  Direct telephone:  Fax:  Direct e-mail:  Language(s) of communication:

<sup>3</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>4</sup> This section will be expandable in order to allow for the inclusion of additional authorities.

	<p>Preferred method of communication:</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
Contact person 2, if applicable	<p>Direct contact details (including Name, Designation/Position and Office Address):</p> <p>Direct telephone:</p> <p>Fax:</p> <p>Direct e-mail:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
Last Update: [INSERT DATE] <sup>5</sup>	

### III. Preparation, transmission, and execution of requests for service under the main channel

#### 1. Language requirements (Art. 5(3))

<p>Language requirements for documents to be served (Art. 5(3))</p> <p>Informal delivery under Article 5(2) does not require the translation of documents.</p>	<p>Does the Central Authority in [name of your State] require the <b>documents</b> to be served under Article 5(1) to be written in or translated into the official language(s) or one of the official languages of [name of your State] ?</p> <p><input type="checkbox"/> Yes, documents are required to be written in or translated into:</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
Last Update: [INSERT DATE] <sup>6</sup>	

<sup>5</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>6</sup> This will be filled in automatically in the electronic version of the Country Profile.

## 2. Transmission of requests for service

<p>Methods of transmission</p>	<p>Please indicate the acceptable methods of transmission that can be used to forward requests for service to [name of your State] .</p> <p><i>Please tick all the boxes that apply.</i></p> <p><input type="checkbox"/> (1) Ordinary mail</p> <p><input type="checkbox"/> (2) Registered mail with notification of receipt</p> <p><input type="checkbox"/> (3) Express mail</p> <p><input type="checkbox"/> (4) Private courier services, such as DHL, FedEx, UPS</p> <p><input type="checkbox"/> (5) By electronic means:</p> <p style="padding-left: 20px;"><input type="checkbox"/> (a) regular e-mail</p> <p style="padding-left: 20px;"><input type="checkbox"/> (b) secured or encrypted e-mail</p> <p style="padding-left: 20px;"><input type="checkbox"/> (c) online platform administered by the government</p> <p style="padding-left: 20px;"><input type="checkbox"/> (d) online platform administered by private sector providers</p> <p><input type="checkbox"/> (6) Other</p> <p><i>* If necessary, please provide clarifications in relation to any of the options above and specify the number of the item of reference:</i></p>
<p>Last Update: [INSERT DATE]<sup>7</sup></p>	

## 3. Other requirements

<p>Duplicate copy</p>	<p>Is a duplicate copy of the documents to be served required for requests for service in [name of your State] ?</p> <p><input type="checkbox"/> Yes, required.</p> <p><input type="checkbox"/> No, dispensed with requirements (<i>please specify</i>):</p>
<p>Physical copy following electronic transmission</p>	<p>If electronic transmission of the documents to be served is permitted in [name of your State] , is a physical copy of the request and the documents still required?</p> <p><input type="checkbox"/> Yes, required.</p> <p><input type="checkbox"/> No, not required.</p>

<sup>7</sup> This will be filled in automatically in the electronic version of the Country Profile.

	<input type="checkbox"/> Other
Last Update: [INSERT DATE] <sup>8</sup>	

#### 4. Costs and time

<p>Costs</p> <p>The service of judicial documents coming from a Contracting Party shall not give rise to any payment or reimbursement of taxes or costs for the services rendered by the State addressed. (Art. 12)</p> <p>Nevertheless, the applicant shall pay or reimburse the costs occasioned by –</p> <ul style="list-style-type: none"> <li>a) the employment of a judicial officer or of a person competent under the law of the State of destination;</li> <li>b) the use of a particular method of service.</li> </ul>	<p>If possible, please provide information for [name of your State] about payment methods (<i>i.e.</i>, bank transfer, electronic payment facilities), terms for the payment and the average costs:</p>
<p>Costs and reciprocity</p>	<p>Do all territories of [name of your State] waive the need for reimbursement of costs on a reciprocity basis?</p> <p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>Average time for the execution of a request</p>	<p>Approximately how long does it take for the execution of a request in [name of your State] ?</p>
Last Update: [INSERT DATE] <sup>9</sup>	

