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## III

(Preparatory Acts)

## COUNCIL

**COMMON POSITION (EC) No 9/2007****adopted by the Council on 21 May 2007****with a view to adopting Regulation (EC) No .../2007 of the European Parliament and of the Council of ... establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93**

(2007/C 193 E/01)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(1)</sup>,

Whereas:

- (1) Council Regulation (EEC) No 2186/93 of 22 July 1993 <sup>(2)</sup> established a common framework for setting up business registers for statistical purposes with harmonised definitions, characteristics, scope and updating procedures. In order to maintain the development of business registers in a harmonised framework, a new regulation should be adopted.
- (2) Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community <sup>(3)</sup> contains the

definitions of the statistical unit to be used. The internal market requires improved statistical comparability to meet Community requirements. In order to achieve that improvement, common definitions and descriptions should be adopted for enterprises and other relevant statistical units to be covered.

- (3) Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics <sup>(4)</sup> and Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-terms statistics <sup>(5)</sup> established a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community. Business registers for statistical purposes represent a basic element of such a common framework, making it possible to organise and coordinate statistical surveys by providing a harmonised sampling frame.
- (4) Business registers are one method by which to reconcile the conflicting requirements for collating increased information on enterprises on the one hand and lightening their administrative burden on the other, in particular by using existing information in administrative and legal files, especially in the case of micro, small and medium-sized enterprises, as defined in Commission Recommendation 2003/361/EC of 6 May 2003 <sup>(6)</sup>.

<sup>(1)</sup> Opinion of the European Parliament of 1 June 2006 (not yet published in the Official Journal), Council common position of 21 May 2007 and Position of the European Parliament of ... (not yet published in the Official Journal). Council Decision of ... (not yet published in the Official Journal).

<sup>(2)</sup> OJ L 196, 5.8.1993, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

<sup>(3)</sup> OJ L 76, 30.3.1993, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003.

<sup>(4)</sup> OJ L 14, 17.1.1997, p. 1. Regulation as last amended by Regulation (EC) No 1893/2006 of the European Parliament and of the Council (OJ L 393, 30.12.2006, p. 1).

<sup>(5)</sup> OJ L 162, 5.6.1998, p. 1. Regulation as last amended by Regulation (EC) No 1893/2006.

<sup>(6)</sup> OJ L 124, 20.5.2003, p. 36.

- (5) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics <sup>(1)</sup> set the framework for establishing a Community statistical programme and established a common framework for statistical confidentiality.
- (6) The specific rules for processing data within the framework of the Community statistical programme do not affect Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(2)</sup>.
- (7) Business registers for statistical purposes are the main source for business demography, as they keep track of business creations and closures as well as the structural changes in the economy by concentration or de-concentration, brought about by operations such as mergers, takeovers, break ups, split offs and restructuring.
- (8) Business registers provide the basic information that is required to meet a strong policy interest in rural development, not only as regards agriculture but also as regards its increasing combination with other activities not covered by product-based agricultural statistics.
- (9) Public enterprises play an important role in the national economies of the Member States. Commission Directive 80/723/EEC of 25 June 1980 on the transparency of financial relations between Member States and public undertakings <sup>(3)</sup> covers particular categories of public undertaking. Public enterprises and public corporations should therefore be identified in business registers and this can be done by the institutional sector classification.
- (10) Information on links of control between legal units is needed in order to define enterprise groups, delineate the enterprises correctly, profile large and complex units and study the level of concentration on particular markets. Enterprise group information improves the quality of the business registers and can be used to reduce the risk of disclosure of confidential data. Certain financial data are often more meaningful at the level of the group or subgroup than at that of the individual enterprise; indeed, they may be available only at the level of the group or subgroup. Recording enterprise group data makes possible, when necessary, surveys of the group rather than of the group's enterprises, and this may reduce the response burden significantly. In order to register enterprise groups, business registers should be further harmonised.
- (11) Increasing economic globalisation challenges the current production of several statistics. By recording data from multinational enterprise groups, business registers form a basic tool for the improvement of many statistics related to globalisation: international trade in goods and services, balance of payments, foreign direct investment, foreign affiliates, research, development and innovation, and the international labour market. The majority of these statistics cover the whole economy and thus require that business registers cover all sectors of the economy.
- (12) Pursuant to Article 3(2) of Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities <sup>(4)</sup>, national rules on statistical confidentiality may not be invoked to prevent the transmission of confidential statistical data to the Community authority (Eurostat) where an act of Community law provides for the transmission of such data.
- (13) In order to guarantee the fulfilment of the obligations laid down in this Regulation, Member States' institutions responsible for the collection of the data may need access to administrative data sources such as registers held by tax and social security authorities, central banks, other public institutions, and other data bases containing information on cross-border transactions and positions, wherever such data are necessary for the production of Community statistics.
- (14) Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment <sup>(5)</sup> established a common framework for the compilation, transmission and evaluation of relevant Community statistics.
- (15) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(6)</sup>.

<sup>(1)</sup> OJ L 52, 22.2.1997, p. 1. Regulation as amended by Regulation (EC) No 1882/2003.

<sup>(2)</sup> OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003.

<sup>(3)</sup> OJ L 195, 29.7.1980, p. 35. Directive as last amended by Directive 2005/81/EC (OJ L 312, 29.11.2005, p. 47).

<sup>(4)</sup> OJ L 151, 15.6.1990, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003.

<sup>(5)</sup> OJ L 35, 8.2.2005, p. 23. Regulation as amended by Commission Regulation (EC) No 602/2006 (OJ L 106, 19.4.2006, p. 10).

<sup>(6)</sup> OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

(16) In particular, power should be conferred on the Commission to update the list of register characteristics in the Annex, their definitions and their continuity rules, to decide on the coverage of the smallest enterprises and all-resident enterprise groups, to adopt the rules for updating registers, as well as to establish common quality standards and the content and periodicity of the quality reports. Since these measures are of general scope and are designed to amend non-essential elements or supplement this Regulation by the addition of new non-essential elements, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Council Decision 1999/468/EC.

(17) Regulation (EEC) No 2186/93 should therefore be repealed.

(18) The Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom <sup>(1)</sup> has been consulted,

HAVE ADOPTED THIS REGULATION:

#### Article 1

##### Purpose

This Regulation establishes a common framework for business registers for statistical purposes in the Community.

Member States shall set up one or more harmonised registers for statistical purposes, as a tool for the preparation and coordination of surveys, as a source of information for the statistical analysis of the business population and its demography, for the use of administrative data, and for the identification and construction of statistical units.

#### Article 2

##### Definitions

For the purposes of this Regulation, the following definitions apply:

- (a) 'Legal unit', 'enterprise', 'local unit' and 'enterprise group' shall be as defined in the Annex to Regulation (EEC) No 696/93;
- (b) 'National authorities' shall be as defined in Article 2 of Regulation (EC) No 322/97;
- (c) 'Statistical purposes' shall be as described in Article 2(4) of Regulation (EEC) No 1588/90;

<sup>(1)</sup> OJ L 181, 28.6.1989, p. 47.

(d) 'Multinational enterprise group' shall mean an enterprise group which has at least two enterprises or legal units located in different countries;

(e) 'Truncated enterprise group' shall mean the enterprises and the legal units of a multinational enterprise group, which are resident in the same country. It may comprise only one unit, if the other units are non-resident. An enterprise may be the truncated enterprise group or part thereof.

#### Article 3

##### Scope

1. In accordance with the definitions given in Article 2 and subject to the limitations specified in this Article, registers shall be compiled of:

- (a) all enterprises carrying on economic activities contributing to the gross domestic product (GDP), and their local units;
- (b) the legal units of which those enterprises consist;
- (c) truncated enterprise groups and multinational enterprise groups; and
- (d) all-resident enterprise groups.

2. The requirement in paragraph 1 shall not, however, apply to households insofar as the goods and services they produce are for their own consumption, or involve the letting of own property.

3. Local units not constituting separate legal entities (branches), which are dependent on foreign enterprises, and classified as quasi-corporations in accordance with the European System of Accounts 1995 set up by Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community <sup>(2)</sup> and the United Nation's 1993 System of National Accounts, shall be deemed to be enterprises for the purposes of the business registers.

4. Enterprise groups can be identified through the links of control between their legal units. In order to delineate enterprise groups, the definition of control set out in point 2.26 of Annex A to Regulation (EC) No 2223/96 shall be used.

5. This Regulation shall apply only to units which, wholly or partially, exercise an economic activity. Any activity comprising the offer of goods and services on a given market shall be regarded as an economic activity. In addition, non-market services contributing to the GDP, as well as direct and indirect holdings of active legal units shall be regarded as economic activities for the purposes of business registers. Economically inactive legal units are part of an enterprise only in combination with economically active legal units.

<sup>(2)</sup> OJ L 310, 30.11.1996, p. 1. Regulation as last amended by Regulation (EC) No 1267/2003 of the European Parliament and of the Council (OJ L 180, 18.7.2003, p. 1).

6. The measures seeking to modify non-essential elements of this Regulation concerning the extent to which enterprises with less than half a person employed and all-resident enterprise groups of no statistical importance to the Member States are to be included in the registers, and the definition of units consistent with those for agricultural statistics, shall be decided in accordance with the regulatory procedure with scrutiny referred to in Article 16(3).

#### Article 4

##### Data sources

1. While complying with conditions as to quality referred to in Article 6, Member States may collect the information required under this Regulation using any sources that they consider relevant. National authorities shall be authorised, within their sphere of competence, to collect, for statistical purposes, information covered by this Regulation contained in administrative and legal files.

2. Where the required data cannot be collected at a reasonable cost, national authorities may use statistical estimation procedures, while respecting the need for accuracy and quality.

#### Article 5

##### Register characteristics

1. The units listed in the registers shall be characterised by an identity number and the descriptive details specified in the Annex.

2. The measures seeking to modify non-essential elements of this Regulation by supplementing them concerning the updating of the list of characteristics and the definition of the characteristics and continuity rules shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(3).

#### Article 6

##### Quality standards and reports

1. Member States shall take all measures necessary to ensure the quality of the business registers.

2. Member States shall provide the Commission (Eurostat), on its request, with a report on the quality of the business registers (hereinafter referred to as quality reports).

3. The measures relating to common quality standards, as well as the content and periodicity of the quality reports, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(3), and taking into account the cost of compiling the data.

4. Member States shall inform the Commission (Eurostat) of major methodological or other changes that would influence the quality of the business registers as soon as they become

known and not later than six months after any such change enters into force.

5. The Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation, addressing in particular the cost of the statistical system, the burden on business and the benefits.

#### Article 7

##### Recommendations manual

The Commission shall publish a business registers recommendations manual. The manual shall be updated in close cooperation with the Member States.

#### Article 8

##### Time reference and periodicity

1. Entries onto and removals from the registers shall be updated at least annually.

2. The frequency of updating shall depend on the kind of unit, the variable considered, the size of the unit and the source generally used for the update.

3. The measures relating to the rules for updating shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(3).

4. Member States shall make annually a copy that reflects the state of the registers at the end of the year and keep that copy for at least 30 years for the purpose of analysis.

#### Article 9

##### Transmission of reports

1. Member States shall carry out statistical analyses of the registers and transmit the information to the Commission (Eurostat), following a format and a procedure defined by the Commission in accordance with the regulatory procedure referred to in Article 16(2).

2. Member States shall transmit to the Commission (Eurostat), at its request, any relevant information with regard to the implementation of this Regulation in the Member States.

#### Article 10

##### Exchange of confidential data between Member States

The exchange of confidential data may take place, exclusively for statistical purposes, between the appropriate national authorities of different Member States, in accordance with national legislation, where the exchange is to ensure the quality of the multinational enterprise group information in the European Union. National central banks may be party to the exchange in accordance with national legislation.

## Article 11

**Exchange of confidential data between the Commission (Eurostat) and Member States**

1. National authorities shall transmit data on multinational enterprise groups and their constituent units, as defined in the Annex, to the Commission (Eurostat), to provide information, exclusively for statistical purposes, on multinational groups in the European Union.

2. In order to ensure a consistent record of data, exclusively for statistical purposes, the Commission (Eurostat), shall transmit to the appropriate national authorities of each Member State, data on a multinational enterprise group, including its constituent units, when at least one legal unit of the group is located in the territory of that Member State.

3. In order to ensure that the data transmitted under this Article is used exclusively for statistical purposes, the purpose, scope, format, security and confidentiality measures, and procedure for the transmission of data on individual units to the Commission (Eurostat) and for the transmission of data on the multinational enterprise groups to the appropriate national authorities shall be adopted in accordance with the regulatory procedure referred to in Article 16(2).

## Article 12

**Exchange of confidential data between the Commission (Eurostat) and central banks**

1. For the purposes of this Regulation, the exchange of confidential data may take place, exclusively for statistical purposes, between the Commission (Eurostat) and national central banks, and between the Commission (Eurostat) and the European Central Bank, where the exchange is to ensure the quality of multinational enterprise group information in the European Union, and where the exchange is explicitly authorised by the appropriate national authority.

2. In order to ensure that the data transmitted under this Article is used exclusively for statistical purposes, the purpose, scope, format, security and confidentiality measures, and procedure for the transmission of data on the multinational enterprise groups to the national central banks and the European Central Bank shall be adopted in accordance with the regulatory procedure referred to in Article 16(2).

## Article 13

**Confidentiality and access to identifiable data**

1. When the Commission (Eurostat), national authorities, national central banks and the European Central Bank receive

confidential data pursuant to Articles 10, 11 and 12, they shall treat that information confidentially in accordance with Regulation (EC) No 322/97.

2. For the purposes of this Regulation, and notwithstanding Article 14 of Regulation (EC) No 322/97, any transmission of confidential data between national authorities and the Commission (Eurostat) may take place to the extent that such transmission is necessary for the production of specific Community statistics. Any further transmission must be explicitly authorised by the national authority that collected the data.

## Article 14

**Transition period and derogations**

When business registers require a major overhaul, the Commission may grant a derogation at the request of a Member State for a transitional period that shall not exceed ... (\*).

For agriculture, forestry and fishing, public administration and defence, and compulsory social security, and for the additional characteristics relating to enterprise groups, the Commission may grant a derogation at the request of a Member State for a transitional period that shall not exceed ... (\*\*).

## Article 15

**Implementing measures**

1. The following measures designed to amend non-essential elements of this Regulation, *inter alia*, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(3):

- (a) the coverage of the smallest enterprises and all-resident enterprise groups, as provided for in Article 3(6);
- (b) the updating of the list of registers characteristics in the Annex, their definitions and their continuity rules, as provided for in Article 5, taking into account the principle that the benefits of the updating must outweigh its cost and the principle that the additional resources involved either for Member States or for enterprises remain reasonable;
- (c) the establishment of common quality standards, as well as the content and periodicity of the quality reports as provided for in Article 6(3); and
- (d) the rules for updating registers, as provided for in Article 8 (3).

(\*) Two years from the entry into force of this Regulation.

(\*\*) Five years from the entry into force of this Regulation.

2. Measures, relating to the following shall be adopted in accordance with the regulatory procedure referred to in Article 16(2):

- (a) the transmission of information arising from the statistical analyses of registers, as provided for in Article 9;
- (b) the transmission of data on individual units for multinational enterprise groups between the Commission (Eurostat) and the Member States, as provided for in Article 11; and
- (c) the transmission of multinational enterprise group data between the Commission (Eurostat) and central banks, as provided for in Article 12.

