

II. REGULATIONS CONCERNING GUARDIANSHIP.

(Reporter: M. le Comte de Villers, Delegate of the Government of Luxemburg.)

Art. 1. The guardianship of a minor is regulated by the law of his nationality.

Art. 2. If, under the local law, there is not in the State under whose control the minor happens to be an authority competent to establish a guardianship, the diplomatic or consular agent of the State residing in the district where the guardianship has become necessary (*où la tutelle est ouverte de fait*) will exercise, if the law of the minor's nationality will permit it, all the powers conferred by that law on the authorities of the State under whose control the minor happens to be.

Art. 3. Nevertheless, the guardianship of a minor residing in a foreign country may be constituted by the competent authorities of the locality and regulated by their law in the following cases:

(a) If for any reasons arising from the nature of the case or the law of the locality, the guardianship cannot be created in conformity with Arts. 1 and 2.

(b) If the persons whose duty it would be under the preceding articles to create the guardianship have failed to do so.

(c) If the person duly authorized by the national law of the minor has nominated a guardian residing in the same country as the minor.

Art. 4. In the cases provided for by Arts. 3 (a) and (b), the authorities of the minor's nationality may always provide for the appointing of a guardian, if the grounds which at first had prevented their action have disappeared. In that case they should give due notice to the foreign authorities who may have established a guardianship.

Art. 5. In every case guardianship begins and ends at the periods and for the causes determined by the national law of the minor.

Art. 6. Pending the definite appointment of a guardian to a foreign minor or the intervention of diplomatic or consular agents, measures necessary for the minor's protection or the preservation of his property shall be taken by the local authorities.

Art. 7. The guardian's administration extends to the person of the minor and to the whole of his property, wherever the latter may be situated. This rule is subject to an exception, in case of immovables, if the law of the country of their situation prescribes with reference to them any special method of administration.

Art. 8. Any government which is informed of the presence in its territory of a foreign minor, for the guardianship of whom it is necessary to provide, will inform the government of the minor's country in the shortest possible time.

III. REGULATIONS CONCERNING CIVIL PROCEDURE.

(Reporter: M. Von Seckendorf, Delegate of the German Government.)

A. Notice Abroad of Legal Documents or Acts, Judicial or Non-Judicial
(*Actes Judiciaires ou Extra-Judiciaires.*)

Art. 1. In civil and commercial causes, notices of legal documents or