#### 5. Methods of service under national law (Art. 5(1))

<p>Service under national law</p>	<p>Please indicate the <b>methods by which service of documents</b> would be effected under the national law of [name of your State or territory] for requests transmitted under the main channel:</p> <p><i>Please tick all the boxes that apply.</i></p>
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<sup>8</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>9</sup> This will be filled in automatically in the electronic version of the Country Profile.

	<input type="checkbox"/> (1) Personal service <input type="checkbox"/> (2) Ordinary mail <input type="checkbox"/> (3) Registered mail with notification of receipt <input type="checkbox"/> (4) Express mail <input type="checkbox"/> (5) Private courier services, such as DHL, FedEx, UPS <input type="checkbox"/> (6) By electronic means <ul style="list-style-type: none"> <li><input type="checkbox"/> (a) regular e-mail</li> <li><input type="checkbox"/> (b) secured or encrypted e-mail</li> <li><input type="checkbox"/> (c) online platform administered by the government</li> <li><input type="checkbox"/> (d) online platform administered by private sector</li> </ul> <input type="checkbox"/> (7) Other ( <i>please specify</i> ): <p>Further information can be found at ... (Please indicate a website with national legislation, if available.).</p> <p><i>If necessary, please provide clarification in relation to any of the options above and specify the number of the item of reference:</i></p>
Last Update: [INSERT DATE] <sup>10</sup>	

## 6. Authorities competent to complete the Certificate (Art. 6)<sup>11</sup>

Completion of the Certificate of service (Art. 21(1))	<p>Has [name of your State] designated other authorities competent to complete the Certificate?</p> <input type="checkbox"/> No, the Central Authority should complete the Certificate (see details provided at Section II.1). <input type="checkbox"/> Yes, [name of your State] has designated the following authorities competent to complete the Certificate:
Last Update: [INSERT DATE] <sup>12</sup>	

## 7. Forwarding authorities for Article 3(1)

Forwarding authorities (Art. 3(1))	The following authorities are forwarding authorities in [name of your State] :
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<sup>10</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>11</sup> This section will be expandable in order to allow for the inclusion of additional authorities.

<sup>12</sup> This will be filled in automatically in the electronic version of the Country Profile.

	<p><i>Please tick all the boxes that apply.</i></p> <p><input type="checkbox"/> Court officials, court clerks or registrars</p> <p><input type="checkbox"/> Judicial officers</p> <p><input type="checkbox"/> Prosecutors</p> <p><input type="checkbox"/> Attorneys or solicitors</p> <p><input type="checkbox"/> Private process servers</p> <p><input type="checkbox"/> The Central Authority is also the forwarding authority (see details provided at Section II.1)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>Last Update: [INSERT DATE]<sup>13</sup></p>	

#### IV. Consular and Diplomatic Channel

##### 1. Authorities competent to receive documents transmitted by consular representatives (Art. 9 (1))<sup>14</sup>

Designated authority	<p>The following authority is competent to receive documents transmitted by consular representatives in [name of your State] :</p> <p><input type="checkbox"/> The Central Authority (see details provided at Section II.1).</p> <p><input type="checkbox"/> An authority other than the Central Authority (<i>please complete the fields below</i>).</p>
Designated authority name	
Address	
Territorial and / or other extent of functions, if applicable	
Telephone	
Fax	
E-mail	
Website	
Contact person 1, if applicable	Direct contact details:

<sup>13</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>14</sup> This section will be expandable in order to allow for the inclusion of additional authorities.



