



Durant International Corp v Maluf 2021-0025 (BVIHC)

On 13 January 2022 the Eastern Caribbean Court of Appeal gave judgment in *Durant International Corp v Maluf*. John Machell QC and Tim de Swardt of Kobre & Kim acted for the Appellant. The appeal raised issues as to the service of proceedings in Hague Service Convention states and the effect of the pandemic.

The judgment also contains important analysis on the need for the method of service in the foreign jurisdiction to comply with the domestic court's order permitting service out of the jurisdiction; the need in BVI for the documents to be transmitted to the foreign court via diplomatic channels; the effect of non-compliance with the BVI E-litigation Portal Rules; and the proper approach to dispensing with the need for valid service.

To view John Machell's CV please click [here](#).



John Machell QC