



Netherlands

enforcement system e-manual





**This publication was funded
by the European Union's
Justice Programme
(2014-2020)**

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WHAT IS ENFORCED



Monetary Claims

01



Non-Monetary Claims

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

02

WHO ENFORCES



Civil Servant Enforcement Agent

- Enforcement of tax cases



Self-Employed (private) Enforcement Agent

- Service of documents
- Enforcement of all civil cases and certain criminal and administrative cases (Evictions, attachments, public foreclosures, commitments for failure to comply with a judicial order and other acts)
- Filing of protests for non-acceptance/non-payment of drafts, promissory notes, etc., and drawing up of deeds of intervention at the foot of the protest
- Official supervision of voluntary public sales of personal corporeal property by auction, or by Dutch auction
- Other activities

ENFORCEMENT PROCEDURE



Enforceable document



**Creditor's request
for enforcement**



Enforcement agent



**Service of enforceable
title and order to fulfil
obligations to the debtor**



**Lapse of 2-day period
for voluntary fulfilment**



Initiation of enforcement

HOW LONG DOES THE PROCESS LAST



No exact statistics available

Enforcement agents' wide powers relating to amicable debt recovery and acting as a representative in court (for claims up to Euro 25,000) may result to recovery at a very early phase and reduction of length of process.

Substantial number of cases not even reaching the enforcement phase due to prior fulfilment.

HOW MUCH DOES THE PROCESS COST



Costs for extra judicial (amicable) debt recovery

Claim up to (in Euros)	Percentage	Maximum (in Euros)
2.500	15%	Minimum Euro 40, -- Maximum Euro 375, --
5.000	Euro 375, -- + 10% on the claim -/- 2500	Maximum Euro 625, --
10.000	Euro 625, -- + 5% on the claim -/- 5.000, --	Maximum Euro 875, --
200.000	Euro 875, -- + 1% over the claim -/- 10.000	Maximum Euro 2.775, --
>200.000	Euro 2.775, -- + 0,5% over claim -/- 200.000	Maximum Euro 6.775, --

Costs of court proceedings

→ Court fees

Claim up to (in Euros)	Court fee for non-natural persons	Court fee for natural persons	Court fee for financially vulnerable persons
Euro 500, --	Euro 124, --	Euro 83, --	Euro 83, --
Between Euro 500, -- and Euro 12.500, --	Euro 499, --	Euro 236, --	Euro 83, --
Higher than Euro 12.500, --	Euro 996, --	Euro 499, --	Euro 83, --
Until Euro 100.000, --	Euro 2.042, --	Euro 937, --	Euro 83, --
Above 100.000, --	Euro 4.131, --	Euro 1.639, --	Euro 83, --

HOW MUCH DOES THE PROCESS COST



Service of writ of summons

→ Fixed fee: Euro 83,38 (excluding VAT)

Lawyer's (or enforcement agent's) fees

Claim (including interest and extra judicial costs) up to (in Euros)	Fee per point (in Euros)	Maximum number of points
250	30	3
500	60	4
1.250	100	5
2.500	150	5
3.750	175	5
5.000	200	6
10.000	250	6
20.000	300	7
40.000	400	10
100.000	600	10
200.000	700	No maximum
400.000	800	No maximum
1.000.000	1.000	No maximum
more	1.200	No maximum

all amounts excluding VAT 21%

HOW MUCH DOES THE PROCESS COST



Enforcement costs (page 1 of 2)

Article	Enforcement action	Euro
2A	service of writ of summons or inventory	83,38
2B	service of judgment	80,24
2C	service of request to appear in court	65,96
2D	service of other documents	70,59
2E	attachment on movables	109,66
2F	attachment on movables in use by a third party	147,27
2G	attachment on shares or other	217,04
2H	attachment on shares in limited company or public company	238,23
2I	attachment on bearer shares or attachment under third party, not being an attachment on periodic payments	174,76
2J	attachment under third party relating to periodic payments, e.g., income, salary, unless under 2K	124,39
2K	attachment in alimony or maintenance case	106,23
2L	attachment under the creditor	145,51
2M	attachment on non-monetary claim (handing over certain goods)	253,15
2N	attachment on non-monetary claim (debtor has to deliver certain goods)	108,86
2O	attachment on immovables and planes registered in the Netherlands	150,70
2P	termination of attachment on immovables	53,76
2Q	attachment on ships or planes not registered in the Netherlands	332,14
2R	legal custody	226,01
2S	announcement of public sale	82,50
2T	public sale of movables	288,72

HOW MUCH DOES THE PROCESS COST



Enforcement costs (page 2 of 2)

2U	service of document concerning priority creditor taking over enforcement	77,54
2V	eviction	215,70
2W	arrest	250,72
2X	information request European Arrest Preservation Order	82,94
3A	administrative fee in case of only one attachment on income (per payment)	10,63
3B	in case of two attachments on income (per payment)	16,90
3C	from the third attachment, per attachment (per payment)	6,28
5	reduction concurrence enforcement measures	20,35
6A	witness in actions under 2 e/f/g/n	20,73
6B	witness in actions under 2 m/o/q/v/w	72,61
7	in case the action: a. as meant in 2, under e, f, g, h and n, lasts longer than 1,5 hours or b. as meant in 2, under m, q, r, t, v and w, lasts longer than 3 hours the fee is raised with for every 15 minutes the action took longer than 1,5, respectively 3 hours and for every 15 minutes the witness has been present for longer than 1,5 respectively 3 hours	20,35 12,07
8	service of documents to a next address	25,67
	attempt to attach movable, nobody at home	51,67
	unsuccessful arrest	101,05

all amounts excluding VAT 21%