	<p>Direct telephone:</p> <p>Fax:</p> <p>Direct e-mail:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> Email</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
Contact person 2, if applicable	<p>Direct contact details:</p> <p>Direct telephone:</p> <p>Fax:</p> <p>Direct e-mail:</p> <p>Language(s) of communication:</p> <p>Preferred method of communication:</p> <p><input type="checkbox"/> Phone</p> <p><input type="checkbox"/> Fax</p> <p><input type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
Last Update: [INSERT DATE] <sup>15</sup>	

## V. Alternative Channels

### 1. Available channels of transmission

Available channels for the transmission of documents for service	<p>In addition to the main channel (Art. 5), and the indirect consular and diplomatic channel (Art. 9), the available channels for the transmission of documents to [name of your State] are:</p> <p><i>Please tick all the boxes that apply.</i></p>
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<sup>15</sup> This will be filled in automatically in the electronic version of the Country Profile.

	<p><input type="checkbox"/> Direct diplomatic or consular channel (Art. 8(1))</p> <p><input type="checkbox"/> Yes, limited to nationals of the State in which the documents originate.</p> <p><input type="checkbox"/> Yes, available to all persons located in [name of your State] .</p> <p><input type="checkbox"/> Postal channels (Art. 10(a)) (<i>please complete the fields at Section V.3</i>)</p> <p><input type="checkbox"/> Please elaborate on any existing conditions or requirements for the use of the postal channels, e.g., such as translations of documents to be served:</p> <p><input type="checkbox"/> Direct communication between “judicial officers, officials or other competent persons” (Art. 10(b)) (<i>please complete the fields at Section V.4</i>)</p> <p><input type="checkbox"/> Direct communication between a person interested in a judicial proceeding and a judicial officer, official or other competent person (Art. 10(c)) (<i>please complete the fields at Section V.5</i>)</p> <p><i>If relevant, please provide additional information:</i></p>
<p><b>Last Update: [INSERT DATE]<sup>16</sup></b></p>	

## 2. Direct consular or diplomatic channel (Art. 8)

<p>Language requirements</p>	<p>Does [name of your State] have language or translation requirements for documents served under Article 8?</p> <p><input type="checkbox"/> Yes, documents must be written in, or translated into (one of) the official language(s) of [name of your State] .</p> <p><input type="checkbox"/> Yes, documents must be written in, or translated into a language spoken by the addressee.</p> <p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> No</p>
<p><b>Last Update: [INSERT DATE]<sup>17</sup></b></p>	

<sup>16</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>17</sup> This will be filled in automatically in the electronic version of the Country Profile.

### 3. Postal channels (Art. 10(a))

Accepted postal channels	<p>Please indicate the accepted postal channels in [name of your State]</p> <p><i>Please tick all the boxes that apply</i></p> <p><input type="checkbox"/> (1) Ordinary letter post</p> <p><input type="checkbox"/> (2) Certified mail</p> <p><input type="checkbox"/> (3) Registered deliveries within the meaning of the Convention of the Universal Postal Union (UPU)</p> <p><input type="checkbox"/> (4) Private courier services, such as DHL, FedEx, UPS</p> <p><input type="checkbox"/> (5) Other (<i>please specify</i>):</p> <p><input type="checkbox"/> (6) Not prescribed by law:</p> <p><i>* If necessary, please provide clarifications in relation to any of the options above and specify the number of the item of reference:</i></p>
Electronic service	<p>If your State has not objected to service according to Article 10(a), does the law of [name of your State] deem service by electronic means (e.g., e-mail) to be equivalent to service under Article 10(a)?</p> <p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> Not prescribed by law:</p>
Language requirements	<p>Does [name of your State] have language or translation requirements for documents served under Article 10(a)?</p> <p><input type="checkbox"/> Yes, documents must be written in, or translated into the following language(s) of [name of your State] , .</p> <p><input type="checkbox"/> Yes, documents must be written in, or translated into a language spoken by the addressee.</p> <p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> No</p>
<p><b>Last Update: [INSERT DATE]<sup>18</sup></b></p>	

<sup>18</sup> This will be filled in automatically in the electronic version of the Country Profile.

