

[Home](#) > ... > [Taking Legal Action](#) > [European Judicial Atlas In Civil Matters](#) > [Serving Documents \(recast\)](#) > [Czechia](#)

# Serving documents (recast)

Czechia



Czechia

## 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

Courts

### Article 3(2) - Receiving agencies

District courts (*okresní soudy*) (in Prague: *obvodní soudy*, in Brno: *Městský soud*).

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

Means of receipt available:

- by a postal licence holder;
- by fax;
- by e-mail.

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

The form may be completed in Czech, Slovak, or English.

### Article 4 - Central body

Ministry of Justice (*Ministerstvo spravedlnosti*)

International Civil Department

Vyšehradská 16

128 10 Prague 2

Phone: +420-221-997-111

Fax: +420-224-919-927

## Article 7 – Assistance in address enquiries

- Article 7(1)(a)

The district court (*okresní soud*) (in Prague: *obvodní soud*, in Brno: *Městský soud*) whose jurisdiction covers the last known address of the person to be served if this information is available. In other cases, any other district court.

- Article 7(2)(c)

If a request includes the addressee's address at which service has been unsuccessful, the court consults the relevant Information System with a view to establishing the address of the permanent residence of a natural person, the place of business of an entrepreneur who is a natural person, and the address of the registered office or the address of an organisational unit registered in the relevant register in the case of a legal entity.

The court also investigates whether the addressee has a data mailbox registered in the Czech Republic; if the addressee has a registered data mailbox, the court delivers documents only to the data mailbox through the public data network. The setting up of a data mailbox is obligatory only for legal entities and (from 1 January 2023 onwards) also for entrepreneurs who are natural persons. For natural persons who are not engaged in business it is optional.

## Article 8 – Transmission of documents

In addition to Czech, the Czech Republic also accepts the standard forms completed in Slovak or English.

## Article 12 – Refusal to accept a document

Not applicable

## Article 13 – Date of service

No such periods have been laid down for serving documents in the Czech Republic.

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

In addition to Czech, the Czech Republic also accepts certificates of service completed in Slovak or English.

## Article 15 – Costs of service

Service in the Czech Republic is not subject to fees.

## Article 17 – Service by diplomatic agents or consular officers

The Czech Republic declares that it is not against such service on its territory.

## Article 19 – Electronic service

The certificate of service of documents sent by e-mail has to be signed by an electronic signature based on a qualified electronic signature certificate, or by a qualified electronic signature.

## Article 20 – Direct service

The Czech Republic declares that Czech law does not permit such service on its territory.

## Article 22 – Defendant not entering an appearance

- Article 22(2)

Notwithstanding Article 22(1), courts in the Czech Republic may give judgment even if no certificate of service or delivery has been received, if all the conditions in Article 22(2) are fulfilled.

- Article 22(4)

There is no such time limit in the Czech Republic.

## Article 29 – Relationship with agreements or arrangements between Member States

Not applicable

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

Not applicable

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