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► **B** REGULATION (EC) No 861/2007 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 11 July 2007

establishing a European Small Claims Procedure

(OJ L 199, 31.7.2007, p. 1)

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**REGULATION (EC) No 861/2007 OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL**

**of 11 July 2007**

**establishing a European Small Claims Procedure**

**CHAPTER I**

**SUBJECT MATTER AND SCOPE**

*Article 1*

**Subject matter**

This Regulation establishes a European procedure for small claims (hereinafter referred to as the ‘European Small Claims Procedure’), intended to simplify and speed up litigation concerning small claims in cross-border cases, and to reduce costs. The European Small Claims Procedure shall be available to litigants as an alternative to the procedures existing under the laws of the Member States.

This Regulation also eliminates the intermediate proceedings necessary to enable recognition and enforcement, in other Member States, of judgments given in one Member State in the European Small Claims Procedure.

*Article 2*

**Scope**

1. This Regulation shall apply, in cross-border cases, to civil and commercial matters, whatever the nature of the court or tribunal, where the value of a claim does not exceed EUR 2 000 at the time when the claim form is received by the court or tribunal with jurisdiction, excluding all interest, expenses and disbursements. It shall not extend, in particular, to revenue, customs or administrative matters or to the liability of the State for acts and omissions in the exercise of State authority (*acta jure imperii*).

2. This Regulation shall not apply to matters concerning:

- (a) the status or legal capacity of natural persons;
- (b) rights in property arising out of a matrimonial relationship, maintenance obligations, wills and succession;
- (c) bankruptcy, proceedings relating to the winding-up of insolvent companies or other legal persons, judicial arrangements, compositions and analogous proceedings;
- (d) social security;
- (e) arbitration;
- (f) employment law;
- (g) tenancies of immovable property, with the exception of actions on monetary claims; or
- (h) violations of privacy and of rights relating to personality, including defamation.

3. In this Regulation, the term ‘Member State’ shall mean Member States with the exception of Denmark.

*Article 3***Cross-border cases**

1. For the purposes of this Regulation, a cross-border case is one in which at least one of the parties is domiciled or habitually resident in a Member State other than the Member State of the court or tribunal seised.
2. Domicile shall be determined in accordance with Articles 59 and 60 of Regulation (EC) No 44/2001.
3. The relevant moment for determining whether there is a cross-border case is the date on which the claim form is received by the court or tribunal with jurisdiction.

## CHAPTER II

**THE EUROPEAN SMALL CLAIMS PROCEDURE***Article 4***Commencement of the Procedure**

1. The claimant shall commence the European Small Claims Procedure by filling in standard claim Form A, as set out in Annex I, and lodging it with the court or tribunal with jurisdiction directly, by post or by any other means of communication, such as fax or e-mail, acceptable to the Member State in which the procedure is commenced. The claim form shall include a description of evidence supporting the claim and be accompanied, where appropriate, by any relevant supporting documents.
2. Member States shall inform the Commission which means of communication are acceptable to them. The Commission shall make such information publicly available.
3. Where a claim is outside the scope of this Regulation, the court or tribunal shall inform the claimant to that effect. Unless the claimant withdraws the claim, the court or tribunal shall proceed with it in accordance with the relevant procedural law applicable in the Member State in which the procedure is conducted.
4. Where the court or tribunal considers the information provided by the claimant to be inadequate or insufficiently clear or if the claim form is not filled in properly, it shall, unless the claim appears to be clearly unfounded or the application inadmissible, give the claimant the opportunity to complete or rectify the claim form or to supply supplementary information or documents or to withdraw the claim, within such period as it specifies. The court or tribunal shall use standard Form B, as set out in Annex II, for this purpose.

Where the claim appears to be clearly unfounded or the application inadmissible or where the claimant fails to complete or rectify the claim form within the time specified, the application shall be dismissed.

5. Member States shall ensure that the claim form is available at all courts and tribunals at which the European Small Claims Procedure can be commenced.

**▼B***Article 5***Conduct of the Procedure**

1. The European Small Claims Procedure shall be a written procedure. The court or tribunal shall hold an oral hearing if it considers this to be necessary or if a party so requests. The court or tribunal may refuse such a request if it considers that with regard to the circumstances of the case, an oral hearing is obviously not necessary for the fair conduct of the proceedings. The reasons for refusal shall be given in writing. The refusal may not be contested separately.

2. After receiving the properly filled in claim form, the court or tribunal shall fill in Part I of the standard answer Form C, as set out in Annex III.

A copy of the claim form, and, where applicable, of the supporting documents, together with the answer form thus filled in, shall be served on the defendant in accordance with Article 13. These documents shall be dispatched within 14 days of receiving the properly filled in claim form.

3. The defendant shall submit his response within 30 days of service of the claim form and answer form, by filling in Part II of standard answer Form C, accompanied, where appropriate, by any relevant supporting documents, and returning it to the court or tribunal, or in any other appropriate way not using the answer form.

