

Procedure file

| Basic information | | |
|--|--------------------------------|---------------------|
| CNS - Consultation procedure | 1997/0901(CNS) | Procedure completed |
| Convention on the service and notification of judicial and extra judicial acts, civil and commercial | | |
| Subject 7.40.02 Judicial cooperation in civil and commercial matters | | |

| Key players | | | |
|-------------------------------|--|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | LIBE Civil Liberties and Internal Affairs | PPE NASSAUER Hartmut | 25/02/1997 |
| Council of the European Union | Committee for opinion | Rapporteur for opinion | Appointed |
| | JURI Legal Affairs, Citizens' Rights | The committee decided not to give an opinion. | |
| Council of the European Union | Council configuration | Meeting | Date |
| | General Affairs | 2019 | 26/06/1997 |
| | Justice and Home Affairs (JHA) | 2008 | 26/05/1997 |
| | Justice and Home Affairs (JHA) | 1933 | 04/06/1996 |
| | Justice and Home Affairs (JHA) | 1909 | 20/03/1996 |

| Key events | | | |
|------------|---|------------------------------|---------|
| 20/03/1996 | Debate in Council | 1909 | |
| 04/06/1996 | Debate in Council | 1933 | |
| 06/02/1997 | Legislative proposal published | 05313/1997 | Summary |
| 19/02/1997 | Committee referral announced in Parliament | | |
| 20/03/1997 | Vote in committee | | Summary |
| 20/03/1997 | Committee report tabled for plenary, 1st reading/single reading | A4-0101/1997 | |
| 11/04/1997 | Decision by Parliament | T4-0186/1997 | Summary |
| 26/05/1997 | Act adopted by Council after consultation of Parliament | | |
| 26/05/1997 | End of procedure in Parliament | | |
| 27/08/1997 | Final act published in Official Journal | | |

| Technical information | |
|----------------------------|--|
| Procedure reference | 1997/0901(CNS) |
| Procedure type | CNS - Consultation procedure |
| Procedure subtype | International agreement |
| Legal basis | Treaty on the European Union (after Amsterdam) M K.6-p2; Treaty on the European Union (after Amsterdam) M K.3-p2 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | LIBE/4/08638 |

| Documentation gateway | | | | | |
|---|--|--|------------|-----|---------|
| Legislative proposal | | 05313/1997 | 06/02/1997 | CSL | Summary |
| Committee report tabled for plenary, 1st reading/single reading | | A4-0101/1997 OJ C 132 28.04.1997, p. 0006 | 20/03/1997 | EP | |
| Text adopted by Parliament, 1st reading/single reading | | T4-0186/1997 OJ C 132 28.04.1997, p. 0303-0306 | 11/04/1997 | EP | Summary |

| Final act | |
|--|--|
| Justice and Home Affairs act 1997/827 OJ C 261 27.08.1997, p. 0001-0001 | |

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

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

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

The committee gave its opinion on the "Convention on the service in the Member States of judicial and extrajudicial documents in civil and commercial matters". The rapporteur, Mr Hartmut NASSAUER (PPE, D) considered that the intervention of the Court of Justice of the European Communities was an improvement over the Hague Convention on the service of judicial documents. For the rest, it did not appear certain that the despatch by bailiff in one Member State to a bailiff in another Member State would become the rule. Because of this and because certain obsolete and inappropriate methods of service with numerous reservations have been maintained, the proposal gives the impression of changing little. However, that would only be necessary if there were insoluble problems, whereas at the moment the number one problem is that of time and, in this respect, the convention will probably provide the solution. The remaining question is whether this proposal will not represent a lost chance to improve the harmonization of service and notification procedures in intra-Community relations.?

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

Parliament adopted without debate the report by Mr Hartmut NASSAUER (PPE, Germany) on the draft Council Acts. ?