**4. Direct communication between judicial officers, officials or other competent persons (Art. 10(b))**

<p>Sending or receiving authorities</p>	<p>Which of the following categories does [name of your State] recognise as a “judicial officer, official or other competent person” for sending or receiving requests for service in [name of your State] ?</p> <p><i>Please tick all the boxes that apply</i></p> <p><input type="checkbox"/> Court official, court clerks or registrars</p> <p><input type="checkbox"/> Judicial officers</p> <p><input type="checkbox"/> Prosecutors</p> <p><input type="checkbox"/> Attorneys or solicitors</p> <p><input type="checkbox"/> Private process servers</p> <p><input type="checkbox"/> Bailiff</p> <p><input type="checkbox"/> <i>Huissier</i></p> <p><input type="checkbox"/> Notary</p> <p><input type="checkbox"/> Official of the executive branch</p> <p><input type="checkbox"/> Other (<i>please specify</i>)</p>
<p>Electronic transmission</p>	<p>Do judicial officers, officials, or other competent persons in [name of your State] receive documents for service under Article 10(b) electronically?</p> <p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Other (<i>please specify</i>)</p>
<p>Language requirements</p>	<p>Does [name of your State] have language or translation requirements for documents served under Article 10(b)?</p> <p><input type="checkbox"/> Yes, documents must be written in, or translated into the following language(s) of [name of your State] , .</p> <p><input type="checkbox"/> Yes, documents must be written in, or translated into a language spoken by the addressee.</p> <p><input type="checkbox"/> Other (<i>please specify</i>)</p> <p><input type="checkbox"/> No</p>
<p><b>Last Update: [INSERT DATE]<sup>19</sup></b></p>	

<sup>19</sup> This will be filled in automatically in the electronic version of the Country Profile.

**5. Direct communication between “any person interested in a judicial proceeding” and “judicial officers, officials or other competent persons” (Art. 10(c))**

Persons interested in a judicial proceeding	<p>Which of the following classes of person does [name of your State] recognise as “any person interested in a judicial proceeding” for sending requests for service:</p> <p><i>Please tick all the boxes that apply.</i></p> <p><input type="checkbox"/> Parties to the proceedings</p> <p><input type="checkbox"/> Attorney or solicitor</p> <p><input type="checkbox"/> Bailiff</p> <p><input type="checkbox"/> <i>Huissier</i></p> <p><input type="checkbox"/> Court official</p> <p><input type="checkbox"/> Notary</p> <p><input type="checkbox"/> Official of the executive branch</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
Last Update: [INSERT DATE] <sup>20</sup>	

**VI. Protection of defendants (Arts 15-16)**

**1. Declarations pursuant to Article 21(2)**

Protection of defendants prior to a judgment by default	<p>Has [name of your State] made a declaration regarding the applicability of Article 15(2)?</p> <p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
Protection of defendants after a judgment by default	<p>Has [name of your State] made a declaration regarding the applicability of Article 16(3)?</p> <p><input type="checkbox"/> Yes (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
Last Update: [INSERT DATE] <sup>21</sup>	

<sup>20</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>21</sup> This will be filled in automatically in the electronic version of the Country Profile.

## VII. Derogatory channels

### 1. Other HCCH Conventions in the field of serving judicial and extrajudicial documents

1954 Civil Procedure Convention	<p>Please indicate whether [name of your State] is a Contracting Party to the <i>Convention of 1 March 1954 on Civil Procedure</i> (1954 Civil Procedure Convention):</p> <p><input type="checkbox"/> Yes, the 1954 Civil Procedure Convention entered into force for [name of your State] on:</p> <p><input type="checkbox"/> [name of your State] concluded supplementary agreements to the 1954 Civil Procedure Convention with <i>(please specify name(s) of the State(s))</i>:</p> <p><input type="checkbox"/> No</p> <p>Any comments if relevant:</p>
Last Update: [INSERT DATE] <sup>22</sup>	