4. Within 14 days of receipt of the response from the defendant, the court or tribunal shall dispatch a copy thereof, together with any relevant supporting documents to the claimant.

5. If, in his response, the defendant claims that the value of a non-monetary claim exceeds the limit set out in Article 2(1), the court or tribunal shall decide within 30 days of dispatching the response to the claimant, whether the claim is within the scope of this Regulation. Such decision may not be contested separately.

6. Any counterclaim, to be submitted using standard Form A, and any relevant supporting documents shall be served on the claimant in accordance with Article 13. Those documents shall be dispatched within 14 days of receipt.

The claimant shall have 30 days from service to respond to any counterclaim.

7. If the counterclaim exceeds the limit set out in Article 2(1), the claim and counterclaim shall not proceed in the European Small Claims Procedure but shall be dealt with in accordance with the relevant procedural law applicable in the Member State in which the procedure is conducted.

Articles 2 and 4 as well as paragraphs 3, 4 and 5 of this Article shall apply, *mutatis mutandis*, to counterclaims.

*Article 6***Languages**

1. The claim form, the response, any counterclaim, any response to a counterclaim and any description of relevant supporting documents shall be submitted in the language or one of the languages of the court or tribunal.

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2. If any other document received by the court or tribunal is not in the language in which the proceedings are conducted, the court or tribunal may require a translation of that document only if the translation appears to be necessary for giving the judgment.

3. Where a party has refused to accept a document because it is not in either of the following languages:

(a) the official language of the Member State addressed, or, if there are several official languages in that Member State, the official language or one of the official languages of the place where service is to be effected or to where the document is to be dispatched; or

(b) a language which the addressee understands,

the court or tribunal shall so inform the other party with a view to that party providing a translation of the document.

*Article 7***Conclusion of the Procedure**

1. Within 30 days of receipt of the response from the defendant or the claimant within the time limits laid down in Article 5(3) or (6), the court or tribunal shall give a judgment, or:

(a) demand further details concerning the claim from the parties within a specified period of time, not exceeding 30 days;

(b) take evidence in accordance with Article 9; or

(c) summon the parties to an oral hearing to be held within 30 days of the summons.

2. The court or tribunal shall give the judgment either within 30 days of any oral hearing or after having received all information necessary for giving the judgment. The judgment shall be served on the parties in accordance with Article 13.

3. If the court or tribunal has not received an answer from the relevant party within the time limits laid down in Article 5(3) or (6), it shall give a judgment on the claim or counterclaim.

*Article 8***Oral hearing**

The court or tribunal may hold an oral hearing through video conference or other communication technology if the technical means are available.

*Article 9***Taking of evidence**

1. The court or tribunal shall determine the means of taking evidence and the extent of the evidence necessary for its judgment under the rules applicable to the admissibility of evidence. The court or tribunal may admit the taking of evidence through written statements of witnesses, experts or parties. It may also admit the taking of evidence through video conference or other communication technology if the technical means are available.

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2. The court or tribunal may take expert evidence or oral testimony only if it is necessary for giving the judgment. In making its decision, the court or tribunal shall take costs into account.

3. The court or tribunal shall use the simplest and least burdensome method of taking evidence.

*Article 10***Representation of parties**

Representation by a lawyer or another legal professional shall not be mandatory.

*Article 11***Assistance for the parties**

The Member States shall ensure that the parties can receive practical assistance in filling in the forms.

*Article 12***Remit of the court or tribunal**

1. The court or tribunal shall not require the parties to make any legal assessment of the claim.

2. If necessary, the court or tribunal shall inform the parties about procedural questions.

3. Whenever appropriate, the court or tribunal shall seek to reach a settlement between the parties.

*Article 13***Service of documents**

1. Documents shall be served by postal service attested by an acknowledgement of receipt including the date of receipt.

2. If service in accordance with paragraph 1 is not possible, service may be effected by any of the methods provided for in Articles 13 or 14 of Regulation (EC) No 805/2004.

*Article 14***Time limits**

1. Where the court or tribunal sets a time limit, the party concerned shall be informed of the consequences of not complying with it.

2. The court or tribunal may extend the time limits provided for in Article 4(4), Article 5(3) and (6) and Article 7(1), in exceptional circumstances, if necessary in order to safeguard the rights of the parties.

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3. If, in exceptional circumstances, it is not possible for the court or tribunal to respect the time limits provided for in Article 5(2) to (6) and Article 7, it shall take the steps required by those provisions as soon as possible.

*Article 15***Enforceability of the judgment**

1. The judgment shall be enforceable notwithstanding any possible appeal. The provision of a security shall not be required.

2. Article 23 shall also apply in the event that the judgment is to be enforced in the Member State where the judgment was given.

*Article 16***Costs**

The unsuccessful party shall bear the costs of the proceedings. However, the court or tribunal shall not award costs to the successful party to the extent that they were unnecessarily incurred or are disproportionate to the claim.

