

**No. 21537**

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**MULTILATERAL**

**European Convention on the service abroad of documents  
relating to administrative matters (with appendix).  
Concluded at Strasbourg on 24 November 1977**

*Authentic texts: English and French.*

*Registered by the Secretary-General of the Council of Europe, acting on behalf  
of the Parties, on 21 January 1983.*

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**MULTILATÉRAL**

**Convention européenne sur la notification à l'étranger des  
documents en matière administrative (avec annexe).  
Conclue à Strasbourg le 24 novembre 1977**

*Textes authentiques : anglais et français.*

*Enregistrée par le Secrétaire général du Conseil de l'Europe, agissant au nom  
des Parties, le 21 janvier 1983.*

# EUROPEAN CONVENTION<sup>1</sup> ON THE SERVICE ABROAD OF DOCUMENTS RELATING TO ADMINISTRATIVE MATTERS

## PREAMBLE

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members, based in particular on respect for the rule of law, as well as human rights and fundamental freedoms;

Believing that the creation of appropriate means of mutual assistance in administrative matters will contribute to the attainment of this aim;

Having regard to the importance of ensuring that documents to be served abroad in administrative matters be brought to the notice of the addressees in good time;

Have agreed as follows:

## CHAPTER I. GENERAL PROVISIONS

### *Article 1. SCOPE OF THE CONVENTION*

1. The Contracting States undertake to afford each other mutual assistance with regard to service of documents relating to administrative matters.

2. This Convention shall not apply to fiscal or criminal matters. However, each State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, or at any later time, give notice, by a declaration addressed to the Secretary General of the Council of Europe, that, for purposes of requests addressed to it, this Convention shall apply to fiscal matters or to any proceedings in respect of offences the punishment of which does not fall within the

<sup>1</sup> Came into force on 1 November 1982, i.e., the first day of the month following the expiration of three months after the date of deposit with the Secretary General of the Council of Europe of the third instrument of ratification, acceptance or approval, in accordance with article 17 (2):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Belgium*	8 July 1982
France .....	21 December 1979
Luxembourg*	8 December 1980

Subsequently, the Convention came into force for the following States on the first day of the month following the expiration of a three-months period after the date of the deposit with the Secretary General of the Council of Europe of their instrument of ratification in accordance with article 17 (3):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Federal Republic of Germany*	
(With effect from 1 January 1983. With a declaration of application to Berlin (West).) .....	24 September 1982
Austria*	
(With effect from 1 March 1983.) .....	24 November 1982

\* See p. 25 of this volume for the texts of the declarations made upon ratification.

jurisdiction of its judicial authorities at the time of the request for assistance. This State may specify in the declaration that it is conditional on reciprocity.

3. Each State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession or at any time within five years after the entry into force of this Convention in respect of itself give notice, by a declaration addressed to the Secretary General of the Council of Europe, of the administrative matters with regard to which it will not apply this Convention. Any other Contracting State may claim reciprocity.

4. The declarations in pursuance of paragraphs 2 and 3 of this Article shall take effect, as the case may be, from the moment of the entry into force of the Convention with regard to the State which has made them or three months after their receipt by the Secretary General of the Council of Europe. They may be withdrawn, partially or wholly, by means of a declaration addressed to the Secretary General of the Council of Europe. Such withdrawal shall take effect three months after the date of receipt of this declaration.

#### *Article 2. CENTRAL AUTHORITY*

1. Each Contracting State shall designate a central authority to receive and take action on requests for service of documents relating to administrative matters emanating from other Contracting States. Federal States shall be free to designate more than one central authority.

2. Each Contracting State may designate other authorities having the same functions as the central authority and shall determine their territorial competence. However, the requesting authority shall in all cases have the right to address itself directly to the central authority.

3. Each Contracting State may in addition designate a forwarding authority to centralise requests for service emanating from its own authorities and transmit them to the competent central authority abroad. Federal States shall be free to designate more than one forwarding authority.

4. The aforementioned authorities must be either a ministerial department or another official body.

5. Each Contracting State shall by a declaration addressed to the Secretary General of the Council of Europe communicate the name and address of the authorities designated in accordance with the provisions of this Article.

#### *Article 3. REQUEST FOR SERVICE*

A request for service shall be forwarded to the central authority of the requested State. It shall be made in accordance with the model form appended to the present Convention, together with the document to be served. The request and the document shall be transmitted in duplicate; but the lack of that formality shall not be sufficient cause for refusal to comply with the request.

#### *Article 4. EXEMPTION FROM LEGALISATION*

The request for service and appendices thereto forwarded in pursuance of this Convention shall be exempt from legislation, apostille or any equivalent formality.

*Article 5. CONFORMITY WITH THE CONVENTION*

If the central authority of the requested State considers that the request does not conform with the provisions of this Convention, it shall so inform the requesting authority without delay, specifying its objections.

