

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

Serving documents (recast)

Denmark



Denmark

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

In Denmark, the courts are designated as transmitting agencies.

Article 3(2) - Receiving agencies

In Denmark, the Ministry of Justice is designated as the receiving agency.

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

The Ministry of Justice, as the receiving agency, can receive documents sent by email to jm@jm.dk with a copy to insolvensretskontoret@jm.dk, or by physical mail.

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

The forms in Annex I may be completed in Danish, English or French.

Article 4 - Central body

In Denmark, the Ministry of Justice is designated as the central body.

Article 7 - Assistance in address enquiries

The Ministry of Justice assists transmitting agencies with address enquiries in the way referred to in Article 7(1)(a).

The Ministry of Justice carries out a search in the Central Population Register (CPR). In the event of enquiries, the Ministry of Justice can be contacted by sending an email to jm@jm.dk with a copy to insolvensretskontoret@jm.dk.

If the address indicated in the request for service is not correct, the Ministry of Justice carries out a search in the Central Population Register on its own initiative.

Article 8 - Transmission of documents

Form A in Annex I may be completed in Danish, English or French.

Article 12 – Refusal to accept a document

N/A

Article 13 – Date of service

The date of service in Denmark depends on the method of service used.

In the case of service by letter, the document is considered to have been served if the copy of the document or the acknowledgement of receipt was signed personally by the person in question. Service is considered to have taken place on the date on which the recipient indicates that they received the document. Where no date of receipt is indicated, or where the indicated date of receipt is later than the date of the postmark on the document returned, service is considered to have taken place on the date of the postmark, cf. § 156 of the Administration of Justice Act ([retsplejelovens § 156](#)).

In the case of service by telephone, the document is considered to have been served if the person acknowledges that they are the person to whom the document is to be served, and they are deemed to have understood the telephone conversation. Service is considered to have taken place on the date on which the document was presented to the person concerned by telephone, cf. § 156 a of the Administration of Justice Act ([retsplejelovens § 156 a](#)).

In the case of digital service, the document is considered to have been served if the person in question confirms receipt of the document either by means of a message sent via digital communication using a digital signature, or by means of a personally signed copy of the document. Service is considered to have taken place on the date on which the recipient indicates that they received the document. Where no date of receipt is indicated, or where the indicated date of receipt is later than the registered date of receipt for the digitally transmitted confirmation or the date of the postmark on the document returned, service is considered to have taken place on the date of the registered date of receipt or on the date of the postmark, cf. § 156 b of the Administration of Justice Act ([retsplejelovens § 156 b](#)).

In the case of simplified digital service, the document is considered to have been served if the document, the message to which the document is attached, or an annex or another document that is attached to the message, is opened or otherwise processed. Service is considered to have been carried out on the date on which the document, the annex or the message to which the document is attached is opened or otherwise processed, cf. § 156 c of the Administration of Justice Act ([retsplejelovens § 156 c](#)).

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

Any of the official languages of the Union may be used to complete form K in Annex I.

Denmark (as the Member State of origin) completes form K in Annex I in Danish, English or French.

Article 15 – Costs of service

No fees are charged for the service of judicial documents from another Member State.

Article 17 – Service by diplomatic agents or consular officers

N/A

Article 19 – Electronic service

No additional conditions are imposed.

Article 20 – Direct service

In Denmark, it is not possible for a person who has an interest in particular judicial proceedings to effect service of judicial documents directly through judicial officers, officials or other competent persons.

In Denmark, civil proceedings must be instituted via the [MinRetssag](#) (My judicial proceedings) portal. Afterwards, the system automatically draws up a document instituting proceedings on the basis of the information entered. The individual, company or public authority against whom the proceedings are initiated is then notified via digital post or service of the document instituting proceedings.

Article 22 – Defendant not entering an appearance

Article 22(2) of the Service of Documents Regulation, which refers to decisions in cases where the defendant does not enter an appearance, applies in Denmark, cf. § 5(1) of the Order on the transposition of the Service of Documents Regulation (recast) (*bekendtgørelse om gennemførelse af forkyndelsesforordningen (omarbejdning)*) (link will be provided after it is created).

In Denmark, a request under Article 22(4) of the Service of Documents Regulation for the re-examination of a case where the defendant did not enter an appearance must be made no later than 1 year after the date of the judgment, cf. § 5(2) of the Order on the transposition of the Service of Documents Regulation (recast).

Article 29 – Relationship with agreements or arrangements between Member States

The Nordic Convention on mutual assistance in judicial matters of 26 April 1974 (*Den nordiske overenskomst af 26. april 1974 om gensidig retshjælp*) also applies in the case of a request for service of documents between Denmark and the other Nordic countries, cf. § 6 of the Order on the transposition of the Service of Documents Regulation (recast).

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

N/A

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