### 2. Other instruments on the service of judicial and extrajudicial documents

Multilateral agreements for the service of documents	<p>Please indicate whether [name of your State] is a Party to other multilateral agreements which relate to serving judicial and extrajudicial documents abroad:</p> <p><input type="checkbox"/> Yes <i>(please indicate key agreements)</i>:</p> <p><input type="checkbox"/> No</p>
Bilateral agreements for the service of documents	<p>Please indicate whether [name of your State] has concluded bilateral agreements which relate to serving judicial and extrajudicial documents abroad?</p> <p><input type="checkbox"/> Yes <i>(please tick all the boxes that apply)</i>:</p> <p><input type="checkbox"/> Bilateral agreements <i>(please specify)</i>:</p> <p><input type="checkbox"/> Non-binding bilateral memoranda of understanding <i>(please specify)</i>:</p> <p><input type="checkbox"/> No</p>
Last Update: [INSERT DATE] <sup>23</sup>	

<sup>22</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>23</sup> This will be filled in automatically in the electronic version of the Country Profile.

### 3. Unilateral methods of transmission (Art. 19)

Unilateral methods of transmission	Does the law of [name of your State] permit methods of transmission other than those provided under the Service Convention?  <input type="checkbox"/> Yes ( <i>please elaborate briefly on these methods of transmission</i> ):  <input type="checkbox"/> No
Last Update: [INSERT DATE] <sup>24</sup>	

## VIII. Useful information

### 1. Domestic law governing service and transmission of documents

Domestic legislation (including federal, state and local legislation)	Which legislation governs the service of documents and / or the transmission of documents for service in [name of your State] ?  <i>Please specify the name of the legislation and the date of the entry into force:</i>  <i>If applicable, please provide a web link to the legislation.</i>
Last Update: [INSERT DATE] <sup>25</sup>	

### 2. Resources

Please provide additional links to relevant legislation, rules of private international law, guidelines or protocols regarding service abroad and relevant websites (e.g., of courts and other competent authorities, public bodies, agencies, non-governmental organisations, associations), privileges and any other electronic resource pertinent to service abroad.
Last Update: [INSERT DATE] <sup>26</sup>

<sup>24</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>25</sup> This will be filled in automatically in the electronic version of the Country Profile.

<sup>26</sup> This will be filled in automatically in the electronic version of the Country Profile.

**Annex II: Draft Agenda for Working Group on the Country Profiles for  
the Evidence and Service Conventions - meeting of 28 May 2024**



## Working Group on the Country Profiles for the Evidence and Service Conventions

Meeting of 28 May 2024

### DRAFT AGENDA

At its 2024 meeting, the Council on General Affairs and Policy (CGAP) approved the establishment of a Working Group (WG) consisting of representatives from a variety of geographical regions to review and refine updates to the Practical Handbook and Country Profile relevant to the *Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* (Service Convention) and the *Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters* (Evidence Convention) (C&D No 47 of CGAP 2024). The WG met online for the first time on Friday 17 May to discuss the Revised Draft Service Practical Handbook (Service Handbook), then on Tuesday 21 May to discuss the Revised Draft Evidence Practical Handbook (Evidence Handbook) and will meet on Tuesday 28 May to discuss the Draft Country Profiles for the Service and Evidence Conventions.

The session on Tuesday 28 May begins at 1.00 p.m. (CEST) and ends at 5.00 p.m., with a tea break from 2.00 to 2.15 p.m.

The WG has been provided with:

- (i) the revised version of the Service and Evidence Country Profiles, reflecting comments and suggestions made by Contracting Parties; and
- (ii) two tables of comments: one for the Service Convention Country Profile, the other for the Evidence Country Profile.

The key documents that will be used during the meeting are the agenda, the tables, and the updated versions of the Service and Evidence Country Profiles.

