

Proposal for a Council Directive on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters

(1999/C 247 E/02)

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(Submitted by the Commission on 26 May 1999)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular point (c) of Article 61 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

(1) Whereas the Union has set itself the objective of maintaining and developing the Union as an area of freedom, security and justice, in which the free movement of persons is assured; whereas to establish such an area the Community is to adopt, among others, the measures relating to judicial cooperation in civil matters needed for the sound operation of the internal market;

(2) Whereas the sound operation of the internal market entails the need to improve and expedite the transmission of judicial and extrajudicial documents in civil or commercial matters for service between the Member States;

(3) Whereas this is a subject now falling within the ambit of Article 65 of the Treaty;

(4) Whereas, in accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objectives of this Directive cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Community; whereas this Directive confines itself to the minimum required in order to achieve those objectives and does not go beyond what is necessary for that purpose;

(5) Whereas the Council, by Act dated 26 May 1997⁽¹⁾, concluded a Convention on the service in the Member States of the European Union of judicial and extrajudicial documents in civil or commercial matters and recom-

mended it for adoption by the Member States in accordance with their respective constitutional requirements; whereas that Convention has not entered into force; whereas continuity in the results of the negotiations for conclusion of the Convention should be ensured; whereas the content of this Regulation is substantially taken over from it;

(6) Whereas efficiency and speed in judicial procedures in civil matters means that the transmission of judicial and extrajudicial documents is to be made direct and by rapid means between bodies designated by the Member States; whereas, however, the Member States may indicate their intention of preserving central bodies for a transitional period of five years; whereas this transitional arrangement is warranted by the need to adapt the Member States' existing systems for transmission;

(7) Whereas speed in transmission warrants the use of all appropriate means, provided that certain conditions as to the legibility and reliability of the document received are observed; whereas security in transmission requires that the document to be transmitted be accompanied by a pre-printed form, to be completed in the language of the place where service is to be effected, or in another language accepted by the Member State in question;

(8) Whereas, to secure the effectiveness of the Directive, the possibility of refusing service of documents is confined to exceptional situations;

(9) Whereas speed of transmission warrants documents being served within days of reception of the document; whereas, however, if service has not been effected after one month has elapsed, the receiving agency should inform the transmitting agency; whereas the expiry of this period should not imply that the request be returned to the transmitting body where it is clear that service is feasible within a reasonable period;

(10) Whereas, for the protection of the addressee's interests, service should be effected in the language of the place where it is to be effected or in one of the languages of the originating Member State which the addressee understands;

⁽¹⁾ OJ C 261, 27.8.1997, p. 1.

- (11) Whereas, given the differences between the Member States as regards their rules of procedure, the material date for the purposes of service varies from one Member State to another; whereas in such situations this Directive should provide for a double-date system, where it is the law of the receiving Member State which determines it, unless the relevant documents are to be served within a specified period; whereas the purpose of this is to protect both the addressee and the requesting party;
- (12) Whereas this Directive prevails over the provisions applying to these matters, contained in international conventions concluded by the Member States, and in particular the Protocol annexed to the Brussels Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters ⁽¹⁾ and the Hague Convention of 15 November 1965 on the Service abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, in relations between the Member States party thereto; whereas the Directive does not preclude Member States from maintaining or adopting measures to expedite the transmission of documents, provided that they are compatible with the Directive;
- (13) Whereas the information transmitted pursuant to this Directive should enjoy suitable protection; whereas the matter falls within the scope of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data ⁽²⁾, and of Directive 97/66/EC concerning the processing of personal data and the protection of privacy in the telecommunications sector ⁽³⁾;
- (14) Whereas the Commission should be empowered to give effect to measures implementing this Directive; whereas to that end it should be assisted by an advisory committee;
- (15) Whereas, no later than three years after the date of entry into force of this Directive, the Commission should review its application and propose such amendments as may appear necessary;
- (16) Whereas, in accordance with Articles 1 and 2 of the Protocols on the position of the United Kingdom and Ireland and on the position of Denmark, those Member States are not participating in the adoption of this Directive; whereas this Directive is accordingly not binding on the United Kingdom, Ireland or Denmark, nor is it applicable in their regard,

HAS ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1. This Directive shall apply in civil and commercial matters where a judicial or extrajudicial document has to be transmitted from one Member State to another for service there.
2. This Directive shall not apply where the address of the person to be served with the document is not known.

