

Message 001

Communication from the Commission - TRIS/(2025) 1877

Directive (EU) 2015/1535

Notification: 2025/0380/DE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésket - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20251877.EN

1. MSG 001 IND 2025 0380 DE EN 15-07-2025 DE NOTIF

2. Germany

3A. Bundesministerium für Wirtschaft und Energie, Referat EB3

3B. Bundesministerium der Justiz und für Verbraucherschutz, Referat DB3

4. 2025/0380/DE - SERV - INFORMATION SOCIETY SERVICES

5. Act on the Development and Testing of an Online Procedure in Civil Jurisdiction

6. Regulations on the transmission of electronic documents and structured datasets to courts and on digital communication between parties to proceedings and the court via a communication platform, in each case including the respective technical framework conditions;

7.

8. The notified draft essentially corresponds to Notification 2024/0475/D, which had been withdrawn; in

comparison to the preliminary draft, this draft primarily contains amendments to the civil procedural rules in Article 1(5) and additions (especially Articles 5, 6, 10).

1) Provisions concerning an online civil procedure and a digital legal application office by amending the German Code of Civil Procedure (Article 1(5) of the draft)

- for filing a civil action with the court using a digital submission system in the eJustice system or via a communication platform;
- for the development and nationwide standardised provision of digital submission systems for applications and declarations by the parties in online civil proceedings;
- for the development and nationwide standardised provision of further digital submission systems, to be used for electronic creation of applications or declarations within the area of competence of the legal application offices.

2) Deletion of the secure transmission channel via the mailbox and dispatch service of a De-Mail account by amendments in the German Code of Civil Procedure and in other procedural regulations (Article 1(2); Articles 3 to 23) and, in some cases, in a corresponding manner, expansion of already established secure transmission channels in other rules of procedure (Articles 5, 10).

3) Expansion of the identification options for the purposes of the transmission of electronic documents through the so-called ELSTER procedure (Art. 6)

As the legal provisions have been amended several times in some cases, the field "Reference to other notifications" mentions the most recent references: 2017/229/D refers to Article 6; 2017/0285/D refers to Article 10; 2021/0082/D refers to Article 1, no. 2, Articles 6-8, and 11-19; Article 21 and 2024/0101/DE refer to Article 6.

9. - The regulations aim to introduce an online civil procedure, currently in the testing phase, to make it easier for citizens to access justice via a user-friendly, barrier-free and digitally assisted civil procedure. The regulations on a communication platform are intended to serve the nationwide standardised testing of modern, digital forms of communication between the parties to the proceedings and the court.

- The standardised nationwide provision of digital submission systems in the area of responsibility of the legal application offices is intended provide effective support to litigants in the preparation of applications and declarations.
- The elimination of the secure transmission channel via the mailbox and dispatch service of a De-Mail account in the Rules of Procedure reflects the fact that the percentage of De-Mail messages in the total electronic legal transactions is extremely low nationwide; in addition, there are already other secure transmission channels available, such as the special electronic mailboxes of public authorities (beBPo) and, for citizens, the special electronic citizen and organisation mailboxes (eBO), as well as the free 'Mein Justizpostfach' ('My Justice mailbox' - MJP).
- The addition of identification options for the transmission of electronic documents through the ELSTER procedure is intended to further facilitate citizens' access to the courts in the future.

10. Reference to the basic texts: Basic texts have been sent together with a previous notification:

2017/0229/D

2017/0285/D

2021/0082/D

2024/0101/DE

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

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