European enforcement order

Spain

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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))

The procedure for rectifying errors in a European Enforcement Order certificate as provided for in Article 10(1)(a) of Regulation (EC) No 805/2004 is laid down in the first three paragraphs of Article 267 of Organic Law 6/1985 of 1 July 1985 on the judiciary (*Ley Orgánica del Poder Judicial*).

The procedure for withdrawing a European Enforcement Order certificate as provided for in Article 10(1)(b) of Regulation (EC) No 805/2004 is carried out in accordance with the provisions concerning appeals for review (*recurso de reposición*) laid down in Law 1/2000 of 7 January 2000 on civil procedure (*Ley de Enjuiciamiento Civil*).

As regards European Enforcement Order certificates for authentic instruments, it is the responsibility of the notary in charge of the dossier to check whether there are any material errors or whether any of the requirements for issuing the certificates have not been fulfilled and to send a request for rectification on the grounds of material error or a request for withdrawal in accordance with Article 10(1) of Regulation (EC) No 805/2004.

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

Judicial review in exceptional cases as laid down in Article 19 of Regulation (EC) No 805/2004 can be carried out by means of an annulment of a final judgment at the request of the party in default (Article 501 of Law 1/2000 of 7 January 2000 on civil procedure).

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

In accordance with Article 20(2)(c), the language accepted is Spanish.

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

It is the responsibility of the authorising notary, or his legal representative or replacement for this dossier, to issue the certificate provided for in Article 25(1) and in Annex III to Regulation (EC) No 805/2004.

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