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# European payment order

Netherlands

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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.

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

Article 2 of the [European Order for Payment Procedure Implementing Act](#):

Applications for a European order for payment as referred to in Article 7 of Regulation (EC) No 1896/2006 creating a European order for payment procedure (*Verordening (EG) Nr. 1896/2006 tot invoering van een Europese betalingsbevelprocedure*) should be made to the District Court of the Hague (*rechtbank Den Haag*).

If an application is sent to a court other than the District Court of The Hague, the judge will decline jurisdiction and refer the case? to the District Court of The Hague. The registrar of this court will send a copy of the order and related documents to the registrar of the District Court of The Hague.

### Article 29(1)(b) - Review procedure

Article 9 of the Implementing Law EBB:

1. In the case of a European Order for Payment declared enforceable within the meaning of the Regulation, the defendant can apply for a review before the court which issued the European Order for Payment on the grounds set out in Article (20)(1) and (2) of the Regulation.
2. The application must be made:
  - a. in the case referred to in Article 20(1)(a) of the Regulation, no more than four weeks after the defendant has been made aware of the enforceable Order for Payment;
  - b. in the case referred to in Article 20(1)(b) of the Regulation, no more than four weeks after the grounds set out therein cease to apply.
  - c. in the case referred to Article 20(2) of the Regulation, no more than four weeks after the defendant has been made aware of the ground for review set out therein.
3. For an application to be submitted for review no lawyer is needed.

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

According to Dutch civil procedural law (Article 33 of the Code of Civil Procedure), the electronic submission of

applications for a European Order for Payment is permitted, as long as this is provided for in the court's procedural rules. Currently none of the courts provides for this possibility. Only the following means of submission are possible:

- by post;
- by a submission lodged at the court.

### Article 29(1)(d) - Accepted languages

In accordance with Article 8(2) of the [European Order for Payment Implementation Act](#), the only accepted language is Dutch. European orders for payment may either be drafted in Dutch or translated into Dutch.

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