Article 2

Transmitting and receiving agencies

1. Each Member State shall designate the public officers, authorities or other persons, hereinafter referred to as 'transmitting agencies', competent for the transmission of judicial or extrajudicial documents to be served in another Member State.
2. Each Member State shall designate the public officers, authorities or other persons, hereinafter referred to as 'receiving agencies', competent for the receipt of judicial or extrajudicial documents from another Member State.
3. A Member State may designate one transmitting agency and one receiving agency or one agency to perform both functions. A federal State, a State in which several legal systems apply or a State with autonomous territorial units shall be free to designate more than one such agency. The designation shall have effect for a period of five years and may be renewed at five-year intervals.
4. Each Member State shall provide the Commission with the following information:
 - (a) the names and addresses of the receiving agencies referred to in paragraphs 2 and 3;
 - (b) the geographical areas in which they have jurisdiction;
 - (c) the means of receipt of documents available to them; and
 - (d) the languages that may be used for the completion of the standard form in the Annex.

⁽¹⁾ OJ C 27, 26.1.1998, p. 24.

⁽²⁾ OJ L 281, 23.11.1995, p. 31.

⁽³⁾ OJ L 24, 30.1.1998, p. 1.

The Member States shall notify the Commission of any subsequent modification of such information.

*Article 3***Central body**

Each Member State shall designate a central body responsible for:

- (a) supplying information to the transmitting agencies;
- (b) seeking solutions to any difficulties which may arise during transmission of documents for service;
- (c) forwarding, in exceptional cases, at the request of a transmitting agency, a request for service to the competent receiving agency.

A federal State, a State in which several legal systems apply or a State with autonomous territorial units shall be free to designate more than one central body.

CHAPTER II**JUDICIAL DOCUMENTS**

SECTION 1

TRANSMISSION AND SERVICE OF JUDICIAL DOCUMENTS

*Article 4***Transmission of documents**

1. Judicial documents shall be transmitted directly and as soon as possible between the agencies designated on the basis of Article 2.
2. The transmission of documents, requests, confirmations, receipts, certificates and any other papers between transmitting agencies and receiving agencies may be carried out by any appropriate means, provided that the content of the document received is true and faithful to that of the document forwarded and that all information in it is easily legible.
3. The document to be transmitted shall be accompanied by a request drawn up using the standard form in the Annex. The form shall be completed in the official language of the Member State addressed or, if there are several official languages in that Member State, the official language or one of the official languages of the place where service is to be effected, or in another language which that Member State has indicated it can accept. Each Member State shall indicate the official language or languages of the European Union other than its own which is or are acceptable to it for completion of the form.
4. The documents and all papers that are transmitted shall be exempted from legalisation or any equivalent formality.
5. When the transmitting agency wishes a copy of the document to be returned together with the certificate referred to in Article 10, it shall send the document in duplicate.

*Article 5***Translation of documents**

1. The applicant shall be advised by the transmitting agency to which he or she forwards the document for transmission that the addressee may refuse to accept it if it is not in one of the languages provided for in Article 8.
2. The applicant shall bear any costs of translation prior to the transmission of the document, without prejudice to any possible subsequent decision by the court or competent authority on liability for such costs.

*Article 6***Receipt of documents by receiving agency**

1. A receiving agency, on receipt of a document, shall, as soon as possible and in any event within seven days of receipt thereof, send a receipt to the transmitting agency by the swiftest possible means of transmission using the standard form in the Annex.
2. Where the request for service cannot be fulfilled on the basis of the information or documents transmitted, the receiving agency shall contact the transmitting agency by the swiftest possible means in order to secure the missing information or documents.
3. If the request for service is manifestly outside the scope of this Directive or if non-compliance with the formal conditions required makes service impossible, the request and the documents transmitted shall be returned, on receipt, to the transmitting agency, together with the notice of return in the standard form in the Annex.
4. A receiving agency receiving a document for service but not having territorial jurisdiction to serve it shall forward it, as well as the request, to the receiving agency having territorial jurisdiction in the same Member State if the request complies with the conditions laid down in Article 4(3) and shall inform the transmitting agency accordingly, using the standard form in the Annex. That receiving agency shall inform the transmitting agency when it receives the document, in the manner provided for in paragraph 1.

