

ARTICLE 4

(a) The provisions of Articles 2 and 3 in no way prejudice the right to use in the territory of either High Contracting Party, without any request to or intervention of the authorities of the country where service is to be effected, any of the following methods of service in connection with judicial or extra-judicial documents drawn up in the territory of the other High Contracting Party:—

(1) Service by a Consular Officer of the High Contracting Party from whose territory the document emanates;

(2) Service by an agent appointed for the purpose either by the judicial authority by whom service of the document is required or by the party on whose application the document was issued;

(3) Service by registered post, with notice of receipt;

(4) Service by any other method which is not illegal under the law existing at the time of service in the country where it is to be effected.

(b) The methods of service referred to in (1) and (2) of paragraph (a) of this Article may not be used for service on persons, who are subjects or citizens of the High Contracting Party, in whose territory the documents are to be served, unless such persons are willing to accept service; and, when these methods of service are employed, the documents to be served shall, unless the recipient is a subject or citizen of the High Contracting Party from whose territory the document to be served emanates, either be drawn up in the language of the country in which service is to be effected or accompanied by a translation into such language certified as correct as prescribed in Article 3 (c).

(c) It is understood that the validity of any service effected by the use of any of the methods referred to in paragraph (a) of this Article will remain a matter for the determination of the respective Courts of the High Contracting Parties in accordance with their law.

ARTICLE 5

(a) In any case where documents have been served in accordance with the provisions of Article 3, the High Contracting Party, by whose Consular Officer the request for service was addressed, shall pay to the other High Contracting Party any charges and expenses which are payable under the law of the country where the service is effected to the persons employed to effect service, and any charges and expenses incurred in effecting service in a special manner. These charges and expenses shall not exceed such as are usually allowed in the Courts of that country.

(b) Repayment of these charges and expenses shall be claimed by the competent authority by whom the service has been effected from the Consular Officer by whom the request was addressed when sending to him the certificate provided for in Article 3 (g).

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

III.—*Taking of Evidence*

ARTICLE 6

(a) 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 Contracting Party, such evidence may be taken in any of the ways prescribed in Articles 7 and 8.