



Belgium

enforcement system e-manual





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WHAT IS ENFORCED

Enforcement Title

- Judgment
- Notarial deed with enforcement clause
- Administrative act enforceable by law
- Decision issued under a tax law

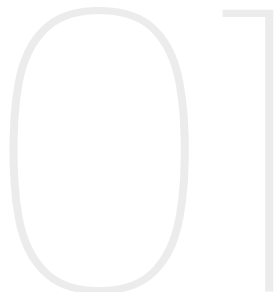


- Movable assets
- Attachments to bank accounts
- Wages and other permanent Income
- Savings deposits and current accounts
- Immovable property
- Shares

WHO ENFORCES



Judicial Officer



- Public servant, self-employed
- Obligated to carry out their duties when requested
- Cannot act on behalf of spouse, relatives and allies in direct line, nor those of spouse, relatives and collateral allies up to the fourth degree
- Must refuse services when the mission is illegal or contrary to public order or good morals

ENFORCEMENT PROCEDURE



Initiate enforcement

- Notify the initiation of the enforcement process



Collect information on debtor through

- National Registry
- Registry of companies
- Employee Registry
- Vehicle Registry
- Centralized file of seizure notification



Take enforcement action against

- Movable assets
- Bank accounts of the debtor
- Savings deposits and current accounts
- Immovable property
- Wages and other permanent pecuniary income
- Debtor's debtors
- Shares



End enforcement procedures

- Finalise enforcement procedures





HOW LONG DOES THE PROCESS LAST



Duration varies depending on

- Solvency of the debtor
- Enforcement proceedings initiated

The average duration is as follows

→ Movable property procedure	→ +/- 2 months	
→ Real estate procedure	→ +/- 4 months	
→ Attachment on bank accounts	→ +/- 3 months	
→ Eviction procedure	→ +/- 2 months	

HOW MUCH DOES THE PROCESS COST



Fees are determined by royal decree They impose fixed costs for each action performed by the judicial officer in enforcement proceedings

- **Fixed fees**
fee calculated in progressive instalments, depending on the value of the claim.
- **Proportional fee**
Remuneration in addition to the graduated fees according to the time required for the performance of the service concerned. A distinction is made between the session due for any service and the hourly session.
- **Service fee**
Established according to a decreasing percentage by instalments and relates to: Acts of protest; Public sales; and distribution procedures by contribution.
- **Fixed fees**
Payment for one-off steps from the dispatch or a copy of a court decision, the cost of correspondence and stationery or steps at the mortgage office etc
- **Fees and disbursements**
Reimbursement of costs and transportation expenses