*Article 17***Appeal**

1. Member States shall inform the Commission whether an appeal is available under their procedural law against a judgment given in the European Small Claims Procedure and within what time limit such appeal shall be lodged. The Commission shall make that information publicly available.

2. Article 16 shall apply to any appeal.

*Article 18***Minimum standards for review of the judgment**

1. The defendant shall be entitled to apply for a review of the judgment given in the European Small Claims Procedure before the court or tribunal with jurisdiction of the Member State where the judgment was given where:

- (a) (i) the claim form or the summons to an oral hearing were served by a method without proof of receipt by him personally, as provided for in Article 14 of Regulation (EC) No 805/2004; and
- (ii) service was not effected in sufficient time to enable him to arrange for his defence without any fault on his part,

or

- (b) the defendant was prevented from objecting to the claim by reason of *force majeure*, or due to extraordinary circumstances without any fault on his part,

provided in either case that he acts promptly.

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2. If the court or tribunal rejects the review on the basis that none of the grounds referred to in paragraph 1 apply, the judgment shall remain in force.

If the court or tribunal decides that the review is justified for one of the reasons laid down in paragraph 1, the judgment given in the European Small Claims Procedure shall be null and void.

*Article 19***Applicable procedural law**

Subject to the provisions of this Regulation, the European Small Claims Procedure shall be governed by the procedural law of the Member State in which the procedure is conducted.

## CHAPTER III

**RECOGNITION AND ENFORCEMENT IN ANOTHER MEMBER STATE***Article 20***Recognition and enforcement**

1. A judgment given in a Member State in the European Small Claims Procedure shall be recognised and enforced in another Member State without the need for a declaration of enforceability and without any possibility of opposing its recognition.

2. At the request of one of the parties, the court or tribunal shall issue a certificate concerning a judgment in the European Small Claims Procedure using standard Form D, as set out in Annex IV, at no extra cost.

*Article 21***Enforcement procedure**

1. Without prejudice to the provisions of this Chapter, the enforcement procedures shall be governed by the law of the Member State of enforcement.

Any judgment given in the European Small Claims Procedure shall be enforced under the same conditions as a judgment given in the Member State of enforcement.

2. The party seeking enforcement shall produce:

- (a) a copy of the judgment which satisfies the conditions necessary to establish its authenticity; and
- (b) a copy of the certificate referred to in Article 20(2) and, where necessary, the translation thereof into the official language of the Member State of enforcement or, if there are several official languages in that Member State, the official language or one of the official languages of court or tribunal proceedings of the place where enforcement is sought in conformity with the law of that Member State, or into another language that the Member State of enforcement has indicated it can accept. Each Member State may indicate the official language or languages of the institutions of the European Union other than its own which it can accept for the European Small Claims Procedure. The content of Form D shall be translated by a person qualified to make translations in one of the Member States.



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3. The party seeking the enforcement of a judgment given in the European Small Claims Procedure in another Member State shall not be required to have:

- (a) an authorised representative; or
- (b) a postal address

in the Member State of enforcement, other than with agents having competence for the enforcement procedure.

4. No security, bond or deposit, however described, shall be required of a party who in one Member State applies for enforcement of a judgment given in the European Small Claims Procedure in another Member State on the ground that he is a foreign national or that he is not domiciled or resident in the Member State of enforcement.

*Article 22***Refusal of enforcement**

1. Enforcement shall, upon application by the person against whom enforcement is sought, be refused by the court or tribunal with jurisdiction in the Member State of enforcement if the judgment given in the European Small Claims Procedure is irreconcilable with an earlier judgment given in any Member State or in a third country, provided that:

- (a) the earlier judgment involved the same cause of action and was between the same parties;
- (b) the earlier judgment was given in the Member State of enforcement or fulfils the conditions necessary for its recognition in the Member State of enforcement; and
- (c) the irreconcilability was not and could not have been raised as an objection in the court or tribunal proceedings in the Member State where the judgment in the European Small Claims Procedure was given.

2. Under no circumstances may a judgment given in the European Small Claims Procedure be reviewed as to its substance in the Member State of enforcement.

*Article 23***Stay or limitation of enforcement**

Where a party has challenged a judgment given in the European Small Claims Procedure or where such a challenge is still possible, or where a party has made an application for review within the meaning of Article 18, the court or tribunal with jurisdiction or the competent authority in the Member State of enforcement may, upon application by the party against whom enforcement is sought:

- (a) limit the enforcement proceedings to protective measures;
- (b) make enforcement conditional on the provision of such security as it shall determine; or
- (c) under exceptional circumstances, stay the enforcement proceedings.

**▼B**

CHAPTER IV  
FINAL PROVISIONS

*Article 24*

**Information**

The Member States shall cooperate to provide the general public and professional circles with information on the European Small Claims Procedure, including costs, in particular by way of the European Judicial Network in Civil and Commercial Matters established in accordance with Decision 2001/470/EC.

