



European order for payment procedure – Regulation (EC) No. 1896/2006

There are many inquiries we receive from clients who need to claim pecuniary credits of a determined, overdue and due amount derived from relationships in which at least two States of the European Union are involved.

In these cases, Regulation (EC) No 1896/2006 that covers all cross-border civil and commercial matters is applicable except for the following cases:

- » Marital economic regimes, wills and successions.
- » Bankruptcy, business liquidation procedures.
- » Social security.
- » Credits derived from non-contractual obligations unless there is an agreement between the parties, there is a recognition of debit or debts of community of owners.

This regulation does not establish a limitation as to the amount that can be claimed.

The competent Courts to resolve the procedures will be those established according to the rules of Community law.

The procedure contains the following phases:

- » Claim/request for European payment.
- » Issuance of said requirement to the debtor.

In order to face this requirement, the debtor can (1) Make the payment (2) Opposing the claim (3) Do not take any action.

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- (1) In this case, the procedure is filed.
- (2) In this case, the procedure will refer to the corresponding civil procedure according to the rules of Community Law.
- (3) The European order for payment procedures is terminated and, after 30 days from the notification of the claim, the execution procedure is initiated through which the assets and accounts may be seized to the defendant.

With this procedure, we get our clients to recover the credit quickly and easily without excessive costs.



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