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European payment order

Germany



Germany

Preliminary remarks

Details of the implementation in Germany of the Regulation creating a European order for payment procedure are laid down in an Act on the improvement of cross-border claims enforcement and service of documents.

FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 29(1)(a) - Courts with jurisdiction

The District Court (*Amtsgericht*) of Wedding in Berlin has jurisdiction for the whole of Germany. The contact details for the Court are as follows:

Amtsgericht Wedding
13343 Berlin
Tel: +49 (0)30 90156 - 0
Fax: +49 (0)30 90156 - 203

Article 29(1)(b) - Review procedure

The court with competence for the order for payment procedure is the District Court of Wedding.

Any subsequent disputes are brought before the court indicated by the applicant as having international jurisdiction. Should this court not be competent to rule in the dispute, it can refer the matter to the German court having international jurisdiction. International jurisdiction is generally governed by the relevant EU legal act, e.g. Regulation No 1215/2012.

The scope and operation of the review procedure is already largely laid down in Article 20 of the Regulation. The Act provides that the applicant must demonstrate the facts which in the applicant's opinion justify annulling the European order for payment. The decision of the German court having international jurisdiction (see above) cannot be appealed. If it declares the European order for payment to be null and void, this will end the procedure under the Regulation.

By way of exception, for labour matters within the meaning of Sections 2 and 46b(2) of the Labour Courts Law (*Arbeitsgerichtsgesetz*), the competent court is the labour court having international jurisdiction that would be competent to rule on proceedings for a full judgment (*Urteilsverfahren*).

Article 29(1)(c) - Means of communication

An application for a European order for payment can be made on paper and electronically, if the competent court allows this type of application. At the District Court of Wedding, applications can be made electronically. Special software is required in order to make an electronic application at the District Court of Wedding. More information can be found here: <https://service.berlin.de/dienstleistung/327380/>.

Article 29(1)(d) - Accepted languages

Only German is accepted.

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