



Enforcement

COUNTRY	LIMIT	NO LIMIT	SPECIFICITIES
ALBANIA	X		<ul style="list-style-type: none"> - De facto suspension of their activities since 20.03.20 - Enforcement when the state is debtor - Enforcement when the state is creditor against people violating anti-pandemic quarantine rules
ARMENIA	X		<ul style="list-style-type: none"> - Suspending the execution of those enforcement proceedings which call for communication with the participants of those proceedings and assume the presence of officers at debtor's place.
BELGIUM	X		<ul style="list-style-type: none"> - Suspending all enforcement - Privilege the sending of e-mails, phone calls, etc. - No eviction (decree in every region- - No assets of movables goods (Only in case of major legal requirement) - No sale of goods
BULGARIA	X		<ul style="list-style-type: none"> - The time limits (deadlines) for enforcement proceedings cease to run - Public sales suspended - Eviction suspended - No attachments shall be imposed on bank accounts of individuals, as well as on salaries and pensions - However attachments could still be imposed for maintenance obligations (alimonies), for tort damages and for salaries due.
ESTONIA		X	
FINLAND	X		<ul style="list-style-type: none"> - The National Administrative Office for Enforcement's has issued a list of different relieves recognized by the Enforcement Code on its website, such as i. e. postponed payment plans. (https://valtakunnanvoudinvirasto.fi/fi/)



<p>FRANCE</p>	<p>X</p>		<ul style="list-style-type: none"> - Insofar as the suspensions of time limits decided by the law also concern enforcement procedures and in particular all enforcement procedures, the National Chamber has launched, via its MEDICYS mediation platform, an emergency mediation offer in order to enable creditors to act as soon as possible and to avoid, when business resumes, an explosion of litigation procedures. - It is no longer possible, for obvious health reasons, to take enforcement measures at the debtor's domicile, nor to take measures that require a prior decision by the courts (e.g. for the enforcement of infringement seizure, seizure of remuneration). - With regard to other civil enforcement procedures, and more particularly the acts preceding expulsion (command) and seizure-assignment (in particular by electronic means), the issue is currently being analysed with the Ministry of Justice. - In any event, the National Chamber recommends that enforcement proceedings should be postponed as long as possible, and that telephone contacts or letters or e-mails with clients and especially debtors should always be preferred. This obviously also applies to amicable proceedings, at such a difficult time for our fellow citizens. - The end of the winter truce is, moreover, postponed until 31 May 2020. - Statements of facts (via the Internet) do not pose any difficulties. - If judicial officers were to carry out statements of facts outside, they will have to scrupulously respect the instructions given by the Government as well as the barrier gestures and in particular : Avoid any contact with the client and stand at least two meters away from any person.
<p>GERMANY</p>	<p>X</p>		<ul style="list-style-type: none"> - There will be no suspension of enforcement in Germany. However, "federal claims" will be put on hold and there will be protection against attachment for special payments to carers etc. - Nevertheless, we too are experiencing a more than clear decline in the number of enforcement orders.
<p>GEORGIA</p>	<p>X</p>		<ul style="list-style-type: none"> - Enforcement system remained flexible, effective and tied to the social politics. - Has been restricted the following actions: visits by the bailiff and enforcement police at debtors' places, attachment of chattels, fulfillment of tough enforcement actions on newly registered cases.



			- Though, bailiffs are enabled to continue effective enforcement process in the old cases, remotely and by using online services, to proceed new enforcement cases according to the law and the Resolution # 181, in order not to suspend the enforcement process of the court decisions, because of the created situation.
GREECE	X		- The Authorities of the country "have suspended all enforcement provisions and auction procedures"
HUNGARY	X		<ul style="list-style-type: none"> - In an individual enforcement case, information may be provided to the person requesting information by means of a communication device capable of identification and of maintaining a continuous voice and video connection. The judicial officer draws up a report containing that the enlightenment has taken place and will send it to the inquirers. - Until the end of the emergency, an on-site procedure, a traditional auction may not be held, and no on-site procedural action may be taken. - The evacuation of a residential unit, and any on-site evacuation action may be taken after the emergency period has cease. - The judicial officer may, after the cessation of the emergency, take action to withdraw the vehicle seized during the enforcement proceedings by commencing the 15th day after the cessation of the emergency. - The judicial officer may take action to auction the residential property of the natural person's debtor (and publish the notice of the auction of the real estate) the earliest on the 15th day after the end of the emergency. - During the enforcement procedure, no person shall be liable to a fine if, during the time of the emergency, due to the epidemiological measures, he was unable to comply with his statutory obligation. - Exceptionally, at the request of the debtor, the enforcement court may also suspend enforcement if the debtor is placed in a life situation which is an acceptable circumstance in connection with the epidemiological measures. - The enforcement of a specific act is not possible –except for the enforcement of a court decision on the surrender and custody of a child, and the enforcement of settlements approved by court – not including the enforcement of Court Decisions on Housing Matters.



