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

2013/0177(NLE) - 10/03/2016 - Final act

PURPOSE: to authorise Austria and Malta to accede to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters in the interest of the European Union.

NON-LEGISLATIVE ACT: Council Decision (EU) 2016/414 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.

CONTENT: under this Council Decision, the Council, following the European Parliament's consent, authorised Austria 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 Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters establishes a system whereby these documents can be served in another signatory state. It simplifies the methods of transmission of judicial and extrajudicial documents between the Contracting States. It thus facilitates judicial cooperation in cross-border civil and commercial litigation.

The Convention does not allow for participation by regional economic integration organisations such as the Union. As a result, the Union is not in a position to accede to the Convention. Moreover, many countries, including the Member States except Austria and Malta, are parties to the Convention. Austria and Malta have expressed their interest in becoming parties to the Convention. It is in the interest of the Union that all Member States are parties to the Convention.

**Austria** shall take the necessary steps to deposit its instrument of ratification of the Convention with the Ministry of Foreign Affairs of the Kingdom of the Netherlands within a reasonable time and at the latest by 31 December 2017.

After this Decision takes effect **Malta** shall notify the Ministry of Foreign Affairs of the Netherlands of the date on which the Convention will become applicable to Malta.

Ireland and the United Kingdom shall participate in the adoption and the application of this Decision while Denmark shall not take part nor shall it be bound by it or subject to its application.

ENTRY INTO FORCE: 23.3.2016.