*Article 7***Service of documents**

1. The receiving agency shall itself serve the document or have it served, either in accordance with the law of the Member State addressed or by a particular form requested by the transmitting agency, unless such a method is incompatible with the law of that Member State.
2. All steps required for service of the document shall be effected as soon as possible. In any event, if it has not been possible to effect service within one month of receipt, the receiving agency shall inform the transmitting agency by means of the certificate in the standard form in the Annex,

which shall be drawn up under the conditions referred to in Article 10(2). The period shall be calculated in accordance with the law of the Member State addressed.

Article 8

Refusal to accept a document

1. The receiving agency shall inform the addressee that he or she may refuse to accept the document to be served if it is in a language other than either of the following languages:

- (a) the official language of the Member State addressed or, if there are several official languages in that Member State, the official language or one of the official languages of the place where service is to be effected; or
- (b) a language of the Member State of transmission which the addressee understands.

2. Where the receiving agency is informed that the addressee refuses to accept the document in accordance with paragraph 1, it shall immediately inform the transmitting agency by means of the certificate provided for in Article 10 and return the request and the documents of which a translation is requested.

Article 9

Date of service

1. The date of service of a document pursuant to Article 7 shall be the date on which it is served in accordance with the law of the Member State addressed, without prejudice to Article 8.

2. Where a document must be served within a particular period in the context of proceedings to be brought or pending in the Member State of origin, the date to be taken into account with respect to the applicant shall be that fixed by the law of that Member State.

3. Each Member State may declare that it will not apply paragraphs 1 and 2.

Article 10

Certificate of service and copy of the document served

1. When the formalities concerning the service of the document have been completed, a certificate of completion of those formalities shall be drawn up in the standard form in the Annex and addressed to the transmitting agency, together with, where Article 4(5) applies, a copy of the document served.

2. The certificate shall be completed in the official language or one of the official languages of the Member State of origin or in another language which the Member State of origin has indicated that it can accept. Each Member State shall indicate the official language or languages of the European Union other

than its own which is or are acceptable to it for completion of the form.

Article 11

Costs of service

1. The service of judicial documents coming from a Member State shall not give rise to any payment or reimbursement of taxes or costs for services rendered by the Member State addressed.

2. The applicant shall pay or reimburse the costs occasioned by:

- (a) the employment of a judicial officer or of a person competent under the law of the Member State addressed;
- (b) the use of a particular method of service.

SECTION 2

OTHER MEANS OF TRANSMISSION AND SERVICE OF JUDICIAL DOCUMENTS

Article 12

Transmission by consular or diplomatic channels

Each Member State shall be free, in exceptional circumstances, to use consular or diplomatic channels to forward judicial documents, for the purpose of service, to those agencies of another Member State which are designated pursuant to Article 2 or 3.

Article 13

Service by diplomatic or consular agents

Each Member State shall be free to effect service of judicial documents on persons residing in another Member State, without application of any compulsion, directly through its diplomatic or consular agents.

Any Member State may declare that it is opposed to such service within its territory, unless the documents are to be served on nationals of the Member State in which the documents originate.

Article 14

Service by post

1. Each Member State shall be free to effect service of judicial documents directly by post to persons residing in another Member State.

2. Any Member State may specify the conditions under which it will accept service of judicial documents by post.

*Article 15***Direct service**

1. This Directive shall not interfere with the freedom of any person interested in a judicial proceeding to effect service of judicial documents directly through the judicial officers, officials or other competent persons of the Member State addressed.

2. Any Member State may declare that it is opposed to the service of judicial documents in its territory pursuant to paragraph 1.