*Article 6. MANNER OF SERVICE*

1. The central authority of the requested State shall effect service under this Convention:

- a. By a method prescribed by its internal law for the service of documents in domestic actions upon persons who are within its territory, or
- b. By a particular method requested by the requesting authority, unless such a method is incompatible with the law of the requested State.

2. Subject to paragraph 1, sub-paragraph *b* of this Article, the document may always be served by delivery to an addressee who accepts it voluntarily.

3. Where the requesting authority requests service within a specific time, the central authority of the requested State shall comply with that request if it is possible to do so within that time limit.

*Article 7. LANGUAGE*

1. When a foreign document is to be served in accordance with Article 6, paragraph 1, sub-paragraph *a* and paragraph 2 of the present Convention, it need not be accompanied by a translation.

2. However, in the event of the service of a document being refused by the addressee on the ground that he cannot understand the language in which it is drawn up, the central authority of the requested State shall arrange to have it translated into the official language, or one of the official languages, of this State. Alternatively, it may ask the requesting authority to have the document either translated into or accompanied by a translation in the official language or one of the official languages of the requested State.

3. When service of a foreign document is to be effected according to Article 6, paragraph 1, sub-paragraph *b*, and the central authority of the requested State so requires, the document must be translated or accompanied by a translation into the official language or one of the official languages of the requested State.

*Article 8. CERTIFICATE*

1. The central authority of the requested State or the authority effecting service shall furnish a certificate in accordance with the model form appended to the present Convention. This certificate shall confirm that the request has been complied with, or if the request has not been complied with, it shall give the reason.

2. The completed certificate shall be forwarded directly to the requesting authority by the authority drawing it up.

3. The requesting authority may ask the central authority of the requested State to countersign any certificate not drawn up by that central authority, where the authenticity of such certificate is challenged.

*Article 9. FORMS OF REQUEST AND CERTIFICATE*

1. The standard terms on the model form appended to the present Convention shall be printed in one of the official languages of the Council of Europe. They may in addition be printed in the official language or one of the official languages of the State of the requesting authority.

2. The blanks opposite these standard terms shall be completed either in the official language or one of the official languages of the requested State, or in one of the official languages of the Council of Europe.

*Article 10. SERVICE BY CONSULAR OFFICERS*

1. Each Contracting State may effect service directly and without compulsion by its consular officers or, where circumstances so demand, by its diplomatic agents of documents on persons within the territory of other Contracting States.

2. Each State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, object by means of a declaration addressed to the Secretary General of the Council of Europe to such service within its territory in the case of documents to be served upon its nationals or upon nationals of a third State or upon stateless persons. Any other Contracting State may claim reciprocity.

3. The declaration in pursuance of paragraph 2 of this Article shall take effect at the time of the entry into force of this Convention with regard to the State which has made it. It may be withdrawn by means of a declaration addressed to the Secretary General of the Council of Europe. Such withdrawal shall take effect three months after the date of receipt of this declaration.

*Article 11. SERVICE BY POST*

1. Each Contracting State may effect service of documents directly through the post on a person within the territory of other Contracting States.

2. Each Contracting State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, or within five years after the entry into force of this Convention in respect of itself, by a declaration addressed to the Secretary General of the Council of Europe, object, in a general manner or partially, either because of the nationality of the addressee or for defined categories of documents, to such service within its territory. Any other Contracting State may claim reciprocity.

3. The declaration in pursuance of paragraph 2 of this Article shall take effect, as the case may be, at the time of the entry into force of the Convention with regard to the State which has made it or three months after its receipt by the Secretary General of the Council of Europe. It may be withdrawn, partially or wholly, by means of a declaration addressed to the Secretary General of the Council of Europe. Such withdrawal shall take effect three months after the date of receipt of this declaration.

*Article 12. OTHER CHANNELS OF TRANSMISSION*

1. Any Contracting State shall be free to use diplomatic or consular channels for the purpose of requesting service of documents.

2. This Convention shall not prevent two or more Contracting States from agreeing to permit, for the purpose of service of documents, channels of transmission other than those provided in the preceding articles and, in particular, direct communication between their respective authorities.

#### *Article 13. COSTS*

1. The service of a foreign document in accordance with Article 6, paragraph 1, sub-paragraph *a*, and paragraph 2 of this Convention shall not give rise to any payment or refund of fees or costs for the services rendered by the requested State.

2. The requesting authority shall be required to pay or refund the costs incurred by the form of service it requests in accordance with Article 6, paragraph 1, sub-paragraph *b*.

