

TITLE 43 - FOREIGN AFFAIRS CITIZENSHIP AND IMMIGRATION
CHAPTER 12 - HAGUE SERVICE CONVENTION (IMPLEMENTATION) ACT
2020



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

HAGUE SERVICE CONVENTION (IMPLEMENTATION)
ACT, 2020.

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ACT, 2020.

AN ACT to provide for the implementation of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, as amended by certain Republic of the Marshall Islands objections, reservations, declarations, and notifications, by giving it the force and effect of law.

Commencement:

December 11, 2020

Source:

P.L. 2020-26

§1201. Short title.

This Act may be cited as the Hague Service Convention (Implementation) Act, 2020..

§1202. Interpretation.

In this Act, the term:

- (a) “Convention” shall mean the Hague Service Convention or the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, as amended by certain Republic of the Marshall Islands objections, reservations, declarations, and notifications.
- (b) “Republic” shall mean the Republic of the Marshall Islands.
- (c) “State” shall mean a contracting state which has adopted the Convention.

- (d) “TCMI” shall mean The Trust Company of the Marshall Islands, Inc.

§1203. Implementation of the Convention.

- (a) The Convention shall have the force and effect of law as set forth in this Act.
- (b) The Convention shall be construed and applied in a manner consistent with the provisions of the Hague Service Convention Resolution 16 and this Act.

§1204. Application.

- (a) The Convention shall apply in all cases, in civil or commercial matters, where there is occasion to transmit a judicial or extrajudicial document for service abroad.
- (b) The Convention shall not apply where the address of the person to be served with the document is not known.

§1205. Service of Judicial Documents.

- (a) The Attorney-General is designated as a central authority which shall undertake to receive requests for service of legal documents coming from other States and to send requests for service of legal documents to other States.
- (b) TCMI is designated as an additional authority only to receive service as the registered agent for the Republic’s active non-resident domestic entities and foreign maritime entities.
- (c) The authority or judicial officer competent under the law of the State in which the documents originate shall forward to the Attorney-General, or TCMI as appropriate, a request conforming to the model annexed to the present Convention without any requirement of legalization or other equivalent formality.
- (d) The document to be served or a copy thereof shall be annexed to the request; and the request and the document shall both be furnished in duplicate.