

CONVENTION BETWEEN HIS MAJESTY AND HIS MAJESTY THE KING OF SPAIN REGARDING LEGAL PROCEEDINGS IN CIVIL AND COMMERCIAL MATTERS

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Catholic Majesty, the King of Spain,

Being desirous to render mutual assistance in the conduct of legal proceedings, in their respective territories, in civil and commercial matters, which are being dealt with or which it is anticipated may be dealt with by their respective judicial authorities;

Have resolved to conclude a Convention for this purpose and have appointed as their plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland, all British Colonies and Protectorates and territories under His suzerainty and all mandated territories administered by His Government in the United Kingdom of Great Britain and Northern Ireland:

The Right Honourable Arthur Henderson, M.P., His Majesty's Principal Secretary of State for Foreign Affairs;
and

His Catholic Majesty the King of Spain:

His Excellency the Marquess de Merry del Val, Knight Grand Cross of the Order of Carlos III, G.C.V.O., His Ambassador Extraordinary and Plenipotentiary at the Court of His Britannic Majesty,

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

I.—Preliminary

ARTICLE 1

(a) This Convention applies only to civil and commercial matters, including non-contentious matters.

(b) In this Convention the words "territory of one (or of the other) High Contracting Party" shall be interpreted as meaning at any time any of the territories of such High Contracting Party to which the Convention at that time applies.

II.—Service of Judicial and Extra-Judicial Documents

ARTICLE 2

When judicial or extra-judicial documents drawn up in the territory of one of the High Contracting Parties are required by a judicial authority situated therein to be served on persons, partnerships, companies, societies or other corporations in the territory of the other High Contracting Party, such documents may, without prejudice to the provisions of Article 5, be served on the recipient, whatever his nationality, in any of the ways provided in Articles 3 and 4.