*Article 16*

**Committee**

1. The Commission shall be assisted by the Statistical Programme Committee.

2. Where reference is made to this paragraph, Article 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

*Article 17*

**Repeal**

Regulation (EEC) No 2186/93 shall be repealed.

References to the repealed Regulation shall be construed as being made to this Regulation.

*Article 18*

**Entry into force**

This Regulation shall enter into force on the 20th day following the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at,

*For the European Parliament*

*The President*

...

*For the Council*

*The President*

...

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## ANNEX

The business registers shall contain the following information by unit. The information does not have to be separately stored for each unit, if it can be derived from (an) other unit(s).

Unmarked items are mandatory, items marked 'conditional' are mandatory if available in the Member State and items marked 'optional' are recommended.

1. Legal unit			
Identification characteristics	1.1		Identity number
	1.2a		Name
	1.2b		Address (including postcode) at the most detailed level
	1.2c	Optional	Telephone and fax numbers, electronic mail address, and information to permit electronic collection of data
	1.3		Value Added Tax (VAT) registration number or, failing that, other administrative identity number
Demographic characteristics	1.4		Date of incorporation for legal persons or date of official recognition as an economic operator for natural persons
	1.5		Date on which the legal unit ceased to be part of an enterprise (as identified in 3.3)
Economic/stratification characteristics	1.6		Legal form
Links with other registers			Reference to associated registers, in which the legal unit is recorded and which contain information that can be used for statistical purposes
	1.7a		Reference to the register of intra-Community operators set up in accordance with Regulation (EC) No 638/2004 <sup>(1)</sup> , and Reference to customs files or to the register of extra-Community operators
	1.7b	Optional	Reference to balance sheet data (for units required to publish accounts), and Reference to the balance of payments register or foreign direct investment register, and Reference to the farm register

<sup>(1)</sup> Regulation (EC) No 638/2004 of the European Parliament and of the Council of 31 March 2004 on Community statistics relating to the trading of goods between Member States and repealing Council Regulation (EEC) No 3330/91(OJ L 102, 7.4.2004, p. 1).

Additional characteristics for legal units which are part of enterprises belonging to an enterprise group:

Link with enterprise group	1.8		Identity number of the all-resident/truncated enterprise group (4.1), to which the unit belongs
	1.9		Date of association to the all-resident/truncated group
	1.10		Date of separation from the all-resident/truncated group



Control of units			The resident control links can be recorded either top-down (1.11a) or bottom-up (1.11b). Only the first level of control, direct or indirect, is recorded for each unit (the whole chain of control can be obtained by combining these).
	1.11a		Identity number(s) of resident legal unit(s), which are controlled by the legal unit
	1.11b		Identity number of the resident legal unit, which controls the legal unit
	1.12a		Country(ies) of registration, and identity number(s) or name(s) and address(es) of the non-resident legal unit(s), which are controlled by the legal unit
	1.12b	Conditional	VAT number(s) of non-resident legal unit(s), which are controlled by the legal unit
	1.13a		Country of registration, and identity number or name and address of the non-resident legal unit, which controls the legal unit
	1.13b	Conditional	VAT number of the non-resident legal unit, which controls the legal unit
Ownership of units		Conditional	The resident ownership can be recorded either top-down (1.14a) or bottom-up (1.14b). The recording of the information and the threshold used for the shareholding are subject to the availability of this information in the administrative sources. The recommended threshold is 10 % or more of direct ownership.
	1.14a	Conditional	(a) Identity number(s), and (b) shares (%) of resident legal unit(s) owned by the legal unit
	1.14b	Conditional	(a) Identity number(s), and (b) shares (%) of resident legal unit(s), which own(s) the legal unit
	1.15	Conditional	(a) Country(ies) of registration, and (b) identity number(s) or, name(s), address(es) and VAT number(s), and (c) shares (%) of non-resident legal unit(s) owned by the legal unit
	1.16	Conditional	(a) Country(ies) of registration, and (b) identity number(s) or, name(s), address(es), and VAT number(s), and (c) shares (%) of non-resident legal unit(s), which own(s) the legal unit

## 2. Local unit

Identification characteristics	2.1		Identity number
	2.2a		Name
	2.2b		Address (including postcode) at the most detailed level
	2.2c	Optional	Telephone and fax numbers, electronic mail address, and information to permit electronic collection of data
	2.3		Identity number of the enterprise (3.1), to which the local unit belongs
Demographic characteristics	2.4		Date of commencement of activities
	2.5		Date of final cessation of activities
Economic/stratification characteristics	2.6		Principal activity code at NACE 4-digit level
	2.7	Conditional	Secondary activities, if any, at NACE 4-digit level; this point concerns only local units which are the subject of surveys
	2.8	Optional	Activity carried out in the local unit constituting an ancillary activity of the enterprise to which it belongs (Yes/No)
	2.9		Number of persons employed
	2.10a		Number of employees
	2.10b	Optional	Number of employees in full-time equivalents
	2.11		Geographical location code
Links with other registers	2.12	Conditional	Reference to associated registers, in which the local unit appears and which contain information which can be used for statistical purposes (if such associated registers exist)

## 3. Enterprise

Identification characteristics	3.1		Identity number
	3.2a		Name
	3.2b	Optional	Postal, electronic mail and web site addresses
	3.3		Identity number(s) of the legal unit(s) of which the enterprise consist(s)

Demographic characteristics	3.4		Date of commencement of activities
	3.5		Date of final cessation of activities
Economic/stratification characteristics	3.6		Principal activity code at NACE 4-digit level
	3.7	Conditional	Secondary activities, if any, at NACE 4-digit level; this point concerns only enterprises which are the subject of surveys
	3.8		Number of persons employed
	3.9a		Number of employees
	3.9b	Optional	Number of employees in full-time equivalents
	3.10a		Turnover save as provided in 3.10b
	3.10b	Optional	Turnover for agriculture, hunting and forestry, fishing, and public administration and defence, compulsory social security, private households with employed persons and extra-territorial organisations
	3.11		Institutional sector and sub-sector according to European System of Accounts

Additional characteristics for enterprises belonging to an enterprise group:

Link with enterprise group	3.12	Identity number of the all-resident/truncated enterprise group (4.1), to which the enterprise belongs
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#### 4. Enterprise group

Identification characteristics	4.1		Identity number of the all-resident/truncated group
	4.2a		Name of the all-resident/truncated group
	4.2b	Optional	Postal, electronic mail and web site addresses of the resident/truncated head office
	4.3	Part conditional	Identity number of the all-resident/truncated group head (equals the identity number of the legal unit, which is the resident group head).  Conditional If the controlling unit is a natural person, who is not an economic operator, recording is subject to the availability of this information in the administrative sources
	4.4		Type of enterprise group: 1. all-resident group; 2. domestically controlled truncated group; 3. foreign controlled truncated group

Demographic characteristics	4.5		Date of commencement of the all-resident/truncated enterprise group
	4.6		Date of cessation of the all-resident/truncated enterprise group
Economic/stratification characteristics	4.7		Principal activity code of the all-resident/truncated group at NACE 2-digit level
	4.8	Optional	Secondary activities of the all-resident/truncated group at NACE 2-digit level
	4.9		Number of persons employed in the all-resident/truncated group
	4.10	Optional	Consolidated turnover

Additional characteristics for multinational enterprise groups (types 2 and 3 in 4.4):

The recording of variables 4.11 and 4.12a is optional until the transmission of information on multinational groups, as provided for in Article 11, has been established.

Identification characteristics	4.11		Identity number of the global group
	4.12a		Name of the global group
	4.12b	Optional	Country of registration, postal, electronic mail and web site addresses of the global head office
	4.13a		Identity number of the global group head, if the group head is resident (equals the identity number of the legal unit, which is the group head). If the global group head is non-resident, its country of registration.
	4.13b	Optional	Global group head identity number or name and address, if non-resident
Economic/ stratification characteristics	4.14	Optional	Number of persons employed globally
	4.15	Optional	Consolidated global turnover
	4.16	Optional	Country of global decision-centre
	4.17	Optional	Countries where enterprises or local units are located

## STATEMENT OF THE COUNCIL'S REASON

### I. INTRODUCTION

1. The Commission adopted its proposal <sup>(1)</sup> on 5 April 2005 with the aim to modernise the existing Business Registers Regulation (EEC) 2186/93 and to take account of additional statistical requirements which have progressively emerged. The proposal was examined and discussed in the Council's preparatory bodies under successive Presidencies.
2. The European Parliament adopted its opinion at first reading on 1 June 2006.
3. The Council adopted its common position in accordance with Article 251 of the EC Treaty on 21st May 2007

### II. OBJECTIVES

The main objectives of the draft Regulation are:

- to register on a mandatory basis, all the enterprises, their local units and the corresponding legal units carrying out economic activities contributing to gross domestic product;
- to cover all financial links and enterprise groups and to exchange data on multinational groups and their constituent units between Member States and the Commission (Eurostat).

In addition, the proposal aims at harmonisation between all Member States by adopting a common methodology.

### III. ANALYSIS OF THE COMMON POSITION

#### 1. General context

An agreement at first reading was reached on this dossier in June 2006 (PE-CONS 3624/06).

On 17 July 2006, the Council adopted Decision 2006/512/EC amending Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission and introducing a new procedure named 'regulatory procedure with scrutiny' (Article 5a).

The new Committee procedure has to be followed to adopt measures of general scope which seek to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty, *inter alia*, by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

#### 2. Adaptations introduced by the Council

The draft Regulation refers to the Committee regulatory procedure when implementing powers are conferred to the Commission and therefore has to be adapted, where appropriate, to the new Committee regulatory procedure with scrutiny.

The Commission has accepted the common position agreed by the Council.

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<sup>(1)</sup> COM(2005) 0112.

**COMMON POSITION (EC) No 10/2007****adopted by the Council on 28 June 2008****with a view to adopting Regulation (EC) No .../2007 of the European Parliament and of the Council of ... on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters ('Service of documents') and repealing Council Regulation (EC) No 1348/2000**

(2007/C 193 E/02)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 61(c) and Article 67(5), second indent, thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee <sup>(1)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(2)</sup>,

Whereas:

- (1) The Union has set itself the objective of maintaining and developing the Union as an area of freedom, security and justice, in which the free movement of persons is assured. To establish such an area, the Community is to adopt, among others, the measures relating to judicial cooperation in civil matters needed for the proper functioning of the internal market.
- (2) The proper functioning of the internal market entails the need to improve and expedite the transmission of judicial and extrajudicial documents in civil or commercial matters for service between the Member States.
- (3) The Council, by an Act dated 26 May 1997 <sup>(3)</sup>, drew up a Convention on the service in the Member States of the European Union of judicial and extrajudicial documents in civil or commercial matters and recommended it for adoption by the Member States in accordance with their respective constitutional rules. That Convention has not entered into force. Continuity in the results of the negotiations for conclusion of the Convention should be ensured.
- (4) On 29 May 2000 the Council adopted Regulation (EC) No 1348/2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters <sup>(4)</sup>. The main content of that Regulation is based on the Convention.

- (5) On 1 October 2004 the Commission adopted a report on the application of Regulation (EC) No 1348/2000. The report concludes that the application of Regulation (EC) No 1348/2000 has generally improved and expedited the transmission and the service of documents between Member States since its entry into force in 2001, but that nevertheless the application of certain provisions is not fully satisfactory.
- (6) Efficiency and speed in judicial procedures in civil matters require that judicial and extrajudicial documents be transmitted directly and by rapid means between local bodies designated by the Member States. Member States may indicate their intention to designate only one transmitting or receiving agency or one agency to perform both functions, for a period of five years. This designation may, however, be renewed every five years.
- (7) Speed in transmission warrants the use of all appropriate means, provided that certain conditions as to the legibility and reliability of the document received are observed. Security in transmission requires that the document to be transmitted be accompanied by a standard form, to be completed in the official language or one of the official languages of the place where service is to be effected, or in another language accepted by the Member State in question.
- (8) This Regulation should not apply to service of a document on the party's authorised representative in the Member State where the proceedings are taking place regardless of the place of residence of that party.
- (9) The service of a document should be effected as soon as possible, and in any event within one month of receipt by the receiving agency.
- (10) To secure the effectiveness of this Regulation, the possibility of refusing service of documents should be confined to exceptional situations.
- (11) In order to facilitate the transmission and service of documents between Member States, the standard forms set out in the Annexes to this Regulation should be used.

<sup>(1)</sup> OJ C 88, 11.4.2006, p. 7.

<sup>(2)</sup> Opinion of the European Parliament of 4 July 2006 (not yet published in the Official Journal), Council Common Position of 28 June 2007 and Position of the European Parliament of ... (not yet published in the Official Journal).

<sup>(3)</sup> OJ C 261, 27.8.1997, p. 1. On the same day as the Convention was drawn up the Council took note of the explanatory report on the Convention which is set out on page 26 of the aforementioned Official Journal.

<sup>(4)</sup> OJ L 160, 30.6.2000, p. 37.

- (12) The receiving agency should inform the addressee in writing using the standard form that he may refuse to accept the document to be served at the time of service or by returning the document to the receiving agency within one week if it is not either in a language which he understands or in the official language or one of the official languages of the place of service. This rule should also apply to the subsequent service once the addressee has exercised his right of refusal. These rules on refusal should also apply to service by diplomatic or consular agents, service by postal services, and direct service. It should be established that the service of the refused document can be remedied through the service on the addressee of a translation of the document.
- (13) Speed in transmission warrants documents being served within days of receipt of the document. However, if service has not been effected after one month has elapsed, the receiving agency should inform the transmitting agency. The expiry of this period should not imply that the request be returned to the transmitting agency where it is clear that service is feasible within a reasonable period.
- (14) The receiving agency should continue to take all necessary steps to effect the service of the document also in cases where it has not been possible to effect service within the month, for example, because the defendant has been away from his home on holiday or away from his office on business. However, in order to avoid an open-ended obligation for the receiving agency to take steps to effect the service of a document, the transmitting agency should be able to specify a time limit in the standard form after which service is no longer required.
- (15) Given the differences between the Member States as regards their rules of procedure, the material date for the purposes of service varies from one Member State to another. Having regard to such situations and the possible difficulties that may arise, this Regulation should provide for a system where it is the law of the Member State addressed which determines the date of service. However, where according to the law of a Member State a document has to be served within a particular period, the date to be taken into account with respect to the applicant should be that determined by the law of that Member State. This double date system exists only in a limited number of Member States. Those Member States which apply this system should communicate this to the Commission, which should publish this information in the *Official Journal of the European Union* and make it available through the European Judicial Network in Civil and Commercial Matters established by Council Decision 2001/470/EC <sup>(1)</sup>.
- (16) In order to facilitate access to justice, costs occasioned by recourse to a judicial officer or a person competent under the law of the Member State addressed should correspond to a single fixed fee laid down by that Member State in advance which respects the principles of proportionality and non-discrimination. The requirement of a single fixed fee should not preclude the possibility for Member States to set different fees for different types of service as long as they respect these principles.
- (17) Each Member State should be free to effect service of documents directly by postal services on persons residing in another Member State by registered letter with acknowledgement of receipt or equivalent.
- (18) It should be possible for any person interested in a judicial proceeding to effect service of documents directly through the judicial officers, officials or other competent persons of the Member State addressed, where such direct service is permitted under the law of that Member State.
- (19) The Commission should draw up a manual containing information relevant for the proper application of this Regulation, which should be made available through the European Judicial Network in Civil and Commercial Matters. The Commission and the Member States should do their utmost to ensure that this information is up to date and complete especially as regards contact details of receiving and transmitting agencies.
- (20) In calculating the periods and time limits provided for in this Regulation, Regulation (EEC, Euratom) No 1182/71 of the Council of 3 June 1971 determining the rules applicable to periods, dates and time limits <sup>(2)</sup> should apply.
- (21) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(3)</sup>.
- 
- <sup>(1)</sup> OJ L 174, 27.6.2001, p. 25.  
<sup>(2)</sup> OJ L 124, 8.6.1971, p. 1.  
<sup>(3)</sup> OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

