

Questions European order for payment procedure

1. Does an application for a European order for payment interrupt the claim's limitation period?
2. Is it possible to conduct the procedure solely in writing if the defendant lodges a statement of opposition?
3. Can negotiations be held by means of a video conference?
4. You have issued a European order for payment. After it was served on the defendant, you realise that the claim does not fall within the scope of Article 2 of the Regulation.

What could you do?

5. What is the purpose of annex II of the application for a European order for payment?
6. Which regulations apply to the service of a European order for payment?
7. Can a European order for payment be served by means of an international registered letter with acknowledgement of receipt?
8. You receive an Italian acknowledgement of receipt regarding the service of a European order for payment from an Italian service authority. What do you do?
9. It has been six months and you have not received an acknowledgement of receipt regarding the service of a European order for payment in Germany/ in Rumania.

What do you do?

10. Does a German attorney/ a German collection agency have to attach their mandate to an application?
11. Must an application for a European order for payment/ an opposition thereto be made using the standard forms?
12. The applicant's representative informs you that the competent authority in Poland refuses to enforce the enforceable copy of the European order for payment because it lacks the judge's signature/ the court's stamp.
13. The applicant (a limited company) has forgotten to tick the box on whether its claim concerns matters relating to a consumer contract in the application form. What do you do? Is this a reason for granting the applicant an opportunity to complete and/ or to rectify its application?
14. You do not know the amount of court fees due for your application for a European order for payment in Rumania. How would you fill in space 9 of the standard form. Which attorney costs can you include in your application?
15. If you could choose, which procedure would you opt for?
16. Which standard form do you think is easier to fill out/ better comprehensible?