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Serving documents (recast)

Croatia



Croatia

FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 3(1) - Transmitting agencies

The competent Croatian transmitting agencies for the service of documents abroad are as follows:

- in the case of judicial documents, the court which is obliged to carry out service;
- in the case of extrajudicial documents, the municipal court (*općinski sud*) in whose territory the body or person requesting the service of documents abroad is domiciled, habitually resident or established;
- in the case of documents that have been certified or issued by notaries, the municipal court in whose territory they are established.

Article 3(2) - Receiving agencies

The competent transmitting agency for the service of documents in Croatia is the municipal court in whose territory the documents are to be served.

Article 3(4)(c) - Means of receipt of documents

Documents are received by email and post.

Article 3(4)(d) - Languages that may be used for the completion of the standard form set out in Annex I

English is accepted for completing the standard form set out in Annex I.

Article 4 - Central body

Ministry of Justice and Administration of the Republic of Croatia (*Ministarstvo pravosuđa i uprave Republike Hrvatske*)

Ulica grada Vukovara 49

10000 Zagreb

Tel.: +385 1 371 40 00

Website: <https://mpu.gov.hr/>

Article 7 – Assistance in address enquiries

Article 7(1)(a)

Where the address in the Republic of Croatia of the person mentioned in the request is not known, you may contact any competent authority (municipal court) in the Republic of Croatia, which will help you to find the address and will, on its own initiative, submit requests for information about addresses to domicile registries or other databases.

Article 7(2)(c)

The Croatian receiving agencies, on their own initiative, submit requests to domicile registries or other databases for information on addresses in cases where the address indicated in the request for service is incorrect.

Article 8 – Transmission of documents

English is accepted for completing form A in Annex I.

Article 12 – Refusal to accept a document

Not applicable.

Article 13 – Date of service

Not applicable.

Article 14 – Certificate of service and copy of the document served

English is accepted for completing form K in Annex I.

Article 15 – Costs of service

Not applicable under the national legislative framework.

Article 17 – Service by diplomatic agents or consular officers

Croatia opposes the service of judicial documents through diplomatic agents or consular officers in its territory, unless the documents are to be served on nationals of the Member State from which the documents originate.

Article 19 – Electronic service

Not applicable.

Article 20 – Direct service

The Civil Procedure Act provides that documents are served by post or by a specific judicial officer, i.e. an employee of a court, via a competent administrative authority or notary public or directly in court, or by electronic means in accordance with the Act. At the request of a party who declares that it is willing to bear the costs incurred, the court may, by a decision against which no appeal may be lodged, order that the service of a document be entrusted to a notary public. In that case, the court will place the document to be served together with its decision in a special envelope which it will hand over to that party.

Therefore, at the request of a person interested in the outcome of court proceedings, the service of documents in Croatia is permitted directly through the competent notary public.

A notary public is not obliged to serve a document if the costs of carrying out that action have not been paid in advance to them. The party pays the costs in advance directly into the notary public's account.

Article 22 – Defendant not entering an appearance

An application for relief will not be permitted if it is submitted more than one year after the adoption of the judgment.

Croatian courts may give judgments if the conditions set out in Article 22(2) are met.

Article 29 – Relationship with agreements or arrangements between Member States

Agreement between the Republic of Croatia and the Republic of Slovenia of 7 February 1994 on legal assistance in civil and criminal matters.

Article 33(2) – Notification on the early use of the decentralised IT-system

Croatia is not in a position to operate the decentralised IT system earlier than required by the Regulation.

■ Last update: 06/03/2024

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