- (22) In particular, power should be conferred on the Commission to update or make technical amendments to the standard forms set out in the Annexes. Since those measures are of general scope and are designed to amend/delete non-essential elements of this Regulation, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.
- (23) This Regulation prevails over the provisions contained in bilateral or multilateral agreements or arrangements having the same scope, concluded by the Member States, and in particular the Protocol annexed to the Brussels Convention of 27 September 1968 <sup>(1)</sup> and the Hague Convention of 15 November 1965 <sup>(2)</sup> in relations between the Member States party thereto. This Regulation does not preclude Member States from maintaining or concluding agreements or arrangements to expedite or simplify the transmission of documents, provided that they are compatible with this Regulation.
- (24) The information transmitted pursuant to this Regulation should enjoy suitable protection. This matter falls within the scope of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(3)</sup>, and of Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) <sup>(4)</sup>.
- (25) No later than 1 June 2011 and every five years thereafter, the Commission should review the application of this Regulation and propose such amendments as may appear necessary.
- (26) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (27) In order to make the provisions more easily accessible and readable, Regulation (EC) No 1348/2000 should be repealed and replaced by this Regulation.
- (28) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland, annexed to the Treaty on European Union and to the Treaty establishing the European Community, the United Kingdom and Ireland are taking part in the adoption and application of this Regulation.
- (29) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not take part in the adoption of this Regulation and is not bound by it or subject to its application,
- HAVE ADOPTED THIS REGULATION:
- CHAPTER I
- GENERAL PROVISIONS
- Article 1
- Scope
1. This Regulation shall apply in civil and commercial matters where a judicial or extrajudicial document has to be transmitted from one Member State to another for service there. It shall not extend in particular to revenue, customs or administrative matters or to liability of the State for actions or omissions in the exercise of State authority (*acta iure imperii*).
  2. This Regulation shall not apply where the address of the person to be served with the document is not known.
  3. In this Regulation, the term 'Member State' shall mean the Member States with the exception of Denmark.
- Article 2

<sup>(1)</sup> Brussels Convention of 27 September 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters (OJ L 299, 31.12.1972, p. 32; consolidated version, OJ C 27, 26.1.1998, p. 1).

<sup>(2)</sup> Hague Convention of 15 November 1965 on the service abroad of judicial and extrajudicial documents in civil or commercial matters.

<sup>(3)</sup> OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

<sup>(4)</sup> OJ L 201, 31.7.2002, p. 37. Directive as amended by Directive 2006/24/EC (OJ L 105, 13.4.2006, p. 54).

### Transmitting and receiving agencies

1. Each Member State shall designate the public officers, authorities or other persons, hereinafter referred to as 'transmitting agencies', competent for the transmission of judicial or extrajudicial documents to be served in another Member State.



2. Each Member State shall designate the public officers, authorities or other persons, hereinafter referred to as 'receiving agencies', competent for the receipt of judicial or extrajudicial documents from another Member State.

3. A Member State may designate one transmitting agency and one receiving agency or one agency to perform both functions. A federal State, a State in which several legal systems apply or a State with autonomous territorial units shall be free to designate more than one such agency. The designation shall have effect for a period of five years and may be renewed at five-year intervals.

4. Each Member State shall provide the Commission with the following information:

- (a) the names and addresses of the receiving agencies referred to in paragraphs 2 and 3;
- (b) the geographical areas in which they have jurisdiction;
- (c) the means of receipt of documents available to them; and
- (d) the languages that may be used for the completion of the standard form set out in Annex I.

Member States shall notify the Commission of any subsequent modification of such information.

#### *Article 3*

### **Central body**

Each Member State shall designate a central body responsible for:

- (a) supplying information to the transmitting agencies;
- (b) seeking solutions to any difficulties which may arise during transmission of documents for service;
- (c) forwarding, in exceptional cases, at the request of a transmitting agency, a request for service to the competent receiving agency.

A federal State, a State in which several legal systems apply or a State with autonomous territorial units shall be free to designate more than one central body.

## CHAPTER II

### **JUDICIAL DOCUMENTS**

#### SECTION 1

#### ***Transmission and service of judicial documents***

#### *Article 4*

### **Transmission of documents**

1. Judicial documents shall be transmitted directly and as soon as possible between the agencies designated pursuant to Article 2.

2. The transmission of documents, requests, confirmations, receipts, certificates and any other papers between transmitting agencies and receiving agencies may be carried out by any appropriate means, provided that the content of the document received is true and faithful to that of the document forwarded and that all information in it is easily legible.

3. The document to be transmitted shall be accompanied by a request drawn up using the standard form set out in Annex I. The form shall be completed in the official language of the Member State addressed or, if there are several official languages in that Member State, the official language or one of the official languages of the place where service is to be effected, or in another language which that Member State has indicated it can accept. Each Member State shall indicate the official language or languages of the institutions of the European Union other than its own which is or are acceptable to it for completion of the form.

4. The documents and all papers that are transmitted shall be exempted from legalisation or any equivalent formality.

5. When the transmitting agency wishes a copy of the document to be returned together with the certificate referred to in Article 10, it shall send the document in duplicate.

#### *Article 5*

### **Translation of documents**

1. The applicant shall be advised by the transmitting agency to which he forwards the document for transmission that the addressee may refuse to accept it if it is not in one of the languages provided for in Article 8.

2. The applicant shall bear any costs of translation prior to the transmission of the document, without prejudice to any possible subsequent decision by the court or competent authority on liability for such costs.

#### *Article 6*

### **Receipt of documents by receiving agency**

1. On receipt of a document, a receiving agency shall, as soon as possible and in any event within seven days of receipt, send a receipt to the transmitting agency by the swiftest possible means of transmission using the standard form set out in Annex I.

2. Where the request for service cannot be fulfilled on the basis of the information or documents transmitted, the receiving agency shall contact the transmitting agency by the swiftest possible means in order to secure the missing information or documents.

3. If the request for service is manifestly outside the scope of this Regulation or if non-compliance with the formal conditions required makes service impossible, the request and the documents transmitted shall be returned, on receipt, to the transmitting agency, together with the notice of return using the standard form set out in Annex I.

4. A receiving agency receiving a document for service but not having territorial jurisdiction to serve it shall forward it, as well as the request, to the receiving agency having territorial jurisdiction in the same Member State if the request complies with the conditions laid down in Article 4(3) and shall inform the transmitting agency accordingly using the standard form set out in Annex I. That receiving agency shall inform the transmitting agency when it receives the document, in the manner provided for in paragraph 1.

#### Article 7

#### Service of documents

1. The receiving agency shall itself serve the document or have it served, either in accordance with the law of the Member State addressed or by a particular method requested by the transmitting agency, unless that method is incompatible with the law of that Member State.

2. The receiving agency shall take all necessary steps to effect the service of the document as soon as possible, and in any event within one month of receipt. If it has not been possible to effect service within one month of receipt, the receiving agency shall:

- (a) immediately inform the transmitting agency by means of the certificate in the standard form set out in Annex I, which shall be drawn up under the conditions referred to in Article 10(2); and
- (b) continue to take all necessary steps to effect the service of the document, unless indicated otherwise by the transmitting agency, where service seems to be possible within a reasonable period of time.

#### Article 8

#### Refusal to accept a document

1. The receiving agency shall inform the addressee, using the standard form set out in Annex II, that he may refuse to accept the document to be served at the time of service or by returning the document to the receiving agency within one week if it is not written in, or accompanied by a translation into, either of the following languages:

- (a) a language which the addressee understands;

or

- (b) the official language of the Member State addressed or, if there are several official languages in that Member State, the official language or one of the official languages of the place where service is to be effected.

2. Where the receiving agency is informed that the addressee refuses to accept the document in accordance with paragraph 1, it shall immediately inform the transmitting agency by means of the certificate provided for in Article 10 and return the request and the documents of which a translation is requested.

3. If the addressee has refused to accept the document pursuant to paragraph 1, the service of the document can be remedied through the service on the addressee in accordance with the provisions of this Regulation of the document accompanied by a translation into a language provided for in paragraph 1. In that case, the date of service of the document shall be the date on which the document accompanied by the translation is served in accordance with the law of the Member State addressed. However, where according to the law of a Member State, a document has to be served within a particular period, the date to be taken into account with respect to the applicant shall be the date of the service of the initial document determined pursuant to Article 9(2).

4. Paragraphs 1, 2 and 3 shall also apply to the means of transmission and service of judicial documents provided for in Section 2.

5. For the purposes of paragraph 1, the diplomatic or consular agents, where service is effected in accordance with Article 13, or the authority or person, where service is effected in accordance with Article 14, shall inform the addressee that he may refuse to accept the document and that any document refused must be sent to those agents or to that authority or person respectively.

*Article 9***Date of service**

1. Without prejudice to Article 8, the date of service of a document pursuant to Article 7 shall be the date on which it is served in accordance with the law of the Member State addressed.

2. However, where according to the law of a Member State a document has to be served within a particular period, the date to be taken into account with respect to the applicant shall be that determined by the law of that Member State.

3. Paragraphs 1 and 2 shall also apply to the means of transmission and service of judicial documents provided for in Section 2.

*Article 10***Certificate of service and copy of the document served**

1. When the formalities concerning the service of the document have been completed, a certificate of completion of those formalities shall be drawn up in the standard form set out in Annex I and addressed to the transmitting agency, together with, where Article 4(5) applies, a copy of the document served.

2. The certificate shall be completed in the official language or one of the official languages of the Member State of origin or in another language which the Member State of origin has indicated that it can accept. Each Member State shall indicate the official language or languages of the institutions of the European Union other than its own which is or are acceptable to it for completion of the form.

*Article 11***Costs of service**

1. The service of judicial documents coming from a Member State shall not give rise to any payment or reimbursement of taxes or costs for services rendered by the Member State addressed.

2. However, the applicant shall pay or reimburse the costs occasioned by:

- (a) recourse to a judicial officer or to a person competent under the law of the Member State addressed;
- (b) the use of a particular method of service.

Costs occasioned by recourse to a judicial officer or to a person competent under the law of the Member State addressed shall

correspond to a single fixed fee laid down by that Member State in advance which respects the principles of proportionality and non-discrimination. Member States shall communicate such fixed fees to the Commission.

*SECTION 2****Other means of transmission and service of judicial documents****Article 12***Transmission by consular or diplomatic channels**

Each Member State shall be free, in exceptional circumstances, to use consular or diplomatic channels to forward judicial documents, for the purpose of service, to those agencies of another Member State which are designated pursuant to Articles 2 or 3.

*Article 13***Service by diplomatic or consular agents**

1. Each Member State shall be free to effect service of judicial documents on persons residing in another Member State, without application of any compulsion, directly through its diplomatic or consular agents.

2. Any Member State may make it known, in accordance with Article 23(1), that it is opposed to such service within its territory, unless the documents are to be served on nationals of the Member State in which the documents originate.

*Article 14***Service by postal services**

Each Member State shall be free to effect service of judicial documents directly by postal services on persons residing in another Member State by registered letter with acknowledgment of receipt or equivalent.

*Article 15***Direct service**

Any person interested in a judicial proceeding may effect service of judicial documents directly through the judicial officers, officials or other competent persons of the Member State addressed, where such direct service is permitted under the law of that Member State.

## CHAPTER III

## EXTRAJUDICIAL DOCUMENTS

## Article 16

**Transmission**

Extrajudicial documents may be transmitted for service in another Member State in accordance with the provisions of this Regulation.

## CHAPTER IV

## FINAL PROVISIONS

## Article 17

**Implementing rules**

Measures designed to amend non-essential elements of this Regulation relating to the updating or to the making of technical amendments to the standard forms set out in Annexes I and II shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(2).

## Article 18

**Committee**

1. The Commission shall be assisted by a committee.

2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

## Article 19

**Defendant not entering an appearance**

1. Where a writ of summons or an equivalent document has had to be transmitted to another Member State for the purpose of service under the provisions of this Regulation and the defendant has not appeared, judgment shall not be given until it is established that:

- (a) the document was served by a method prescribed by the internal law of the Member State addressed for the service of documents in domestic actions upon persons who are within its territory; or
- (b) the document was actually delivered to the defendant or to his residence by another method provided for by this Regulation;

and that in either of these cases the service or the delivery was effected in sufficient time to enable the defendant to defend.

2. Each Member State may make it known, in accordance with Article 23(1), that the judge, notwithstanding the provisions of paragraph 1, may give judgment even if no certificate of service or delivery has been received, if all the following conditions are fulfilled:

- (a) the document was transmitted by one of the methods provided for in this Regulation;
- (b) a period of time of not less than six months, considered adequate by the judge in the particular case, has elapsed since the date of the transmission of the document;
- (c) no certificate of any kind has been received, even though every reasonable effort has been made to obtain it through the competent authorities or bodies of the Member State addressed.

3. Notwithstanding paragraphs 1 and 2, the judge may order, in case of urgency, any provisional or protective measures.

4. When a writ of summons or an equivalent document has had to be transmitted to another Member State for the purpose of service under the provisions of this Regulation and a judgment has been entered against a defendant who has not appeared, the judge shall have the power to relieve the defendant from the effects of the expiry of the time for appeal from the judgment if the following conditions are fulfilled:

- (a) the defendant, without any fault on his part, did not have knowledge of the document in sufficient time to defend, or knowledge of the judgment in sufficient time to appeal; and
- (b) the defendant has disclosed a *prima facie* defence to the action on the merits.

An application for relief may be filed only within a reasonable time after the defendant has knowledge of the judgment.

Each Member State may make it known, in accordance with Article 23(1), that such application will not be entertained if it is filed after the expiry of a time to be stated by it in that communication, but which shall in no case be less than one year following the date of the judgment.

5. Paragraph 4 shall not apply to judgments concerning the status or capacity of persons.

## Article 20

**Relationship with agreements or arrangements to which Member States are party**

1. This Regulation shall, in relation to matters to which it applies, prevail over other provisions contained in bilateral or multilateral agreements or arrangements concluded by the Member States, and in particular Article IV of the Protocol to the Brussels Convention of 1968 and the Hague Convention of 15 November 1965.

2. This Regulation shall not preclude individual Member States from maintaining or concluding agreements or arrangements to expedite further or simplify the transmission of documents, provided that they are compatible with this Regulation.

3. Member States shall send to the Commission:

(a) a copy of the agreements or arrangements referred to in paragraph 2 concluded between the Member States as well as drafts of such agreements or arrangements which they intend to adopt;

and

(b) any denunciation of, or amendments to, these agreements or arrangements.

## Article 21

**Legal aid**

This Regulation shall not affect the application of Article 23 of the Convention on civil procedure of 17 July 1905, Article 24 of the Convention on civil procedure of 1 March 1954 or Article 13 of the Convention on international access to justice of 25 October 1980 between the Member States party to those Conventions.

