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European enforcement order

Greece

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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.

1. Procedures for rectification and withdrawal (Art. 10(2))

Where a European enforcement order certificate has been issued for a court judgment, the procedure for the rectification or withdrawal of the certificate is laid down in Article 10 of Regulation (EC) No 805/2004, and the same procedure applies to certificates for court settlements (Article 24(3) of the Regulation) and for authentic instruments (Article 25(3)). Proceedings of that kind, and of course proceedings on the question of jurisdiction, are in Greece governed by Article 933 of the Code of Civil Procedure (κώδικας πολιτικής δικονομίας), which deals with the lodging of objections to the validity of an enforceable title. But the rectification or withdrawal cannot be contested, because Article 10(4) of the Regulation applies by analogy, and in accordance with Articles 24(3) and Article 25(3) applies in the same way in respect of court settlements and authentic instruments.

2. Procedures for review (Art.19 (1))

When a judgment certified as a European enforcement order is to be reviewed because the debtor was unable to defend himself as a result of a late summons or force majeure, that is to say owing to exceptional circumstances beyond his control, the procedure to be followed is the procedure applied by the court that delivered the judgment in question. This is the procedure for the lodging of objections on grounds of default provided for in the Code of Civil Procedure (Article 495 and Article 501 ff.).

3. Accepted languages (Article 20(2)(c))

For the certification as a European enforcement order of an authentic instrument that is enforceable in a Member State, in accordance with Article 25(1) of the Regulation, applications are accepted in Greek or English.

4. Authorities designated for the purpose of certifying authentic instruments (Art. 25)

The authority competent to certify a European enforcement order, i.e. an authentic instrument within the scope of Article 4(3) of the Regulation, in conjunction with Article 904(2)(d) and (g) of the Greek Code of Civil Procedure, is the person who under Greek law is authorised to issue the enforceable document, which in the case of a notarial deed is the issuing notary. In the case of documents that the law regards as enforceable but which are not issued by a court, the competent authority is the person who issued the document, as in the case of notarial deeds.

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