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Serving documents (recast)

Netherlands

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Regulation (EU) 2020/1784

The Service Regulation provides for procedures for the cross-border service of judicial and extrajudicial documents.

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

All judicial officers in the Netherlands are transmitting agencies. Use this website to find a transmitting agency: <https://www.kbvg.nl/zoekeengerechtsdeurwaarderskantoor>.

As regards the service of judicial documents, courts have also been designated as transmitting agencies (Article 2(3) of the [Uitvoeringswet Betekenisverordening](#) (Service Regulation Implementing Act)).

Article 3(2) – Receiving agencies

All judicial officers in the Netherlands can act as receiving authorities, throughout the Netherlands. Use this website to find a receiving authority: <https://www.kbvg.nl/zoekeengerechtsdeurwaarderskantoor>.

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

If Article 5(4) applies (disruption of the decentralised IT system or exceptional circumstances), judicial officers may receive documents by post. The Netherlands considers the fact that the decentralised IT system is not yet operational as a 'disruption' within the meaning of that Article.

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

Dutch, German and English.

Article 4 – Central body

The central body is the Royal Professional Organisation of Judicial Officers (*Koninklijke Beroepsorganisatie van Gerechtsdeurwaarders*).

Address:

Prinses Margrietplantsoen 86

2595 BR THE HAGUE

The Netherlands

Telephone: + 31 70 890 35 30

Email: kbvg@kbvg.nl

Website: <http://www.kbvg.nl/>

Article 7 – Assistance in address enquiries

All judicial officers in the Netherlands act as receiving authorities and are authorised to provide assistance under Article 7(1)(a). Find a receiving authority at <https://www.kbvg.nl/zoekeengerechtsdeurwaarderskantoor>. Judicial officers have the power to check an address in the Basic Registration of Persons (BRP) database if they receive a request for address details under Article 7 of the Regulation and if they receive a domestic or foreign request for service.

Under Article 7(2)(c), checks are carried out by the population administration if this is provided for by law or by order of the court.

Article 8 – Transmission of documents

The form referred to in Article 8(2) accompanying the document to be transmitted to the receiving authority must be drawn up in Dutch, German or English.

Article 12 – Refusal to accept a document

If the document is not written in Dutch, the addressee may refuse to accept it.

Article 13 – Date of service

In the Netherlands, where a document has to be served within a particular period, the date to be taken into account with respect to the applicant is determined by Dutch law.

Where, according to the law of an EU country, a document has to be processed within a particular period, the date to be taken into account with respect to the applicant is that determined by the law of that country.

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

A certificate as referred to in Article 14 of the Regulation sent to a transmitting agency in the Netherlands may be completed in Dutch, English or German.

Article 15 – Costs of service

The cost of service is EUR 125. This excludes any VAT that may be chargeable. Judicial officers are taxable persons under VAT Directive 2006/112/EC.

Whether VAT has to be charged (and paid) depends on the status of the client. If the client does not have their own VAT number or does not provide it to the judicial officer upon request, then VAT will be charged to them.

Article 17 – Service by diplomatic agents or consular officers

The Netherlands does not oppose the possibility of a Member State serving judicial documents on persons residing in the Netherlands, without any compulsion, directly through its diplomatic or consular agents.

Article 19 – Electronic service

Currently not applicable.

Article 20 – Direct service

Direct service on the basis of Article 20(1) of the Regulation by a judicial officer is allowed for persons resident in the Netherlands.

Article 22 – Defendant not entering an appearance

Courts in the Netherlands may, by way of derogation from Article 22(1), hand down a decision if the conditions in the second paragraph are met.

An application for relief from the effects of the expiry of the period referred to in Article 22(4) of the Regulation is admissible if it is submitted within one year of the date on which the decision was handed down.

Article 29 – Relationship with agreements or arrangements between Member States

Not relevant.

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

To be defined

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