CHAPTER III**EXTRAJUDICIAL DOCUMENTS***Article 16***Transmission**

Extrajudicial documents may be transmitted for service in another Member State in accordance with the provisions of this Directive.

CHAPTER IV**FINAL PROVISIONS***Article 17***Implementing rules**

The Commission shall adopt, in accordance with the procedure prescribed by Article 18, rules for the purposes of:

- (a) drawing up and annually updating a manual containing the information provided by Member States in accordance with Article 2(4);
- (b) drawing up a glossary in the official languages of the European Union of documents which can be served under this Directive;
- (c) making amendments to the standard form shown in the Annex;
- (d) giving effect to implementing measures to expedite the transmission and service of documents.

*Article 18***Committee**

The Commission shall be assisted by a committee of an advisory nature composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

*Article 19***Defendant not entering an appearance**

1. Where a writ of summons or an equivalent document has had to be transmitted to another Member State for the purpose of service, under the provisions of this Directive, and the defendant has not appeared, judgment shall not be given until it is established that:

- (a) the document was served by a method prescribed by the internal law of the Member State addressed for the service of documents in domestic actions upon persons who are within its territory; or
- (b) the document was actually delivered to the defendant or to his residence by another method provided for by this Directive;

and that in either of these cases the service or the delivery was affected in sufficient time to enable the defendant to defend.

2. Each Member State shall be free to declare that the judge, notwithstanding the provisions of paragraph 1, may give judgment even if no certificate of service or delivery has been received, if all the following conditions are fulfilled:

- (a) the document was transmitted by one of the methods provided for in this Directive;
- (b) a period of time of not less than six months, considered adequate by the judge in the particular case, has elapsed since the date of the transmission of the document;
- (c) no certificate of any kind has been received, even though every reasonable effort has been made to obtain it through the competent authorities of the State addressed.

3. Notwithstanding the provisions of paragraphs 1 and 2, the judge may order, in case of urgency, any provisional or protective measures.

4. When a writ of summons or an equivalent document has had to be transmitted to another Member State for the purpose of service, under the provisions of this Directive, and a judgment has been entered against a defendant who has not appeared, the judge shall have the power to relieve the defendant from the effects of the expiration of the time for appeal from the judgment if the following conditions are fulfilled:

- (a) the defendant, without any fault on his part, did not have knowledge of the document in sufficient time to defend, or knowledge of the judgment in sufficient time to appeal; and
- (b) the defendant has disclosed a *prima facie* defence to the action on the merits.

An application for relief may be filed only within a reasonable time after the defendant has knowledge of the judgment.

Each Member State may declare that such application will not be entertained if it is filed after the expiration of a time to be stated in the declaration, but which shall in no case be less than one year following the date of the judgment.

5. Paragraph 4 shall not apply to judgments concerning status or capacity of persons.

Article 20

Relationship with agreements or arrangements to which Member States are parties

1. This Directive shall, in relation to matters to which it applies, prevail over other provisions contained in conventions concluded by the Member States, and in particular Article IV of the Protocol to the Brussels Convention of 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters and the Hague Convention of 15 November 1965 on the Service abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

2. This Directive shall not preclude the maintenance or adoption of provisions to expedite the transmission of documents provided that they are compatible with the Directive. Member States shall notify the Commission of drafts of the measures which they propose to adopt.

Article 21

Legal aid

This Directive shall not affect the application of Article 23 of the Convention on civil procedure of 17 July 1905, Article 24 of the Convention on civil procedure of 1 March 1954 or Article 13 of the Convention on international access to justice of 25 October 1980 between the Member States parties to these Conventions.

Article 22

Protection of information transmitted

1. Information, including in particular personal data, transmitted under this Directive shall be used by the receiving agency only for the purpose for which it was transmitted.

2. Receiving agencies shall ensure the confidentiality of such information, in accordance with their national law.

3. Paragraphs 1 and 2 shall not affect national laws enabling data subjects to be informed of the use made of information transmitted under this Directive.

