



European Enforcement Order (EEO)

What is an EEO?

An EEO provides a simpler method for enforcing your uncontested judgment in another country within the European Union. But if the claim becomes a defended claim you must follow the normal rules of the court for enforcing a judgment abroad (you can find these on our website at www.justice.gov.uk/courts/procedure-rules/civil/rules/part74).

Example: I ordered and paid for a washing machine from France, but the washing machine never arrived. I took my case to the County Court and obtained a default judgment. I now want to enforce the judgment. I will apply to the County Court for the judgment to be certified as an EEO and once it is certified I will enforce it using the French enforcement procedures.

Before you consider enforcement proceedings think about whether the defendant can afford to pay you now or in the future. If you take enforcement proceedings in England and Wales or another Member State of the European Union it may cost you more money and there is no guarantee of success.

Taking legal action from one country against someone in another country can be complex and you may want to seek further advice.

When can I apply for an order?

You can apply for an EEO when the judgment becomes enforceable, normally when the debtor has defaulted in payment.

How do I apply for an order?

You will need to complete either form N219 or N219A.

- If the defendant has admitted the claim, or has agreed a settlement use N219.
- If the defendant has not replied to the claim, or has not objected to the claim, or has not filed a defence use form N219A.

You can get a copy of either form from our website <http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do> or from any County Court hearing centre.

Once you have completed the form fill in the EEO Certificate that you can find attached to the EEO Regulation on our website at www.justice.gov.uk/courts/procedure-rules/civil/rules/pd_part74b

Send the following documents to the court

- the application form
- two copies of the completed EEO certificate, which you should complete as far as you can
- the judgment
- any certificate for costs; and
- if the defendant did not reply or object to the claim, any document proving service of the claim, application notice or judgment
- the fee or an application for fee exemption or remission. Further details about fees and exemption or remission can be found in the leaflets EX50 and EX160A
- translation of any documents which are not in English.

I have an EEO certified in England and Wales – What happens next?

You will need to contact the relevant court in the other Member State about enforcing your judgment. You may need translations of the documents you send them. You can find out more about how other Member States enforce judgments on the European Judicial Network website at http://ec.europa.eu/civiljustice/index_en.htm

I have an EEO certified by another European Member State – What do I do next?

You will need to consider what type of enforcement you want taken against the debtor. You can find out more about methods of enforcement in leaflet EX321. You should then contact the County Court if the amount of the order is for less than £600. If the amount of the order is for more than £600 you should contact the local district registry of the High Court or the Royal Courts of Justice to begin enforcement. You can find contact details for courts at <http://hmctscourtfinder.justice.gov.uk/HMCTS/>.

Someone has issued an EEO against me – What do I do?

I agree the money is due what do I do next?

Make payment as soon as possible.

I agree I owe the money but the other party owes me money – What should I do?

You could have defended the claim and made a counter claim for the money they owe you. However, you must consider whether you will pay the money you owe and claim the money owing you separately. If you do not pay the court will take action against you to enforce the judgment.

I agree I owe the money, but I cannot pay it – What should I do?

If you cannot pay it all but think you could pay it by instalments you should tell the court. If you cannot pay now but think you could do later explain this to the court. If you cannot pay at all you should let the court know. You should also get advice eg. National Debt Line 0808 808 4000 or www.nationaldebtline.co.uk, a local law centre or Citizens Advice centre, www.citizensadvice.org.uk

Is there anything that can stop enforcement?

A. I do not agree that the money is due and I did not have enough time to arrange my defence?

You need to apply for a review of the judgment to the court that gave the judgment and you can ask for the enforcement to be stopped (stayed) but this is for the court to decide.

B. The information on the judgment and the certificate are significantly different

You can apply to the court where the judgment was given for a certificate to correct the EEO if there is a difference between the certificate and the judgment.

C. I do not think that the EEO certificate should have been issued because it does not comply with the requirements of the regulation

You can apply to the court where the judgment was given for a certificate to withdraw the EEO where it is clearly wrongly granted because it does not meet the requirements laid down in the Regulation.

If A, B or C apply you can ask the court to:

- stop enforcement
- limit enforcement to protective measures
(e.g. so you cannot get rid of your assets while the case is being resolved)
- make enforcement conditional on you providing some security
(e.g. proving that you can pay the money if you lose your case).