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| **LETTER OF REQUEST**  **COMMISSION ROGATOIRE** |
| **Hague Convention of 18 March 1970 on the**  **Taking of Evidence Abroad in Civil or Commercial Matters**  *Convention de La Haye du 18 mars 1970 sur*  *l’obtention des preuves à l’étranger en matière civile ou commerciale*   |  |  |  |  | | --- | --- | --- | --- | | **1.** | **Sender**  *Expéditeur* | Insert name, postal address, telephone number and e-mail address of the authority transmitting the Letter of Request | | | **2.** | **Central Authority of the Requested State**  *Autorité centrale de l’État requis* | Insert name of the Central Authority (if known) and name of the Requested State (*e.g.*, “Central Authority of [insert name of State]”) | | | **3.** | **Person to whom the executed request is to be returned**  *Personne à qui les pièces constatant l’exécution de la demande doivent être renvoyées* | Insert name and postal address of the person (*e.g.*, the requesting authority, Central Authority of the Requesting State) | | | **4.** | **Specification of the date by which the requesting authority requires receipt of the response to the Letter of Request**  *Indiquer la date limite à laquelle l’autorité requérante désire recevoir la réponse à la commission rogatoire* | | |  | **Date**  *Date limite* | Insert date | | |  | **Reason for urgency\***  *Raison de l’urgence* | Insert reason | |   **In conformity with Article 3 of the Convention, the undersigned applicant has the honour to submit the following request:**  *En conformité de l’article 3 de la Convention, le requérant soussigné a l’honneur de présenter la demande suivante :*   |  |  |  | | --- | --- | --- | | **5. *a*** | **Requesting authority**  **(Art. 3(a))**  *Autorité requérante*  *(art. 3(a))* | Insert name, postal address, telephone number and e-mail address of the requesting authority | | ***b*** | **To the Competent Authority of (Art. 3(a))**  *À l’Autorité compétente de*  *(art. 3(a))* | Insert name of the Requested State | | ***c*** | **Names of the case and any identifying number**  *Nom de l’affaire et numéro d’identification de l’affaire* | Insert name and number of the case |  |  |  |  | | --- | --- | --- | | **6.** | **Names and addresses of the parties and their representatives (including representatives in the Requested State\*) (Art. 3(b))**  *Identité et adresse des parties et de leurs représentants (y compris représentants dans l’État requis) (art. 3(b))* | | | ***a*** | **Plaintiff**  *Demandeur* | Insert name and address of the plaintiff/claimant/applicant to the proceedings | | |  | **Representatives**  *Représentants* | Insert name and address of the representatives of the plaintiff/claimant/applicant | | | ***b*** | **Defendant**  *Défendeur* | Insert name and address of the defendant/respondent to the proceedings | | |  | **Representatives**  *Représentants* | Insert name and address of the representatives of the defendant/respondent | | | ***c*** | **Other parties**  *Autres parties* | Insert name and address of any other party (*e.g.*, third party defendant, intervener) | | |  | **Representatives**  *Représentants* | Insert name and address of the representatives of the other party | |  |  |  |  | | --- | --- | --- | | **7. *a*** | **Nature of the proceedings (divorce, paternity, breach of contract, product liability, etc.) (Art. 3(c))**  *Nature et objet de l’instance (divorce, filiation, rupture de contrat, responsabilité du fait des produits, etc.) (art. 3(c))* | Describe the nature of the proceedings for which the Letter of Request is being issue, and whether the proceedings have been commenced | | ***b*** | **Summary of complaint**  *Exposé sommaire de la demande* | Insert summary of the action brought by the plaintiff/claimant/applicant | | ***c*** | **Summary of defence and counterclaim\***  *Exposé sommaire de la défense ou demande reconventionnelle* | Insert summary of any defence and/or counterclaim | | ***d*** | **Other necessary information or documents\***  *Autres renseignements ou documents Utiles* | Specify any other information, or attach any other documents, that may assist the requested authority in executing the request |  |  |  |  | | --- | --- | --- | | **8. *a*** | **Evidence to be obtained or other judicial act to be performed (Art. 3(d))**  *Actes d’instruction ou autres actes judiciaires à accomplir (art. 3(d))* | Specify the evidence to be obtained or the judicial act to be performed. Details of the evidence sought should be provided in items 9-11 | | ***b*** | **Purpose of the evidence or judicial act sought**  *But des actes à accomplir* | Insert statement about the purpose of the evidence or other judicial act sought. Where evidence is sought, specify how the evidence relates to the case, and how it will be used in those proceedings |  |  |  |  | | --- | --- | --- | | **9.