



Republic of the Philippines  
Supreme Court  
Manila

EN BANC

ADMINISTRATIVE ORDER NO. 101 - 2024

**PHILIPPINE GUIDELINES ON SERVICE  
OF JUDICIAL AND EXTRAJUDICIAL DOCUMENTS  
IN CIVIL OR COMMERCIAL MATTERS  
UNDER THE HAGUE SERVICE CONVENTION**

**WHEREAS**, the *Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* (HCCH 1965 Service Convention) seeks to simplify and expedite the procedure for service of judicial and extrajudicial documents in civil or commercial matters from one State to another State, ensuring that such documents are brought to the notice of the intended recipient in sufficient time;

**WHEREAS**, the HCCH 1965 Service Convention came into force with respect to the Republic of the Philippines on 1 October 2020;

**WHEREAS**, as a party to the HCCH 1965 Service Convention, the Republic of the Philippines is bound to ensure service in the Philippines of foreign judicial and extrajudicial documents, and may avail of the benefit of having Philippine judicial and extrajudicial documents served in a foreign State, in accordance with the said Convention;

**WHEREAS**, in accordance with the HCCH 1965 Service Convention, the Republic of the Philippines designated the Office of the Court Administrator (OCA) as its Central Authority and the Integrated Bar of the Philippines (IBP) as an Additional Authority;

**WHEREAS**, pursuant to its power under Section 5(5), Article VIII of the Constitution to promulgate rules concerning pleading, practice, and procedure in courts, the Court promulgated Administrative Order No. 251-2020, prescribing the Philippine guidelines on service of judicial documents in civil or commercial matters under the HCCH 1965 Service Convention;

**NOW, THEREFORE**, pursuant to its power under the said constitutional provision, the Court resolves to approve the following Philippine guidelines on service of judicial and extrajudicial documents in civil or commercial matters under the HCCH 1965 Convention (“Guidelines”):

**Part 1. General Provisions**

**Section 1.1. Definition of Terms.** As used in these Guidelines, the following terms shall have the meaning given to them below:

1. “*Additional Authority*” refers to an entity authorized by a State to exercise certain competencies concerning Requests for service. The Philippines designated the IBP as an Additional Authority for the Philippines with authority to act on Requests for service of foreign extrajudicial documents in the Philippines, as well as Requests for service of a Philippine extrajudicial document in a foreign State.
2. “*applicant*” refers to an entity that seeks to have a judicial or extrajudicial document served in a foreign State.
3. “*application*” refers to an application for service of a judicial or extrajudicial document in a foreign State.
4. “*Central Authority*” refers to an entity authorized by a State to receive and act on Requests for service of foreign judicial or extrajudicial documents in the territory of such State. The Philippines designated the OCA as the Central Authority for the Philippines.
5. “*Certificate*” refers to a certificate completed by a Central Authority or Competent Authority, substantially in the form entitled “Certificate” that is included in the Model Form, stating whether the document subject of a Request has been served as well as the name of the person who received the document and the method, place, and date of service.
6. “*Competent Authority*” refers to an entity authorized by a State to issue a Certificate. The Philippines designated as a Competent Authority (a) each Justice and Clerk of Court of a collegiate court, and each Judge of a lower court, with respect to judicial documents; and (b) the IBP with respect to extrajudicial documents.
7. “*document to be served*” refers to the document originating from one State for service in another State, and includes the annexes and attachments thereof.
8. “*Expense Statement*” refers to a statement of the expenses associated with the service of document.
9. “*extrajudicial document*” refers to a document that is not a judicial document, that relates to a civil or commercial matter, including, but not limited to: (a) an extrajudicial settlement agreement, (b) a demand for payment, (c) a notice of termination of contract, and (d) a protest in connection with a bill of exchange.
10. “*forward*” refers to the act of transmitting a document.
11. “*Forwarding Authority*” refers to an entity authorized by a State to forward a Request for service to another State. The Philippines designated as a Forwarding Authority (a) each Justice and Clerk of Court of a collegiate court, and each Judge of a lower court, with respect to judicial documents; and (b) the IBP with respect to extrajudicial documents.

12. “*HCCCH 1965 Service Convention*” refers to the Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

13. “*IBP*” refers to the Integrated Bar of the Philippines.

14. “*intended recipient*” refers to the entity to which the document should be served. These Guidelines shall not apply where the address of the person to be served with the document is not known.