#### *Article 14. REFUSAL TO COMPLY*

1. The central authority of the requested State to which a request for service is addressed may refuse to comply with it:

- a.* If it considers that the matter to which the document to be served relates is not an administrative matter in the sense of Article 1 of this Convention;
- b.* If it considers that compliance would interfere with the sovereignty, security, public policy or other essential interests of that State;
- c.* If the addressee cannot be found at the address indicated by the requesting authority and his whereabouts cannot be easily determined.

2. In the event of refusal, the central authority of the requested State shall promptly inform the requesting authority and state the reasons for such refusal.

#### *Article 15. TIME-LIMITS*

When a document is transmitted for service within the territory of another Contracting State the addressee shall be allowed, in the event that such service implies a time-limit affecting him, reasonable time, such time to be determined by the requesting State, from the moment he has received the document, to attend the proceedings or be represented or to make representations, as the case may be.

#### *Article 16. OTHER INTERNATIONAL AGREEMENTS OR ARRANGEMENTS*

Nothing in this Convention shall affect existing or future international agreements and practices or other arrangements between Contracting States which relate to matters dealt with in the present Convention.

### CHAPTER II. FINAL CLAUSES

#### *Article 17. ENTRY INTO FORCE OF THE CONVENTION*

1. This Convention shall be open to signature by the member States of the Council of Europe. It shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

2. The Convention shall enter into force on the first day of the month following the expiration of three months after the date of the deposit of the third instrument of ratification, acceptance or approval.

3. In respect of any signatory State ratifying, accepting or approving it subsequently, the Convention shall come into force on the first day of the month following the expiration of three months after the date of the deposit of its instrument of ratification, acceptance or approval.

#### *Article 18. REVISION OF THE CONVENTION*

At the request of any Contracting State, or after the third year following the entry into force to the Convention, the Contracting States shall proceed to a multilateral consultation in which any member State of the Council of Europe may have itself represented by an observer, in order to examine its application, as well as the advisability of its revision or of an enlargement of any of its provisions. This consultation shall take place during a meeting convoked by the Secretary General of the Council of Europe.

#### *Article 19. ACCESSION OF A STATE NOT A MEMBER OF THE COUNCIL OF EUROPE*

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe may invite any non-member State to accede thereto, by decision taken by a two-thirds majority of the votes cast, including the unanimous votes of the Contracting States.

2. Such accession shall be effected by depositing with the Secretary General of the Council of Europe an instrument of accession which shall take effect three months after the date of its deposit.

#### *Article 20. TERRITORIAL SCOPE OF THE CONVENTION*

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

2. Any State may, when depositing its instrument of ratification, acceptance, approval or accession or at any later time, by declaration addressed to the Secretary General of the Council of Europe, extend this Convention to any other territory or territories specified in the declaration and for whose international relations it is responsible or on whose behalf it is authorised to give undertakings.

3. Any declaration made in pursuance of the preceding paragraph may, in respect of any territory mentioned in such declaration, be withdrawn by means of a notification addressed to the Secretary General of the Council of Europe. Such withdrawal shall take effect six months after the date of receipt by the Secretary General of the Council of Europe of the notification.

#### *Article 21. RESERVATIONS TO THE CONVENTION*

No reservations may be made to this Convention.

#### *Article 22. DENUNCIATION OF THE CONVENTION*

1. Any Contracting State may, in so far as it is concerned, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2. Such denunciation shall take effect on the first day of the month following the expiration of a period of six months after the date of receipt by the Secretary General of such notification. This Convention shall, however, continue to apply to requests for service received before the date on which the denunciation takes effect.

*Article 23. FUNCTIONS OF THE DEPOSITORY OF THE CONVENTION*

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe and any State which has acceded to this Convention of:

- a. Any signature;
- b. Any deposit of an instrument of ratification, acceptance, approval or accession;
- c. Any date of entry into force of this Convention in accordance with Article 17, paragraphs 2 and 3;
- d. Any declaration received in pursuance of the provision of Article 1, paragraphs 2, 3 and 4;
- e. Any declaration received in pursuance of the provisions of Article 2, paragraph 5;
- f. Any declaration received in pursuance of the provisions of Article 10, paragraphs 2 and 3;
- g. Any declaration received in pursuance of the provisions of Article 11, paragraphs 2 and 3;
- h. Any declaration or notification received in pursuance of the provisions of Article 20, paragraphs 2 and 3;
- i. Any notification received in pursuance of the provisions of Article 22, paragraph 1, and the date on which denunciation takes effect.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Convention.

DONE at Strasbourg, this 24th day of November 1977, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each of the signatory and acceding States.

For the Government  
of the Republic of Austria:

Strasbourg, le 2 octobre 1979

OTTO MASCHKE

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet, ont signé la présente Convention.