## Article 22

**Protection of information transmitted**

1. Information, including in particular personal data, transmitted under this Regulation shall be used by the receiving agency only for the purpose for which it was transmitted.

2. Receiving agencies shall ensure the confidentiality of such information, in accordance with their national law.

3. Paragraphs 1 and 2 shall not affect national laws enabling data subjects to be informed of the use made of information transmitted under this Regulation.

4. This Regulation shall be without prejudice to Directives 95/46/EC and 2002/58/EC.

## Article 23

**Communication and publication**

1. Member States shall communicate to the Commission the information referred to in Articles 2, 3, 4, 10, 11, 13, 15 and 19. Member States shall communicate to the Commission if, according to their law, a document has to be served within a particular period as referred to in Articles 8(3) and 9(2).

2. The Commission shall publish the information communicated in accordance with paragraph 1 in the *Official Journal of the European Union* with the exception of the addresses and other contact details of the agencies and of the central bodies and the geographical areas in which they have jurisdiction.

3. The Commission shall draw up and update regularly a manual containing the information referred to in paragraph 1, which shall be available electronically, in particular through the European Judicial Network in Civil and Commercial Matters.

## Article 24

**Review**

No later than 1 June 2011, and every five years thereafter, the Commission shall present to the European Parliament, the Council and the European Economic and Social Committee a report on the application of this Regulation, paying special attention to the effectiveness of the agencies designated pursuant to Article 2 and to the practical application of Article 3(c) and Article 9. The report shall be accompanied if need be by proposals for adaptations of this Regulation in line with the evolution of notification systems.

## Article 25

**Repeal**

1. Regulation (EC) No 1348/2000 shall be repealed as from the date of application of this Regulation.

2. References made to the repealed Regulation shall be construed as being made to this Regulation and should be read in accordance with the correlation table in Annex III.

## Article 26

**Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from ... (\*) with the exception of Article 23 which shall apply from ... (\*\*).

(\*) Twelve months after the adoption of this Regulation.

(\*\*) Nine months after the adoption of this Regulation.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

Done at,

*For the European Parliament*

*The President*

...

*For the Council*

*The President*

...

\_\_\_\_\_

## ANNEX I

**REQUEST FOR SERVICE OF DOCUMENTS**

(Article 4(3) of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

Reference No: ...

**1. TRANSMITTING AGENCY**

- 1.1. Identity: .....
- 1.2. Address: .....
- 1.2.1. Street and number/PO box: .....
- 1.2.2. Place and post code: .....
- 1.2.3. Country: .....
- 1.3. Tel: .....
- 1.4. Fax (\*): .....
- 1.5. E-mail (\*) .....

**2. RECEIVING AGENCY**

- 2.1. Identity: .....
- 2.2. Address: .....
- 2.2.1. Street and number/PO box: .....
- 2.2.2. Place and post code: .....
- 2.2.3. Country: .....
- 2.3. Tel: .....
- 2.4. Fax (\*): .....
- 2.5. E-mail (\*): .....

**3. APPLICANT**

- 3.1. Identity: .....
- 3.2. Address: .....
- 3.2.1. Street and number/PO box: .....
- 3.2.2. Place and post code: .....
- 3.2.3. Country: .....

(\*) This item is optional.

- 3.3. Tel (\*): .....
- 3.4. Fax (\*): .....
- 3.5. E-mail (\*): .....

#### 4. ADDRESSEE

- 4.1. Identity: .....
- 4.2. Address: .....
- 4.2.1. Street and number/PO box: .....
- 4.2.2. Place and post code: .....
- 4.2.3. Country: .....
- 4.3. Tel (\*): .....
- 4.4. Fax (\*): .....
- 4.5. E-mail (\*): .....
- 4.6. Identification number/social security number/organisation number/or equivalent (\*): .....

#### 5. METHOD OF SERVICE

- 5.1. In accordance with the law of the Member State addressed
- 5.2. By the following particular method:
- 5.2.1. If this method is incompatible with the law of the Member State addressed, the document(s) should be served in accordance with the law of that Member State:
- 5.2.1.1. yes
- 5.2.1.2. no

#### 6. DOCUMENT TO BE SERVED

- 6.1. Nature of the document
- 6.1.1. judicial
- 6.1.1.1. writ of summons
- 6.1.1.2. judgment
- 6.1.1.3. appeal
- 6.1.1.4. other
- 6.1.2. extrajudicial
- 6.2. Date or time limit after which service is no longer required (\*):
- ..... (day) ..... (month) ..... (year)

(\*) This item is optional.



6.3. Language of document:

6.3.1. original (BG, ES, CS, DE, ET, EL, EN, FR, GA, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV, other): .....

6.3.2. translation (\*) (BG, ES, CS, DE, ET, EL, EN, FR, GA, IT, LV, LT, HU, MT, NL, PL, PT, RO, SK, SL, FI, SV, other): .....

6.4. Number of enclosures: .....

7. A COPY OF DOCUMENT TO BE RETURNED WITH THE CERTIFICATE OF SERVICE (Article 4(5) of Regulation (EC) No .../2007)

7.1. Yes (in this case send two copies of the document to be served)

7.2. No

1. You are required by Article 7(2) of Regulation (EC) No .../2007 to take all necessary steps to effect the service of the document as soon as possible, and in any event within one month of receipt. If it has not been possible for you to effect service within one month of receipt, you must inform this agency by indicating this in point 13 of the certificate of service or non-service of documents

2. If you cannot fulfil this request for service on the basis of the information or documents transmitted, you are required by Article 6(2) of Regulation (EC) No .../2007 to contact this agency by the swiftest possible means in order to secure the missing information or document.

Done at: .....

Date: .....

Signature and/or stamp: .....

Reference No of the transmitting agency: .....

Reference No of the receiving agency: .....

#### ACKNOWLEDGEMENT OF RECEIPT

(Article 6(1) of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

This acknowledgement must be sent by the swiftest possible means of transmission as soon as possible after receipt of the document and in any event within seven days of receipt.

8. DATE OF RECEIPT

Done at: .....

Date: .....

Signature and/or stamp: .....

Reference No of the transmitting agency: .....

Reference No of the receiving agency: .....

(\*) This item is optional.

**NOTICE OF RETURN OF REQUEST AND DOCUMENT**

(Article 6(3) of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

The request and document must be returned on receipt.

**9. REASON FOR RETURN**

9.1. The request is manifestly outside the scope of the Regulation:

9.1.1. the document is not civil or commercial

9.1.2. the service is not from one Member State to another Member State

9.2. Non-compliance with the formal conditions required makes service impossible:

9.2.1. the document is not easily legible

9.2.2. the language used to complete the form is incorrect

9.2.3. the document received is not a true and faithful copy

9.2.4. other (please give details): .....

.....

9.3. The method of service is incompatible with the law of the Member State addressed (Article 7(1) of Regulation (EC) No .../2007)

Done at: .....

Date: .....

Signature and/or stamp: .....

Reference No of the transmitting agency: .....

Reference No of the receiving agency: .....

**NOTICE OF RETRANSMISSION OF REQUEST AND DOCUMENT TO THE APPROPRIATE RECEIVING AGENCY**

(Article 6(4) of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

The request and document were forwarded to the following receiving agency, which has territorial jurisdiction to serve it:

**10. APPROPRIATE RECEIVING AGENCY**

10.1. Identity: .....

10.2. Address: .....

- 10.2.1. Street and number/PO box: .....
- 10.2.2. Place and post code: .....
- 10.2.3. Country: .....
- 10.3. Tel: .....
- 10.4. Fax (\*): .....
- 10.5. E-mail (\*): .....

Done at: .....

Date: .....

Signature and/or stamp: .....

Reference No of the transmitting agency: .....

Reference No of the appropriate receiving agency: .....

**NOTICE OF RECEIPT BY THE APPROPRIATE RECEIVING AGENCY HAVING TERRITORIAL JURISDICTION TO THE TRANSMITTING AGENCY**

(Article 6(4) of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

This notice must be sent by the swiftest possible means of transmission as soon as possible after receipt of the document and in any event within seven days of receipt.

**11. DATE OF RECEIPT**

Done at: .....

Date: .....

Signature and/or stamp: .....

Reference No of the transmitting agency: .....

Reference No of the receiving agency: .....

**CERTIFICATE OF SERVICE OR NON-SERVICE OF DOCUMENTS**

(Article 10 of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

The service shall be effected as soon as possible. If it has not been possible to effect service within one month of receipt, the receiving agency shall inform the transmitting agency (Article 7(2) of Regulation (EC) No .../2007)

(\*) This item is optional.

## 12. COMPLETION OF SERVICE

12.1. Date and address of service: .....

12.2. The document was:

12.2.1. served in accordance with the law of the Member State addressed, namely:

12.2.1.1. handed to:

12.2.1.1.1. the addressee in person

12.2.1.1.2. another person:

12.2.1.1.2.1. Name: .....

12.2.1.1.2.2. Address:

12.2.1.1.2.2.1. Street and number/PO box: .....

12.2.1.1.2.2.2. Place and post code: .....

12.2.1.1.2.2.3. Country: .....

12.2.1.1.2.3. Relation to the addressee:

family

employee

other

12.2.1.1.3. the addressee's address

12.2.1.2. served by postal services:

12.2.1.2.1. without acknowledgement of receipt

12.2.1.2.2. with the enclosed acknowledgement of receipt:

12.2.1.2.2.1. from the addressee

12.2.1.2.2.2. from another person:

12.2.1.2.2.2.1. Name: .....

12.2.1.2.2.2.2. Address:

12.2.1.2.2.2.2.1. Street and number/PO box: .....

12.2.1.2.2.2.2.2. Place and post code: .....

12.2.1.2.2.2.2.3. Country: .....

12.2.1.2.2.2.3. Relation to the addressee:

family

employee

other

12.2.1.3. served by another method (please state how): .....

12.2.2. served by the following particular method (please state how): .....

12.3. The addressee of the document was informed in writing that he may refuse to accept the document if it is not written in or accompanied by a translation into either a language which he understands or the official language or one of the official languages of the place of service.

## 13. INFORMATION IN ACCORDANCE WITH ARTICLE 7(2) of Regulation (EC) No .../2007

It was not possible to effect service within one month of receipt.

## 14. REFUSAL OF DOCUMENT

The addressee refused to accept the document on account of the language used. The document is annexed to this certificate.

## 15. REASON FOR NON-SERVICE OF DOCUMENT

15.1. Address unknown

15.2. Addressee cannot be located

15.3. Document could not be served before the date or time limit stated in point 6.2.

15.4. Other (please specify): .....

The document is annexed to this certificate.

Done at: .....

Date: .....

Signature and/or stamp: .....

\_\_\_\_\_

## ANNEX II

**INFORMATION TO THE ADDRESSEE ABOUT THE RIGHT TO REFUSE TO ACCEPT A DOCUMENT**

(Article 8(1) of Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters)

**BG:**

Приложеният документ се връчва в съответствие с Регламент (ЕО) № .../2007 на Европейския парламент и на Съвета относно връчването в държавите-членки на съдебни и извънсъдебни документи по граждански или търговски дела.

Можете да откажете да приемете документа, ако не е написан или придружен от превод на някой от езиците, които разбирате, на официалния език или на един от официалните езици на мястото на връчването.

Ако желаете да упражните това си право, трябва да откажете да приемете документа по време на самото връчване направо на връчващото документа лице или да го върнете в едноседмичен срок на посочения по-долу адрес, като заявите, че отказвате да го приемете.

**АДРЕС**

1. Име: .....
2. Адрес: .....
  - 2.1. Улица и номер/пощенска кутия: .....
  - 2.2. Населено място и пощенски код: .....
  - 2.3. Държава: .....
3. Тел.: .....
4. Факс (\*): .....
5. Адрес на електронна поща (\*): .....

**ДЕКЛАРАЦИЯ НА АДРЕСАТА:**

Отказвам да приема приложения документ, защото не е написан или придружен от превод на някой от езиците, които разбирам, на официалния език или на един от официалните езици на мястото на връчването.

Разбирам следния(те) език(ци):

английски	<input type="checkbox"/>	нидерландски	<input type="checkbox"/>
български	<input type="checkbox"/>	полски	<input type="checkbox"/>
гръцки	<input type="checkbox"/>	португалски	<input type="checkbox"/>
естонски	<input type="checkbox"/>	румънски	<input type="checkbox"/>
ирландски	<input type="checkbox"/>	словашки	<input type="checkbox"/>
испански	<input type="checkbox"/>	словенски	<input type="checkbox"/>
италиански	<input type="checkbox"/>	унгарски	<input type="checkbox"/>
латвийски	<input type="checkbox"/>	фински	<input type="checkbox"/>
литовски	<input type="checkbox"/>	френски	<input type="checkbox"/>
малтийски	<input type="checkbox"/>	чешки	<input type="checkbox"/>
немски	<input type="checkbox"/>	шведски	<input type="checkbox"/>
Друг	<input type="checkbox"/>	(моля пояснете): .....	

Съставено в: .....

Дата: .....

Подпис и/или печат: .....

(\*) Тази информация не е задължителна.

**ES:**

El documento adjunto se notifica o traslada de conformidad con el Reglamento (CE) nº .../2007 del Parlamento Europeo y del Consejo, relativo a la notificación y al traslado en los Estados miembros de documentos judiciales y extrajudiciales en materia civil o mercantil.

Puede usted negarse a aceptar el documento si no está redactado en una lengua que usted entienda o en una lengua oficial o una de las lenguas oficiales del lugar de notificación o traslado, o si no va acompañado de una traducción a alguna de esas lenguas.

Si desea usted ejercitar este derecho, debe negarse a aceptar el documento en el momento de la notificación o traslado directamente ante la persona que notifique o traslade el documento o devolverlo a la dirección que se indica a continuación dentro del plazo de una semana, declarando que se niega a aceptarlo.

**DIRECCIÓN**

1. Nombre: .....
2. Dirección: .....
  - 2.1. Calle y número/Apartado de correos: .....
  - 2.2. Lugar y código postal: .....
  - 2.3. País: .....
3. Tel.: .....
4. Fax (\*): .....
5. Dirección electrónica (\*): .....

**DECLARACIÓN DEL DESTINATARIO:**

Me niego a aceptar el documento adjunto porque no está redactado en una lengua que yo entienda o en la lengua oficial o una de las lenguas oficiales del lugar de notificación o traslado, o por no ir acompañado de una traducción a alguna de esas lenguas.

Las lenguas que entiendo son las siguientes:

búlgaro	<input type="checkbox"/>	lituano	<input type="checkbox"/>
español	<input type="checkbox"/>	húngaro	<input type="checkbox"/>
checo	<input type="checkbox"/>	maltés	<input type="checkbox"/>
alemán	<input type="checkbox"/>	neerlandés	<input type="checkbox"/>
estonio	<input type="checkbox"/>	polaco	<input type="checkbox"/>
griego	<input type="checkbox"/>	portugués	<input type="checkbox"/>
inglés	<input type="checkbox"/>	rumano	<input type="checkbox"/>
francés	<input type="checkbox"/>	eslovaco	<input type="checkbox"/>
irlandés	<input type="checkbox"/>	esloveno	<input type="checkbox"/>
italiano	<input type="checkbox"/>	finés	<input type="checkbox"/>
letón	<input type="checkbox"/>	sueco	<input type="checkbox"/>
Otra	<input type="checkbox"/>	(se ruega precisar): .....	

Hecho en: .....

Fecha: .....

