

QUESTIONNAIRE ON THE USE OF INFORMATION TECHNOLOGY IN THE OPERATION OF THE SERVICE CONVENTION

Objectives of the Questionnaire

As its March 2019 meeting, the Council on General Affairs and Policy of the HCCH mandated the Permanent Bureau (PB) to conduct work with respect to the development of an electronic system to support and improve the operation of both the HCCH Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (Service Convention) and the HCCH Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters (Evidence Convention).

This Questionnaire is being circulated with a view to preparing an update for the Council at its 2020 meeting. As mandated by Council in Conclusion & Recommendation No 40, the update will address the following issues: whether and how information technology would support and improve the operation of the Convention; current practices on the electronic transmission of requests under the Convention; legal and technological barriers to such transmission and how best to address these; and how a possible international system for electronic transmission would be financed.

The objective of this Questionnaire is therefore to collect information from Contracting Parties to the Service Convention relating to current laws and practices, as well as legal and technical challenges.

Instructions for completion

This Questionnaire is being sent to Central Authorities of Contracting Parties to the Service Convention, as well as National and Contact Organs of Members of the HCCH. For Members, National Organs are invited to coordinate with Central Authorities, if applicable. Central Authorities are also asked to coordinate as appropriate with other competent authorities. For Contracting Parties to the Convention which are not HCCH Members, Central Authorities are ultimately responsible for submitting the completed Questionnaire to the PB.

We kindly request that responses to this Questionnaire are completed at this link no later than **Friday 29 November 2019**, **5.00 p.m. CET**.

This questionnaire is divided into three Parts:

Part 1 relates to the use of information technology under the Service Convention;

Part 2 relates to statistical information in relation to requests for service abroad under both the Convention and other methods/instruments;

Part 3 relates to the Practical Information provided on the HCCH website, including contact details for the relevant authorities under the Service Convention.

States are invited to complete as many Parts of the questionnaire as possible. Even where Your State is not a Contracting Party to the Convention, you are invited to complete as much of the questionnaire as possible (e.g. Part 2), with the data available.

For your information, where a question requires an answer that is an estimated percentage, please round your estimate down. Where a question requires specific data for a given year or category, please answer providing as much data as is available, even if incomplete.

In this questionnaire, reference is made to the following terms, as defined below:

Distributed ledger technology (DLT): A database held by participants (or nodes) in a decentralised network, where transactions and records are processed, saved and replicated by each node independently and shared with the other nodes, seeking to validate the transaction by achieving consensus on its authenticity. Blockchain is perhaps one of the most well-known of the various forms of DLT.

Electronic case management system: A system that enables casework and related workflows to be followed and managed through electronic communication of information between the individuals concerned (incl. staff, as well as parties and their representatives in some cases).

The PB intends to present information collected in these responses to the Questionnaire to the Council on General Affairs and Policy at its 2020 meeting. Information collected in these responses may also be posted on the HCCH website (www.hcch.net), except where expressly asked not to do so. Please therefore clearly identify any responses which you do not want to be made publicly available.

Thank you for your kind co-operation as the PB prepares for future work on the use of information technology under the Service Convention.

Please note:

- You can save your response to this Questionnaire at any time by pressing the "resume later" button on the bottom left-hand corner of your screen. You will be asked to create a name and password which you will then need to re-enter when you wish to resume your response.
- If you wish to return to a previous question when completing this Questionnaire, you should press the 'previous' button at the bottom of the page and not the back button in your web browser.

