



# **Italy**

**enforcement system e-manual**





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# WHAT IS ENFORCED

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## Monetary Claims

01



## Non-Monetary Claims

- Handing over movable assets
- Eviction
- Obligations to act, refrain from acting or suffer action

02

# WHO ENFORCES

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## Judicial Officer

- Enforcement of enforceable titles (judgment, injunction, promissory note, validation of eviction, court order of transfer, etc.) through execution of enforcement acts
- Protest of promissory notes, cheques and equivalent titles
- Service of documents
- Other deeds according to law

01



## Enforcement Judge

- Acting in any opposition and dispute arising at the time of enforcement
- Overseeing final stage of enforcement procedure

02

# ENFORCEMENT PROCEDURE

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## Enforceable title



## Service of writ of execution (“preceto”) upon creditor's initiative

- Notice to the debtor to comply with the obligation arising from the enforceable title within a term of no less than ten days



## Initiation of enforcement

**Different enforcement methods can be independently carried out against the same debtor:**

- Attachment of movable assets
- Attachment of assets from third party (bank account, wages, rent, etc.)
- Attachment of immovable assets

# HOW LONG DOES THE PROCESS LAST

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## Difficult to establish duration of enforcement procedure

### Examples:

- Possible duration of enforcement against movable property/third parties: **6 - 12 months**
- Possible duration of enforcement on real estate: **1 - 5 years**

# HOW MUCH DOES THE PROCESS COST

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**Not possible to define a standard cost for proceedings due to varying duration, procedural steps and professionals' intervention**

## **Judicial officer's fees**

→ expected total amount:  
20 - 150 euro

## **Costs for enforcement on immovable assets**

→ Approximately 20% - 25%  
of the credit to recover

