

CONVENTION BETWEEN HIS MAJESTY, IN RESPECT OF THE UNITED KINGDOM, AND HIS MAJESTY THE KING OF ITALY 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 Majesty the King of Italy,

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 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:

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

His Majesty the King of Italy:

Monsieur Antonio Chiaramonte Bordonaro, His Ambassador Extraordinary and Plenipotentiary in London;

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

I.—Preliminary

ARTICLE 1

This Convention applies only to civil and commercial matters.

II.—Service of Judicial and Extra-judicial Documents

ARTICLE 2

When judicial or extra-judicial documents drawn up in any of the territories (to which this Convention applies) of one of the High Contracting Parties are to be served on persons (including corporations) in any territory (to which this Convention applies) of the other, such documents may, at the option of the party interested, be served on the recipient in any of the ways provided in Articles 3 and 4.

ARTICLE 3

(a) The request for service shall be transmitted:—

In Italy by a British consular officer to the Procuratore Generale presso la Corte d'Appello of the district in which the document is to be served;

In England by an Italian consular officer to the Senior Master of the Supreme Court of Judicature in England.

(b) The request, containing the name of the authority from which the document transmitted emanates, the names and descriptions of the parties, the address of the recipient, and the nature of the document in question, shall be drawn up in the language of the country in which the documents are to be served. The document to be served shall be drawn up in the language of the country in which it is to be served, or be accompanied by a translation in such language. The said translation shall be certified as correct by a diplomatic or consular agent of the High Contracting Party making the request, or by an official or sworn translator of one or other of the two countries concerned.