**▼M2**

*Article 25*

**Information to be provided by Member States**

1. By 13 January 2017, the Member States shall communicate to the Commission:
  - (a) the courts or tribunals competent to give a judgment in the European Small Claims Procedure;
  - (b) the means of communication accepted for the purposes of the European Small Claims Procedure and available to the courts or tribunals in accordance with Article 4(1);
  - (c) the authorities or organisations competent to provide practical assistance in accordance with Article 11;
  - (d) the means of electronic service and communication technically available and admissible under their procedural rules in accordance with Article 13(1), (2) and (3), and the means, if any, for expressing acceptance in advance of the use of electronic means as required by Article 13(1) and (2) available under their national law;
  - (e) the persons or types of professions, if any, under a legal obligation to accept service of documents or other written communications by electronic means in accordance with Article 13(1) and (2);
  - (f) the court fees of the European Small Claims Procedure or how they are calculated, as well as the methods of payment accepted for the payment of court fees in accordance with Article 15a;
  - (g) any appeal available under their procedural law in accordance with Article 17, the time period within which such an appeal is to be lodged, and the court or tribunal with which such an appeal may be lodged;
  - (h) the procedures for applying for a review as provided for in Article 18 and the competent courts or tribunals for such a review;
  - (i) the languages they accept pursuant to Article 21a(1); and
  - (j) the authorities competent with respect to enforcement and the authorities competent for the purposes of the application of Article 23.

Member States shall inform the Commission of any subsequent changes to that information.

**▼M2**

2. The Commission shall make the information communicated in accordance with paragraph 1 publicly available by any appropriate means, such as the European e-Justice Portal.

**▼B***Article 26***Implementing measures**

The measures designed to amend non-essential elements of this Regulation, including by supplementing it, relating to updates or technical amendments to the forms in the Annexes shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(2).

*Article 27***Committee**

1. The Commission shall be assisted by a Committee.
2. Where reference is made to this paragraph, Article 5a(1) to (4), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

*Article 28***Review**

By 1 January 2014, the Commission shall present to the European Parliament, the Council and the European Economic and Social Committee a detailed report reviewing the operation of the European Small Claims Procedure, including the limit of the value of the claim referred to in Article 2(1). That report shall contain an assessment of the procedure as it has operated and an extended impact assessment for each Member State.

To that end and in order to ensure that best practice in the European Union is duly taken into account and reflects the principles of better legislation, Member States shall provide the Commission with information relating to the cross-border operation of the European Small Claims Procedure. This information shall cover court fees, speed of the procedure, efficiency, ease of use and the internal small claims procedures of the Member States.

The Commission's report shall be accompanied, if appropriate, by proposals for adaptation.

*Article 29***Entry into force**

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2009, with the exception of Article 25, which shall apply from 1 January 2008.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.



## ANNEX I

**EUROPEAN SMALL CLAIMS PROCEDURE**  
**FORM A**  
**CLAIM FORM**

(Article 4(1) of Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure)

Case number (\*):  
 Received by the court/tribunal on: \_\_\_/\_\_\_/\_\_\_ (\*)  
 (\*) To be filled in by the court/tribunal.

## IMPORTANT INFORMATION

PLEASE READ THE GUIDELINES AT THE BEGINNING OF EACH SECTION – THEY WILL HELP YOU TO FILL IN THIS FORM

**Language**

Fill in this form in the language of the court/tribunal to which you are sending your application. Please note that the form is available in all official languages of the institutions of the European Union on the website of the European Judicial Atlas at [http://ec.europa.eu/justice\\_home/judicialatlascivil/html/index\\_en.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/index_en.htm). This may help you in filling in the form in the required language.

**Supporting documents**

Please note that the claim form should be accompanied, where appropriate, by any relevant supporting documents. However, this does not prevent you from submitting, where appropriate, further evidence during the procedure.

A copy of the claim form and, where appropriate, of the supporting documents, will be served on the defendant. The defendant will have an opportunity to submit a response.

1. *Court/tribunal*

In this field you should identify the court/tribunal before which you are making your claim. When deciding which court/tribunal to choose, you need to consider the grounds for the court's/tribunal's jurisdiction. A non-exhaustive list of possible grounds of jurisdiction is included in section 4.

1. *Before which court/tribunal are you making your claim?*

- 1.1. Name:
- 1.2. Street and number/PO box:
- 1.3. City and postal code:
- 1.4. Country:

2. *Claimant*

This field must identify you as the claimant and your representative, if any. Please note that it is not mandatory to be represented by a lawyer or another legal professional.

It may not be sufficient in some countries to give only a PO Box as the address and you should therefore include the street name and number with a postcode. Failure to do so may result in the document not being served.

'Other details' may contain information that helps to identify you, for example, your date of birth, occupation, position in the company, personal ID code and the company registry code in certain Member States.

Where there is more than one claimant, please use additional sheets.

