

Article 2(1) – Transmitting agencies

The Romanian transmitting agencies are all Romanian courts with the power to serve judicial acts directly to receiving agencies in EU Member States: district courts, tribunals, courts of appeal, the High Court of Cassation and Justice.

Notaries, judicial executors 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

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Service for international judicial cooperation in civil and commercial matters

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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.

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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