The WG will report on this meeting and on any recommendations for the Service and Evidence Country Profiles at the July 2024 meeting of the Special Commission (SC) on the practical operation of the 1965 Service, 1970 Evidence and 1980 Access to Justice Conventions. Following the meeting of the SC, the WG will reconvene online to discuss further updates that may be needed to be made to the Service and Evidence Country Profiles. It is anticipated that this second meeting of the WG could be scheduled in late August / early September 2024.

Delegations may have other issues which they wish to address and, as such, this agenda will be treated with a degree of flexibility and may be modified in accordance with the requirements of the discussion.

Time			Item
The Hague	Buenos Aires	Hong Kong	
1.00 p.m.	8.00 a.m.	7.00 p.m.	<p>Opening remarks and administrative matters</p> <p>Adoption of the Agenda</p>
1.10 p.m.	8.10 a.m.	7.10 p.m.	<p><b>Evidence Country Profile</b></p> <p>Overview of comments that have been incorporated</p> <p><b>A) General comments (Items No 1 to 9)</b></p> <p>1) <u>The length of the Country Profile</u> Items Nos 2, 4 and 5, in response to suggestions made by Brazil and Israel respectively.</p> <p>2) <u>Mandatory v. voluntary items</u> Items No 2 and 8, in response to suggestions made by Brazil and Norway respectively.</p> <p>3) <u>Interpretation of “civil and commercial”</u> Item No 3, in response to a suggestion made by Brazil.</p> <p><b>B) General information (Items No 10 to 19)</b></p> <p>1) <u>Requesting examples or explanations in which a Letter of Rogatory would not be necessary</u> Item No 10, in response to a suggestion made by France.</p> <p>2) <u>Central and other Authorities – a “snapshot” of all authorities</u> Item No 13, in response to a suggestion made by Singapore.</p> <p>3) <u>Blocking statutes</u> Item No 16, in response to a suggestion made by Switzerland.</p> <p><b>C) Contact information for Central and other Authority(ies) (Items No 20 to 25)</b></p> <p>1) <u>Central Authority (Art. 2) – distinguishing contacts</u> Item No 20, in response to a suggestion made by Australia.</p> <p>2) <u>Central Authority (Art. 2) – dedicated contact/email</u> Item No 21, in response to a suggestion made by Switzerland.</p> <p>3) <u>Central Authority (Art. 2) – data protection</u> Item No 22, in response to a suggestion made by Germany.</p>

			<p>(PB note: for the Service Country Profiles, several suggestions were made to the details of the contact person).</p> <p><b>D) Chapter I &amp; II (Items No 26 to 59)</b></p> <ol style="list-style-type: none"> <li>1) <u>Preparation, transmission, and execution of Letters of Request. Translation</u> Item No 28, in response to a suggestion made by Germany.</li> <li>2) <u>Preparation, transmission, and execution of Letters of Request. Use of video-link – Direct evidence</u> Items Nos 32, 34 and 36, in response to suggestions made by France, Germany and Portugal respectively.</li> <li>3) <u>Preparation, transmission, and execution of Letters of Request. Use of video-link – technology needed</u> Item No 33, in response to a suggestion made by Germany.</li> <li>4) <u>Preparation, transmission, and execution of Letters of Request. Use of video-link – Direct evidence contact point</u> Item No 35, in response to a suggestion made by Germany.</li> <li>5) <u>Preparation, transmission, and execution of Letters of Request. Use of video-link – outside the Convention</u> Items Nos 37, in response to suggestions made by Singapore.</li> <li>6) <u>Preparation, transmission, and execution of Letters of Request. Use of video-link</u> Items Nos 38, 39 &amp; 40 in response to suggestions made by Switzerland.</li> <li>7) <u>Transmission of Letters of Request. Methods of transmission – electronic transmission &amp; signatures / paper</u> Item No 41 &amp; 43 in response to suggestions made by Brazil and Germany.</li> <li>8) <u>Obtaining the evidence / Performing other judicial acts. Judicial function</u> Item No 45, in response to a suggestion made by Poland.</li> <li>9) <u>Testimony / other evidence. Questions for witnesses</u> Item No 50, in response to a suggestion made by Switzerland.</li> <li>10) <u>Chapter II. Video link for Commissioner</u> Item No 58, in response to a suggestion made by Germany.</li> </ol> <p><b>E) Other comments</b></p>
2.00 p.m.	9.00 a.m	8.00 p.m.	<b>Tea Break (15 min)</b>
2.15 p.m.	9.15 a.m.	8.15 p.m.	<b>Service Country Profile</b>