**▼ B****2. The claimant's details**

- 2.1. Surname, first name/name of company or organisation:
- 2.2. Street and number/PO box:
- 2.3. City and postal code:
- 2.4. Country:
- 2.5. Telephone (\*):
- 2.6. E-mail (\*):
- 2.7. Claimant's representative, if any, and contact details (\*):
- 2.8. Other details (\*):

**3. Defendant**

In this field you should identify the defendant and, if known, his representative. Please note that it is not mandatory for the defendant to be represented by a lawyer or another legal professional.

It may not be sufficient in some countries to give only a P.O. Box as the address and therefore you should include the street name and number with a postcode. Failure to do so may result in the document not being served.

'Other details' may contain information that helps to identify the person, for example the date of birth, occupation, position in the company, personal ID code and company registry code in certain Member States. If there is more than one defendant, please use additional sheets.

**3. The defendant's details**

- 3.1. Surname, first name/name of company or organisation:
- 3.2. Street and number/PO box:
- 3.3. City and postal code:
- 3.4. Country:
- 3.5. Telephone (\*):
- 3.6. E-mail (\*):
- 3.7. Defendant's representative, if known, and contact details (\*):
- 3.8. Other details (\*):

**4. Jurisdiction**

Your application must be lodged with the court/tribunal that has jurisdiction to deal with it. The court/tribunal must have jurisdiction in accordance with the rules of Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

This section includes a non-exhaustive list of possible grounds for jurisdiction.

Information on the rules of jurisdiction can be found on the website of the European Judicial Atlas at [http://ec.europa.eu/justice\\_home/judicialatlascivil/html/index\\_en.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/index_en.htm).

You can also look at [http://ec.europa.eu/civiljustice/glossary/glossary\\_en.htm](http://ec.europa.eu/civiljustice/glossary/glossary_en.htm) for an explanation of some of the legal terms employed.

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(\*) Optional.

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4.	<i>On what ground do you consider the court/tribunal to have jurisdiction?</i>	
4.1.	Domicile of the defendant	<input type="checkbox"/>
4.2.	Domicile of the consumer	<input type="checkbox"/>
4.3.	Domicile of the policyholder, the insured or the beneficiary in insurance matters	<input type="checkbox"/>
4.4.	Place of performance of the obligation in question	<input type="checkbox"/>
4.5.	Place of the harmful event	<input type="checkbox"/>
4.6.	Place where the immovable property is situated	<input type="checkbox"/>
▶ <sup>(1)</sup> 4.7.	Choice of court/tribunal agreed by the parties	<input type="checkbox"/> ◀
4.8.	Other (please specify): _____	

5. *Cross-border nature of the case*

In order to make use of the European Small Claims Procedure, your case must be of a cross-border nature. A case is of a cross-border nature if at least one of the parties is domiciled or habitually resident in a Member State other than the Member State of the court/tribunal.

5.	<i>Cross-border nature of the case</i>
5.1.	Country of domicile or habitual residence of claimant: _____
5.2.	Country of domicile or habitual residence of defendant: _____
5.3.	Member State of the court/tribunal: _____

6. *Bank details (optional)*

In field 6.1. you may inform the court/tribunal by which means you intend to pay the application fee. Please note that not all methods are necessarily available at the court/tribunal to which you are sending your application. You should verify which methods of payment will be accepted by the court/tribunal. You can do this by contacting the court/tribunal concerned or by consulting the website of the European Judicial Network in Civil and Commercial Matters at <http://ec.europa.eu/civiljustice>.

If you choose to pay by credit card or to allow the court/tribunal to collect the fee from your bank account, you should give the necessary credit card or bank account details in the Appendix to this form. The Appendix will be for the information of the court/tribunal only and will not be forwarded to the defendant.

In field 6.2. you are given the possibility of indicating by which means you wish to receive payment from the defendant, for example if the defendant wishes to pay immediately even before the judgment is given. If you wish to be paid by bank transfer, please give the necessary bank details.

6.	<i>Bank details (*)</i>
6.1.	How will you pay the application fee?
6.1.1.	By bank transfer <input type="checkbox"/>
6.1.2.	By credit card <input type="checkbox"/> (please fill in the Appendix)
6.1.3.	Direct debit from your bank account <input type="checkbox"/> (please fill in the Appendix)
6.1.4.	Other (please specify): _____
6.2.	To which account do you wish the defendant to pay any amount claimed or awarded?
6.2.1.	Account holder: _____
6.2.2.	Bank name, BIC or other relevant bank code: _____
6.2.3.	Account number/IBAN: _____



▼ **B**7. *Claim*

*Scope:* Please note that the European Small Claims Procedure has a limited scope. No claims of a value higher than EUR 2000 or which are listed in Article 2 of Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure can be dealt with under this procedure. If your claim does not relate to an action within the scope of that Regulation in accordance with Article 2, proceedings will continue before the courts/tribunals with jurisdiction in accordance with the rules of ordinary civil procedure. If you do not wish to continue proceedings in that event, you should withdraw your application.