4. This Directive shall be without prejudice to Directives 95/46/EC and 97/66/EC.

Article 23

Publication

The Commission shall publish in the *Official Journal of the European Communities* the information referred to in Articles 2, 3, 4, 9, 10, 13, 14, 15 and 19 and furnished by the Member States.

Article 24

Review

No later than three years after the date of entry into force of this Directive, and every five years thereafter, the Commission shall present to the European Parliament, the Council and the Economic and Social Committee a report on the application of this Directive, paying special attention to the effectiveness of the bodies designated pursuant to Article 2 and to the practical application of point (c) of Article 3 and Article 9. The report shall be accompanied if need be by proposals for adaptations of this Directive in line with the evolution of notification systems.

Article 25

Transposal

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 30 June 2000. They shall forthwith inform the Commission thereof. They shall apply these provisions with effect from 1 October 2000.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall immediately notify to the Commission all provisions of domestic law which they adopt in the field governed by this Directive.

Article 26

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

Article 27

Addressees

This Directive is addressed to the Member States.

ANNEX

REQUEST FOR SERVICE OF DOCUMENTS**(Article 4(3) of the Directive)**

Reference No.

(*) This item is optional

1. TRANSMITTING AGENCY

- 1.1. Identity:
- 1.2. Address:
 - 1.2.1. Street and number/PO box:
 - 1.2.2. Place and code:
 - 1.2.3. Country:
- 1.3. Tel.:
- 1.4. Fax (*):
- 1.5. E-mail (*):

2. RECEIVING AGENCY

- 2.1. Identity:
- 2.2. Address:
 - 2.2.1. Street and number/PO box:
 - 2.2.2. Place and code:
 - 2.2.3. Country:
- 2.3. Tel.:
- 2.4. Fax (*):
- 2.5. E-mail (*):

3. APPLICANT

- 3.1. Identity:
- 3.2. Address:
 - 3.2.1. Street and number/PO box:
 - 3.2.2. Place and code:
 - 3.2.3. Country:
- 3.3. Tel. (*):
- 3.4. Fax (*):
- 3.5. E-mail (*):

4. ADDRESSEE

- 4.1. Identity:
- 4.2. Address:
 - 4.2.1. Street and number/PO box:
 - 4.2.2. Place and code:
 - 4.2.3. Country:
- 4.3. Tel. (*):
- 4.4. Fax (*):
- 4.5. E-mail (*):
- 4.6. Identification number/social security number/organisation number/or equivalent (*):

5. METHOD OF SERVICE

5.1. In accordance with the law of the Member State addressed

5.2. By the following particular method:

5.2.1. If this method is incompatible with the law of the Member State addressed, the document(s) should be served in accordance with the law:

5.2.1.1. yes

5.2.1.2. no

6. DOCUMENT TO BE SERVED

(a) 6.1. Nature of the document

6.1.1. Judicial

6.1.1.1. writ of summons

6.1.1.2. judgment

6.1.1.3. appeal

6.1.1.4. other:

6.1.2. Extrajudicial

(b) 6.2. Date or time-limit stated in the document (*):

(c) 6.3. Language of document:

6.3.1. original D EN DK ES FIN FR GR IT NL P S others:

6.3.2. translation (*) D EN DK ES FIN FR GR IT NL P S others:

(d) 6.4. Number of enclosures:

7. A COPY OF DOCUMENT TO BE RETURNED WITH THE CERTIFICATE OF SERVICE (Article 4(5) of the Directive)

7.1. Yes (in this case send two copies of the document to be served)

7.2. No

1. You are required by Article 7(2) of the Directive to effect all steps required for service of the document as soon as possible. In any event, if it is not possible for you to effect service within one month of receipt, you must inform this Agency by means of the certificate provided for in point 13.
2. If you cannot fulfil this request for service on the basis of the information or documents transmitted, you are required by Article 6(2) of the Directive to contact this Agency by the swiftest possible means in order to secure the missing information or document.

