

# Simplified procedures to enforce claims in the European Union

The entrepreneurs of the EU member states are involved in countless business relationships. Unfortunately, disputes and debts also occur in those relationships. Since it's complicated to take part in a court proceeding abroad, the EU has established several mechanisms in order to make your cross-border claims easier to enforce.



## **European payment order procedure**

European payment order procedure is meant for debts that are undisputed. It resembles the Estonian simplified payment order procedure, but is meant for collecting claims in cases, where the claimant and the debtor reside in different EU member states. The European payment order procedure is applicable in every EU member state except Denmark.

The European payment order procedure is intended for undisputed claims. The procedure is based on standard forms that are available in every EU language, including Estonian, and is in writing.

You should take into consideration, that many member states only acknowledge payment orders in their official language. Some member states do acknowledge documents in English or some other language, that is not their official language. So, it would be wise to find out what kind of language and other requirements apply before submitting the European payment order application to courts in other member states.

## **Small claims procedure**

In addition to European payment order procedure, the European Union has a separate procedure for enforcing small claims. From the summer of 2017, claims are considered to be small if they don't exceed 5000 euros (earlier limit was 2000 euros). These claims can be disputed. The small claims procedure is also not applicable in Denmark.

Just like the European payment order procedure, the small claims procedure is also simpler than regular court proceedings and is based on standard forms, which are available in every official language in the EU. Keep in mind, that the small claims procedures are being held in the language of the state where the case is being processed, which means that you should find out what the applicable requirements in the specific state are and, if necessary, find a lawyer or a translator to assist you.

Whilst the payment order procedures are in written, the European small claims procedures can be resolved in a court. The court proceedings might be held as a video conference, so you wouldn't have to travel to the other state.



**KATRIN SARAP**  
ATTORNEY AT LAW,  
PARTNER

(+372) 66 76 440

KATRIN.SARAP@NJORDLAW.EE



**TRIINU HIIB**  
ATTORNEY AT LAW,  
PARTNER

(+372) 66 76 440

TRIINU.HIIB@NJORDLAW.EE