*Monetary or other claim:* You should indicate whether you are claiming money and/or something else (non-monetary claim), for example, delivery of goods, and then fill in respectively either 7.1. and/or 7.2. If your claim is not for money, please indicate the estimated value of your claim. In the case of a non-monetary claim, you should indicate whether you have a secondary claim for compensation if it is not possible to satisfy the original claim.

If you wish to claim the costs of the proceedings (e.g. translation costs, lawyers' fees, costs relating to the service of documents etc.), then you should indicate this in 7.3. Please note that rules regarding the costs which courts/tribunals can award vary between different Member States. Details of categories of costs in the Member States can be found on the website of the European Judicial Network in Civil and Commercial Matters at <http://ec.europa.eu/civiljustice>.

If you wish to claim any contractual interest, for example on a loan, you should indicate the rate and from what date it runs. The court/tribunal may award statutory interest on your claim, if you are successful. If you wish to claim interest, please indicate this and the date from which the interest should run.

7. <i>About your claim</i>		
<input type="checkbox"/> 7.1. Claim for money		
7.1.1. Amount of principal (excluding interest and costs): _____		
7.1.2. Currency		
<input type="checkbox"/> Euro (EUR)	<input type="checkbox"/> Bulgarian lev (BGN)	<input type="checkbox"/> Cypriot pound (CYP)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> Estonian kroon (EEK)	<input type="checkbox"/> Pound Sterling (GBP)
▶ <sup>(1)</sup> <input type="checkbox"/> Croatian kuna (HRK)	<input type="checkbox"/> Hungarian forint (HUF)	<input type="checkbox"/> Latvian lats (LVL)
<input type="checkbox"/> Lithuanian litas (LTL)	<input type="checkbox"/> Maltese lira (MTL)	<input type="checkbox"/> Polish zloty (PLN)
<input type="checkbox"/> Romanian leu (RON)	<input type="checkbox"/> Swedish kronor (SEK)	<input type="checkbox"/> Slovak koruna (SKK)
<input type="checkbox"/> Other (please specify): _____		
<input type="checkbox"/> 7.2. Other claim:		
7.2.1. Please specify what you are claiming: _____		
7.2.2. Estimated value of the claim: _____		
Currency:		
<input type="checkbox"/> Euro (EUR)	<input type="checkbox"/> Bulgarian lev (BGN)	<input type="checkbox"/> Cypriot pound (CYP)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> Estonian kroon (EEK)	<input type="checkbox"/> Pound Sterling (GBP)
▶ <sup>(2)</sup> <input type="checkbox"/> Croatian kuna (HRK) ◀	<input type="checkbox"/> Hungarian forint (HUF)	<input type="checkbox"/> Latvian lats (LVL)
<input type="checkbox"/> Lithuanian litas (LTL)	<input type="checkbox"/> Maltese lira (MTL)	<input type="checkbox"/> Polish zloty (PLN)
<input type="checkbox"/> Romanian leu (RON)	<input type="checkbox"/> Swedish kronor (SEK)	<input type="checkbox"/> Slovak koruna (SKK)
<input type="checkbox"/> Other (please specify): _____		
7.3. Are you claiming the costs of proceedings?		
7.3.1. Yes	<input type="checkbox"/>	
7.3.2. No	<input type="checkbox"/>	
7.3.3. If yes, please specify which costs and indicate the amount claimed or incurred so far:		

▼ **B**

7.4. Are you claiming interest?		
Yes	<input type="checkbox"/>	
No	<input type="checkbox"/>	
If yes, is the interest:		
Contractual?	<input type="checkbox"/>	If so, go to 7.4.1
Statutory?	<input type="checkbox"/>	If so, go to 7.4.2
7.4.1. If contractual		
(1) the rate is:		
	<input type="checkbox"/>	_____ %
	<input type="checkbox"/>	_____ % above the base rate of the ECB
	<input type="checkbox"/>	other: _____
(2) the interest should run from: ___/___/___ (date)		
7.4.2. If statutory		
the interest should run from: ___/___/___ (date)		

8. *Details of claim*

In 8.1. you should describe briefly the substance of your claim.

In 8.2. you should describe any relevant supporting evidence. This could, for example, be written evidence (e.g. contracts, receipts, etc.) or oral or written statements from witnesses. For each piece of evidence, please indicate which aspect of your claim it is intended to support.

If space is insufficient, you can add additional sheets.

8. <i>Details of claim</i>		
8.1. Please give reasons for your claim, for example what happened, where and when.		
8.2. Please describe the evidence you wish to put forward to support your claim and state which points of the claim it supports. Where appropriate, you should add relevant supporting documents.		
8.2.1. Written evidence	<input type="checkbox"/>	please specify below
8.2.2. Witnesses	<input type="checkbox"/>	please specify below
8.2.3. Other	<input type="checkbox"/>	please specify below

*Oral hearing:* Please note that the European Small Claims Procedure is a written procedure. However, you can request, in this form or at a later stage, that an oral hearing be held. The court/tribunal may decide to hold an oral hearing if it considers it necessary for the fair conduct of the proceedings or it may refuse it, having regard to all the circumstances of the case.