Firma y/o sello: .....

**CS:**

Příložená písemnost je doručována v souladu s nařízením Evropského parlamentu a Rady (ES) č. .../2007 o doručování soudních a mimosoudních písemností ve věcech občanských a obchodních v členských státech.

Můžete odmítnout přijetí písemnosti, není-li vyhotovena v jazyce, kterému rozumíte, nebo v úředním jazyce nebo v jednom z úředních jazyků místa doručení nebo k ní není přiložen překlad do jednoho z těchto jazyků.

Přejete-li si využít tohoto práva, musíte odmítnout přijetí písemnosti v okamžiku doručení přímo osobě, která písemnost doručuje, nebo písemnost zaslat zpět na níže uvedenou adresu ve lhůtě jednoho týdne s prohlášením, že tuto písemnost odmítáte převzít.

**ADRESA**

1. Jméno: .....
2. Adresa: .....
  - 2.1. Ulice a číslo/poštovní příhrádka: .....
  - 2.2. Místo a poštovní směrovací číslo: .....
  - 2.3. Země: .....
3. Tel.: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**PROHLÁŠENÍ ADRESÁTA:**

Odmítám přijetí připojené písemnosti, neboť není vyhotovena v jazyce, kterému rozumím, nebo v úředním jazyce nebo v jednom z úředních jazyků místa doručení, ani k ní není přiložen překlad do jednoho z těchto jazyků.

Rozumím tomuto jazyku (těmto jazykům):

bulharština	<input type="checkbox"/>	litevština	<input type="checkbox"/>
španělština	<input type="checkbox"/>	maďarština	<input type="checkbox"/>
čeština	<input type="checkbox"/>	maltština	<input type="checkbox"/>
němčina	<input type="checkbox"/>	nizozemština	<input type="checkbox"/>
estonština	<input type="checkbox"/>	polština	<input type="checkbox"/>
řečtina	<input type="checkbox"/>	portugalština	<input type="checkbox"/>
angličtina	<input type="checkbox"/>	rumunština	<input type="checkbox"/>
francouzština	<input type="checkbox"/>	slovenština	<input type="checkbox"/>
irština	<input type="checkbox"/>	slovinština	<input type="checkbox"/>
italština	<input type="checkbox"/>	finština	<input type="checkbox"/>
lotyština	<input type="checkbox"/>	švédština	<input type="checkbox"/>
ostatní	<input type="checkbox"/>	prosím upřesněte: .....	

Vyhotoveno v: .....

Dne: .....

Podpis nebo razítko: .....

(\*) Tato položka je volitelná.



**DE:**

Die Zustellung des beigefügten Schriftstücks erfolgt im Einklang mit der Verordnung (EG) Nr. .../2007 des Europäischen Parlaments und des Rates über die Zustellung gerichtlicher und außergerichtlicher Schriftstücke in Zivil- oder Handelssachen in den Mitgliedstaaten.

Sie können die Annahme dieses Schriftstücks verweigern, wenn es weder in einer Sprache, die Sie verstehen, noch in einer Amtssprache oder einer der Amtssprachen des Zustellungsortes abgefasst ist, oder wenn ihm keine Übersetzung in einer dieser Sprachen beigefügt ist.

Wenn Sie von Ihrem Annahmeverweigerungsrecht Gebrauch machen wollen, müssen Sie dies entweder sofort bei der Zustellung gegenüber der das Schriftstück zustellenden Person erklären oder das Schriftstück binnen einer Woche nach der Zustellung an die nachstehende Anschrift mit der Angabe zurücksenden, dass Sie die Annahme verweigern.

**ANSCHRIFT**

1. Name/Bezeichnung: .....
2. Anschrift: .....
  - 2.1. Straße und Hausnummer/Postfach: .....
  - 2.2. PLZ und Ort: .....
  - 2.3. Staat: .....
3. Tel.: .....
4. Fax (\*): .....
5. E-Mail (\*): .....

**ERKLÄRUNG DES EMPFÄNGERS:**

Ich verweigere die Annahme des beigefügten Schriftstücks, da es entweder nicht in einer Sprache, die ich verstehe, oder nicht in einer Amtssprache oder einer der Amtssprachen des Zustellungsortes abgefasst ist oder da dem Schriftstück keine Übersetzung in einer dieser Sprachen beigefügt ist.

Ich verstehe die folgende(n) Sprache(n):

Bulgarisch	<input type="checkbox"/>	Litauisch	<input type="checkbox"/>
Spanisch	<input type="checkbox"/>	Ungarisch	<input type="checkbox"/>
Tschechisch	<input type="checkbox"/>	Maltesisch	<input type="checkbox"/>
Deutsch	<input type="checkbox"/>	Niederländisch	<input type="checkbox"/>
Estnisch	<input type="checkbox"/>	Polnisch	<input type="checkbox"/>
Griechisch	<input type="checkbox"/>	Portugiesisch	<input type="checkbox"/>
Englisch	<input type="checkbox"/>	Rumänisch	<input type="checkbox"/>
Französisch	<input type="checkbox"/>	Slowakisch	<input type="checkbox"/>
Irish	<input type="checkbox"/>	Slowenisch	<input type="checkbox"/>
Italienisch	<input type="checkbox"/>	Finnisch	<input type="checkbox"/>
Lettisch	<input type="checkbox"/>	Schwedisch	<input type="checkbox"/>
sonstige	<input type="checkbox"/>	bitte angeben: .....	

Geschehen zu: .....

am: .....

Unterschrift und/oder Stempel: .....

(\*) Angabe freigestellt.

**ET:**

Lisatud dokument toimetatakse kätte vastavalt Euroopa Parlamendi ja nõukogu määrusele (EÜ) nr .../2007 kohtu- ja kohtuväliste dokumentide Euroopa Liidu liikmesriikides kättetoimetamise kohta tsiviil- ja kaubandusajades.

Te võite keelduda dokumenti vastu võtmast, kui see ei ole koostatud Teile arusaadavas keeles või kättetoimetamiskoha ametlikus keeles või ühes ametlikest keeltest või kui dokumendile ei ole lisatud tõlget ühte nimetatud keeltest.

Kui Te soovite nimetatud õigust kasutada, peate keelduma dokumendi vastuvõtmisest vahetult selle kättetoimetamise ajal, tagastades dokumendi seda kättetoimetavale isikule, või tagastama dokumendi allpool esitatud aadressile ühe nädala jooksul, märkides, et Te keeldute selle vastuvõtmisest.

**ADDRESS**

1. Nimi: .....
2. Aadress: .....
  - 2.1. Tänav ja maja number/postkast: .....
  - 2.2. Linn/vald ja sihtnumber: .....
  - 2.3. Riik: .....
3. Tel.: .....
4. Faks (\*): .....
5. E-post (\*): .....

**ADRESSAADI AVALDUS:**

Keeldun lisatud dokumendi vastuvõtmisest, kuna see ei ole kirjutatud ei mulle arusaadavas keeles ega kättetoimetamiskoha ametlikus keeles või ühes ametlikest keeltest ning dokumendile ei ole lisatud tõlget ühte nimetatud keeltest.

Saan aru järgmis(t)est keel(t)est:

bulgaaria	<input type="checkbox"/>	leedu	<input type="checkbox"/>
hispaania	<input type="checkbox"/>	ungari	<input type="checkbox"/>
tšehhi	<input type="checkbox"/>	malta	<input type="checkbox"/>
saksa	<input type="checkbox"/>	hollandi	<input type="checkbox"/>
eesti	<input type="checkbox"/>	poola	<input type="checkbox"/>
kreeka	<input type="checkbox"/>	portugali	<input type="checkbox"/>
inglise	<input type="checkbox"/>	rumeenia	<input type="checkbox"/>
prantsuse	<input type="checkbox"/>	slovaki	<input type="checkbox"/>
iiri	<input type="checkbox"/>	sloveenia	<input type="checkbox"/>
italia	<input type="checkbox"/>	soome	<input type="checkbox"/>
läti	<input type="checkbox"/>	rootsi	<input type="checkbox"/>
muu	<input type="checkbox"/>	(palun täpsustada): .....	

Koht: .....

Kuupäev: .....

Allkiri ja/või pitser: .....

(\*) Ei ole kohustuslik.

**EL:**

Το συνημμένο έγγραφο σας επιδίδεται ή κοινοποιείται σύμφωνα με τον κανονισμό (ΕΚ) αριθ. .../2007 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου περί επιδόσεως και κοινοποίησης στα κράτη μέλη δικαστικών και εξωδίκων πράξεων σε αστικές ή εμπορικές υποθέσεις.

Έχετε δικαίωμα να αρνηθείτε την παραλαβή της πράξης εφόσον δεν είναι συνταγμένη ή δεν συνοδεύεται από μετάφραση σε γλώσσα την οποία κατανοείτε ή στην επίσημη γλώσσα ή σε μία από τις επίσημες γλώσσες του τόπου επίδοσης ή κοινοποίησης.

Εάν επιθυμείτε να ασκήσετε αυτό το δικαίωμα, πρέπει είτε να δηλώσετε την άρνηση παραλαβής κατά τη χρονική στιγμή της επίδοσης ή κοινοποίησης απευθείας στο πρόσωπο που επιδίδει ή κοινοποιεί την πράξη, είτε να την επιστρέψετε εντός μιας εβδομάδας στη διεύθυνση που αναφέρεται κατωτέρω, δηλώνοντας ότι αρνείστε την παραλαβή της.

**ΔΙΕΥΘΥΝΣΗ**

1. Όνομα: .....
2. Διεύθυνση: .....
  - 2.1. Οδός και αριθμός/Ταχυδρομική θυρίδα: .....
  - 2.2. Τόπος και ταχυδρομικός τομέας: .....
  - 2.3. Χώρα: .....
3. Τηλέφωνο: .....
4. Φαξ (\*): .....
5. Ηλεκτρονικό ταχυδρομείο (\*): .....

**ΔΗΛΩΣΗ ΤΟΥ ΠΑΡΑΛΗΠΤΗ:**

Αρνούμαι να παραλάβω την πράξη διότι δεν είναι συνταγμένη ή δεν συνοδεύεται από μετάφραση σε γλώσσα την οποία κατανοώ ή στην επίσημη γλώσσα ή σε μια από τις επίσημες γλώσσες του τόπου επίδοσης ή κοινοποίησης.

Κατανοώ την ακόλουθη(-ες) γλώσσα(-ες):

Βουλγαρικά	<input type="checkbox"/>	Λεττονικά	<input type="checkbox"/>
Ισπανικά	<input type="checkbox"/>	Λιθουανικά	<input type="checkbox"/>
Τσεχικά	<input type="checkbox"/>	Ουγγρικά	<input type="checkbox"/>
Γερμανικά	<input type="checkbox"/>	Μαλτέζικα	<input type="checkbox"/>
Εσθονικά	<input type="checkbox"/>	Ολλανδικά	<input type="checkbox"/>
Ελληνικά	<input type="checkbox"/>	Πολωνικά	<input type="checkbox"/>
Αγγλικά	<input type="checkbox"/>	Πορτογαλικά	<input type="checkbox"/>
Γαλλικά	<input type="checkbox"/>	Ρουμανικά	<input type="checkbox"/>
Ιρλανδικά	<input type="checkbox"/>	Σλοβακικά	<input type="checkbox"/>
Ιταλικά	<input type="checkbox"/>	Σλοβενικά	<input type="checkbox"/>
Φινλανδικά	<input type="checkbox"/>	Σουηδικά	<input type="checkbox"/>
Άλλες	<input type="checkbox"/>	Παρακαλώ προσδιορίστε: .....	

Τόπος: .....

Ημερομηνία: .....

Υπογραφή ή/και σφραγίδα: .....

(\*) Προαιρετικά.

**EN:**

The enclosed document is served in accordance with Regulation (EC) No .../2007 of the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters.

You may refuse to accept the document if it is not written in or accompanied by a translation into either a language which you understand or the official language or one of the official languages of the place of service.

If you wish to exercise this right, you must refuse to accept the document at the time of service directly with the person serving the document or return it to the address indicated below within one week stating that you refuse to accept it.

**ADDRESS**

1. Identity: .....
2. Address: .....
  - 2.1. Street and number/PO Box: .....
  - 2.2. Place and post code: .....
  - 2.3. Country: .....
3. Tel.: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**DECLARATION OF THE ADDRESSEE:**

I refuse to accept the document attached hereto because it is not written in or accompanied by a translation into either a language which I understand or the official language or one of the official languages of the place of service.

I understand the following language(s):

- |           |                          |                         |                          |
|-----------|--------------------------|-------------------------|--------------------------|
| Bulgarian | <input type="checkbox"/> | Lithuanian              | <input type="checkbox"/> |
| Spanish   | <input type="checkbox"/> | Hungarian               | <input type="checkbox"/> |
| Czech     | <input type="checkbox"/> | Maltese                 | <input type="checkbox"/> |
| German    | <input type="checkbox"/> | Dutch                   | <input type="checkbox"/> |
| Estonian  | <input type="checkbox"/> | Polish                  | <input type="checkbox"/> |
| Greek     | <input type="checkbox"/> | Portuguese              | <input type="checkbox"/> |
| English   | <input type="checkbox"/> | Romanian                | <input type="checkbox"/> |
| French    | <input type="checkbox"/> | Slovak                  | <input type="checkbox"/> |
| Irish     | <input type="checkbox"/> | Slovene                 | <input type="checkbox"/> |
| Italian   | <input type="checkbox"/> | Finnish                 | <input type="checkbox"/> |
| Latvian   | <input type="checkbox"/> | Swedish                 | <input type="checkbox"/> |
| Other     | <input type="checkbox"/> | (please specify): ..... |                          |

Done at: .....

Date: .....

Signature and/or stamp: .....

(\*) This item is optional.

**FR:**

L'acte ci-joint est signifié ou notifié conformément au règlement (CE) n° .../2007 du Parlement européen et du Conseil relatif à la signification et à la notification dans les États membres des actes judiciaires et extrajudiciaires en matière civile ou commerciale.

Vous pouvez refuser de recevoir l'acte s'il n'est pas rédigé ou accompagné d'une traduction dans une langue que vous comprenez ou dans la langue officielle ou l'une des langues officielles du lieu de signification ou de notification.

Si vous souhaitez exercer ce droit de refus, vous devez soit faire part de votre refus de recevoir l'acte au moment de la signification ou de la notification directement à la personne signifiant ou notifiant l'acte, soit le renvoyer à l'adresse indiquée ci-dessous dans un délai d'une semaine en indiquant que vous refusez de le recevoir.

**ADRESSE**

1. Nom: .....
2. Adresse: .....
  - 2.1. Numéro/boîte postale et rue: .....
  - 2.2. Localité et code postal: .....
  - 2.3. Pays: .....
3. Téléphone: .....
4. Télécopieur (\*): .....
5. Adresse électronique (\*): .....

**DÉCLARATION DU DESTINATAIRE:**

Je, soussigné, refuse de recevoir l'acte ci-joint parce qu'il n'est pas rédigé ou accompagné d'une traduction dans une langue que je comprends ou dans la langue officielle ou l'une des langues officielles du lieu de signification ou de notification.