Done at:

Date:

Signature and/or stamp:

Reference No of the receiving agency:

ACKNOWLEDGEMENT OF RECEIPT

(Article 6(1) of the Directive)

This acknowledgement must be sent by the swiftest possible means of transmission as soon as possible after receipt of the document and in any event within seven days of receipt.

8. DATE OF RECEIPT:

Done at:

Date:

Signature and/or stamp:

NOTICE OF RETURN OF REQUEST AND DOCUMENT

(Article 6(3) of the Directive)

The request and document must be returned on receipt.

9. REASON FOR RETURN:

- 9.1. The request is manifestly outside the scope of the Directive:
 - 9.1.1. the document is not civil or commercial
 - 9.1.2. the service is not from one Member State to another Member State
- 9.2. Non-compliance with formal conditions required makes service impossible:
 - 9.2.1. the document is not easily legible
 - 9.2.2. the language used to complete the form is incorrect
 - 9.2.3. the document received is not a true and faithful copy
 - 9.2.4. other (please give details):
- 9.3. The method of service is incompatible with the law of that Member State (Article 7(1) of the Directive)

Done at:

Date:

Signature and/or stamp:

NOTICE OF RETRANSMISSION OF REQUEST AND DOCUMENT TO THE APPROPRIATE RECEIVING AGENCY**(Article 6(4) of the Directive)****The request and document were forwarded on to the following receiving agency, which has territorial jurisdiction to serve it:**

10.1. IDENTITY:

10.2. Address:

10.2.1. Street and number/PO box:

10.2.2. Place and code:

10.2.3. Country:

10.3. Tel.:

10.4. Fax (*):

10.5. E-mail (*):

Done at:

Date:

Signature and/or stamp:

Reference No of the appropriate receiving agency:

NOTICE OF RECEIPT BY THE APPROPRIATE RECEIVING AGENCY TO THE TRANSMITTING AGENCY**(Article 6(4) of the Directive)****This notice must be sent by the swiftest possible means of transmission as soon as possible after receipt of the document and in any event within seven days of receipt.**

11. DATE OF RECEIPT:

Done at:

Date:

Signature and/or stamp:

CERTIFICATE OF SERVICE OR NON-SERVICE OF DOCUMENTS

(Article 10 of the Directive)

The service shall be effected as soon as possible. In any event, if it has not been possible to effect service within one month of receipt, the receiving agency shall inform the transmitting agency (according to Article 7(2) of the Directive).

12. COMPLETION OF SERVICE

(a) 12.1. Date and address of service:

(b) 12.2. The document was

(A) 12.2.1. served in accordance with the law of the Member State addressed, namely

12.2.1.1. handed to

12.2.1.1.1. the addressee in person

12.2.1.1.2. another person

12.2.1.1.2.1. Name:

12.2.1.1.2.2. Address:

12.2.1.1.2.2.1. Street and number/PO box:

12.2.1.1.2.2.2. Place and code:

12.2.1.1.2.2.3. Country:

12.2.1.1.2.3. Relation to the addressee:

Family Employee Others

12.2.1.1.3. the addressee's address

12.2.1.2. served by post

12.2.1.2.1. without acknowledgement of receipt

12.2.1.2.2. with the enclosed acknowledgement of receipt

12.2.1.2.2.1. from the addressee

12.2.1.2.2.2. another person

12.2.1.2.2.2.1. Name:

12.2.1.2.2.2.2. Address:

12.2.1.2.2.2.2.1. Street and number/PO box:

12.2.1.2.2.2.2.2. Place and code:

12.2.1.2.2.2.2.3. Country:

12.2.1.2.2.2.3. Relation to the addressee:

Family Employee Others

12.2.1.3. other method (please say how):

(B) 12.2.2. served by the following particular method (please say how):

(c) 12.3. The addressee of the document was informed (orally) (in writing) that he or she may refuse to accept it if it was not in an official language of the place of service or in an official language of the state of transmission which he or she understands.

13. INFORMATION IN ACCORDANCE WITH ARTICLE 7(2)

It was not possible to effect service within one month of receipt.

14. REFUSAL OF DOCUMENT

The addressee refused to accept the document on account of the language used: The documents are annexed to this certificate.

