



## **ATTORNEY-GENERAL HON ROBERT McCLELLAND MP**

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### **MEDIA RELEASE**

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18 March 2010

#### **SIMPLIFICATION OF CROSS-BORDER LITIGATION**

Attorney-General, Robert McClelland, today announced that Australia had acceded to the Hague Convention on Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters 1965.

The Convention will simplify cross border litigation by streamlining the process for serving court documents overseas.

“Accession to the Convention will help Australians and Australian companies enforce their legal rights in foreign jurisdictions more efficiently and effectively,” Mr McClelland said.

The service of court documents is a key step in legal proceedings as it establishes the authority of a court to hear a matter.

Accession to the Convention will provide for:

- simpler and more certain arrangements to facilitate cross border litigation;
- greater legal certainty for Australian companies operating overseas, resulting in improved business confidence; and
- reduced costs and delays for Australian litigants at home and internationally.

A number of Australia’s key trading partners are already parties to the Convention, including the United States, China, the United Kingdom and a number of other European nations.

“Australia’s accession to the Convention will particularly benefit the increasing number of Australian companies conducting business overseas by giving them greater certainty in being able to enforce their legal rights.”

Legislation implementing the Convention has been adopted by Supreme Courts in all Australian jurisdictions as well as the Federal Court of Australia.

The Convention is expected to come into force in October 2010.

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