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Serving documents

Spain



Spain

NB! Council Regulation (EC) No [1393/2007](#) has been replaced by Regulation (EU) [2020/1784](#) of the European Parliament and of the Council as of 1 July 2022.

Notifications made under the new Regulation can be found [here](#)!

Article 2(1) – Transmitting agencies

In Spain, the transmitting agencies will be the clerks of the various courts (*Letrados de la Administración de Justicia*).

Article 2(2) – Receiving agencies

Click on the below link to view all competent authorities related to this Article.

[List of competent authorities](#)

Article 2(4)(c) – Means of receipt of documents

As regards the means of receipt, the courts currently have IT and telematics equipment, but use of this equipment is still at an early stage. The post is the only means of receipt currently available, although it may be possible to use IT tools in the future.

Article 2(4)(d) – Languages that may be used for the completion of the standard form set out in Annex I

Languages that may be used for completion of the standard form: English, French, Portuguese or Spanish.

Article 3 – Central body

The Central Body designated by Spain is the Sub-Directorate General for International Judicial Cooperation at the Ministry of Justice (*Subdirección General de Cooperación Jurídica Internacional del Ministerio de Justicia*).

Sub-Directorate General for International Judicial Cooperation

Ministry of Justice

C/San Bernardo, 62

E-28015 Madrid

Fax: +34 913904457

Currently, the only means of receipt accepted is the post.

Languages accepted: Spanish, French and English.

Article 4 – Transmission of documents

Spain accepts the request form (standard form) in English, French and Portuguese, as well as in Spanish.

Articles 8(3) and 9(2) – Particular periods set by national law for serving documents

The time periods vary and depend on the type of document being served and the type of proceedings or the stage reached in the proceedings.

Generally, the time limits are three or five days.

The provisions applicable in the relevant procedural rules will apply.

Article 10 – Certificate of service and copy of the document served

Spain accepts the certificate of service in English, French and Portuguese, as well as in Spanish.

Article 11 – Costs of service

The cost of service will be that set out in the applicable Spanish law, although no amount is currently set.

Article 13 – Service by diplomatic or consular agents

Spain is opposed to the service on its territory of documents coming from other Member States and served through consular or diplomatic services, unless they concern a national of that Member State (Member State of origin).

Article 15 – Direct service

This type of service is not provided for in Spanish law and is therefore not allowed.

Article 19 – Defendant not entering an appearance

In Spain, judges may lift the stay of proceedings and give judgment notwithstanding the provisions of Article 19(1) if all of the requirements set out in Article 19(2) are met.

As regards the judge's power to accept applications for relief, Spain has specified that applications for relief will not be admissible if they are lodged more than one year after the date of the judgment.

 Last update: 20/05/2024

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