

N° 3252.

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## ITALIE ET POLOGNE

Echange de notes ayant pour objet d'introduire, à titre d'addition à la Convention de La Haye du 17 juillet 1905, relative à la procédure civile, de nouvelles simplifications dans l'assistance judiciaire réciproque. Rome, le 12 décembre 1931.

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## ITALY AND POLAND

Exchange of Notes with the Object of introducing Further Simplifications, as an Addition to the Civil Procedure Convention concluded at The Hague, July 17, 1905, in Reciprocal Judicial Assistance. Rome, December 12, 1931.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 3252. — EXCHANGE OF NOTES BETWEEN THE ITALIAN AND POLISH GOVERNMENTS WITH THE OBJECT OF INTRODUCING FURTHER SIMPLIFICATIONS, AS AN ADDITION TO THE CIVIL PROCEDURE CONVENTION CONCLUDED AT THE HAGUE, JULY 17, 1905, IN RECIPROCAL JUDICIAL ASSISTANCE. ROME, DECEMBER 12, 1931.

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*French official text communicated by the Polish Delegate accredited to the League of Nations. The registration of this Exchange of Notes took place August 31, 1933.*

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## I.

MINISTRY  
OF FOREIGN AFFAIRS.

253427/37.

ROME, December 12, 1931.

YOUR EXCELLENCY,

Whereas the Hague Convention<sup>2</sup> on Civil Procedure of July 17, 1905, in force between Italy and Poland, provides that the signatory States must make certain declarations and allows them to settle sundry questions by agreement, I have the honour to propose to you that your Government should adopt the following provisions in connection with the said Convention :

*Article 1, Paragraph 1.*

Applications for service of judicial documents on persons in Poland should be made by the Italian Consuls in Poland to the Presidents of the District Courts of the place of residence of the addressee.

Applications for service of judicial documents on persons who are in Italy should be made by the Polish Consuls in Italy to the Procurators-Royal attached to the Court of the region in which service is to be made.

*Article 6.*

The service of judicial documents provided for in Article 6 shall be made in Italy or in Poland exclusively in the manner provided for in paragraph 3 of Article 6.

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> *British and Foreign State Papers*, Vol. 99, page 990.

*Article 9, Paragraph 1.*

Letters of request for execution in Polish territory should be forwarded to the Ministry of Justice under the conditions provided for in Article 9.

On the other hand, letters of request for execution on Italian territory shall be forwarded through the diplomatic channel.

*Article 18, Paragraph 3.*

Requests for enforcement as referred to in paragraph 3 of Article 18 may, both in Italy and in Poland, be addressed direct by the party concerned to the competent authorities.

*Articles 3-10 and Article 19, Paragraph 2, Sub-paragraph 3.*

Documents to be served under Article 3, letters of request for execution under Article 10, and the terms of judgments referred to in sub-paragraph 3, paragraph 2 of Article 19 may be made out in the French language both in Italy and in Poland.

I should be much obliged if Your Excellency would be good enough to inform me whether your Government accepts the above and, if so, I propose that the agreements be regarded as concluded and binding on the relations between the two States.

I have the honour to be, etc.

(Signed) FANI.

His Excellency  
Count Stefan Przewdziecki,  
Polish Ambassador,  
Rome.

II.

POLISH EMBASSY.

No. 2569/31.  
R. 4949.

SIR,

ROME, *December 12, 1931.*

I have the honour to acknowledge receipt of your Excellency's Note of to-day's date which reads as follows :

“ Whereas the Hague Convention on Civil Procedure of July 17, 1905, in force between Italy and Poland, provides that the signatory States must make certain declarations and allows them to settle sundry questions by agreement, I have the honour to propose to you that your Government should adopt the following provisions in connection with the said Convention :

“ *Article 1, Paragraph 1.*

“ Applications for service of judicial documents on persons in Poland should be forwarded by the Italian Consuls in Poland to the Presidents of the District Courts of the place of residence of the addressee.

“ Applications for service of judicial documents on persons who are in Italy should be made by the Polish Consuls in Italy to the Procurators-Royal attached to the Court of the region in which service is to be made.

“ *Article 6.*

“ The service of judicial documents provided for in Article 6 shall be made in Italy or in Poland exclusively in the manner provided for in paragraph 3 of Article 6.

“ *Article 9, Paragraph 1.*

“ Lettres of request for execution in Polish territory should be forwarded to the Ministry of Justice under the conditions provided for in Article 9.

“ On the other hand, letters of request for execution on Italian territory shall be forwarded through the diplomatic channel.

“ *Article 18, Paragraph 3.*

“ Requests for enforcement as referred to in paragraph 3 of Article 18 may, both in Italy and in Poland, be addressed direct by the party concerned to the competent authorities.

“ *Articles 3-10 and Article 19, Paragraph 2, Sub-paragraph 3.*

“ Documents to be served under Article 3, letters of request for execution under Article 10, and the terms of judgments referred to in sub-paragraph 3, paragraph 2 of Article 19 may be made out in the French language both in Italy and in Poland.

“ I should be much obliged if Your Excellency would be good enough to inform me whether your Government accepts the above and, if so, I propose that the agreements be regarded as concluded and binding on the relations between the two States.”

I have the honour to state in the name of my Government that I accept the provisions contained in the above note.

I have the honour to be, etc.

His Excellency  
Monsieur Amedeo Fani,  
Under-Secretary of State,  
Director of the Ministry of Foreign Affairs,  
at Rome.

(Signed) S. PRZEZDZIECKI.