

No. 17899

---

**NETHERLANDS  
and  
LUXEMBOURG**

**Exchange of letters constituting an agreement concerning  
the transmission of judicial and extrajudicial docu-  
ments in civil and commercial matters. The Hague,  
9 January, 11 and 14 February 1974**

*Authentic text: French.*

*Registered by the Netherlands on 17 July 1979.*

---

**PAYS-BAS  
et  
LUXEMBOURG**

**Échange de lettres constituant un accord concernant la  
transmission des actes judiciaires et extrajudiciaires en  
matière civile et commerciale. La Haye, 9 janvier,  
11 et 14 février 1974**

*Texte authentique : français.*

*Enregistré par les Pays-Bas le 17 juillet 1979.*

## [TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE GOVERNMENT OF THE NETHERLANDS  
AND THE GOVERNMENT OF LUXEMBOURG CONCERNING  
THE TRANSMISSION OF JUDICIAL AND EXTRAJUDICIAL  
DOCUMENTS IN CIVIL AND COMMERCIAL MATTERS

## I

The Hague, 9 January 1974

DVE/VV-254432

Sir,

With reference to the Convention relating to civil procedure, done at The Hague on 1 March 1954,<sup>2</sup> and article IV of the Protocol to the Convention concerning courts' jurisdiction and the enforcement of judgements in civil and commercial matters between States members of the European Economic Community, signed at Brussels on 27 September 1968,<sup>3</sup> I have the honour to propose that the service of civil and commercial writs and extrajudicial documents be permitted between the Kingdom of the Netherlands and the Grand Duchy of Luxembourg in the following manner:

1. Civil and commercial writs and extrajudicial documents drawn up in the territory of either State and addressed to persons in the territory of the other State shall be served in accordance with the following procedures:

- (a) If the writ or document was drawn up by a bailiff, it shall be sent directly by him to the competent bailiff of the other State;
- (b) Otherwise, it shall be transmitted directly from one Ministry of Justice to the other.

2. When these writs and documents are addressed to a person in the territory of Luxembourg, they shall be drafted in French or German or accompanied by a French or German translation of the text or at least of the substance thereof.

3. Writs and documents drawn up in Luxembourg and intended for persons in the Netherlands shall be translated into Dutch. This translation shall be made:

- (a) Through the Netherlands bailiff to whom the document was transmitted if the writ or document was drawn up by a bailiff of Luxembourg. The translation fee shall be included in the cost of the delivery instrument and reimbursed by the bailiff of Luxembourg;
- (b) Through the Netherlands Ministry of Justice in other cases.

If this proposal is acceptable to the Government of the Grand Duchy of Luxembourg, I have the honour to propose that this letter and your reply in the affirmative shall be regarded as constituting an agreement between the Government of the Kingdom of the Netherlands and the Government of the Grand Duchy of Luxembourg, to enter into force on 1 March 1974 and, so far as the Kingdom of

<sup>1</sup> Came into force on 1 April 1974, in accordance with the provisions of the said letters.

<sup>2</sup> United Nations, *Treaty Series*, vol. 286, p. 265.

<sup>3</sup> Registered with the Secretariat of the United Nations on 17 February 1982 under No. I-20747.

the Netherlands is concerned, to apply only to the territory of the Kingdom situated in Europe.

Accept, Sir, etc.

M. VAN DER STOEL  
Minister for Foreign Affairs

His Excellency Mr. Roger J. L. Hastert  
Ambassador of the Grand Duchy of Luxembourg  
The Hague

## II

### TREATY OFFICE

The Hague, 11 February 1974

DVE/VV-30313

Sir,

With reference to my letter of 9 January 1974 (DVE/VV-254432), concerning the service of civil and commercial writs and extrajudicial documents between the Kingdom of the Netherlands and the Grand Duchy of Luxembourg, I have the honour to propose that the date of entry into force referred to in the above-mentioned letter be postponed to 1 April 1974.

Accept, Sir, the assurances of my highest consideration.

M. VAN DER STOEL  
Minister for Foreign Affairs

His Excellency Mr. Roger J. L. Hastert  
Ambassador of the Grand Duchy of Luxembourg  
The Hague

## III

### EMBASSY OF LUXEMBOURG IN THE NETHERLANDS

The Hague, 14 February 1974

150/74/420.3

Sir,

I have the honour to acknowledge receipt of your letters of 9 January 1974 and 11 February 1974, reading as follows:

*[See letters I and II]*

I have the honour to inform you that the Government of the Grand Duchy of Luxembourg agrees to the text quoted above and to the suggestion that this

reply, together with the aforesaid letters of 9 January 1974 and 11 February 1974, shall constitute an agreement between the Government of the Grand Duchy of Luxembourg and the Government of the Kingdom of the Netherlands.

I have the honour to confirm also that the Government of Luxembourg agrees that the present agreement shall enter into force on 1 April 1974, as proposed in your letter of 11 February 1974.

Accept, Sir, etc.

ROGER HASTERT  
Ambassador of Luxembourg

His Excellency Mr. M. van der Stoep  
Minister for Foreign Affairs  
The Hague