Je comprends la ou les langues suivantes:

Bulgare	<input type="checkbox"/>	Lituanien	<input type="checkbox"/>
Espagnol	<input type="checkbox"/>	Hongrois	<input type="checkbox"/>
Tchèque	<input type="checkbox"/>	Maltais	<input type="checkbox"/>
Allemand	<input type="checkbox"/>	Néerlandais	<input type="checkbox"/>
Estonien	<input type="checkbox"/>	Polonais	<input type="checkbox"/>
Grec	<input type="checkbox"/>	Portugais	<input type="checkbox"/>
Anglais	<input type="checkbox"/>	Roumain	<input type="checkbox"/>
Français	<input type="checkbox"/>	Slovaque	<input type="checkbox"/>
Irlandais	<input type="checkbox"/>	Slovène	<input type="checkbox"/>
Italien	<input type="checkbox"/>	Finnois	<input type="checkbox"/>
Letton	<input type="checkbox"/>	Suédois	<input type="checkbox"/>
Autre	<input type="checkbox"/>	(préciser): .....	

Fait à: .....

Date: .....

Signature et/ou cachet: .....

(\*) Facultatif.

**GA:**

Tá an doiciméad atá faoi iamh á sheirbheáil i gcomhréir le Rialachán (CE) Uimh. .../2007 ó Pharlaimint na hEorpa agus ón gComhairle maidir le doiciméid bhreithiúnacha agus sheachbhreithiúnacha a sheirbheáil sna Ballstáit in ábhair shibhialta nó tráchtála.

Féadfaidh tú diúltú glacadh leis an doiciméad mura mbeidh sé scríofa i dteanga a thuigeann tú nó i dteanga oifigiúil nó i gceann de theangacha oifigiúla áit na seirbheála nó mura mbeidh aistriúchán go teanga a thuigeann tú nó go teanga oifigiúil áit na seirbheála nó go ceann de theangacha oifigiúla áit na seirbheála ag gabháil leis.

Más mian leat an ceart seo a fheidhmiú, ní mór duit diúltú glacadh leis an doiciméad as láimh tráth na seirbheála ón duine a sheirbheálann é, sin nó é a chur ar ais laistigh de sheachtain chuig an seoladh a shonraítear thíos, mar aon le ráiteas go bhfuil tú ag diúltú glacadh leis.

**SEOLADH**

1. Ainm: .....
2. Seoladh: .....
  - 2.1. Sráid agus uimhir/bosca poist: .....
  - 2.2. Áit agus cód poist: .....
  - 2.3. Tír: .....
3. Teil: .....
4. Facs (\*): .....
5. Seoladh r-phoist (\*): .....

**DEARBHÚ ÓN SEOLAÍ:**

Diúltaím glacadh leis an doiciméad atá faoi cheangal leis seo de bharr nach bhfuil sé scríofa i dteanga a thuigim nó i dteanga oifigiúil nó i gceann de theangacha oifigiúla áit na seirbheála agus nach bhfuil aistriúchán go teanga a thuigim nó go teanga oifigiúil áit na seirbheála nó go ceann de theangacha oifigiúla áit na seirbheála ag gabháil leis.

Tuigim an teanga/na teangacha a leanas:

Bulgáiris	<input type="checkbox"/>	Liotuáinis	<input type="checkbox"/>
Spáinnis	<input type="checkbox"/>	Ungáiris	<input type="checkbox"/>
Seicis	<input type="checkbox"/>	Máltais	<input type="checkbox"/>
Gearmáinis	<input type="checkbox"/>	Ollainnis	<input type="checkbox"/>
Eastóinis	<input type="checkbox"/>	Polainnis	<input type="checkbox"/>
Gréigis	<input type="checkbox"/>	Portaingéilis	<input type="checkbox"/>
Béarla	<input type="checkbox"/>	Rómáinis	<input type="checkbox"/>
Fraincis	<input type="checkbox"/>	Slóvaicis	<input type="checkbox"/>
Gaeilge	<input type="checkbox"/>	Slóivéinis	<input type="checkbox"/>
Iodáilis	<input type="checkbox"/>	Fionlainnis	<input type="checkbox"/>
Laitvis	<input type="checkbox"/>	Sualainnis	<input type="checkbox"/>
Teanga eile	<input type="checkbox"/>	(sonraigh an teanga, le do thoil): .....	

Arna dhéanamh i/sa: .....

Dáta: .....

Síniú agus/nó stampa: .....

(\*) Tá an sonra seo roghnach.

**IT:**

L'atto accluso è notificato o comunicato in conformità del regolamento (CE) n. .../2007 del Parlamento europeo e del Consiglio relativo alla notificazione e alla comunicazione negli Stati membri degli atti giudiziari ed extragiudiziali in materia civile e commerciale.

È prevista la facoltà di rifiutare di ricevere l'atto se non è redatto o accompagnato da una traduzione in una lingua compresa dal destinatario oppure nella lingua ufficiale o in una delle lingue ufficiali del luogo di notificazione o di comunicazione.

Chi vuole avvalersi di tale diritto può dichiarare il proprio rifiuto al momento della notificazione o della comunicazione direttamente al soggetto che la effettua, oppure può rispedire l'atto entro una settimana all'indirizzo sottoindicato, dichiarando il proprio rifiuto di riceverlo.

**INDIRIZZO**

1. Nome: .....
2. Indirizzo: .....
  - 2.1. Via, numero/casella postale: .....
  - 2.2. Luogo, codice postale: .....
  - 2.3. Paese: .....
3. Tel.: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**DICHIARAZIONE DEL DESTINATARIO:**

Rifiuto di ricevere l'atto allegato in quanto non è redatto o accompagnato da una traduzione in una lingua da me compresa oppure nella lingua ufficiale o in una delle lingue ufficiali del luogo di notificazione o di comunicazione.

Comprendo le seguenti lingue:

Bulgaro	<input type="checkbox"/>	Lituano	<input type="checkbox"/>
Spagnolo	<input type="checkbox"/>	Ungherese	<input type="checkbox"/>
Ceco	<input type="checkbox"/>	Maltese	<input type="checkbox"/>
Tedesco	<input type="checkbox"/>	Olandese	<input type="checkbox"/>
Estone	<input type="checkbox"/>	Polacco	<input type="checkbox"/>
Greco	<input type="checkbox"/>	Portoghese	<input type="checkbox"/>
Inglese	<input type="checkbox"/>	Rumeno	<input type="checkbox"/>
Francese	<input type="checkbox"/>	Slovacco	<input type="checkbox"/>
Irlandese	<input type="checkbox"/>	Sloveno	<input type="checkbox"/>
Italiano	<input type="checkbox"/>	Finlandese	<input type="checkbox"/>
Lettone	<input type="checkbox"/>	Svedese	<input type="checkbox"/>
Altra	<input type="checkbox"/>	precisare: .....	

Fatto a: .....

Data: .....

Firma e/o timbro: .....

(\*) Voce facoltativa.

**LV:**

Pievienoto dokumentu izsniedz saskaņā ar Eiropas Parlamenta un Padomes Regulu (EK) Nr. .../2007 par tiesas un ārpustiesas civillietu vai komercietu dokumentu izsniegšanu dalībvalstīs

Jums ir tiesības atteikties pieņemt dokumentu, ja tas nav iesniegts rakstiski vai tam nav pievienots tulkojums valodā, ko jūs saprotat, vai dokumenta izsniegšanas vietas oficiālajā valodā vai vienā no oficiālajām valodām.

Ja vēlaties īstenot šīs tiesības, Jums tieši dokumenta izsniedzējam izsniegšanas laikā ir jāatsakās pieņemt dokumentu vai tas jānosūta atpakaļ uz norādīto adresi vienas nedēļas laikā kopā ar paziņojumu, ka esat atteicies to pieņemt.

**ADRESE**

1. Vārds, uzvārds vai nosaukums: .....
2. Adrese: .....
  - 2.1. Ielas nosaukums un numurs/p. k. Nr.: .....
  - 2.2. Vieta un pasta kods: .....
  - 2.3. Valsts: .....
3. Tālr.: .....
4. Fakss (\*): .....
5. E-pasta adrese (\*): .....

**ADRESĀTA PAZIŅOJUMS:**

Es atsakos pieņemt pievienoto dokumentu, jo tas nav uzrakstīts vai tam nav pievienots tulkojums valodā, ko es saprotu, vai dokumenta izsniegšanas oficiālajā valodā vai vienā no oficiālajām valodām.

Es saprotu šādu(-as) valodu(-as):

bulgāru	<input type="checkbox"/>	lietuviešu	<input type="checkbox"/>
spāņu	<input type="checkbox"/>	ungāru	<input type="checkbox"/>
čehu	<input type="checkbox"/>	maltiešu	<input type="checkbox"/>
vācu	<input type="checkbox"/>	holandiešu	<input type="checkbox"/>
igauņu	<input type="checkbox"/>	poļu	<input type="checkbox"/>
grieķu	<input type="checkbox"/>	portugāļu	<input type="checkbox"/>
angļu	<input type="checkbox"/>	rumāņu	<input type="checkbox"/>
franču	<input type="checkbox"/>	slovāku	<input type="checkbox"/>
īru	<input type="checkbox"/>	slovēņu	<input type="checkbox"/>
itāļu	<input type="checkbox"/>	somu	<input type="checkbox"/>
latviešu	<input type="checkbox"/>	zviedru	<input type="checkbox"/>
citā	<input type="checkbox"/>	(lūdzu, norādiet): .....	

Sastādīts: .....

Datums: .....

Paraksts un/vai zīmogs: .....



**LT:**

Pridedamas dokumentas įteikiamas pagal Europos Parlamento ir Tarybos reglamentą (EB) Nr. .../2007 dėl teisminių ir neteisminių dokumentų civilinėse arba komercinėse bylose įteikimo valstybėse narėse.

Galite atsisakyti priimti šį dokumentą, jeigu jis nėra parengtas kalba, kurią suprantate, ar įteikimo vietos oficialia kalba arba viena iš oficialių kalbų, arba nėra pridėta vertimo į kalbą, kurią suprantate, ar į įteikimo vietos oficialią kalbą arba viena iš oficialių kalbų.

Jei norite pasinaudoti šia teise, privalote atsisakyti priimti dokumentą jo įteikimo metu tiesiogiai pranešdami apie tai dokumentą įteikiančiam asmeniui arba per vieną savaitę grąžinti jį toliau nurodytu adresu, pareikšdami, kad atsisakote jį priimti.

**ADRESAS**

1. Vardas ir pavardė: .....
2. Adresas: .....
  - 2.1. Gatvė ir numeris / pašto dėžutė: .....
  - 2.2. Vieta ir pašto indeksas: .....
  - 2.3. Valstybė: .....
3. Telefonas: .....
4. Faksas (\*): .....
5. El. paštas (\*): .....

**ADRESATO PAREIŠKIMAS:**

Atsisakau priimti prie šio pareiškimo pridėdamą dokumentą, kadangi jis nėra parengtas kalba, kurią suprantu, ar įteikimo vietos oficialia kalba arba viena iš oficialių kalbų, arba nėra pridėta vertimo į kalbą, kurią suprantu, ar į įteikimo vietos oficialią kalbą arba vieną iš oficialių kalbų.

Suprantu šią (-ias) kalbą (-as):

Bulgarų	<input type="checkbox"/>	Lietuvių	<input type="checkbox"/>
Ispanų	<input type="checkbox"/>	Vengrų	<input type="checkbox"/>
Čekų	<input type="checkbox"/>	Maltiečių	<input type="checkbox"/>
Vokiečių	<input type="checkbox"/>	Olandų	<input type="checkbox"/>
Estų	<input type="checkbox"/>	Lenkų	<input type="checkbox"/>
Graikų	<input type="checkbox"/>	Portugalų	<input type="checkbox"/>
Anglų	<input type="checkbox"/>	Rumunų	<input type="checkbox"/>
Prancūzų	<input type="checkbox"/>	Slovakų	<input type="checkbox"/>
Airių	<input type="checkbox"/>	Slovėnų	<input type="checkbox"/>
Italų	<input type="checkbox"/>	Suomių	<input type="checkbox"/>
Latvių	<input type="checkbox"/>	Švedų	<input type="checkbox"/>
Kitas	<input type="checkbox"/>	(prašom nurodyti): .....	

Parengta: .....

Data: .....

Parašas ir (arba) antspaudas: .....

(\*) Šis įrašas neprivalomas.

**HU:**

A mellékelt iratot a tagállamokban a polgári és kereskedelmi ügyekben a bírósági és bíróságon kívüli iratok kézbesítéséről szóló .../2007/EK európai parlamenti és tanácsi rendelet szerint kézbesítik.

Önnek joga van megtagadni az irat átvételét, amennyiben az nem az Ön számára érthető nyelven vagy a kézbesítés helyének hivatalos nyelvén vagy hivatalos nyelvei egyikén készült, és nem mellékeltek hozzá ilyen nyelvű fordítást.

Amennyiben élni kíván ezzel a jogával, az irat átvételét a kézbesítéskor kell megtagadnia közvetlenül az iratot kézbesítő személynél, vagy egy héten belül vissza kell küldenie azt az alább megjelölt címre, jelezve, hogy megtagadja annak átvételét.

**CÍM**

1. Név: .....
2. Cím: .....
  - 2.1. Utca és házszám/postafiók: .....
  - 2.2. Helység és irányítószám: .....
  - 2.3. Ország: .....
3. Telefon: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**A CÍMZETT NYILATKOZATA:**

Megtagadom a mellékelt dokumentum átvételét, mivel nem az általam értett nyelven vagy a kézbesítés helyének hivatalos nyelvén vagy hivatalos nyelvei egyikén készült, és nem mellékeltek hozzá ilyen nyelvű fordítást.

A következő nyelve(ke)t értem:

bolgár	<input type="checkbox"/>	litván	<input type="checkbox"/>
spanyol	<input type="checkbox"/>	magyar	<input type="checkbox"/>
cseh	<input type="checkbox"/>	máltai	<input type="checkbox"/>
német	<input type="checkbox"/>	holland	<input type="checkbox"/>
észt	<input type="checkbox"/>	lengyel	<input type="checkbox"/>
görög	<input type="checkbox"/>	portugál	<input type="checkbox"/>
angol	<input type="checkbox"/>	román	<input type="checkbox"/>
francia	<input type="checkbox"/>	szlovák	<input type="checkbox"/>
ír	<input type="checkbox"/>	szlovén	<input type="checkbox"/>
olasz	<input type="checkbox"/>	finn	<input type="checkbox"/>
lett	<input type="checkbox"/>	svéd	<input type="checkbox"/>
egyéb	<input type="checkbox"/>	(kérjük, nevezze meg): .....	

Kelt: .....

Dátum: .....

Aláírás és/vagy bélyegző: .....

(\*) Ezt a mezőt nem kötelező kitölteni.

**MT:**

Id-dokument meħmuż huwa nnotifikat f'konformità mar-Regolament (KE) Nru .../2007 tal-Parlament Ewropew u l-Kunsill dwar is-servizz fl-Istati Membri ta' dokumenti ġudizzjarji u extra-ġudizzjarji fi kwistjonijiet ċivili jew kummerċjali.

Inti tista' tirrifjuta li taċċetta d-dokument jekk dan mhux miktub bi jew m'għandux miegħu traduzzjoni f'waħda mil-lingwi li tifhem int jew bil-lingwa uffiċjali jew waħda mill-lingwi uffiċjali tal-post fejn qed issir in-notifika jew il-komunikazzjoni.

Jekk tixtieq teżercita dan id-dritt, trid tirrifjuta li taċċetta d-dokument fil-mument li ssir in-notifika u dan trid tagħmlu mal-persuna li tikkunsinnalek id-dokument jew inkella billi tibagħtu lura fl-indirizz li jidher hawn taħt fi żmien ġimgħa u tistqarr li int qed tirrifjuta li taċċettah.