15. “*judicial document*” refers to a document that relates to litigation, that relates to a civil or commercial matter, including, but not limited to: (a) a summons, judgment, resolution, order, or other official document issued by a court in relation to an action or proceeding; and (b) a pleading, written motion, notice, appearance, demand, offer of judgment, or similar papers filed by a party to such action or proceeding.

16. “*Model Form*” refers to the version of the model form annexed to the Convention written in the English language, a copy of which is attached as **Annex A** of these Guidelines and may be downloaded from the websites of the OCA and the Hague Conference on Private International Law.

17. “*Model Form Guidelines*” refers to the document entitled “*Guidelines for Completing the Model Form*,” including its section entitled “Notes on the Model Form,” a copy of which is attached as **Annex B** of these Guidelines and may be downloaded from the websites of the OCA and the Hague Conference on Private International Law.

18. “*OCA*” refers to the Office of the Court Administrator.

19. “*Request for service*” refers to a request made by the Forwarding Authority for the service of a judicial or extrajudicial document in another State, substantially in the form entitled “Request for Service Abroad of Judicial or Extrajudicial Documents” that is included in the Model Form.

20. “*service*” refers to the act of providing the intended recipient a copy of a document pursuant to these Guidelines.

21. “*Summary*” refers to a summary of the document to be served, substantially in the form entitled “Summary of the Document to be Served” that is included in the Model Form.

22. “*Warning*” refers to a warning related to the legal nature of the document to be served, substantially in the form entitled “Warning” that is included in the Model Form.

**Section 1.2. Scope.** – These Guidelines shall apply to Requests for service forwarded by the Forwarding Authority to the Central Authority pursuant to the HCCCH 1965 Service Convention.



**Section 1.3. Interpretation and Suppletory Application of the Rules of Court.** – These Guidelines shall be interpreted with the aim of expeditiously granting requests for service of judicial and extrajudicial documents in civil or commercial matters under the HCCH 1965 Service Convention. Where applicable, the provisions of the Rules of Court, pertinent laws, and other rules shall apply suppletorily to these Guidelines.

**Part 2. Service of Philippine Judicial and Extrajudicial Documents  
in Civil or Commercial Matters in Foreign States  
(Outbound Requests)**

**Section 2.1. Filing of an Application.** – (a) **Judicial Documents.** – An application for service of a Philippine judicial document in a foreign State shall be filed with the court where the action has been instituted or where the proceeding has been commenced, in the form of a motion filed with leave of court.

(b) **Extrajudicial Documents.** – An application for service of a Philippine extrajudicial document in a foreign State shall be filed with the IBP.

(c) **Attachments.** – An application for service of a Philippine document in a foreign State shall attach four copies of the following documents:

1. The draft Request, Certificate, Warning, and Summary, containing the information required under the Model Form Guidelines;
2. The original, or a certified true copy, of the document to be served; and, if such document is not written in the English language, a certified translation of such document in one of the official languages of the foreign State where such document will be served;
3. An undertaking to pay the expenses associated with the service of the document; or, if required by the foreign State where the document will be served, proof of payment of such expenses; and
4. Other requirements of the foreign State where the document will be served, as referenced on the website of the Hague Conference on Private International Law.

**Section 2.2. Review of an Application.** – (a) **Compliance.** - Upon the filing of an application for service of a Philippine document in a foreign State, the court or the IBP, as may be appropriate, shall review the said application to determine whether the application and attached documents comply with the requirements of the Convention, the Model Form Guidelines, and these Guidelines, including, but not limited to, the requirements that:

1. the Request is directed to a foreign State that is a party to the HCCH 1965 Service Convention;
2. the address of the intended recipient in the foreign State is known; and

3. with respect to a judicial document, the action or proceeding relates to a civil or commercial matter; and with respect to an extrajudicial document, the document relates to a civil or commercial matter.

(b) **Necessity.** - Additionally, in the case of a Philippine judicial document, the Philippine court shall determine whether the judicial document is required to be served in a foreign State under Rule 13 or Rule 14 of the Rules of Court.

**Section 2.3. Actions after Review of an Application.** – (a) **Approval.** – If the court or the IBP, as may be appropriate, shall determine that an application for service of a Philippine document in a foreign State complies with the requirements under Section 2.2, the court or the IBP shall:

1. Approve the application; provided, that the court's approval of an application shall be in the form of a court order;
2. Require the applicant to submit a prepaid courier pouch for sending print copies of the Request and attached documents to the appropriate foreign Central Authority or foreign Additional Authority;
3. Complete and sign the Request through a justice or clerk of court of the collegiate court, or the judge of the lower court, or the designated national officer of the IBP, as may be appropriate; and
4. Ensure completeness of the signed Request and attached documents, as well as compliance with the requirements of the HCCH 1965 Service Convention and of the appropriate foreign Central Authority or foreign Additional Authority; and
5. Forward print copies of the signed Request and attached documents as follows: (i) two copies to the appropriate foreign Central Authority or foreign Additional Authority; and (ii) one copy to the OCA.