			<p>- The enforcement of a court decision on the surrender and custody of a child, and the enforcement of settlements approved by court is not possible if the measure is to be taken in a place subject to an epidemiological measure.</p>
ITALY	X		<p>- The payment of judicial fees also needs to be done by electronically. - The decree does not limit the creditor's right to impose a seizure on debtor's property. - The decree does not allow the bailiff to suspend or postpone the enforcement, so the bailiff has to conduct it. He has to carry out his duties applying all safety measures, especially in movables' distraint; he can also require police assistance. He can also remove people who disturb the exercising of his duties, in particular when it is not possible to respect the requirement for preserving one meter of distance from each other. The imposition of distraint over vehicles (car, motorbike and trailer), can be carried out through the sending of a certified email p.e.c. to the competent public register. office, known as P.R.A.</p> <p><u>Reading Decree "Cura Italia", we can see that, regarding enforcement, applies only the deferrals to the hearings and the suspension of terms to the procedural acts in enforcement.</u></p> <p>B.1) Hearings According to art. 83, sub. 1, the hearings concerning enforcement, if scheduled in the period between 09.03.2020 and 11.05.15.04.2020, <u>must be postponed</u> until a date following 11 May 2020. According to art. 83, sub. 7, g), the hearings scheduled later, in the period between 12.05.2020 and 30.06.2020, <u>could be postponed</u>, with an act of the court president. According to art. 83, sub. 2, the suspension of terms from 9.03.2020 to 11.05.2020 (38 days) applies also to all enforcement proceedings, namely:</p> <p>B.2) writ of execution - the period of not less ten days within which the debtor has to be notified of the writ and given an opportunity to fulfil his obligations resulting from the enforceable title under penalty of enforcement action is not suspended because it is not a procedural term. - the period of 90 days within which enforcement has to be started, under the penalty of ineffectiveness of the writ of execution, is suspended in the period</p>



			<p>between 9 March 2020 and 11 May 2020. For the writs of execution that have already been notified in this period, the term will commence as of 12 May 2020. However, the suspension or the deferral of this term does not prevent the creditor in progress to start enforcement in the period between 9 March and 11 May 2020.</p> <p>B.3) for real estate enforcement the terms are suspended for:</p> <ul style="list-style-type: none">- the service of document of real estate distraint (within 90 days from service of document of the writ of execution);- the registration in the courthouse of the distraint (within 15 days from delivery of foreclosure notification act);- the application for conducting the sale (within 45 days from service of document);- the filing of cadastral documentation/notarial relation (within 60 days from filing the sale application); <p>B.4) for the forced liquidation of loans of third parties toward the debtor the terms are suspended for:</p> <ul style="list-style-type: none">- the service of the distraint document (within 90 days from serving the writ of execution);- the registration in the courthouse of the distraint (within 30 days from the delivery of the notification of the foreclosure); <p>B.5) for enforcement over debtor's movable goods the terms are suspended for:</p> <ul style="list-style-type: none">- the service of the distraint document (within 90 days from serving the writ of execution);- the registration in the courthouse of the distraint (within 15 days from the delivery of the notification of the foreclosure);- application of sale (within 45 days from service of distraint document). <p>B.6) enforcement of the obligation to deliver immovable property, even if it is for residential use, is suspended until 30.06.2020.</p> <p>This law has to be considered as exceptional, so it cannot be object of analogical interpretation: therefore, the suspension of enforcement cannot be applied to the execution of the eviction order or the transfer decree done by the Judicial Guardian.</p> <p>B.7) enforcement of the obligation to deliver movable property:</p>
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KOSOVO*	X		- All the public auctions, office or field enforcement, or other activities which might cause the gathering of people, should be cancelled!
LATVIA		X	
LUXEMBURG	X		- Forced eviction measures under residential and commercial leases were suspended during the state of crisis.



MOLDOVA		X	- The judicial officers are obliged, during the period of emergency, to ensure the continuity of the activity, in compliance with the epidemiological sanitary norms
MONTENEGRO		X	
QUEBEC	X		- In order to limit the risks of contagion, in the interest of the protection of the public, and of the judicial officers, the Chamber has communicated to them directives relating to the permitted enforcement procedures either <ul style="list-style-type: none"> a. Seizures before judgment with or without court authorization. b. Searches c. Injunctions
ROMANIA	X		- They suspended all executions in fiscal matters but allowed to continue those in civil and commercial matters, as well as the communication of documents in these matters. - The suspension of credit payment (Lege pentru suspendarea rambursării creditelor)
RUSSIA	X		- The uninterrupted functioning of the regional departments of the Service as well as the timely execution of judicial acts, acts of other authorities and officials is ensured with the help of the electronic document circulation. The judicial officers can receive the necessary information and apply enforcement measures using the available electronic and telecommunication resources. - Federal law of 2 October 2007 No. 229-FZ “On enforcement proceedings” provides the significant number of the different ways of notification of enforcement proceedings’ parties even if it is impossible to deliver personally or send notifications by post.
SLOVAKIA	X		- The sale of immoveable property is suspended by law and any public auctions are prohibited. - The law suspends any time period laid down for the protection and exercise of the rights of parties to enforcement proceedings. - Do not carry out seizure of movables - Do not perform evictions
SPAIN	X		



THAILAND	X		<ul style="list-style-type: none">- The LED announced the kind cooperation given by judgment creditors; 26 corporations, most are financial institutions, to agree upon three-month suspension of enforcing the judgments if those cases are not nearly exhausted. Only except an urgent necessity or the urgent order given by the court, the enforcement officers across the country are requested to not perform their duties outside the offices.- The enforcement officers shall request a permission to suspend conducting public auction from the court for those assets listed for auction between 30th March and 30th April 2020.
THE NETHERLANDS	X		<ul style="list-style-type: none">- There have been no direct measures taken by the government regarding enforcement. The government has appointed the Enforcement Officers as a vital profession, which allows the family and children of the Enforcement Officers to still receive help form public service.- The government did create an agreement with a few main housing corporations to suspend all evictions of real estate.- Advice to the clients to not perform direct enforcement, such as attachment on movables, auctions, evictions