FAIT à Strasbourg, le 24 novembre 1977, en français et en anglais, les deux textes faisant également foi, en un seul exemplaire qui sera déposé dans les archives du Conseil de l'Europe. Le Secrétaire général du Conseil de l'Europe en communiquera copie certifiée conforme à chacun des Etats signataires et adhérents.

Pour le Gouvernement  
de la République d'Autriche :

For the Government  
of the Kingdom of Belgium:

Pour le Gouvernement  
du Royaume de Belgique :

Strasbourg, le 18 novembre 1980

A. J. VRANKEN

For the Government  
of the Republic of Cyprus:

Pour le Gouvernement  
de la République de Chypre :

For the Government  
of the Kingdom of Denmark:

Pour le Gouvernement  
du Royaume de Danemark :

For the Government  
of the French Republic:

Pour le Gouvernement  
de la République française :

JEAN-FRANÇOIS DENIAU

For the Government  
of the Federal Republic of Germany:

Pour le Gouvernement  
de la République fédérale d'Allemagne :

Strasbourg, le 6 novembre 1979

KARL-ALEXANDER HAMPE

For the Government  
of the Hellenic Republic:

Pour le Gouvernement  
de la République hellénique :

DIMITRI S. BITSIOS

For the Government  
of the Icelandic Republic:

Pour le Gouvernement  
de la République islandaise :

For the Government  
of Ireland:

Pour le Gouvernement  
d'Irlande :

For the Government  
of the Italian Republic:

Pour le Gouvernement  
de la République italienne :

ARNALDO FORLANI

For the Government  
of the Grand Duchy of Luxembourg:

Pour le Gouvernement  
du Grand-Duché de Luxembourg :

GASTON THORN

For the Government  
of Malta:

Pour le Gouvernement  
de Malte :

For the Government  
of the Kingdom of the Netherlands:

Pour le Gouvernement  
du Royaume des Pays-Bas :

For the Government  
of the Kingdom of Norway:

Pour le Gouvernement  
du Royaume de Norvège :

For the Government  
of the Portuguese Republic:

Pour le Gouvernement  
de la République portugaise :

Strasbourg, le 16 octobre 1980

DIOGO FREITAS DO AMARAL

For the Government  
of the Kingdom of Spain:

Pour le Gouvernement  
du Royaume de l'Espagne :

For the Government  
of the Kingdom of Sweden:

Pour le Gouvernement  
du Royaume de Suède :

For the Government  
of the Swiss Confederation:

Pour le Gouvernement  
de la Confédération suisse :

PIERRE GRABER

For the Government  
of the Turkish Republic:

Pour le Gouvernement  
de la République turque :

For the Government  
of the United Kingdom of Great Britain  
and Northern Ireland:

Pour le Gouvernement  
du Royaume-Uni de Grande-Bretagne  
et d'Irlande du Nord :

## APPENDIX

Model form  
as referred to in Articles 3, 8 and 9 of the Convention

**REQUEST FOR SERVICE\***  
**EUROPEAN CONVENTION ON THE SERVICE ABROAD OF DOCUMENTS**  
**RELATING TO ADMINISTRATIVE MATTERS (ETS No. ....)**

1 - **REQUESTING AUTHORITY****FUNCTIONS :****ADDRESS :**

Done at .....

2 - **RECEIVING CENTRAL AUTHORITY****ADDRESS :**3 - **REF.** of the requesting authority :4 - **SUBJECT OF THE REQUEST :** Service abroad of a document in an administrative matter (document enclosed in duplicate)5 - **CONTENTS OF DOCUMENT :** .....6 - **ADDRESSEE OF THE DOCUMENT**A **NAME** (in capitals) and forenames :

B Where applicable, further details for identification of the addressee :

C **ADDRESS :**

— No. Street

— Locality :

— Canton—County—Province—State :

D **COUNTRY :**7 - **SERVICE REQUESTED :**A  in accordance with the methods prescribed by internal law of the requested State (Article 6, paragraph 1, sub-paragraph a).B  in accordance with the following particular method (Article 6, paragraph 1, sub-paragraph b) (translation of the document) :C  by delivery to the addressee if he accepts it voluntarily (Article 6, paragraph 2).

The receiving central authority is requested to return or arrange to have returned to the requesting authority a copy of the document—and of the appendices—with the *CERTIFICATE* as shown on the reverse side.

Signature and/or stamp

\* This form must be drawn up in duplicate, one being the original, the other the copy (Article 3 of the Convention).

**FORM TO BE RETURNED**

8 - **REQUESTING AUTHORITY :** .....  
**ADDRESS :** .....

**CERTIFICATE**

The undersigned authority has the honour to certify :

9 -  **THAT THE REQUEST HAS BEEN COMPLIED WITH**

On (date) .....

At (place, street, number) .....