**INDIRIZZ**

1. Identità: .....
2. Indirizz: .....
  - 2.1. Triq u numru/Kaxxa Postali: .....
  - 2.2. Lokalità u kodiċi postali: .....
  - 2.3. Pajjiż: .....
3. Tel.: .....
4. Fax (\*): .....
5. Indirizz elettroniku (\*): .....

**DIKJARAZZJONI TAD-DESTINATARJU:**

Jien nirrifjuta li naċċetta d-dokument meħmuż għaliex mhux miktub bi jew m'għandux miegħu traduzzjoni f'waħda mil-lingwi li nifhem jien jew bil-lingwa uffiċjali tal-post fejn qed issir in-notifika.

Jien nifhem bil-lingwa/lingwi li ġejja/ġejjin:

Bulgaru	<input type="checkbox"/>	Litwan	<input type="checkbox"/>
Spanjol	<input type="checkbox"/>	Ungeriz	<input type="checkbox"/>
Ċek	<input type="checkbox"/>	Malti	<input type="checkbox"/>
Germaniż	<input type="checkbox"/>	Olandiż	<input type="checkbox"/>
Estonjan	<input type="checkbox"/>	Pollakk	<input type="checkbox"/>
Grieg	<input type="checkbox"/>	Portugiż	<input type="checkbox"/>
Ingliż	<input type="checkbox"/>	Rumen	<input type="checkbox"/>
Franciż	<input type="checkbox"/>	Slovakk	<input type="checkbox"/>
Irlandiż	<input type="checkbox"/>	Sloven	<input type="checkbox"/>
Taljan	<input type="checkbox"/>	Finlandiż	<input type="checkbox"/>
Latvjan	<input type="checkbox"/>	Žvediż	<input type="checkbox"/>
Oħrajn	<input type="checkbox"/>	jekk jogħġbok speċifika: .....	

Magħmul fi: .....

Data: .....

Firma u/jew timbru: .....

(\*) Dan il-punt mhux obligatorju.

**NL:**

De betekening of kennisgeving van het bijgevoegde stuk is geschied overeenkomstig Verordening (EG) nr. .../2007 van het Europees Parlement en de Raad inzake de betekening en de kennisgeving in de lidstaten van gerechtelijke en buitengerechtelijke stukken in burgerlijke of in handelszaken.

U kunt weigeren het stuk in ontvangst te nemen indien het niet gesteld is in of vergezeld gaat van een vertaling, ofwel in een taal die u begrijpt ofwel in de officiële taal/een van de officiële talen van de plaats van betekening of kennisgeving.

Indien u dat recht wenst uit te oefenen, moet u onmiddellijk bij de betekening of kennisgeving van het stuk en rechtstreeks ten aanzien van de persoon die de betekening of kennisgeving verricht de ontvangst ervan weigeren of moet u het stuk binnen een week terugzenden naar het onderstaande adres en verklaren dat u de ontvangst ervan weigert.

**ADRES**

1. Naam: .....
2. Adres: .....
  - 2.1. Straat en nummer/postbus: .....
  - 2.2. Postcode en plaats: .....
  - 2.3. Land: .....
3. Telefoon: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**VERKLARING VAN DE GEADRESSEERDE:**

Ik weiger de ontvangst van het hieraan gehechte stuk, omdat dit niet gesteld is in of vergezeld gaat van een vertaling, ofwel in een taal die ik begrijp ofwel in de officiële taal/een van de officiële talen van de plaats van betekening of kennisgeving.

Ik begrijp de volgende taal (talen):

Bulgaars	<input type="checkbox"/>	Litouws	<input type="checkbox"/>
Spaans	<input type="checkbox"/>	Hongaars	<input type="checkbox"/>
Tsjechisch	<input type="checkbox"/>	Maltees	<input type="checkbox"/>
Duits	<input type="checkbox"/>	Nederlands	<input type="checkbox"/>
Ests	<input type="checkbox"/>	Pools	<input type="checkbox"/>
Grieks	<input type="checkbox"/>	Portugees	<input type="checkbox"/>
Engels	<input type="checkbox"/>	Roemeens	<input type="checkbox"/>
Frans	<input type="checkbox"/>	Slowaaks	<input type="checkbox"/>
Iers	<input type="checkbox"/>	Sloveens	<input type="checkbox"/>
Italiaans	<input type="checkbox"/>	Fins	<input type="checkbox"/>
Lets	<input type="checkbox"/>	Zweeds	<input type="checkbox"/>
Overige	<input type="checkbox"/>	gelieve te preciseren: .....	

Gedaan te: .....

Datum: .....

Ondertekening en/of stempel: .....

**PL:**

Załączony dokument jest doręczany zgodnie z rozporządzeniem (WE) nr .../2007 Parlamentu Europejskiego i Rady dotyczącym doręczania w państwach członkowskich dokumentów sądowych i pozasądowych w sprawach cywilnych i handlowych.

Adresat może odmówić przyjęcia dokumentu, jeżeli nie został on sporządzony w języku, który rozumie, ani w języku urzędowym lub w jednym z języków urzędowych miejsca doręczenia lub jeżeli nie dołączono do niego tłumaczenia na taki język.

Jeżeli adresat chce skorzystać z tego prawa, musi odmówić przyjęcia dokumentu w momencie jego doręczenia bezpośrednio w obecności osoby doręczającej lub zwrócić dokument na niżej wskazany adres w terminie tygodnia wraz z oświadczeniem o odmowie przyjęcia.

**ADRES**

1. Imię i nazwisko/nazwa: .....
2. Adres: .....
  - 2.1. Ulica i numer domu/skrytka pocztowa: .....
  - 2.2. Miejscowość i kod pocztowy: .....
  - 2.3. Kraj: .....
3. Telefon: .....
4. Faks (\*): .....
5. E-mail (\*): .....

**OŚWIADCZENIE ADRESATA:**

Niniejszym odmawiam przyjęcia załączonego dokumentu, ponieważ nie został on sporządzony w języku, który rozumiem, ani w języku urzędowym lub w jednym z języków urzędowych miejsca doręczenia, ani nie dołączono do niego tłumaczenia na taki język.

Rozumiem następujący(-e) język(-i):

bułgarski	<input type="checkbox"/>	litewski	<input type="checkbox"/>
hiszpański	<input type="checkbox"/>	węgierski	<input type="checkbox"/>
czeski	<input type="checkbox"/>	maltański	<input type="checkbox"/>
niemiecki	<input type="checkbox"/>	niderlandzki	<input type="checkbox"/>
estoński	<input type="checkbox"/>	polski	<input type="checkbox"/>
grecki	<input type="checkbox"/>	portugalski	<input type="checkbox"/>
angielski	<input type="checkbox"/>	rumuński	<input type="checkbox"/>
francuski	<input type="checkbox"/>	słowacki	<input type="checkbox"/>
irlandzki	<input type="checkbox"/>	słoweński	<input type="checkbox"/>
włoski	<input type="checkbox"/>	fiński	<input type="checkbox"/>
łotewski	<input type="checkbox"/>	szwedzki	<input type="checkbox"/>
inny	<input type="checkbox"/>	proszę określić: .....	

Sporządzono w: .....

Data: .....

Podpis i/lub pieczęć: .....

(\*) Nieobowiązkowo.

**PT:**

O acto em anexo é citado ou notificado nos termos do Regulamento (CE) n.º .../2007 do Parlamento Europeu e do Conselho relativo à citação e à notificação dos actos judiciais e extrajudiciais em matérias civil e comercial nos Estados-Membros.

Tem a possibilidade de recusar a recepção do acto se este não estiver redigido, ou acompanhado de uma tradução, numa língua que compreenda ou na língua oficial ou numa das línguas oficiais do local de citação ou notificação.

Se desejar exercer esse direito, deve recusar o acto no momento da citação ou notificação, directamente junto da pessoa que a ela procede, ou devolvê-lo ao endereço seguidamente indicado, no prazo de uma semana, declarando que recusa aceitá-lo.

**ENDEREÇO**

1. Identificação: .....
2. Endereço: .....
  - 2.1. Rua + número/caixa postal: .....
  - 2.2. Localidade + código postal: .....
  - 2.3. País: .....
3. Telefone: .....
4. Fax (\*): .....
5. Correio electrónico (*e-mail*) (\*): .....

**DECLARAÇÃO DO DESTINATÁRIO:**

Eu, abaixo assinado(a), recuso aceitar o acto em anexo porque o mesmo não está redigido nem acompanhado de uma tradução numa língua que eu compreenda ou na língua oficial ou numa das línguas oficiais do local de citação ou notificação.

Compreendo a(s) seguinte(s) língua(s):

Búlgaro	<input type="checkbox"/>	Lituano	<input type="checkbox"/>
Espanhol	<input type="checkbox"/>	Húngaro	<input type="checkbox"/>
Checo	<input type="checkbox"/>	Maltês	<input type="checkbox"/>
Alemão	<input type="checkbox"/>	Neerlandês	<input type="checkbox"/>
Estónio	<input type="checkbox"/>	Polaco	<input type="checkbox"/>
Grego	<input type="checkbox"/>	Português	<input type="checkbox"/>
Inglês	<input type="checkbox"/>	Romeno	<input type="checkbox"/>
Francês	<input type="checkbox"/>	Eslovaco	<input type="checkbox"/>
Irlandês	<input type="checkbox"/>	Esloveno	<input type="checkbox"/>
Italiano	<input type="checkbox"/>	Finlandês	<input type="checkbox"/>
Letão	<input type="checkbox"/>	Sueco	<input type="checkbox"/>
Outra	<input type="checkbox"/>	queira precisar: .....	

Feito em: .....

Data: .....

Assinatura e/ou carimbo: .....

(\*) Esta informação é facultativa.

**RO:**

Documentul anexat este notificat sau comunicat în conformitate cu Regulamentul (CE) nr. .../2007 al Parlamentului European și al Consiliului privind notificarea sau comunicarea în statele membre a actelor judiciare și extrajudiciare în materie civilă sau comercială.

Puteți refuza primirea actului în cazul în care acesta nu este redactat sau însoțit de o traducere într-una dintre limbile pe care le înțelegeți sau în limba oficială sau una dintre limbile oficiale ale locului de notificare sau comunicare.

Dacă doriți să exercitați acest drept, refuzați primirea actului în momentul notificării sau comunicării, transmițând acest lucru direct persoanei care notifică sau comunică actul, ori returnați actul la adresa indicată mai jos, în termen de o săptămână, precizând că refuzați primirea acestuia.

**ADRESĂ**

1. Nume: .....
2. Adresă: .....
  - 2.1. Stradă și număr/C.P.: .....
  - 2.2. Localitate și cod poștal: .....
  - 2.3. Țara: .....
3. Tel.: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**DECLARAȚIA DESTINATARULUI:**

Refuz primirea actului anexat deoarece acesta nu este redactat sau însoțit de o traducere într-una dintre limbile pe care le înțeleg sau în limba oficială sau una dintre limbile oficiale ale locului de notificare sau comunicare.

Înțeleg următoarea (următoarele) limbă (limbi):

Bulgară	<input type="checkbox"/>	Lituaniană	<input type="checkbox"/>
Spaniolă	<input type="checkbox"/>	Maghiară	<input type="checkbox"/>
Cehă	<input type="checkbox"/>	Malteză	<input type="checkbox"/>
Germană	<input type="checkbox"/>	Olandeză	<input type="checkbox"/>
Estonă	<input type="checkbox"/>	Poloneză	<input type="checkbox"/>
Greacă	<input type="checkbox"/>	Portugheză	<input type="checkbox"/>
Engleză	<input type="checkbox"/>	Română	<input type="checkbox"/>
Franceză	<input type="checkbox"/>	Slovacă	<input type="checkbox"/>
Irlandeză	<input type="checkbox"/>	Slovenă	<input type="checkbox"/>
Italiană	<input type="checkbox"/>	Finlandeză	<input type="checkbox"/>
Letonă	<input type="checkbox"/>	Suedeză	<input type="checkbox"/>
Altele	<input type="checkbox"/>	(vă rugăm precizați): .....	

Întocmită la: .....

Data: .....

Semnătura și/sau ștampila: .....

**SK:**

Priložená písomnosť sa doručuje v súlade s nariadením Európskeho parlamentu a Rady (ES) č. .../2007 o doručovaní súdnych a mimosúdnych písomností v občianskych a obchodných veciach v členských štátoch.

Túto písomnosť môžete odmietnuť prevziať, ak nie je vyhotovená ani v jazyku, ktorému rozumiete, ani v úradnom jazyku miesta doručenia, ani v jednom z úradných jazykov miesta doručenia, ani k nej nie je pripojený preklad do niektorého z týchto jazykov.

Ak si želáte využiť toto právo, prevzatie písomnosti musíte odmietnuť pri jej doručení priamo osobe, ktorá písomnosť doručuje, alebo písomnosť musíte do jedného týždňa vrátiť na nižšie uvedenú adresu s vyhlásením, že ju odmietate prevziať.

**ADRESA**

1. Označenie: .....
2. Adresa: .....
  - 2.1. Ulica a číslo/P.O. Box: .....
  - 2.2. Miesto a PSČ: .....
  - 2.3. Štát: .....
3. Telefón: .....
4. Fax (\*): .....
5. E-mail (\*): .....

**VYHLÁSENIE ADRESÁTA:**

Odmietam prevziať pripojenú písomnosť, pretože nie je vyhotovená ani v jazyku, ktorému rozumiem, ani v úradnom jazyku miesta doručenia, ani v jednom z úradných jazykov miesta doručenia, ani k nej nie je pripojený preklad do niektorého z týchto jazykov.

Rozumiem tomuto jazyku/týmto jazykom:

Bulharčina	<input type="checkbox"/>	Litovčina	<input type="checkbox"/>
Španielčina	<input type="checkbox"/>	Maďarčina	<input type="checkbox"/>
Čeština	<input type="checkbox"/>	Maltčina	<input type="checkbox"/>
Nemčina	<input type="checkbox"/>	Holandčina	<input type="checkbox"/>
Estónčina	<input type="checkbox"/>	Polština	<input type="checkbox"/>
Gréčtina	<input type="checkbox"/>	Portugalčina	<input type="checkbox"/>
Angličtina	<input type="checkbox"/>	Rumunčina	<input type="checkbox"/>
Francúzština	<input type="checkbox"/>	Slovenčina	<input type="checkbox"/>
Írčina	<input type="checkbox"/>	Slovinčina	<input type="checkbox"/>
Taliančina	<input type="checkbox"/>	Fínčina	<input type="checkbox"/>
Lotyština	<input type="checkbox"/>	Švédčina	<input type="checkbox"/>
Iný	<input type="checkbox"/>	(uvedte): .....	

V: .....

Dňa: .....

Podpis a/alebo odtlačok pečiatky: .....

(\*) Tento údaj je nepovinný.



**SL:**

Priloženo pisanje se vroča v skladu z Uredbo (ES) št. .../2007 Evropskega parlamenta in Sveta o vročanju sodnih in izvensodnih pisanj v civilnih ali gospodarskih zadevah v državah članicah.

Sprejem pisanja lahko zavrnete, če ni sestavljeno v jeziku, ki ga razumete, ali v uradnem jeziku ali v enem od uradnih jezikov kraja vročitve, oziroma mu ni priložen prevod v enega od teh jezikov.

