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Digitalisation Regulation - Member State notifications

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This page contains information about the notifications made by the Member States pursuant to Regulation (EU) 2023/2844

1. National IT portals for communicating with courts or other authorities

Luxembourg does not currently have a national IT portal that can be used to communicate with courts and other authorities in judicial proceedings or to participate in judicial proceedings falling within the scope of this Regulation.

2. National law on videoconferencing in civil and commercial matters

There is currently no national law or procedures for videoconferencing in civil and commercial matters.

3. National law on videoconferencing in criminal matters

In general, the [Code of criminal procedure](#) provides as follows with regard to audiovisual telecommunications and audio conferences:

Article 553.

(1) (Law of 29 July 2023) The deposition, hearing or questioning of a person or a confrontation between several persons may be conducted at several locations on the territory of the Grand Duchy of Luxembourg which are connected to each other, or conducted between the territory of the Grand Duchy of Luxembourg and that of a Member State of the European Union in the context of the implementation of a European Investigation Order (EIO) by means of audiovisual telecommunications guaranteeing the confidentiality of the transmission. If the person is being examined as a witness or expert, an audioconference may take the place of audiovisual telecommunications.

(2) No appeal may be made against a decision of the competent court or judge to proceed by means of audiovisual telecommunications or audioconferencing.

Article 554.

(1) The competent court or judge shall appoint an officer or agent of the criminal police to verify the identity of the person called to give evidence, to be heard, questioned or subjected to a confrontation procedure. The officer or agent shall remain with that person throughout the procedure.

The person concerned shall be deemed to have appeared.

(2) At the end of the appearance, the officer or agent of the criminal police shall draw up a report which shall be signed by the person concerned.

The report shall state the date and place of the hearing, questioning or confrontation procedure, the identity of the person concerned, the identities and qualities of any other persons present, any oath taken and the technical conditions under which the appearance took place.

Where the law requires the signature of the procedural document by the person concerned, signature of the report shall be deemed equivalent to the signature of such procedural document. If the person concerned refuses to sign, the report shall mention that fact.

Article 555.

Where the person concerned is in detention, the function of officer or agent of the criminal police referred to in Article 554 above shall be exercised by a prison officer.

Article 556.

If the person concerned is assisted by a lawyer, the lawyer may be present either with that person or at the competent court or office of the judge.

If a lawyer is present at the competent court or office of the judge, they shall be entitled to a prior interview with the person they are assisting, on a confidential basis, using the same means of audiovisual telecommunications or audio conferencing.

Article 557.

The deposition, hearing, questioning or confrontation procedure shall be the subject of an audiovisual recording, or, in the case of audio conferencing, an audio recording, which shall be attached to the file and serve as evidence. The original shall be placed under seal. Copies shall be itemised and added to the file. Recordings may be listened to or viewed by designated experts and parties under the same conditions as those governing access to the file.

Additional information:

Audiovisual videoconferencing telecommunications are conducted using Webex or Avaya software.

4. Fees for civil and commercial procedures

The Luxembourg courts do not charge fees in the context of proceedings initiated under the legal acts listed in Annex I.

Where proceedings under legal acts listed in Annex I require a party to use a bailiff in order to effect service under national law or Regulation (EU) 2020/1784, the fees due are set out in the [amended Grand-Ducal Regulation of 24 January 1991 establishing the fees for bailiffs](#). For Regulation (EU) 2020/1784, the fee is EUR 165.

Under Regulation (EU) No 650/2012, notaries charge a fee per session for drawing up European certificates of succession, depending on the complexity of the certificate. The current session rate is EUR 99.53.

In general, there are no fixed fees for bringing an action before a civil court (*saisine du juge civil*) other than bailiff's fees and the costs of legal representation. In principle, no fees are incurred at civil court level. Once a judgment has been issued, subsequent costs may be incurred in connection with the enforcement of the decision and at the request of the winning party.

5. Electronic payment methods

Where appropriate, payments may be made by online bank transfer (e-banking).

6. Notification on the early use of the decentralised IT system

Luxembourg is currently unable to confirm early use of the decentralised IT system.

7. Notification on the early use of videoconferencing in civil and commercial matters

Luxembourg is currently unable to confirm early application of Article 5 of Regulation (EU) 2023/2844

8. Notification on the early use of videoconferencing in criminal matters

Luxembourg is currently unable to confirm early application of Article 6 of Regulation (EU) 2023/2844.

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