# ARTICLE 4.

(a) Service may be effected, without any intervention of the authorities (a) Service may be effected, without any construction of the country of origin of the country of execution by a Consular Officer acting for the country of origin provided the of the country of execution by a Constitution of the country of origin provided that in any manner permissible by the law of the country of origin provided that no

physical compulsion is used.

sical compulsion is used.

(b) All documents served by a Consular Officer shall, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the is a subject or citizen of the High Contracting 1 and 1 the dark the document to be served emanates, either be drawn up in the language of the country of execution or be accompanied by a translation into such language, certified as correct as prescribed in Article 3 (c).

field as correct as prescribed in Article 5 (c) The fact that an attempt to effect service in accordance with this article (c) The fact that an attempt to effect service in accordance with this article (c) are subsequently made in accordance with this article (c) are subsequently made in accordance with this article (c). (c) The fact that an attempt to effect being subsequently made in accordance has failed does not preclude a request being subsequently made in accordance

with Article 3.

#### ARTICLE 5.

(a) In any case where documents have been served in accordance with the (a) In any case where documents had provided and the provisions of Article 3, the High Contracting Party, by whose Consular Officer provisions of Article 3, the High Contracting to the other High Contracting the request for service was addressed, shall repay to the other High Contracting the request for service was addressed, shall repayable under the law of the country Party any charges and expenses which are payable under the law of the country Party any charges and expenses which are persons employed to effect service, and any charges and execution to the persons employed to effect service, and any charges and of execution to the persons employed in a special manner. These charges and of execution to the persons employed to special manner. These charges and expenses incurred in effecting service in a special manner. These charges and expenses incurred in electing service in a special service in the courts of that expenses shall not exceed such as are usually allowed in the courts of that try.
(b) Repayment of these charges and expenses shall be claimed by the country.

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(b) Repayment of these charges that been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the Consular competent authority by whom the service has been effected from the consular competence of the consular consular competence of the consular competent authority by whom the service when sending the certificate provided Officer by whom the request was addressed, when sending the certificate provided

for in Article 3 (h).

n Article 3 (h).

(c) Except as provided above, no fees of any description shall be payable of the service of the service. (c) Except as provided above, he other in respect of the service of any one High Contracting Party to the other in respect of the service of any documents. I to hand amorque add to retail

# III.—Taking of Evidence on Commission

### ARTICLE 6.

In Part III of this Convention, the expressions

In Part III of this Convention, the expression include the taking of the (1) "Taking of Evidence" shall be deemed to include the taking of the (1) "Taking of Evidence shall be defended any other person on oath or statements of a plaintiff, defendent expert or any other person of oath or statements of a plaintill, defendant, expert or any other person otherwise; the submission to a plaintiff, defendant, expert or any other person otherwise; the submission to a prantal, decings; and the production, identifica, of any oath with regard to any legal proceedings; and the production, identifica, tion and examination of documents, samples or other objects.

and examination of documents, samples (2) "Witness" shall be deemed to include any person from whom any

evidence, as defined above, is required to be taken.

ence, as defined above, is required to mean the country by whose (3) "Country of origin" shall be deemed to mean the country of everytics whose judicial authority the evidence is required, and the "country of execution" the country in which the evidence is to be taken.

### ARTICLE 7.

When a judicial authority in the territory of one of the High Contracting Parties requires that evidence should be taken in the territory of the other High Parties requires that evidence may be taken, whatever the nationality of the Centracting Party, such evidence may be taken, whatever the nationality of the parties or witnesses may be, in any one of the ways prescribed in Article 8 or 9

### ARTICLE 8.

(a) The judicial authority of the country of origin may, in accordance with the provisions of the law of his country, address himself by means of a Letter of Request to the competent authority of the country of execution, requesting such authority to take the evidence. and to one no hearing ad Hada sorvies balance