(b) **Denial.** - The court or the IBP, as may be appropriate, shall deny an application for service of a Philippine document in a foreign State, if such application does not comply with requirements under Section 2.2. The court's denial of an application shall be in the form of a court order.

**Section 2.4. Actions after Forwarding a Request.** – After a Request for service has been forwarded to a foreign Central Authority, the court or the IBP, as may be appropriate, shall exert diligent efforts to ensure that the Request for service will be favorably acted upon and a Certificate will be provided by the foreign Central Authority or Competent Authority.

**Section 2.5. Actions after Receiving a Certificate.** – (a) **Payment Required.** – If a Certificate from a foreign Central Authority or Competent Authority requests payment or reimbursement of the amount stated in an Expense Statement attached to the Certificate, the court or the IBP, as may be appropriate, shall require the applicant to submit proof of payment. For judicial documents, the failure of the applicant to submit the required proof of payment shall be a ground for holding the applicant in direct contempt of court, in addition to other sanctions that the judge may impose in accordance with the Rules of Court.

(b) **Payment No Longer Required.** - After submission of proof of payment by the applicant, or if a Certificate does not request payment or reimbursement, the court shall file the Certificate as part of the records of the case or, in the appropriate case, the IBP shall provide the Certificate to the applicant. The court or the IBP, as may be appropriate, shall also provide a copy of the Certificate to the OCA.

**Part 3. Service of Foreign Judicial and Extrajudicial Documents  
in Civil or Commercial Matters in the Philippines  
(Inbound Requests)**

**Section 3.1. Filing of a Request.** - (a) **Judicial Documents.** - A Request for service of foreign judicial document in the Philippines shall be filed with the OCA through at least one of the following methods:

1. In electronic format by electronic mail to PHCA-Service@judiciary.gov.ph
2. In print format by registered mail or courier service to:

Office of the Court Administrator  
(as Central Authority under the HCCH 1965 Service Convention)  
Supreme Court of the Philippines  
Third Floor, Old Supreme Court Building  
Padre Faura Street, Ermita, Manila 1000  
Philippines

(b) **Extrajudicial Documents.** - A Request for service of a foreign extrajudicial document in the Philippines shall be filed with the IBP through at least one of the following methods:

1. In electronic format by electronic mail to iliac@ibp.ph
2. In print format by registered mail or courier service to:

Integrated Bar of the Philippines  
(as Additional Authority for Extrajudicial Documents  
under the HCCH 1965 Service Convention)  
IBP Building, 15 Doña Julia Vargas Avenue  
Ortigas Center, Pasig City 1600  
Philippines

(c) **Referral to the IBP.** - If a Request for service of a foreign extrajudicial document in the Philippines is filed with the OCA, the OCA shall immediately refer the Request to the IBP through at least one of the methods listed in Section 3.1(b).

**Section 3.2. Review of a Request.** - (a) **Compliance.** - Upon its receipt of a Request for service of a foreign document in the Philippines, the OCA or the IBP, as may be appropriate, shall immediately determine whether the Request and attached documents comply with the requirements of the Convention, the Model Form Guidelines, and these Guidelines, including, but not limited to, the following requirements:



1. If sent by registered mail or courier service, there are two copies of the Request and attached documents;
2. The Request was forwarded by a foreign State that is a party to the Convention;
3. The Request is accompanied by the Warning, the Summary, and the foreign document to be served, all of which are written or translated in the English or Filipino language;
4. The Request is accompanied by proof of payment to the OCA or the IBP, as may be appropriate, of the amount of One Hundred U.S. Dollars (US\$100.00) or its equivalent, for every address, regardless of the number of intended recipients in the same address, to cover for the expenses associated with the service of the document in the Philippines;
5. The address of the intended recipient in the Philippines is indicated with sufficient specificity, including, as much as practicable, the house number, building name, street name, barangay, municipality or city, province, and zip code; provided, that a post office box is not acceptable as the address of the intended recipient in the Philippines; and
6. The foreign judicial or extrajudicial document relates to a civil or commercial matter under the internal law of the requesting foreign State.