			<p><b>Overview of comments that have been incorporated</b></p> <p><b>A) General structure (Items No 1 to 10)</b></p> <ol style="list-style-type: none"> <li>1) <u>The length of the Country Profile</u> Items No 2, 5 and 6, in response to suggestions made by Brazil and Israel respectively (<i>same suggestion for the Evidence Country Profile</i>).</li> <li>2) <u>Mandatory v. voluntary items</u> Items No 2 and 9, in response to suggestions made by Brazil and Norway respectively (<i>same suggestion for the Evidence Country Profile</i>).</li> <li>3) <u>Section on possible immunities</u> Item No 3, in response to a suggestion made by Brazil.</li> <li>4) <u>Interpretation of “civil and commercial”</u> Item No 4, in response to a suggestion made by Brazil (<i>same suggestion for the Evidence Country Profile</i>).</li> </ol> <p><b>B) General information (Items No 11 to 17)</b></p> <ol style="list-style-type: none"> <li>1) <u>Central and other Authorities a ‘snapshot’ of all authorities</u> Item No 12, in response to a suggestion made by Singapore (<i>same suggestion for the Evidence Country Profile</i>).</li> </ol> <p><b>C) Contact information for Central and other Authority(ies) (Items No 18 to 26)</b></p> <ol style="list-style-type: none"> <li>1) <u>Central Authority (Art. 2) – distinguishing contacts</u> Item No 18, in response to a suggestion made by Australia. (<i>same suggestion for the Evidence Country Profile</i>)</li> <li>2) <u>Central Authority (Art. 2) – data protection and contact details</u> Items No 20, and 22-26, in response to suggestions made by Germany, the Philippines and Switzerland (<i>pls note: as raised for the Evidence Country Profile</i>).</li> </ol> <p><b>D) Preparation, transmission, and execution of requests for service under the main channel (Items No 27 to 42)</b></p> <ol style="list-style-type: none"> <li>1) <u>Language requirements (Art. 5(3))</u> Item No 28, in response to a suggestion made by Switzerland.</li> <li>2) <u>Transmission of requests for service – electronic transmission</u> Item No 29, in response to a suggestion made by Brazil (<i>same suggestion for the Evidence Country Profile</i>).</li> <li>3) <u>Other requirements – physical copy following electronic</u> Item No 33, in response to a suggestion made by Singapore.</li> <li>4) <u>Methods of service under national law</u> Items No 39 and 41, in response to suggestions made by Canada and Switzerland.</li> </ol>
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			<p><b>E) Alternative channels (Items No 43 to 54)</b></p> <ol style="list-style-type: none"><li>1) <u>Direct consular or diplomatic channel (Art. 8)</u> Item No 47, in response to a suggestion made by Germany.</li><li>2) <u>Postal channels (Art. 10 (a))</u> Item No 49, in response to a suggestion made by Germany.</li></ol> <p><b>F) Useful information (Items No 57 to 59)</b></p> <ol style="list-style-type: none"><li>1) <u>Comments on “Blocking statutes”</u> Item No 57, in response to a suggestion made by Switzerland.</li><li>2) <u>Domestic law governing service and transmission of documents</u> Item No 59, in response to a suggestion made by Canada.</li></ol> <p><b>G) Other comments</b></p>
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