By the following method :

A  in accordance with the methods prescribed by internal law of the requested State  
(Article 6, paragraph 1, sub-paragraph a)

B  in accordance with the following particular method (Article 6, paragraph 1, sub-paragraph b):

C  by delivery to the addressee if he accepts it voluntarily (Article 6, paragraph 2)

The documents referred to in the request have been delivered to (identity of person and, where applicable, relationship to the addressee — family, business, or other) :

.....  
.....

10 -  **THAT THE REQUEST HAS NOT BEEN COMPLIED WITH** for the following reasons :

11 - **APPENDICES**

A  statement of costs

B  documents establishing the service

C  documents returned

12 - **REQUESTED AUTHORITY**  
name of service and department

Done at .....

Signature and/or stamp

**DECLARATIONS MADE  
UPON RATIFICATION**

**AUSTRIA**

“1. In pursuance of Article 1, paragraph 2 that the Convention shall also apply to fiscal matters and criminal matters on the basis of reciprocity;

2. In pursuance of Article 2 that the following authorities are hereby designated as central authorities to receive and take action on requests for service of documents emanating from authorities of other Contracting States:

- A. In respect of documents relating to matters concerning refugees, arms and weapons, or police regulations on aliens, for the whole federal territory the Federal Ministry of the Interior (Bundesministerium für Inneres), Herrengasse, A-1010 Wien;
- B. For each of the Federal Länder the Office of the Land Government as follows:
  - a) For the Land of Burgenland:  
Amt der Burgenländischen Landesregierung  
A-7000 Eisenstadt  
Landhaus.
  - b) For the Land of Carinthia:  
Amt der Kärtner Landesregierung  
A-9020 Klagenfurt  
Arnulfplatz 1.
  - c) For the Land of Lower Austria:  
Amt der Niederösterreichischen Landesregierung  
A-1014 Wien  
Herrengasse 13.
  - d) For the Land of Upper Austria:  
Amt der Oberösterreichischen Landesregierung  
A-4020 Linz  
Klosterstrasse 7.

**DECLARATIONS FAITES  
LORS DE LA RATIFICATION**

**AUTRICHE**

«1. Conformément à l'article 1, paragraphe 2, que la Convention s'applique en matière fiscale et en matière pénale sur la base de la réciprocité;

2. Conformément à l'article 2, que les autorités ci-dessous sont par la présente désignées comme autorités centrales chargées de recevoir les demandes de notification de documents en provenance d'autorités d'autres Etats contractants et d'y donner suite :

- A. S'agissant des documents relatifs aux questions concernant les réfugiés, les armes ou les règlements de police pour les étrangers, pour tout le territoire fédéral, le Ministère fédéral de l'Intérieur (Bundesministerium für Inneres), Herrengasse, A-1010 Vienne;
- B. Pour chacun des Länder, le Gouvernement provincial comme suit :
  - a) Pour le Land de Burgenland :  
Amt der Burgenländischen Landesregierung  
A-7000 Eisenstadt  
Landhaus.
  - b) Pour le Land de Carinthie :  
Amt der Kärtner Landesregierung  
A-9020 Klagenfurt  
Arnulfplatz 1.
  - c) Pour le Land de Basse-Autriche :  
Amt der Niederösterreichischen Landesregierung  
A-1014 Vienne  
Herrengasse 13.
  - d) Pour le Land de Haute-Autriche :  
Amt der Oberösterreichischen Landesregierung  
A-4020 Linz  
Klosterstrasse 7.

- e) For the Land of Salzburg:  
Amt der Salzburger Landesregierung  
A-5010 Salzburg  
Chiemseehof.
  - f) For the Land of Styria:  
Amt der Steiermärkischen Landesregierung  
A-8011 Graz  
Hofgasse.
  - g) For the Land of Tyrol:  
Amt der Tiroler Landesregierung  
A-6020 Innsbruck  
Landhaus.
  - h) For the Land of Vorarlberg:  
Amt der Vorarlberger Landesregierung  
A-6900 Bregenz  
Landhaus.
  - i) For the Land of Vienna:  
Amt der Wiener Landesregierung  
A-1082 Wien  
Rathaus.
- e) Pour le Land de Salzbourg :  
Amt der Salzburger Landesregierung  
A-5010 Salzbourg  
Chiemseehof.
  - f) Pour le Land de Styrie :  
Amt der Steiermärkischen Landesregierung  
A-8011 Graz  
Hofgasse.
  - g) Pour le Land du Tyrol :  
Amt der Tiroler Landesregierung  
A-6020 Innsbruck  
Landhaus.
  - h) Pour le Land de Vorarlberg :  
Amt der Vorarlberger Landesregierung  
A-6900 Bregenz  
Landhaus.
  - i) Pour le Land de Vienne :  
Amt der Wiener Landesregierung  
A-1082 Vienne  
Rathaus.

