

Possibility of electronic administration of justice introduced for the Council of State, Administrative Jurisdiction department

On January 16th, the Belgian Official Journal published the Royal Decree of 13 January 2014 introducing the electronic administration of justice for the Administrative Jurisdiction department of the Council of State. This Decree offers the possibility of an electronic legal procedure in proceedings before the Administrative Jurisdiction department of the Council of State. The key points of the Decree are the following: - Advance registration: If one of the litigants wishes to have the case conducted electronically, he must first register electronically using his (Belgian) identity card. This registration is free of charge. - Option: the litigants are offered the possibility to conduct their case electronically, but they are not obliged to do so. In other words, it remains perfectly possible to conduct a proceeding on "paper". However, if a party indicates that it chooses to conduct the case electronically, this choice is definitive: this party will have to electronically consult the documents submitted by other parties on paper, and it may itself only add new trial documents to the file electronically. - Electronic exchange of documents: If a party opts for the case to be conducted electronically, the procedural documents will be exchanged in electronic form. Access to the file is assured via an alphanumeric key. Such a party receives an e-mail when documents or annexes have been added to the file, and in principle periods begin to run for this party as of the first consultation of this new document by the addressee. The electronically-filed document is deemed to be the original. The date of filing of a procedural document is in principle the time when the document is filed on the website. This date is mentioned in the electronic file. Documents that are not easy to convert into a digital document will still be sent by registered letter. The decree entered into force as of 1 February 2014. You can find more information at the following link on the Council of State website:

<http://www.raadvanstate.be/?page=news&lang=nl&newsitem=184>.

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