Identification for follow-up only				
(this information will not be published on the HCCH website):				
NAME of STATE or territorial unit:	Please insert text here			
Name of contact person:	Please insert text here			
Name of Authority / Office:	Please insert text here			
Telephone number:	Please insert text here			
E-mail address:	Please insert text here			

PART 1: USE OF INFORMATION TECHNOLOGY UNDER THE SERVICE CONVENTION

Gene	ral	
1.1	To what extent is Your State in favour of the use of information technology to facilitate the operation of the Service Convention?	Strongly in favour Somewhat in favour Neutral Somewhat against Strongly against Comments:
1.2	Is the transmission by electronic means of requests for service possible under the internal law of Your State?	Yes Please provide the specific provision/s: No Comments:
1.3	Is the execution by electronic means of requests for service possible under the internal law of Your State?	☐ YesPlease provide the specific provision/s:☐ NoComments:
1.4	Is Your State party to any bilateral or multilateral agreements, other than the Service Convention, which provide for the use electronic means in the transmission or execution of requests for service?	☐ YesPlease provide the specific provision/s:☐ NoComments:
1.5	Has Your State encountered any challenges regarding the use of information technology to facilitate the operation of the Service Convention? (Please select all that apply)	 No Yes: Internal law limitations Judicial or administrative structures Implementation challenges (e.g. lack of resources)

	Costs
	Costs
	Selection of the appropriate technology
	System interoperability / compatibility
	Security concerns
	Cooperation with other Contracting Parties
	Other challenges
	Please specify:
1.6 To what extent would Your State be in favour of a common electronic	Strongly in favour
platform to be used by all Contracting	Somewhat in favour
Parties in the operation of the Service	Neutral
Convention?	Somewhat against
	Strongly against
	Please explain your reasoning, if possible:
1.7 What, if any, particular challenges	Internal law limitations
does Your State envisage in relation to the possible use of a common	Judicial or administrative structures
electronic platform to be used by all	Implementation challenges
Contracting Parties in the operation of	(e.g. lack of resources)
the Service Convention?	Costs
(Please select all that apply)	Selection of the appropriate technology
(rease select all that apply)	System interoperability / compatibility
	Security concerns
	Cooperation with other Contracting Parties
	Other challenges
	Please specify:

Servi	Service: Transmission of Requests					
1.8	What is the status of the use of information technology in Your State for the transmission of requests for service under the main channel (i.e. to the Central Authority, Art. 5(1)(a))?	Fully implemented and operational Final stages of implementation Implementation in progress Under consideration Not (yet) under consideration				
1.9	What is the status of the use of information technology in Your State	Art. Art. Art. 10(a) 10(b) 10(c)				
	for the transmission of requests for service under the alternative channels (Art. 10)?				Fully implemented and operational	
					Final stages of implementation	
					Implementation in progress	
					Under consideration	
					Not (yet) under consideration	
					Unknown	
				þ	Not applicable	
1.10	What type of electronic transmission does Your State use, or would consider using for requests for service under the main channel? Distributed ledger technology (DLT): A database held by participants (or nodes) in a decentralised network, where transactions and records are processed, saved and replicated by each node independently and shared with the other nodes, seeking to validate the transaction by achieving consensus on its authenticity. Blockchain is perhaps one of the most well-known of the various forms of DLT.	E-mail (regular) E-mail (secured/encrypted) Electronic transmission platform administered a public/State authority Please provide details: Electronic transmission platform administered a private service provider Please provide details: Electronic transmission using digital ledger technology Please provide details: Other Please provide details:				
1.11	On average, approximately what percentage of requests for service transmitted electronically by other Contracting Parties does Your State accept? (Please round the estimated percentage down, if applicable)					
1.12	Since 2014, on average, approximately what percentage of requests for service received by Your State were transmitted electronically by		00% 5% 0% 5%			

