



# **Practical application of Regulation (EU) No 1393/2007**

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1st webinar of the UEHJ on the European regulation service of documents  
6th of May 2021

# Aim

- Transmission of **judicial or extrajudicial document**
- Between Member State
- **Improve** and **expedite** transmission
  - Directly between agencies
  - “ASAP”

# Scope

## Applies to:

- Civil or commercial matters
- Denmark- YES
- UK- YES/NO (Brexit since 01.01.2021)

## Exclusion:

- revenue, customs or administrative matters or to liability of the State for actions or omissions in the exercise of state authority (acta iure imperii).
- **No address- no service (Art 1 (2))**

## Technical part :

Transmission through transmitting and receiving agencies, transmission by consular or diplomatic channels, service by postal services and direct service.

# Procedure

- **Transmitting**
  - **agencies** (transmitting and receiving)
  - direct service
  - postal services
  - consular or diplomatic channels






















Information provider- **Central body**

Cost - Judicial documents- **free of charge**. Not applying through Judicial Officer.

Service means - national law

[Fill the forms online:](#)

[https://e-justice.europa.eu/content\\_serving\\_documents\\_forms-269-en.do?clang=en](https://e-justice.europa.eu/content_serving_documents_forms-269-en.do?clang=en)

Complete a form online	Download a blank form	Email the blank form
 F.1. Request for service of documents		
 F.2. Acknowledgement of receipt		
 F.3. Notice of return of request and document		
 F.4. Notice of retransmission of request and document to the appropriate receiving agency		
 F.5. Notice of receipt by the appropriate receiving agency having territorial jurisdiction to the transmitting agency		
 F.6. Certificate of service or non-service of documents		
 F.7. Information to the addressee about the right to refuse to accept a document		

# Transmission of document (Art 6)

- Language : how ?
- Legalisation or other formalities
- 7 days
- Service of documents 1 month

ANNEX I

REQUEST FOR SERVICE OF DOCUMENTS

(Article 4(3) of Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (\*)

Reference No:

1. TRANSMITTING AGENCY

1.1. Identity:

1.2. Address:

1.2.1. Street and number/PO box:

1.2.2. Place and post code:

1.2.3. Country:

1.3. Tel.:

1.4. Fax (\*):

1.5. e-mail (\*):

# Refuse by addressee (Art 8)

ANNEX II

- may refuse to accept the document
  - language
- to be served:
  - time of service
  - returning the document
  - translation issue

INFORMATION TO THE ADDRESSEE ABOUT THE RIGHT TO REFUSE TO ACCEPT A DOCUMENT

(Article 8(1) of Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (\*)

EN:

The enclosed document is served in accordance with Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters.

You may refuse to accept the document if it is not written in or accompanied by a translation into either a language which you understand or the official language or one of the official languages of the place of service.

If you wish to exercise this right, you must refuse to accept the document at the time of service directly with the person serving the document or return it to the address indicated below within one week stating that you refuse to accept it.

ADDRESS

1. Identity

2. Address

2.1. Street and number/PO box

2.2. Place and post code

2.3. Country

3. Tel.

4. Fax(\*)

5. E-mail(\*)

DECLARATION OF THE ADDRESSEE:

I refuse to accept the document attached hereto because it is not written in or accompanied by a translation into either a language which I understand or the official language or one of the official languages of the place of service.

I understand the following language(s)

Bulgarian	<input type="checkbox"/>	Lithuanian	<input type="checkbox"/>
Spanish	<input type="checkbox"/>	Hungarian	<input type="checkbox"/>
---	<input type="checkbox"/>	---	<input type="checkbox"/>

# Problems

**Annex I- receiving agency**

**Outside of scope- shall be returned**

**Territorial jurisdiction-**