Convention on the service and notification of judicial and extra judicial acts, civil and commercial

1997/0901(CNS) - 06/02/1997 - Legislative proposal

OBJECTIVE: the draft Council act seeks the adoption by the Member States according to their respective constitutional rules of: - the Convention on the service in the Member States of the European Union of judicial and extrajudicial documents in civil or commercial matters; - the protocol on the interpretation by the Court of Justice of the Communities of that Convention. SUBSTANCE: the convention, drawn up on the basis of Article K.3 of the Treaty on European Union, will make it possible to improve and speed up the movement between the Member States of judicial and extrajudicial documents in civil and commercial matters for the purpose of service. To this end the forwarding of these documents will be carried out directly and by rapid means between the bodies designated by the Member States. The protocol sets out the conditions under which the Court of Justice is competent to give preliminary rulings on the interpretation of the Convention. The adoption of these two instruments and the signature by the Member States on this same occasion should take place at the Justice and Home Affairs Council meeting on 27 and 28 May 1997.