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# Serving documents

Romania



Romania

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 Council Regulation (EC) No [1393/2007](#) has been replaced by Regulation (EU) [2020/1784](#) of the European Parliament and of the Council as of 1 July 2022.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

As regards judicial documents, the Romanian authorities transmitting such documents are all Romanian courts with the power to serve judicial acts directly to receiving authorities in EU Member States: District Courts - *Judecătoriile*, County Courts - *Tribunalele*, Courts of Appeal - *Curțile de Apel* and the High Court of Cassation and Justice - *Înalta Curte de Casație și Justiție*.

As regards extra-judicial documents, notaries, bailiffs and other authorities, whose sphere of competence includes the service of documents abroad, transmit applications via the district courts in whose jurisdictions they have their registered offices. (Article 32(1)(a) and (b) of Law No 189/2003 on international judicial assistance in civil and commercial matters).

## Article 2(2) - Receiving agencies

The Romanian receiving agency for applications for service of judicial and extra-judicial acts from EU Member States is the district court in whose jurisdiction the recipient is domiciled or has its registered office (Article 32(1)(c) of Law No 189/2003 on international judicial assistance in civil and commercial matters).

## Article 2(4)(c) - Means of receipt of documents

The technical means of receiving applications and their attached documents is by post or fax.

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

In addition to forms completed in Romanian, Romania also accepts standard application forms completed in English or French.

## Article 3 - Central body

The central Romanian authority is the Ministry of Justice.

Ministry of Justice

Directorate for International Law and Judicial Cooperation

Str. Apolodor No 17, Sector 5, Bucharest 050741

Telephone: +40372041077; Fax No: +40372041079

Service for international judicial cooperation in civil and commercial matters

Telephone: +40372041083; Telephone: +40372041218; Fax No: +40372041079, +40372041084

#### Article 4 – Transmission of documents

In addition to forms completed in Romanian, Romania also accepts standard application forms completed in English or French.

The technical means of receiving applications and their attached documents is by post or fax.

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

Article 183 of the Code of Civil Procedure regulates acts lodged at post offices, specialised courier services, military units or detention sites.

The procedural document lodged within the period prescribed by law by registered post at the post office or deposited with an express courier service or a specialised service is considered to have been submitted within the prescribed period.

The document lodged by the interested party within the time limit laid down by law at the military unit or the detention site administration in which the party is detained is also deemed to have been submitted within the prescribed period.

The post office receipt, together with the record or attestation made on the instrument lodged by the express courier service, the specialised communication service, the military unit or the detention site administration, depending on the case, serves as proof of the date of submission of the document by the interested party.

In accordance with Article 192(2), in conjunction with Article 199(1) of the Code of Civil Procedure, the process begins with the registration of the application before the court. A statement of claim lodged in person or by a proxy, by post, courier, fax or scanned and sent by email or as an electronic document is registered and stamped with the date of receipt.

In accordance with points 18, 10 and 11 of Article 2 and point 6 of Article 30 of Emergency Order No 13/2013 on postal services, registered mail service means a postal service that provides a flat-rate guarantee against the risks of loss, theft, total or partial destruction or damage to registered mail and, upon request, subsequent to the delivery of the postal item, proof of submission of the postal sending or delivery to the addressee, without any written confirmation by the latter.

Items of correspondence means a communication in written form on any kind of physical medium to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping.

The posting date is the date on which the postal consignment was collected by the postal services, in accordance with the provisions of Article 183 of Law No 134/2010 on the Code of Civil Procedure, republished, as amended and currently in force.

*The posting date shall be the date on which the postal consignment was collected by the postal services through the postal access point, provided it was posted before the final collection for that particular access point. Where the consignment is posted after the final collection of mail, the posting date shall be considered to be the next working day that mail is collected from that particular access point.*

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

In addition to certificates of service completed in Romanian, Romania also accepts certificates of service transmitted in English or French.

#### Article 11 – Costs of service

The service of procedural documents is carried out free of charge, ex officio, by the court, by the procedural agents of the court or by another employee thereof. Should this not be possible, they are served by post as registered mail with declared content and acknowledgement of receipt, in a sealed envelope, to which the proof of receipt/report and a notice are to be attached. At the request and expense of the interested party, procedural acts may be served by the court, via judicial executors or by express delivery (Article 154(1), (4) and (5) of the Code of Civil Procedure). The fees of the judicial executors are of between RON 20 and RON 400. See Order No 2550 of 14 November 2006 of the Minister for Justice approving minimum and maximum fees for services provided by judicial executors.

### Article 13 – Service by diplomatic or consular agents

Romania declares that diplomatic agents and foreign consular agents may serve judicial and extra-judicial documents on Romanian territory only to citizens of the country they represent.

### Article 15 – Direct service

Romania is opposed to direct service as laid down in Article 15(1).

### Article 19 – Defendant not entering an appearance

Without prejudice to paragraph 1 of Article 19 of the Regulation, Romanian courts may issue a decision only if all the conditions laid down in paragraph 2 are met.

An application for relief, as laid down in paragraph 4 of Article 19 of the Regulation, may be submitted within one year from when the decision was pronounced.

### Article 20 – Agreements or arrangements to which Member States are parties and which comply with the conditions in Article 20(2)

Not applicable.

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