

**The Operation of the 1965 Hague Service Convention in Japan**

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**A. INTRODUCTION**

On 28 May 1970, Japan ratified three conventions concluded within the framework of the Hague Conference regarding international judicial assistance:

- the Hague Convention of 1 March 1954 on Civil Procedure,
- the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents, and
- the Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters.

The Convention on Civil Procedure entered into force on 26 July 1970 for Japan, followed the next day by the Legalisation and Service Conventions.<sup>1</sup>

Currently, the Permanent Bureau of the Hague Conference on Private International Law is working on a new version of the Handbook on the operation of the Service Convention.<sup>2</sup> The latest version of the Handbook is dated 1992 and in the interim it has become essential to follow up the evolutions and clarify the difficulties encountered in practice during the last decade. In order to understand the current situation of practice and case-law, Member States and non-Member States were asked to answer a questionnaire prepared by the Permanent Bureau.<sup>3</sup>

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1 Articles 1 to 7 of the Convention on Civil Procedure are not applied, as they are replaced by the Service Convention. *See* Art. 22 of the Service Convention.

2 Its provisional version is available at: <[http://www.hcch.net/doc/lse\\_pd01e.pdf](http://www.hcch.net/doc/lse_pd01e.pdf)>

3 The Questionnaire was answered by the following States: Australia, Belarus, Bulgaria, Canada, China (including Hong Kong and Macao), Denmark, Finland, France, Hungary, Germany, Ireland, Italy, Japan, Kuwait, Lithuania, Luxembourg, Malaysia, the Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, Spain, Sweden, Switzerland, Ukraine, and the United States. Both the Questionnaire and the answers are available at: <[http://www.hcch.net/e/workprog/lse\\_intro.html](http://www.hcch.net/e/workprog/lse_intro.html)>