(b) **Infringement.** – Additionally, the OCA shall determine whether compliance with a Request for service of a foreign judicial document will infringe upon the national sovereignty or national security of the Philippines.

**Section 3.3. Methods of Payment; Issuance of Receipt.** – The OCA or the IBP, as may be appropriate, shall (1) state in its website the methods for payment of the amount to cover for the expenses associated with the service of a foreign document in the Philippines; and (2) provide the foreign Forwarding Authority with an official receipt of a payment after verification of receipt of such payment.

**Section 3.4. Actions after Review.** – (a) **Approval.** – The OCA or the IBP, as may be appropriate, shall approve a Request (1) if the Request and attached documents comply with the requirements described in Section 3.2(a); and (2) if in the sole discretion of the OCA, compliance with a Request for service of a foreign judicial document will not infringe upon the national sovereignty or national security of the Philippines.

(b) **Period to Comply.** – If the said documents do not comply with the requirements described in Section 3.2(a), the OCA or the IBP, as may be appropriate, shall inform the foreign Forwarding Authority of the unfulfilled requirements and provide it with a reasonable period of time to comply with such requirements.

(c) **Denial.** - The OCA or the IBP, as may be appropriate, shall deny a Request if such Request and attached documents failed to comply with the requirements described in Section 3.2(a) despite the lapse of the period of time provided; or if in the sole discretion of the OCA, compliance with a Request for service of a foreign judicial document will infringe upon the national sovereignty or national security of the Philippines.

**Section 3.5. Service of a Judicial Document.** – (a) **Action of the OCA.**

– Upon its approval of a Request for service of a foreign judicial document in the Philippines, the OCA shall immediately forward the Request and attached documents to the court having territorial jurisdiction over the address of the intended recipient, in the same format that the Request was received by the OCA, *i.e.*, (1) by electronic mail to the official electronic mail address of the court, if in electronic format; or (2) by registered mail or courier service to the official mailing address of the court, if in print format.

(b) **Action of the Judge.** – The Executive Judge in a multiple-sala court, or the Presiding Judge in a single-sala court, shall immediately take the following actions:

1. Cause the printing of the Warning, the Summary, and the foreign document to be served, if the same are in electronic format;
2. Direct a sheriff, process server, or other competent court personnel to serve the Warning, the Summary, and the foreign document to be served, in accordance with the Rules of Court; and
3. Advance the amount to cover for the expenses associated with the service of the documents.

(c) **Action of the Court Personnel.** – The court personnel assigned to serve the documents shall take the following actions:

1. Immediately exert diligent efforts to serve the Warning, the Summary, and the foreign document to be served, in accordance with the Rules of Court;
2. Execute a return of service in accordance with the Rules of Court and these Guidelines; and
3. Submit the return of service within five days from service, or from attempt at service, to the judge who directed the service of the documents.

(d) **Return if Served.** – If the documents were served, the return of service shall state: (1) the method, date, and place of service of the documents; (2) whether the documents were served according to a method prescribed by the Rules of Court for the service of a judicial document upon a person who is located within the Philippine national territory; and (3) the identity and description of the person who received the documents, and the relationship of such person to the intended recipient of the documents, if such person is different from the intended recipient.

(e) **Return if Not Served.** – If the documents were not served, the return of service shall state: (1) the dates and places of the attempts at service; and (2) the facts and reasons why the documents were not served. Additionally, the court personnel assigned to serve the documents shall deliver the unserved documents to the judge who directed the service of the documents.

**Section 3.6. Service of an Extrajudicial Document.** – (a) **Action of the IBP.**

– Upon its approval of a Request for service of a foreign extrajudicial document in the Philippines, the IBP shall immediately instruct its accredited courier service



provider to pick up the print copy of the Warning, the Summary, and the foreign document to be served, at the National Office of the IBP.

(b) **Action of the Courier.** – After its receipt of the print copy of the Warning, the Summary, and the foreign document to be served, the accredited courier service provider of the IBP shall immediately take the following actions:

1. Exert diligent efforts to serve the documents;
2. Execute an affidavit of service in accordance with these Guidelines; and
3. Submit the affidavit of service within five days from service, or from attempt at service, to the IBP.

(c) **Affidavit if Served.** – If the documents were served, the affidavit of service shall state: (1) the method, date, and place of service of the documents; and (2) the identity and description of the person who received the documents, and the relationship of such person to the intended recipient of the documents, if such person is different from the intended recipient.

