Hague Convention 1965 on the service abroad of judicial and extrajudicial documents in civil or commercial matters: ratification by Austria and accession of Malta

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The Committee on Legal Affairs adopted the report by Viktor USPASKICH (ALDE, LT) on the draft Council decision authorising the Republic of Austria to sign and ratify, and Malta to accede to, the Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, in the interest of the European Union.

The committee called on the European Parliament to **give its consent to the draft Council decision**.

To recall, the Hague Convention of 15 November 1965 establishes a system whereby documents can be served in another signatory state. Of the 28 Member States, 26 are already applying the convention. **Austria** and Malta, as the two remaining Member States, have indicated their wish to join.

The convention does not allow the accession of international organisations. At the same time, following the adoption of EU legislation on the cross-border service of documents, the EU has acquired **exclusive external competence** for the issue in accordance with the Treaty on the Functioning of the European Union.

This means that the Union must authorise the Member States in question to act on its behalf in order to accede to the convention.

Malta has already deposited its instrument of accession, but has issued a declaration that its accession will not become effective until this decision has been adopted. Austria is waiting for this decision in order to carry out the accession formalities.

Since the Hague Convention of 15 November 1965 has proven its usefulness in the field of the cross-border service of documents, and it is in the interest both of the Union as a whole and of the two Member States in question to have a single regime for the service of documents in cross-border relations with third countries, it is proposed that Parliament should consent to the proposal for the decision allowing the accession of Austria and Malta to that convention.