

[Home](#) > [Court Procedures](#) > Digitalisation Regulation - Member State notifications

Digitalisation Regulation - Member State notifications

This page contains information notified by the Member States pursuant to Article 17 of Regulation 2023/2844

On 13 December 2023 the EU adopted [Regulation \(EU\) 2023/2844](#) of the European Parliament and of the Council on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters, and amending certain acts in the field of judicial cooperation (the Digitalisation Regulation).

The Digitalisation Regulation is complemented by [Directive \(EU\) 2023/2843](#) of the European Parliament and of the Council of 13 December 2023. The Directive introduces several alignment provisions, particularly to various Directives and Council Framework Decisions related to mostly judicial cooperation in criminal matters, falling under the purview of the Digitalisation Regulation.

The Digitalisation Regulation applies between all Member States of the European Union with the exception of Denmark and covers 24 procedures with cross-border implications in civil, commercial and criminal matters.

The Digitalisation Regulation provides a comprehensive legal framework for the use of digital technologies in civil, commercial and criminal cases with cross-border implications by establishing rules on digital communication between competent judicial authorities, and between natural and legal persons (parties to the proceedings) and the competent judicial authorities. It is also applicable to electronic exchanges with Union Agencies and bodies.

In the first place, the Regulation mandates the use of a decentralised IT system for digital exchanges between competent judicial authorities in the context of judicial cooperation procedures in civil, commercial and criminal. The mandatory rule is subject to certain limited and well-defined exceptions where the use of the decentralised IT system is either not possible (e.g. disruption of the system, physical nature of the material, etc.) or not appropriate (e.g. direct judge to judge communication, etc.). The Regulation also allows competent authorities to use the decentralised IT system for internal communication within the Member State if they choose to do so.

Secondly, the Digitalisation Regulation establishes a European electronic access point (EEAP) on the European e-Justice Portal, which will allow natural and legal persons to submit requests or otherwise communicate with the competent judicial authorities in certain cases (e.g. in the context of the Small claims or European order for payment procedures, the recognition and declaration of enforceability procedures, etc.). All other existing means of communication remain applicable. The EEAP could also be used for the purposes of service of documents. The use of this digital communication channel by natural and legal persons is optional.

Finally, the Regulation defines rules for the use of videoconferencing or other distance communication technology in cross-border hearings in civil, commercial and criminal matters. It also lays down harmonised rules on the acceptance of electronic documents and electronic signatures and seals and electronic payment of fees.

The new rules on videoconferencing and electronic documents and signatures and seals will be applicable as of 1 May 2025. The rules on electronic communication will apply in two years after the adoption of the respective implementing acts.

By clicking the respective country's flag, you can read Member States' notifications pursuant to Article 17 of the Digitalisation Regulation. These notifications cover:

1. details of national IT portals, where applicable;
2. a description of the national laws and procedures applicable to videoconferencing in accordance with Articles 5 and 6;
3. information on fees due;
4. details on the electronic payment methods available for fees due in cross-border cases;
5. the authorities with competence under the legal acts listed in Annexes I and II, where they have not already been notified to the Commission in accordance with those legal acts;
6. whether your Member State is in a position to apply Article 5 or 6 on videoconferencing earlier than the date of entry in application of Articles 5 and 6 of the Digitalisation Regulation (1 May 2025);
7. whether your Member State is in a position to operate the decentralised IT system earlier than the date of entry in application of the Digitalisation Regulation (17 January 2028 for the legal acts in the first batch; 17 January 2029 for the legal acts in the second batch; 17 January 2030 for the legal acts in the third batch and 17 January 2031 for the legal acts in the fourth batch).

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