(d) **Affidavit if Not Served.** – If the documents were not served, the affidavit of service shall state: (1) the dates and places of the attempts at service of the documents; and (2) the facts and reasons why the documents were not served. Additionally, the accredited courier service provider shall deliver the unserved documents to the IBP.

**Section 3.7. Actions after Receipt of Return or Affidavit of Service.** – (a) **Certificate.** – Upon receipt of a return of service or an affidavit of service, the judge who directed the service of the documents or the IBP, as may be appropriate, shall immediately take the following actions:

1. Complete and sign the Certificate;
2. Forward to the appropriate foreign Forwarding Authority, in the same format that such foreign authority sent the Request, (i) the signed Certificate; (ii) a copy of the documents that were served, or the documents that were attempted to be served; and (iii) if the expenses associated with the service of documents exceeded the equivalent of One Hundred U.S. Dollars (US\$100.00), an Expense Statement stating the additional amount that the foreign Forwarding Authority should pay or cause to be paid; and
3. Forward to the OCA one copy of the signed Certificate and the documents that were served or were attempted to be served.

(b) **Reimbursement.** - If a judge advanced an amount to cover for the expenses associated with the service of documents, the judge shall submit to the OCA a request for reimbursement of such amount, together with the supporting documents. If the OCA approves the request for reimbursement, the OCA shall charge the amount to be reimbursed against the HCCH 1965 Service Convention Fund.

(c) **Explanation.** - If a signed Certificate was not forwarded to the appropriate foreign Forwarding Authority within thirty (30) calendar days from the date of

receipt by the OCA of the Request for service of a judicial document in the Philippines, the judge who signed the Certificate shall submit an explanation for the delay to the OCA.

**Part 4. Final Provisions**


**Section 4.1. Application.** – All the foregoing provisions shall be applied to requests for service of judicial and extrajudicial documents under the HCCH 1965 Service Convention filed upon the effectivity of these Guidelines. With respect to requests for service of judicial documents that were filed before the effectivity of these Guidelines, the provisions of Administrative Order No. 251-2020 shall apply accordingly.

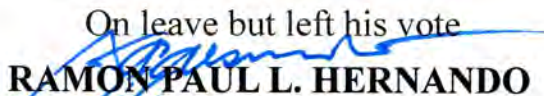
**Section 4.2. Effectivity.** – This Administrative Order shall take effect fifteen (15) days after its publication in the Official Gazette, or in two (2) newspapers of national circulation.


June 25, 2024.

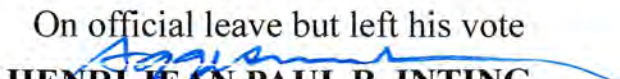
  
**ALEXANDER G. GESMUNDO**  
Chief Justice

  
**MARVIC M. V. F. LEONEN**  
Associate Justice


  
**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice


On leave but left his vote  
  
**RAMON PAUL L. HERNANDO**  
Associate Justice

  
**AMY C. LAZARO-JAVIER**  
Associate Justice

On official leave but left his vote  
  
**HENRI JEAN PAUL B. INTING**  
Associate Justice

  
**RODIL V. ZALAMEDA**  
Associate Justice

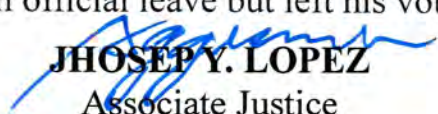
  
**MARIO V. LOPEZ**  
Associate Justice

  
**SAMUEL H. GAERLAN**  
Associate Justice

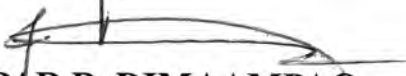


**RICARDO R. ROSARIO**  
Associate Justice

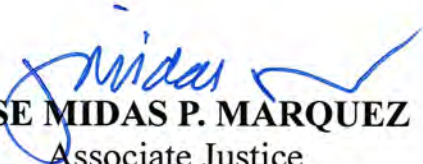
On official leave but left his vote



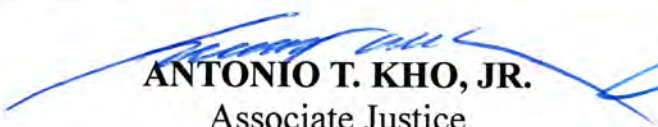
**JHOSEP Y. LOPEZ**  
Associate Justice



**JAPAR B. DIMAAMPAO**  
Associate Justice



**JOSE MIDAS P. MARQUEZ**  
Associate Justice



**ANTONIO T. KHO, JR.**  
Associate Justice



**MARIA FILOMENA D. SINGH**  
Associate Justice