

(Annex 1)

If a Contracting State to the Service Convention requests Japan to serve documents

Any Contracting State to the Service Convention can request Japan's central authority (MOFA) to serve documents of a civil or commercial trial as follows:

- The authority or judicial officer competent under the law of the State in which the documents originate forward request to Japan's central authority (Ministry of Foreign Affairs) to serve the documents (Art. 3 of the Service Convention).

1. Documents necessary for requesting the central authority (Ministry of Foreign Affairs) to serve documents

- (1) Two copies each of the "Request" (including the "Summary of the document") and the "Certificate" which are in accordance with the appendixes to the Service Convention (Note: <http://www.hcch.net/upload/actform14ef.pdf>)

(Request)

(Summary of the document)

(Certificate)

REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS
DEMANDE AUX FINES DE SIGNIFICATION OU DE NOTIFICATION À L'ÉTRANGER D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1955, (Article 5, fourth paragraph).

Identify and address of the applicant
Identifiez et adressez du requérant

Address of receiving authority
Adresse de l'autorité destinataire

The undersigned applicant has the honour to transmit – in duplicate – the documents listed below and, in conformity with Article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.:

Le requérant soussigné a l'honneur de transmettre – en double exemplaire – à l'autorité destinataire les documents ci-dessous énumérés, en la priant, conformément à l'article 5 de la Convention précitée, d'en faire remettre sans délai un exemplaire au destinataire, à savoir:

Identify and address
Identifiez et adressez

(1) In accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention*
selon les formes simples (article 5, alinéa premier, lettre a)

(2) In accordance with the following particular method (sub-paragraph b) of the first paragraph of Article 5:
selon la forme particulière suivante (article 5, alinéa premier, lettre b)

(3) By delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)
In cas échéant, par remise simple (article 5, alinéa 2)

The authority is requested to return or to have returned to the applicant a copy of the documents and of the address* with the attached certificate.
Cette autorité est priée de retourner ou de faire retourner au requérant un exemplaire de l'acte – et de ses annexes* – avec l'attestation ci-jointe.

List of documents / Énumération des pièces

Done at / Fait à **Signature and/or stamp**
Signature et/ou cachet

SUMMARY OF THE DOCUMENT TO BE SERVED
ÉLÉMENTS ESSENTIELS DE L'ACTE

Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1955 (Article 5, fourth paragraph).

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye le 15 novembre 1955 (article 5, alinéa 4).

Name and address of the requesting authority:
Nom et adresse de l'autorité requérante.

Particulars of the parties*:
Nom(s) des parties*

* If appropriate, identify and address of the person interested in the transmission of the document
* Si il y a lieu, nom et adresse de la personne intéressée à la transmission de l'acte

JUDICIAL DOCUMENT**
ACTE JUDICIAIRE**

Nature and purpose of the document:
Nature et objet de l'acte

Nature and purpose of the proceedings and, when appropriate, the amount in dispute:
Nature et objet de l'instance, le cas échéant, le montant en litige

Date and Place of entering appearance:**
Date et lieu de la comparution**

Court which has given judgment:**
Tribunal qui a rendu le jugement**

Date of judgment:**
Date du jugement**

Time limits stated in the document:**
Indication des délais figurant dans l'acte**

** If appropriate / s'il y a lieu

EXTRAJUDICIAL DOCUMENT**
ACTE EXTRAJUDICIAIRE**

Nature and purpose of the document:
Nature et objet de l'acte

Time-limits stated in the document:**
Indication des délais figurant dans l'acte**

** If appropriate / s'il y a lieu

ERASE PRINT

CERTIFICATE ATTESTATION

The undersigned authority has the honour to certify, in conformity with Article 8 of the Convention, l'autorité soussignée a l'honneur d'attester conformément à l'article 8 de ladite Convention,

1. that the document has been served*
que le document a été exécuté

– the (date) / la (date)
– at (place, street, number) / à (adresse, rue, numéro)

– In one of the following methods authorised by Article 5:
– en vertu des formes autorisées par l'article 5:

(1) In accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention**
selon les formes simples (article 5, alinéa premier, lettre a)

(2) In accordance with the following particular method**:
selon la forme particulière suivante

(3) By delivery to the addressee, if he accepts it voluntarily**
par remise simple

The documents referred to in the request have been delivered to:
Les documents énumérés dans la demande ont été remis à:

Identify and describe the person:
Identifiez et qualifiez de la personne

Relationship to the addressee (family, business or other):
Lien de parenté, de subordination ou autre, avec le destinataire de l'acte

2. that the document has not been served, by reason of the following facts*:
que la demande n'a pu être exécutée, en raison des faits suivants*

In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser dans le détail figuré au mémoire ci-joint*

Annexes / Annexes

Documents returned:
Pièces remises

In appropriate cases, documents establishing the service:
Le cas échéant, les documents justificatifs de l'exécution

Done at / Fait à **Signature and/or stamp**
Signature et/ou cachet

- (2) Two duplicates or copies each of the judicial documents to be served (the complaint, judgment, summons, etc.)

- (3) Two copies of Japanese translations of the documents to be served

If “a method prescribed by the addressed state’s internal law” is requested as provided in Art.5, para.1 (a) of the Service Convention or “a particular method requested by the applicant” is requested as provided in Art. 5, para.1 (b) thereof, it is strictly necessary to attach translations. If “served by delivery to an addressee who accepts it voluntarily” is requested as provided in Art.5, para.2 thereof, it is not strictly necessary to attach translations (Art. 5, para. 3 thereof).

If some parts are not translated,
the documents can be served pursuant to c)
unless c) has not been deleted.

2. Points that require attention when preparing the necessary documents

(1) “Request”

A. Display of the identity and address of the applicant

The applicant should be “the authority or judicial officer competent under the law of the State in which the documents originate” (Art. 3 of the Service Convention). The “Certificate” will be forwarded to the address of the applicant.

Forwarding authority can be confirmed on the website of the Service Convention (note: link http://www.hcch.net/index_en.php?act=conventions.authorities&cid=17).

B. Address of receiving authority

Address of the Ministry of Foreign Affairs, the Central Authority of Japan
Enter “Ministry of Foreign Affairs, 2-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8919.”

C. Identity and address of the addressee

Enter the name and address of the addressee accurately. Limit the number of addressees to one.

D. Signature and/or official stamp of the authority or judicial officer competent under the law of the State in which the documents originate

The signature or official stamp must be the original. Any copy cannot be accepted.

(2) “Summary of the document”

If the “Summary of the documents to be served” is not filled out, the request for service cannot be accepted. Be sure to fill in the summary.

(3) “Certificate”

Send it without entering anything.

(4) Language for annex forms

Words printed on the forms of the annexes to this Convention should be in French or English. Fill out the corresponding blanks in Japanese, French or English. (Art. 7 of the Service Convention)

3. Demand for reimbursement of costs

If “the service by a marshal” in Japan or “a particular method requested by the applicant” (Art. 5, para. 1 (b) of the Service Convention) is used, a fee is charged and should be reimbursed. (Art. 12 thereof).

[Reference] the Service Convention

English: <https://www.hcch.net/en/instruments/conventions/full-text/?cid=17>

Japanese: <https://assets.hcch.net/upload/text14jp.pdf>

(Excerpts from the Service Convention)

Article 3

The authority or judicial officer competent under the law of the State in which the documents originate shall forward to the Central Authority of the State addressed a request conforming to the model annexed to the present Convention, without any requirement of legalisation or other equivalent formality.

The document to be served or a copy thereof shall be annexed to the request. The request and the document shall both be furnished in duplicate.

Article 5

The Central Authority of the State addressed shall itself serve the document or shall arrange to have it served by an appropriate agency, either -

- a) by a method prescribed by its internal law for the service of documents in domestic actions upon persons who are within its territory, or
- b) by a particular method requested by the applicant, unless such a method is incompatible with the law of the State addressed.

Subject to sub-paragraph (b) of the first paragraph of this Article, the document may always be served by delivery to an addressee who accepts it voluntarily.

If the document is to be served under the first paragraph above, the Central Authority may require the document to be written in, or translated into, the official language or one of the official languages of the State addressed.

That part of the request, in the form attached to the present Convention, which contains a summary of the document to be served, shall be served with the document.

Article 7

The standard terms in the model annexed to the present Convention shall in all cases be written either in French or in English. They may also be written in the official language, or in one of the official languages, of the State in which the documents originate.

The corresponding blanks shall be completed either in the language of the State addressed or in French or in English.

Article 12

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

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 State of destination,
- b) the use of a particular method of service.