Če želite uveljaviti to pravico, morate zavrniti sprejem pisanja v trenutku vročitve, in sicer neposredno pri osebi, ki pisanje vroča, ali pisanje vrniti na spodaj navedeni naslov v roku enega tedna z izjavo, da sprejem zavračate.

**NASLOV**

1. Ime: .....
2. Naslov: .....
  - 2.1. Ulica in številka/poštni predal: .....
  - 2.2. Kraj in poštna številka: .....
  - 2.3. Država: .....
3. Telefon: .....
4. Faks (\*): .....
5. Elektronska pošta (\*): .....

**IZJAVA NASLOVNIKA:**

Zavračam sprejem priloženega pisanja, ker ni sestavljeno v jeziku, ki ga razumem, ali v uradnem jeziku ali v enem od uradnih jezikov kraja vročitve, oziroma mu ni priložen prevod v enega od teh jezikov.

Razumem naslednje jezike:

bolgarščino	<input type="checkbox"/>	litovščino	<input type="checkbox"/>
španščino	<input type="checkbox"/>	madžarščino	<input type="checkbox"/>
češčino	<input type="checkbox"/>	malteščino	<input type="checkbox"/>
nemščino	<input type="checkbox"/>	nizozemščino	<input type="checkbox"/>
estonsščino	<input type="checkbox"/>	poljščino	<input type="checkbox"/>
grščino	<input type="checkbox"/>	portugalščino	<input type="checkbox"/>
angleščino	<input type="checkbox"/>	romunščino	<input type="checkbox"/>
francoščino	<input type="checkbox"/>	slovaščino	<input type="checkbox"/>
irščino	<input type="checkbox"/>	slovenščino	<input type="checkbox"/>
italijanščino	<input type="checkbox"/>	finščino	<input type="checkbox"/>
latvijščino	<input type="checkbox"/>	švedščino	<input type="checkbox"/>
drugo	<input type="checkbox"/>	prosimo, navedite: .....	

V: .....

Datum: .....

Podpis in/ali žig: .....

(\*) Ni obvezno.

**FI:**

Oheinen asiakirja annetaan tiedoksi oikeudenkäynti- ja muiden asiakirjojen tiedoksiannosta jäsenvaltioissa siviili- tai kauppaoikeudellisissa asioissa annetun Euroopan parlamentin ja neuvoston asetuksen (EY) N:o .../2007 mukaisesti.

Voitte kieltäytyä vastaanottamasta asiakirjaa, jollei se ole kirjoitettu jollakin kielellä, jota ymmärrätte, tai tiedoksiantopaikan virallisella kielellä tai yhdellä niistä, tai jollei mukana ole käännöstä jollekin näistä kielistä.

Jos haluatte käyttää tätä oikeuttanne, teidän on kieltäydyttävä vastaanottamasta asiakirjaa tiedoksiannon yhteydessä ilmoittamalla tästä suoraan asiakirjan toimittavalle henkilölle tai palautettava asiakirja viikon kuluessa jäljempänä olevaan osoitteeseen todeten, että kieltäydytte vastaanottamisesta.

**OSOITE**

1. Nimi: .....
2. Osoite: .....
  - 2.1. Lähiosoite: .....
  - 2.2. Postinumero ja postitoimipaikka: .....
  - 2.3. Maa: .....
3. Puh.: .....
4. Faksi (\*): .....
5. Sähköpostiosoite (\*): .....

**VASTAANOTTAJAN ILMOITUS:**

Kieltäydyn vastaanottamasta oheista asiakirjaa, koska sitä ei ole kirjoitettu ymmärtämälläni kielellä eikä tiedoksiantopaikan virallisella kielellä tai yhdellä niistä eikä mukana ole käännöstä jollekin näistä kielistä.

Ymmärrän seuraavaa kieltä / seuraavia kieliä:

bulgaria	<input type="checkbox"/>	liettua	<input type="checkbox"/>
espanja	<input type="checkbox"/>	unkari	<input type="checkbox"/>
tšekki	<input type="checkbox"/>	malta	<input type="checkbox"/>
saksa	<input type="checkbox"/>	hollanti	<input type="checkbox"/>
viro	<input type="checkbox"/>	puola	<input type="checkbox"/>
kreikka	<input type="checkbox"/>	portugali	<input type="checkbox"/>
englanti	<input type="checkbox"/>	romania	<input type="checkbox"/>
ranska	<input type="checkbox"/>	slovakki	<input type="checkbox"/>
iiri	<input type="checkbox"/>	sloveeni	<input type="checkbox"/>
italia	<input type="checkbox"/>	suomi	<input type="checkbox"/>
latvia	<input type="checkbox"/>	ruotsi	<input type="checkbox"/>
muu	<input type="checkbox"/>	(tarkennetaan): .....	

Paikka: .....

Päivämäärä: .....

Allekirjoitus ja/tai leima: .....

(\*) Vapaaehtoinen.

**SV:**

Den bifogade handlingen har delgetts i enlighet med Europaparlamentets och rådets förordning (EG) nr .../2007 om delgivning i medlemsstaterna av handlingar i mål och ärenden av civil eller kommersiell natur.

Ni får vägra att ta emot handlingen om den inte är avfattad på, eller åtföljs av en översättning till, antingen ett språk som ni förstår eller det officiella språket eller något av de officiella språken på delgivningsorten.

Om ni önskar utnyttja denna rättighet, måste ni vägra att emot handlingen vid delgivningen genom att vända er direkt till delgivningsmannen eller genom att återsända handling inom en vecka till nedanstående adress och ange att ni vägrar att ta emot den.

**ADRESS**

1. Namn: .....
2. Adress: .....
  - 2.1. Gatuadress/box: .....
  - 2.2. Postnummer och ort: .....
  - 2.3. Land: .....
3. Tfn: .....
4. Fax (\*): .....
5. E-post (\*): .....

**ADRESSATENS DEKLARATION:**

Jag vägrar att ta emot bifogade handling eftersom den inte är avfattad på, eller åtföljs av en översättning till, ett språk som jag förstår eller det officiella språket eller något av de officiella språken på delgivningsorten.

Jag förstår följande språk:

Bulgariska	<input type="checkbox"/>	Litauiska	<input type="checkbox"/>
Spanska	<input type="checkbox"/>	Ungerska	<input type="checkbox"/>
Tjeckiska	<input type="checkbox"/>	Maltesiska	<input type="checkbox"/>
Tyska	<input type="checkbox"/>	Nederländska	<input type="checkbox"/>
Estniska	<input type="checkbox"/>	Polska	<input type="checkbox"/>
Grekiska	<input type="checkbox"/>	Portugisiska	<input type="checkbox"/>
Engelska	<input type="checkbox"/>	Rumänska	<input type="checkbox"/>
Franska	<input type="checkbox"/>	Slovakiska	<input type="checkbox"/>
Irländska	<input type="checkbox"/>	Slovenska	<input type="checkbox"/>
Italienska	<input type="checkbox"/>	Finska	<input type="checkbox"/>
Lettiska	<input type="checkbox"/>	Svenska	<input type="checkbox"/>
Annat språk	<input type="checkbox"/>	(ange vilket): .....	

Ort: .....

Datum: .....

Underskrift och/eller stämpel: .....

(\*) Ej obligatoriskt.

DA (\*):

(\*) The information contained in this Annex would have read as follows in Danish if the Regulation had applied in Denmark:

Vedlagte dokument forkyndes hermed i overensstemmelse med Europa-Parlamentets og Rådets forordning (EF) nr. .../2007 om forkyndelse i medlemsstaterne af retslige og udenretslige dokumenter i civile og kommercielle sager.

De kan nægte at modtage dokumentet, hvis det ikke er affattet på eller ledsaget af en oversættelse til enten et sprog, som De forstår, eller det officielle sprog eller et af de officielle sprog på forkyndelsesstedet.

Hvis De ønsker at gøre brug af denne ret, skal De nægte at modtage dokumentet ved forkyndelsen direkte over for den person, der forkynder det, eller returnere det til nedenstående adresse senest en uge efter forkyndelsen med angivelse af, at De nægter at modtage det.

#### ADRESSE

1. Navn: .....
2. Adresse: .....
  - 2.1. Gade + nummer/postboks: .....
  - 2.2. Postnummer + bynavn: .....
  - 2.3. Land: .....
3. Tlf.: .....
4. Fax (\*): .....
5. E-mail (\*): .....

#### ERKLÆRING FRA ADRESSATEN:

Jeg nægter at modtage vedlagte dokument, da det ikke er affattet på eller ledsaget af en oversættelse til et sprog, som jeg forstår, eller det officielle sprog eller et af de officielle sprog på forkyndelsesstedet.

Jeg forstår følgende sprog:

Bulgarsk	<input type="checkbox"/>	Litauisk	<input type="checkbox"/>
Spansk	<input type="checkbox"/>	Ungarsk	<input type="checkbox"/>
Tjekkisk	<input type="checkbox"/>	Maltesisk	<input type="checkbox"/>
Tysk	<input type="checkbox"/>	Nederlandsk	<input type="checkbox"/>
Estisk	<input type="checkbox"/>	Polsk	<input type="checkbox"/>
Græsk	<input type="checkbox"/>	Portugisisk	<input type="checkbox"/>
Engelsk	<input type="checkbox"/>	Rumænsk	<input type="checkbox"/>
Fransk	<input type="checkbox"/>	Slovakisk	<input type="checkbox"/>
Irsk	<input type="checkbox"/>	Slovensk	<input type="checkbox"/>
Italiensk	<input type="checkbox"/>	Finsk	<input type="checkbox"/>
Lettisk	<input type="checkbox"/>	Svensk	<input type="checkbox"/>
Andet:	<input type="checkbox"/>	præciseres: .....	

Udfærdiget i: .....

Den: .....

Underskrift og/eller stempel: .....

(\*) Fakultativt.

## ANNEX III

## CORRELATION TABLE

Regulation (EC) No 1348/2000	This Regulation
Article 1(1)	Article 1(1) first sentence
—	Article 1(1) second sentence
Article 1(2)	Article 1(2)
—	Article 1(3)
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5	Article 5
Article 6	Article 6
Article 7(1)	Article 7(1)
Article 7(2) first sentence	Article 7(2) first sentence
Article 7(2) second sentence	Article 7(2) second sentence (introductory phrase) and Article 7(2)(a)
—	Article 7(2)(b)
Article 7(2) third sentence	—
Article 8(1) introductory phrase	Article 8(1) introductory phrase
Article 8(1)(a)	Article 8(1)(b)
Article 8(1)(b)	Article 8(1)(a)
Article 8(2)	Article 8(2)
—	Article 8(3) to (5)
Article 9(1) and (2)	Article 9(1) and (2)
Article 9(3)	—
—	Article 9(3)
Article 10	Article 10
Article 11(1)	Article 11(1)
Article 11(2)	Article 11(2) first subparagraph
—	Article 11(2) second subparagraph
Article 12	Article 12
Article 13	Article 13
Article 14(1)	Article 14
Article 14(2)	—
Article 15(1)	Article 15
Article 15(2)	—
Article 16	Article 16

Regulation (EC) No 1348/2000	This Regulation
Article 17, introductory phrase	Article 17
Article 17(a) to (c)	—
Article 18(1) and (2)	Article 18(1) and (2)
Article 18(3)	—
Article 19	Article 19
Article 20	Article 20
Article 21	Article 21
Article 22	Article 22
Article 23(1)	Article 23(1) first sentence
—	Article 23(1) second sentence
Article 23(2)	Article 23(2)
—	Article 23(3)
Article 24	Article 24
Article 25	—
—	Article 25
—	Article 26
Annex	Annex I
—	Annex II
—	Annex III

## STATEMENT OF COUNCIL'S REASONS

### I. INTRODUCTION

The Commission submitted in July 2005 a proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1348/2000. After in-depth discussions on this proposal in the competent Council committee the Council agreed on a general approach at its meeting on 1 and 2 June 2006. In the wake of this general approach contacts were made with the European Parliament and an agreement was reached on the amendments to be made to Regulation (EC) No 1348/2000. Both institutions were of the opinion that, in the interest of good lawmaking, Regulation (EC) No 1348/2000 should be codified rather than just amended.

The European Parliament consequently in its opinion in July 2006 adopted a number of amendments which corresponded to the amendments agreed with the Council and formally called on the Commission to submit a codified version of Regulation (EC) No 1348/2000 by way of an amended proposal.

In compliance with this request the Commission submitted on 4 December 2006 an amended proposal for a Regulation on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents) incorporating the amendments to Regulation (EC) No 1348/2000 adopted by the European Parliament and the Council and repealing that Regulation.

A slightly amended version of this text was approved unanimously by the Council at its meeting on 19 and 20 April 2007 and a Council common position was subsequently drawn up. This common position was adopted formally by the Council by unanimity on 28 June 2007.

### II. ANALYSIS OF THE COMMON POSITION

The Council common position remains faithful to the text agreed between the European Parliament and the Council and thus also to a large extent to the Commission's amended proposal. Only where the text of the amended proposal diverged from the agreed text or where amendments were necessary for other reasons have changes been made. The main ones are highlighted below.

#### **Changes which the Council has not accepted**

##### *Article 1(2)(b)*

The European Parliament and the Council had agreed on the insertion of a new recital (EP amendment 7). The Commission in its amended proposal had duly inserted this new recital (Recital 8), but had also inserted a provision in Article 1(2)(b). As such a new provision had not been agreed between the European Parliament and the Council, the Council has deleted the added provision. The common position thus follows the agreed approach.

##### *Article 19*

The wording of Article 19 in the Commission's amended proposal diverged slightly from that of Article 19 of Regulation (EC) No 1348/2000 in the sense that there was no longer any mentioning of a document being delivered to the defendant. Since no amendment of Article 19 had been agreed between the European Parliament and the Council, the Council has reverted to the previous text in its common position.

#### **Changes which the Council has accepted**

The European Parliament and the Council had agreed on the insertion of a new Article 15a (EP amendment 25). In its amended proposal the Commission accepted the substance of this amendment, but opted for a solution consisting in the insertion of two new paragraphs in Article 8 and one new paragraph in Article 9 instead of a specific provision. The Council finds this solution fully in line with good lawmaking and has therefore incorporated it in its common position.

**Repeal of Regulation (EC) No 1348/2000**

As the Council and the European Parliament had called for a codification of Regulation (EC) No 1348/2000 the Commission inserted in its amended proposal the necessary provisions on the repeal of that Regulation (Recital 27, Article 25 and the correlation table in Annex III). In the interest of good lawmaking the Council has incorporated these provisions and the correlation table in its common position.

**Changes which the Council has made**

When Regulation (EC) No 1348/2000 was adopted in May 2000 there was not yet an established practice on how to deal with the fact that Denmark in accordance with the Protocol on the Position of Denmark does not take part in the adoption of measures pursuant to Title IV of the EC Treaty and that such measures are not binding for and do not apply in Denmark. Regulation No 1348/2000 did therefore not contain the now customary provision on the definition of 'Member State'. In order to make up for this omission the Council has inserted in its common position a new paragraph 3 in Article 1. The Council has equally as a consequence of the exclusion of Denmark made the appropriate adjustments in the Annexes.

**III. CONCLUSION**

The Council considers its common position on the Regulation on service of documents to be fully in line with the amendments wanted by the European Parliament and the Council and in line with the Commission's amended proposal incorporating those amendments.

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