8.3. Do you want an oral hearing to be held?	
Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
If yes, please indicate reasons (*)	



**▼ B**9. *Certificate*

A judgment given in a Member State in the European Small Claims Procedure can be recognised and enforced in another Member State. If you intend to ask for recognition and enforcement in a Member State other than that of the court/tribunal, you can request in this form that the court/tribunal, after having made a decision in your favour, issue a certificate concerning that judgment.

9. *Certificate*

I ask the court/tribunal to issue a certificate concerning the judgment

Yes

No

10. *Date and signature*

Please make sure that you write your name clearly and sign and date your application at the end.

10. *Date and signature*

I hereby request that the court/tribunal give a judgment against the defendant on the basis of my claim.

I declare that the information provided is true to the best of my knowledge and is given in good faith.

Done at: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

Name and signature:

**▼ B**

*Appendix to the claim form (Form A)*

**Bank details (\*) for the purposes of payment of the application fee**

Account holder/credit card holder: Bank name, BIC or other relevant bank code/credit card company: Account number or IBAN/credit card number, expiry date and security number of the credit card:
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(\*) Optional.



## ANNEX II

## EUROPEAN SMALL CLAIMS PROCEDURE

## FORM B

## REQUEST BY THE COURT OR TRIBUNAL TO COMPLETE AND/OR RECTIFY THE CLAIM FORM

(Article 4(4) of Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure)

To be filled in by the court/tribunal

Case number:

Received by the court/tribunal on: \_\_\_/\_\_\_/\_\_\_\_.

1. *Court/tribunal*

1.1. Name:

1.2. Street and number/PO box:

1.3. City and postal code:

1.4. Country:

2. *Claimant*

2.1. Surname, first name/name of company or organisation:

2.2. Street and number/PO box:

2.3. City and postal code:

2.4. Country:

2.5. Telephone (\*):

2.6. E-mail (\*):

2.7. Claimant's representative, if any, and contact details (\*):

2.8. Other details (\*):

3. *Defendant*

3.1. Surname, first name/name of company or organisation:

3.2. Street and number/PO box:

3.3. City and postal code:

3.4. Country:

3.5. Telephone (\*):

3.6. E-mail (\*):

3.7. Defendant's representative, if any, and contact details (\*):

3.8. Other details (\*):

(\*) Optional.

**▼ B**

The court/tribunal has examined your claim form and considers it to be inadequate or insufficiently clear or not properly filled in: please complete and/or rectify your form in the language of the court/tribunal as indicated below as soon as possible and at the latest by \_\_\_\_\_.

The court/tribunal shall dismiss your application under the conditions provided for in Regulation (EC) No 861(\*)/2007 if you fail to complete and/or rectify it within the time limit set out above.

Your claim form has not been filled in the correct language. Please fill it in one of the following languages.

Bulgarian	<input type="checkbox"/>	Czech	<input type="checkbox"/>	German	<input type="checkbox"/>
Estonian	<input type="checkbox"/>	Spanish	<input type="checkbox"/>	Greek	<input type="checkbox"/>
French	<input type="checkbox"/>	Irish	<input type="checkbox"/>	► <sup>(1)</sup> Croatian	<input type="checkbox"/> ◀
Italian	<input type="checkbox"/>	Latvian	<input type="checkbox"/>	Lithuanian	<input type="checkbox"/>
Hungarian	<input type="checkbox"/>	Maltese	<input type="checkbox"/>	Dutch	<input type="checkbox"/>
Polish	<input type="checkbox"/>	Portuguese	<input type="checkbox"/>	Romanian	<input type="checkbox"/>
Slovak	<input type="checkbox"/>	Slovene	<input type="checkbox"/>	Finnish	<input type="checkbox"/>
Swedish	<input type="checkbox"/>	English	<input type="checkbox"/>		

Other: (please specify) \_\_\_\_\_

The following sections of the claim form must be completed and/or rectified as stated below:

—  
—  
—  
—

Done at:

Date: \_\_\_/\_\_\_/\_\_\_

Signature and/or stamp:

►<sup>(1)</sup> **M1**



## ANNEX III

**EUROPEAN SMALL CLAIMS PROCEDURE**  
**FORM C**  
**ANSWER FORM**

(Article 5(2) and 5(3) of Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure)

**IMPORTANT INFORMATION AND GUIDELINES FOR THE DEFENDANT**

A claim as set out in the attached claim form has been submitted against you using the European Small Claims Procedure.

You can answer by filling in Part II of this form and returning it to the court/tribunal, or in any other appropriate way, within 30 days after the claim form has been served on you together with the answer form.

Please note that if you do not answer within 30 days, the court/tribunal shall give a judgment.

Please make sure that you write your name clearly and sign and date the answer form at the end.

You should also read the guidelines included in the claim form; these may help you to prepare your response.

*Language:* You should reply to the claim in the language of the court/tribunal which has sent you this form.