** | **Identity and address of any person to be examined**  **(Art. 3(e))\***  *Identité et adresse des personnes à entendre (art. 3(e))* | Where witness examination is sought, insert name and address of each witness |  |  |  |  | | --- | --- | --- | | **10.** | **Questions to be put to the persons to be examined or statement of the subject matter about which they are to be examined (Art. 3(f))\***  *Questions à poser ou faits sur lesquels les personnes susvisées doivent être entendues (art. 3(f))* | Where witness examination is sought, specify either the questions, or the statement of subject-matter |  |  |  |  | | --- | --- | --- | | **11.** | **Documents or other property to be inspected (Art. 3(g))\***  *Documents ou objets à examiner (art. 3(g))* | Insert description of documents or other property |  |  |  |  | | --- | --- | --- | | **12.** | **Any requirement that the evidence be given on oath or affirmation and any special form to be used (Art. 3(h))\***  *Demande de recevoir la déposition sous serment ou avec affirmation et, le cas échéant, indication de la formule à utiliser (art. 3(h))* | If evidence is sought, specify whether the evidence is to be given on oath and, if so, any special form of oath required |  |  |  |  | | --- | --- | --- | | **13.** | **Special methods or procedure to be followed (e.g., oral or in writing, verbatim transcript or summary, cross-examination, etc.) (Arts 3(i) and 9)\***  *Formes spéciales demandées (déposition orale ou écrite, procès-verbal sommaire ou intégral, “cross-examination”, etc.) (art. 3(i) et 9)* | Specify the special method or procedure |  |  |  |  | | --- | --- | --- | | **14.** | **Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Art. 7)\***  *Demande de notification de la date et du lieu de l’exécution de la requête, de l’identité et de l’adresse de la ou des personnes à informer (art. 7)* | Specify whether the parties or their representatives are to be present at execution either in person or by video-link and, if so, specify the name and address of the person(s) to be notified (*e.g.*, the requesting authority, the parties and their representatives) |  |  |  |  | | --- | --- | --- | | **15.** | **Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request (Art. 8)\***  *Demande d’assistance ou de participation des magistrats de l’autorité requérante à l’exécution de la commission rogatoire (art. 8)* | If judicial personnel of the requesting authority are to be present at execution either in person or by video-link, insert request for authorisation |  |  |  |  | | --- | --- | --- | | **16.** | **Specification of privilege or duty to refuse to give evidence under the law of the Requesting State (Art. 11(b))\***  *Spécification des dispenses ou interdictions de déposer prévues par la loi de l’État requérant (art. 11(b))* | Specify any privilege or duty under the law of the Requesting State that may be invoked by the person giving evidence |  |  |  |  | | --- | --- | --- | | **17.** | **The fees and costs incurred which are reimbursable under the second paragraph of Article 14 or under Article 26 of the Convention will be borne by:\***  *Les taxes et frais donnant lieu à remboursement en vertu de l’article 14, alinéa 2 et de l’article 26 seront réglés par :* | Insert name and address of the person responsible for reimbursement (*e.g.*, requesting authority, particular party or its representative) |  |  |  | | --- | --- | | **Date of request**  *Date de la requête* | Insert date | | **Signature and seal of the requesting authority**  *Signature et sceau de l’autorité requérante* |  |   *\*Omit if not applicable / Ne remplir qu’en cas de n*é*cessit*é |