3. That service by consular officers or diplomatic agents under Article 10, paragraph 2, is objected to except for such documents as are served by consular officers or diplomatic agents upon their own nationals.

4. In pursuance of Article 11, paragraph 2, that service directly through the post shall be permitted on the basis of reciprocity except for documents

- a) Ordering expropriation,
- b) Relating to the ascertainment of the fitness for military service of persons liable to military service, or calling up the recipient for military service, or—as far as an Austrian national is concerned—ordering that any property of his located in another country shall be used permanently or temporarily for military purposes,

3. Qu'elle s'oppose, en vertu de l'article 10, paragraphe 2, à la notification par les fonctionnaires consulaires ou les agents diplomatiques à l'exception des documents notifiés par les fonctionnaires consulaires ou les agents diplomatiques à leurs propres ressortissants.

4. Conformément à l'article 11, paragraphe 2, la notification directe par la voie de la poste est autorisée sauf pour les documents

- a) Ordonnant l'expropriation,
- b) Concernant la constatation de l'aptitude au service militaire des personnes astreintes au service militaire ou appelant le destinataire au service militaire ou — en ce qui concerne les ressortissants autrichiens — ordonnant qu'un de leurs biens situé dans un autre pays sera utilisé à titre permanent ou temporaire à des fins militaires,

- c) Containing a ruling based on the Convention on the Legal Status of Refugees of 28 July 1951,<sup>1</sup> or
  - d) Relating to a matter concerning arms and weapons or police regulations on aliens.”
- c) Contenant une décision fondée sur la Convention relative au statut juridique des réfugiés du 28 juillet 1951<sup>1</sup> ou
  - d) Relatifs à une question concernant les armes ou les règlements de police pour les étrangers.

**BELGIUM**[TRANSLATION<sup>2</sup> — TRADUCTION<sup>3</sup>]***Article 2***

The Belgian Government designates as central and forwarding authority the Ministère des Affaires étrangères, du Commerce extérieur et de la Coopération au Développement, 2, rue Quatre Bras, 1000 Bruxelles — Ministerie van Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking, Quatre Brasstraat, 2, 1000 Brussel.

***Article 10.2***

The Belgian Government declares that it avails itself of the provision contained in Article 10, paragraph 2, of the Convention.

**BELGIQUE****«Article 2**

Le Gouvernement belge désigne comme autorité centrale et comme autorité expéditrice le Ministère des Affaires étrangères, du Commerce extérieur et de la Coopération au Développement, 2, rue Quatre Bras, 1000 Bruxelles — Ministerie van Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking, Quatre Brasstraat 2, 1000 Brussel.

***Article 10.2***

Le Gouvernement belge déclare se prévaloir de la disposition contenue dans l'article 10, paragraphe 2, de la Convention.»

**[GERMAN TEXT — TEXTE ALLEMAND]**

1. Die Regierung der Bundesrepublik Deutschland gibt folgende Erklärung nach Artikel 1 Abs. 2 des Übereinkommens ab:

Das Übereinkommen findet bezüglich der an die Bundesrepublik Deutschland gerichteten Ersuchen Anwendung auf Verfahren über Straftaten, deren Verfolgung und Bestrafung im Zeitpunkt des Ersuchens nicht in die Zuständigkeit der Gerichte fällt. In der Bundesrepublik Deutschland entsprechen diesen Verfahren die Bußgeldverfahren nach dem Gesetz über Ordnungswidrigkeiten (OWiG) in der Fassung der Bekanntmachung vom 2. Januar 1975 (BGBI. I S. 80), zuletzt geändert durch Artikel 4 des Gesetzes vom 5. Oktober 1978 (BGBI. I S. 1645). Die Bundesrepublik Deutschland behält sich jedoch vor, in solchen Fällen die Erledigung des Rechtshilfeersuchens unter Hinweis auf das Fehlen der Gegenseitigkeit zu verweigern.

<sup>1</sup> United Nations, *Treaty Series*, vol. 189, p. 137.

<sup>2</sup> Translation supplied by the Council of Europe.

<sup>3</sup> Traduction fournie par le Conseil de l'Europe.

<sup>1</sup> Nations Unies, *Recueil des Traités*, vol. 189, p. 137.

## Nordrhein-Westfalen:

Regierungspräsident Köln  
 Zeughausstraße 4-8  
 D-5000 Köln

## Rheinland-Pfalz:

Bezirksregierung Trier  
 Postfach 13 20  
 D-5500 Trier

## Saarland:

Minister des Innern  
 Bismarckstraße 19  
 D-6600 Saarbrücken

## Schleswig-Holstein:

Innenminister des Landes Schleswig-Holstein  
 Postfach 11 33  
 D-2300 Kiel 1

4. Die Regierung der Bundesrepublik Deutschland gibt folgende Erklärung nach Artikel 7 Abs. 3 des Übereinkommens ab:

Die Bundesrepublik Deutschland weist darauf hin, daß Schriftstücke, die in einer fremden Sprache abgefaßt sind und nicht von einer Übersetzung in die deutsche Sprache begleitet werden, nicht nach Artikel 6 Abs. 1 Buchst. b des Übereinkommens förmlich zugestellt werden können.

