



Netherlands

European payment order - Netherlands

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

Article 2 of the Implementing Law EBB:

An application for a European Order for Payment as referred to in Article 7 of the Regulation is made to the court. If the amount as referred to in Article 7(2)(b) of the Regulation is not greater than the amount specified in Article 93(a) of the Code of Civil Procedure, or if it concerns a case as referred to in (c) of that Article, then the application is handled and decided upon by the sub-district court judge.

The application should be sent to the following address:

p/a Rechtbank 's-Gravenhage

Sector civiel recht

Algemene Zaken

Postbus 20302

2500 EH Den Haag

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

Article 8(2) of the Implementing Law EBB:

2. A European Order for Payment, as declared enforceable by the court of origin in another Member State, shall be made in compliance with Article 21(2)(b) of the Regulation or translated into Dutch.

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