forwarding authorities of other Contracting Parties? (Please round the estimated	☐ 0%☐ Unknown☐ Not applicable				
percentage down, if applicable)	If possible, please provide the number of requests for service that were received per year, and the name(s) of the main Contracting Parties from which these were received:				
	2014: ; most received from:				
	2015: ; most received from:				
	2016: ; most received from:				
	2017: ; most received from:				
	2018: ; most received from:				
1.13 If the Central Authority of Your State has received requests for service transmitted electronically under the Service Convention, on average, what percentage of the documents received are subsequently served electronically? (Please round the estimated percentage down, if applicable)	☐ 100% ☐ 75% ☐ 50% ☐ 25% ☐ 0% ☐ Unknown ☐ Not applicable If possible, please provide details as to how the documents are subsequently served:				
1.14 What is the status of the implementation of an electronic case management system in Your State for incoming and outgoing requests for service issued pursuant to the Service Convention? Electronic case management system: A system that enables casework and related workflows to be followed and managed through electronic communication of information between the individuals concerned (incl. staff, as well as parties and their representatives in some cases).	Fully implemented and operational Final stages of implementation Implementation in progress Under consideration Not (yet) under consideration				
1.15 What type of electronic case management system does Your State use, or would consider using for incoming and outgoing requests for service issued pursuant to the Service Convention? Electronic case management system: A system that enables casework and related workflows to be followed and managed through electronic communication of information between the individuals	 Case management system administered by a public/State authority Please provide details: Case management system administered by a private service provider Please provide details: Case management system using digital ledger technology Please provide details: 				

concerned (incl. staff, as well as parties and their representatives in some cases).	Other
	Please provide details:
Distributed ledger technology (DLT): A database held by participants (or nodes) in a decentralised network, where transactions and records are processed, saved and replicated by each node independently and shared with the other nodes, seeking to validate the transaction by achieving consensus on its authenticity. Blockchain is perhaps one of the most well-known of the various forms of DLT.	
1.16 If Your State uses an electronic case	Fully electronic system (requests for service stored
management system for incoming and outgoing requests for service issued	electronically, electronic display of the progress of the forwarded or received requests for service
pursuant to the Service Convention, which of the following best describes	etc.)
the system?	Part of the procedure for issuance or execution of
Electronic case management system: A	requests for service is done electronically
system that enables casework and related workflows to be followed and managed through electronic communication of information between the individuals concerned (incl. staff, as well as parties and their representatives in some cases).	 ☐ Electronic database of mainly paper requests and related procedures ☐ Not applicable Additional comments:

Servi	e: Execution of Requests	
1.17	In 2018, on average, approximately what percentage of requests for service received by Your State under the Service Convention led to service being performed/effected using information technology? (Please round the estimated percentage down, if applicable)	□ 100% □ 75% □ 50% □ 25% □ 0% □ Unknown □ Not applicable
1.18	When competent authorities of Your State execute requests for service transmitted electronically by another Contracting Party under the Service Convention, in approximately what percentage of instances is the certificate of service then returned electronically to the applicant (Art. 6)? (Please round the estimated percentage down, if applicable)	☐ 100% ☐ 75% ☐ 50% ☐ 25% ☐ 0% ☐ Unknown ☐ Not applicable If possible, please provide details as to how the certificate of service establishing execution is returned:
1.19	In 2018, what was the approximate percentage (on average) of requests received by Your State in which the foreign forwarding authority requested service be performed electronically under the Service Convention (Art. 5 (1) b))? (Please round the estimated percentage down, if applicable) Distributed ledger technology (DLT): A database held by participants (or nodes) in a decentralised network, where transactions and records are processed, saved and replicated by each node independently and shared with the other nodes, seeking to validate the transaction by achieving consensus on its authenticity. Blockchain is perhaps one of the most well-known of the various forms of DLT.	100% 75% 50% 25% 0% Unknown Not applicable If possible, please provide the following details: Number of such requests: Main Contracting Parties from which such requests were received: Technology(ies) requested: Electronic service by private e-mail Electronic service by private social media account Please provide details: Electronic service by public/State-administered email account Please provide details: Service by electronic platform of a private provider Please provide details: Service by electronic platform of a public/State authority Please provide details:

	Service using distributed ledger technology Please provide details:					
	Other					
	Please Specify:					
1.20 Please indicate whether Your State	· ·					
would accept requests of foreign forwarding authorities seeking service to be performed by each of the following methods (under (Art. 5 (1) b)? **Distributed ledger technology (DLT): A database held by participants (or nodes) in	Electronic service by private e-mail. Yes No Unknown Not applicable Electronic service by private social media account. Yes No Unknown Not applicable Electronic service by public/State-administered email account. Yes No Unknown Not applicable					
a decentralised network, where transactions and records are processed, saved and replicated by each node independently and shared with the other nodes, seeking to validate the transaction by achieving consensus on its authenticity. Blockchain is perhaps one of the most well-known of the various forms of DLT.	Service by electronic platform of a private provider. Yes No Unknown Not applicable Service by electronic platform of a public/State authority. Yes No Unknown Not applicable Service using distributed ledger technology. Yes No Unknown Not applicable Other (Please specify):					
1.21 If Your State refuses requests from other Contracting Parties to use information technology in performing service on your territory, what is/are the main reason/s for such a refusal? (Please select all that apply)	Use of technology is prohibited by internal law Use of technology is not provided for in internal law Use of technology is not possible as there is no compatible system in Your State Use of technology is too resource-intensive The authority/ies lacks familiarity with the use of the requested technology Other Please Specify:					
1.22 If Your State performs service electronically, what type of information technology is used? (Please select all that apply) Distributed ledger technology (DLT): A database held by participants (or nodes) in a decentralised network, where transactions and records are processed, saved and replicated by each node independently and shared with the other nodes, seeking to validate the transaction by achieving consensus on its authenticity. Blockchain is perhaps one of the most well-known of the various forms of DLT.	 ☐ Electronic service by private e-mail ☐ Electronic service by private social media account ☐ Electronic service by public/State-administered email account ☐ Service by electronic platform of a private provider ☐ Service by electronic platform of a public/State authority ☐ Service using distributed ledger technology ☐ Other ☐ Not applicable 					

	If possible, please provide additional information,
	e.g. including the methods used, relevant security
	standards and acknowledgement of receipt mechanisms:
1.23 In 2018, what was, on average, the	
1.23 In 2018, what was, on average, the approximate percentage of requests	100%
sent by Your State in which your	75%
forwarding authority requested	50%
service be performed electronically under the Service Convention	<u> </u>
(Art. 5(1) b))?	□ 0%
(5 (=/ 5/).	Unknown
(Please round the estimated	Not applicable
percentage down, if applicable)	If possible, please provide the following details:
Distributed ledger technology (DLT): A	Number of such requests:
database held by participants (or nodes) in	Main Contracting Parties to which such requests were
a decentralised network, where transactions and records are processed,	sent:
saved and replicated by each node	Technology(ies) requested:
independently and shared with the other nodes, seeking to validate the transaction	Electronic service by private e-mail
by achieving consensus on its authenticity.	Electronic service by private social media account
Blockchain is perhaps one of the most well-	Please provide details:
known of the various forms of DLT.	Electronic service by public/State-administered
	email account
	Please provide details:
	Service by electronic platform of a private
	provider
~O\	Please provide details:
	Service by electronic platform of a public/State authority
	Please provide details:
	Service using distributed ledger technology
	Please provide details:
	Other
	—— Please Specify:
1.24 If requests for service sent by Your	Use of technology is prohibited by internal law
State seeking the use of information	Use of technology is not provided for in internal
technology have been refused by	law
other Contracting Parties, what was/were the main reason/s given for	Use of technology is not possible as there is no
such a refusal?	compatible system in Your State
(8)	Use of technology is too resource-intensive
(Please select all that apply)	☐ The authority/ies lacks familiarity with the use of
	the requested technology
	Other
	Please Specify:

PART 2: STATISTICAL DATA AND OVERALL EFFICIENCY OF THE SERVICE CONVENTION

Excellent Good
Good
Satisfactory
Somewhat unsatisfactory
Completely unsatisfactory
Not applicable
ments:
Procedure provided by internal law Please provide details (including full reference to the applicable legislation or caselaw): Procedure provided by bilateral agreement(s) Please provide details (including full reference to the applicable agreement/s):
Procedure provided by multilateral agreement(s) Please provide details (including full reference to the applicable agreement): Other procedure (such as consular channels) Please provide details:

2.3 Statistical Data

2.3.1 Service Convention (Main Channel, Art. 5(1))

	Incoming	Incoming	Incoming	Outgoing	Outgoing	Outgoing
	Requests	Requests	Requests	Requests	Requests	Requests
	Number	Average	Top 3	Number	Average	Top 3
	(exact or	Timeframe for	Forwarding	(exact or	Timeframe for	Requested
	average)	Execution	Contracting	average)	Execution	States
		(months)	Parties		(months)	
2013						
2014						
2015						
2016						
2017						
2018						

2.3.2 Internal Law

	Incoming	Incoming	Incoming	Outgoing	Outgoing	Outgoing
	Requests	Requests	Requests	Requests	Requests	Requests
	Number	Average	Top 3	Number	Average	Top 3
	(exact or	Timeframe for	Forwarding	(exact or	Timeframe for	Requested
	average)	Execution	Contracting	average)	Execution	States
		(months)	Parties		(months)	
2013)		
2014						
2015						
2016						
2017						
2018						

2010						
2.3.3 Bilateral Agreement(s)						
	Incoming	Incoming	Incoming	Outgoing	Outgoing	Outgoing
	Requests	Requests	Requests	Requests	Requests	Requests
	Number	Average	Top 3	Number	Average	Top 3
	(exact or	Timeframe for	Forwarding	(exact or	Timeframe for	Requested
	average)	Execution	Contracting	average)	Execution	States
		(months)	Parties		(months)	
2013						
2014	A					
2015						
2016						
2017						
2018						

2.3.4 Multilateral Agreement(s) (Other than the HCCH Conventions)

	Incoming	Incoming	Incoming	Outgoing	Outgoing	Outgoing
	Requests	Requests	Requests	Requests	Requests	Requests
	Number	Average	Top 3	Number	Average	Top 3
	(exact or	Timeframe for	Forwarding	(exact or	Timeframe for	Requested
	average)	Execution	Contracting	average)	Execution	States
		(months)	Parties		(months)	
2013						
2014						
2015						
2016						
2017						
2018						

2.3.5 Other Procedure (such as consular channels)

	Incoming	Incoming	Incoming	Outgoing	Outgoing	Outgoing
	Requests	Requests	Requests	Requests	Requests	Requests
	Number	Average	Top 3	Number	Average	Top 3
	(exact or	Timeframe for	Forwarding	(exact or	Timeframe for	Requested
	average)	Execution	Contracting	average)	Execution	States
		(months)	Parties		(months)	
2013						
2014						
2015)		
2016						
2017						
2018			110			

PART 3: PRACTICAL INFORMATION

Conta	Contact details (the contact details provided in this section will be published on the HCCH website)					
3.1	Is Your State a Contracting Party to the Service Convention?		Yes No			
3.2	If Your State is a Contracting Party, are the contact details of the Central and competent Authority(ies) designated by Your State up to date on the Service Section of the HCCH website?		Yes No Please provide the contact	et details below:		
	See <u>Conclusion and Recommendation</u> No 4 of the 2014 meeting of Special Commission.	Centr	al Authority/ies:			
		Addre	ess:			
			hone:			
			l:)		
			ral website:			
			Contact person:			
			Languages spoken by staff:			
		5	Not Applicable			
3.3	If Your State is a Contracting Party, have details of which authority(ies) are competent to forward requests for service under Article 3 been provided? See Conclusion and Recommendation No. 21 of the 2009 meeting of Special Commission.	Yes No Please specify the authorities competent to forward requests under Article 3 below: Not Applicable				
3.4	If Your State is a Contracting Party, is the practical information chart available on the Service Section of the HCCH website up to date? See Conclusion and Recommendation No 4 of the 2014 meeting of Special Commission.		Yes No Please provide the updates to the chart using the template available here . There is no practical information chart for Your State Please complete one using the template available here . Not Applicable			