5. Die Regierung der Bundesrepublik Deutschland gibt folgende Erklärung nach Artikel 10 Abs. 2 des Übereinkommens ab:

Die Bundesrepublik Deutschland widerspricht der Zustellung durch diplomatische oder konsularische Vertreter, wenn das Schriftstück einer anderen Person als einem Staatsangehörigen des ersuchenden Staates zuzustellen ist.

6. Die Regierung der Bundesrepublik Deutschland gibt folgende Erklärung nach Artikel 11 Abs. 2 des Übereinkommens ab:

Die Bundesrepublik Deutschland widerspricht der Zustellung von Schriftstücken durch die Post in ihrem Hoheitsgebiet.

*FEDERAL REPUBLIC  
 OF GERMANY*

[TRANSLATION]<sup>1</sup>

*Article 1, paragraph 2*

The Convention shall apply for purposes of requests addressed to the Federal Republic of Germany to any proceedings in respect of offences the punishment of which does not fall within the jurisdiction of the judicial authorities at the time of the request for assistance. In the Federal

*RÉPUBLIQUE FÉDÉRALE  
 D'ALLEMAGNE*

[TRADUCTION]<sup>1</sup>

*Article 1, paragraphe 2*

Pour les demandes adressées à la République fédérale d'Allemagne, la Convention s'appliquera à toute procédure visant des infractions dont la répression n'est pas, au moment où l'entraide est demandée, de la compétence des autorités judiciaires. En République fédérale d'Allemagne.

<sup>1</sup> Translation supplied by the Council of Europe.

<sup>1</sup> Traduction fournie par le Conseil de l'Europe.

Republic of Germany such proceedings include proceedings for fines under the Administrative Offences Act (*Gesetz über Ordnungswidrigkeiten*) as published on 2 January 1975 (Federal Law Gazette I, p. 80) and last amended by Article 4 of the law of 5 October 1978 (Federal Law Gazette I, p. 1645). However, the Federal Republic of Germany reserves the right in such cases to refuse to comply with requests for assistance on grounds of non-reciprocity.

The Convention shall not apply to service of documents relating to administrative offences in fiscal matters.

#### *Article 1, paragraph 3*

The Convention shall not apply to requests addressed to the Federal Republic of Germany relating to matters of foreign trade (exchanges of goods and services, capital and payment transactions), nor to prohibitions of and restrictions on trans-frontier exchanges of goods.

#### *Article 2, paragraph 1, second sentence*

In the Federal Republic of Germany the functions envisaged under this Convention shall be performed by central authorities which have been designated by the Laender (federal States).

Requests for service of documents shall be complied with by the central authority of the Land in whose territory the service is to be effected.

The central authority shall be for:

#### Baden-Württemberg:

Regierungspräsidium Freiburg  
Kaiser-Josef-Strasse 167  
D-7800 Freiburg

#### Bavaria:

Regierung der Oberpfalz  
in Regensburg

gne, une telle procédure inclut les procédures d'amendes imposées en application de la loi sur les infractions administratives (*Gesetz über Ordnungswidrigkeiten*) publiée le 2 janvier 1975 (Journal officiel fédéral I, p. 80), et dont le dernier amendement a été apporté par l'article 4 de la loi du 5 octobre 1978 (Journal officiel fédéral I, p. 1645). Toutefois, la République fédérale d'Allemagne se réserve le droit en pareil cas de refuser d'accéder à des demandes d'assistance pour non-réciprocité.

La Convention ne s'appliquera pas à la notification de documents relatifs à des infractions administratives en matière fiscale.

#### *Article 1, paragraphe 3*

La Convention ne s'appliquera pas aux demandes adressées à la République fédérale d'Allemagne et relatives aux questions de commerce avec l'étranger (échanges de marchandises et de services, transactions financières et paiements) ni aux interdictions et aux restrictions des échanges transfrontaliers de marchandises.

#### *Article 2, paragraphe 1, seconde phrase*

En République fédérale d'Allemagne, les fonctions visées par la Convention seront exercées par les autorités centrales désignées par les Länder.

C'est l'autorité centrale du Land sur le territoire duquel la notification doit avoir lieu qui donne suite aux demandes de notification de documents.