Please note that the form is available in all official languages of the institutions of the European Union on the website of the European Judicial Atlas at [http://ec.europa.eu/justice\\_home/judicialatlascivil/html/index\\_en.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/index_en.htm). This may help you in filling in the form in the required language.

*Oral hearing:* Please note that the European Small Claims Procedure is a written procedure. However, you can ask for an oral hearing to be held. Please be aware that having regard to the circumstances of the case, the court/tribunal can refuse this request.

*Supporting documents:* You can indicate possible means of evidence, and add, where appropriate, supporting documents.

*Counterclaim:* If you want to make a claim against the claimant (counterclaim), you should fill in and attach a separate Form A which you can find on the Internet at [http://ec.europa.eu/justice\\_home/judicialatlascivil/html/fillinginformation\\_en.htm](http://ec.europa.eu/justice_home/judicialatlascivil/html/fillinginformation_en.htm) or obtain from the court/tribunal which sent you this form. Please note that for the purposes of the counterclaim you are considered to be the claimant.

*Correcting your details:* You can also correct or supplement information about yourself (e.g. contact details, representative etc.) in section 6 'Other information'.

*Extra space:* If space is insufficient, you can add additional sheets.

**Part I (to be filled in by the court/tribunal)**

Name of claimant:

Name of defendant:

Court/tribunal:

Claim:

Case number:

▼ **B**

<b>Part II</b> (to be filled in by the defendant)	
1.	Do you accept the claim?
	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
	Partially <input type="checkbox"/>
	If you have answered 'no' or 'partially', please indicate reasons:
	The claim is outside the scope of the European Small Claims Procedure <input type="checkbox"/>
	please specify below
	Other <input type="checkbox"/>
	please specify below
2.	If you do not accept the claim please describe the evidence you wish to put forward to contest it. Please state which points of your answer the evidence supports. Where appropriate, you should add relevant supporting documents.
2.1.	Written evidence <input type="checkbox"/> please specify below
2.2.	Witnesses <input type="checkbox"/> please specify below
2.3.	Other <input type="checkbox"/> please specify below
3.	Do you want an oral hearing to be held?
	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
	If yes, please indicate reasons (*):
4.	Are you claiming the costs of proceedings?
4.1.	Yes <input type="checkbox"/>
4.2.	No <input type="checkbox"/>
4.3.	If yes, please specify which costs and if possible, indicate the amount claimed or incurred so far:
5.	Do you want to make a counterclaim?
5.1.	Yes <input type="checkbox"/>
5.2.	No <input type="checkbox"/>
5.3.	If yes, please fill in and attach a separate Form A
6.	Other information (*)
7.	Date and signature
	I declare that the information provided is true to the best of my knowledge and is given in good faith.
	Done at: _____
	Date: ___/___/___
	Name and signature:

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(\*) Optional.



## ANNEX IV

## EUROPEAN SMALL CLAIMS PROCEDURE

## FORM D

## CERTIFICATE CONCERNING A JUDGMENT IN THE EUROPEAN SMALL CLAIMS PROCEDURE

(Article 20(2) of Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure)

To be filled in by the court/tribunal

1. *Court/tribunal*
  - 1.1. Name:
  - 1.2. Street and number/PO box:
  - 1.3. City and postal code:
  - 1.4. Country:
2. *Claimant*
  - 2.1. Surname, first name/name of company or organisation:
  - 2.2. Street and number/PO box:
  - 2.3. City and postal code:
  - 2.4. Country:
  - 2.5. Telephone (\*):
  - 2.6. E-mail (\*):
  - 2.7. Claimant's representative, if any, and contact details (\*):
  - 2.8. Other details (\*):
3. *Defendant*
  - 3.1. Surname, first name/name of company or organisation:
  - 3.2. Street and number/PO box:
  - 3.3. City and postal code:
  - 3.4. Country:
  - 3.5. Telephone (\*):
  - 3.6. E-mail (\*):
  - 3.7. Defendant's representative, if any, and contact details (\*):
  - 3.8. Other details (\*):

(\*) Optional.

**▼ B**

4. *Judgment*

4.1. Date:

4.2. Case number:

4.3. The substance of the judgment:

4.3.1. The court/tribunal has ordered \_\_\_\_\_ to pay to \_\_\_\_\_

(1) Principal:

(2) Interest:

(3) Costs:

4.3.2. The court/tribunal has made an order against \_\_\_\_\_ to \_\_\_\_\_

(If the judgment was given by an appeal court in the case of a review of a judgment.)

This judgment supersedes the judgment given on \_\_/\_\_/\_\_, case number \_\_\_\_\_, and any certificate relative thereto.

THE JUDGMENT WILL BE RECOGNISED AND ENFORCED IN ANOTHER MEMBER STATE WITHOUT THE NEED FOR A DECLARATION OF ENFORCEABILITY AND WITHOUT ANY POSSIBILITY OF OPPOSING ITS RECOGNITION.

Done at: \_\_\_\_\_

Date: \_\_/\_\_/\_\_

Signature and/or stamp