Les autorités centrales seront les suivantes :

#### Bade-Wurtemberg :

Regierungspräsidium Freiburg  
Kaiser-Josef-Strasse 167  
D-7800 Freiburg

#### Bavière :

Regierung der Oberpfalz  
in Regensburg

Postfach 322 Emmeramsplatz 8 D-8400 Regensburg	Postfach 322 Emmeramsplatz 8 D-8400 Regensburg
Berlin: Regierender Bürgermeister — Senatskanzlei — John F. Kennedy-Platz (Rathaus) D-1000 Berlin 62	Berlin : Regierender Bürgermeister — Senatskanzlei — John F. Kennedy-Platz (Rathaus) D-1000 Berlin 62
Bremen: Senator für Inneres Contrescarpe 22-24 D-2800 Bremen	Brême : Senator für Inneres Contrescarpe 22-24 D-2800 Bremen
Hamburg: Freie und Hansestadt Hamburg — Justizbehörde — Drehbahn 36 D-2000 Hamburg 36	Hambourg : Freie und Hansestadt Hamburg — Justizbehörde — Drehbahn 36 D-2000 Hamburg 36
Hesse: Hessischer Minister des Innern Friedrich-Ebert-Allee 12 D-6200 Wiesbaden	Hesse : Hessischer Minister des Innern Friedrich-Ebert-Allee 12 D-6200 Wiesbaden
Lower Saxony: Niedersächsisches Landesverwaltungamt Auestrasse 14 Postfach 107 D-3000 Hannover	Basse-Saxe : Niedersächsisches Landesverwaltungamt Auestrasse 14 Postfach 107 D-3000 Hannover
North-Rhine/Westphalia: Regierungspräsident Köln Zeughausstrasse 4-8 D-5000 Köln	Rhénanie du Nord/Westphalie : Regierungspräsident Köln Zeughausstrasse 4-8 D-5000 Köln
Rhineland-Palatinate: Bezirksregierung Trier Postfach 13 20 D-5500 Trier	Rhénanie/Palatinat : Bezirksregierung Trier Postfach 1320 D-5500 Trier
Saarland: Minister des Innern Bismarckstrasse 19 D-6600 Saarbrücken	Sarre : Minister des Innern Bismarckstrasse 19 D-6600 Saarbrücken
Schleswig-Holstein: Innenminister des Landes Schleswig-Holstein Postfach 11 33 D-2300 Kiel 1	Schleswig-Holstein : Innenminister des Landes Schleswig-Holstein Postfach 1133 D-2300 Kiel 1

*Article 7, paragraph 3*

The Federal Republic of Germany  
draws attention to the fact that formal

*Article 7, paragraphe 3*

La République fédérale d'Allemagne  
appelle l'attention sur le fait qu'une noti-

service of documents drawn up in a foreign language and not accompanied by a translation into the German language cannot be effected in accordance with Article 6, paragraph 1, sub-paragraph b. of the Convention.

*Article 10, paragraph 2*

The Federal Republic of Germany objects to service by diplomatic agents or consular officers if the document is to be served upon a person other than a national of the requesting State.

*Article 11, paragraph 2*

The Federal Republic of Germany objects to the service of documents through the post within its territory.

fication formelle de documents établie dans une langue étrangère et non accompagnée d'une traduction en allemand ne peut être effectuée en application de l'article 6, paragraphe 1, alinéa b, de la Convention.

*Article 10, paragraphe 2*

La République fédérale d'Allemagne s'oppose à la notification par des agents diplomatiques ou des fonctionnaires consulaires si le document doit être notifié à une personne qui n'est pas ressortissante de l'Etat requis.

*Article 11, paragraphe 2*

La République fédérale d'Allemagne s'oppose à la notification de documents par la voie de la poste sur son territoire.

*LUXEMBOURG*

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

The Grand Duchy of Luxembourg shall apply the Convention to any proceedings in respect of offences other than fiscal matters the punishment of which does not fall within the jurisdiction of its judicial authorities at the time of the request for assistance.

In application of Article 2 of the Convention, the Grand Duchy of Luxembourg designates as the central authority to receive requests for service of documents emanating from abroad, the "Ministry of Justice, 16, boulevard Royal, Luxembourg".

*LUXEMBOURG*

«Le Grand-Duché de Luxembourg appliquera la Convention à toutes procédures visant des infractions autres que fiscales dont la répression ne rentre pas, au moment où l'entraide est demandée, dans la compétence de nos autorités judiciaires.

En exécution de l'article 2 de la Convention, le Grand-Duché de Luxembourg désigne comme autorité centrale, chargée de recevoir les demandes de notification de documents provenant de l'étranger, le «Ministère de la Justice, 16, boulevard Royal, Luxembourg.»

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<sup>1</sup> Translation supplied by the Council of Europe.

<sup>2</sup> Traduction fournie par le Conseil de l'Europe.