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Narrative National Report

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Table of Contents

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PART I: LEGAL FRAMEWORK

I.1 Legislation affecting civil enforcement

The civil enforcement procedure is mainly regulated by the Belgian Judicial Code, which originates from a law of 10 October 1967. It is divided in seven parts:

1. General Principles;
2. The Judiciary;
3. Competence;
4. Civil procedure;
5. Provisional measures, means of enforcement and collective settlement of debts;
6. Arbitration;
7. Mediation and an appendix Territorial Boundaries and Seat of Courts and Tribunals.

The procedures for civil enforcement are mostly found in part 5 on conservatory measures, enforcement procedures and collective settlement of debts; more particularly in articles 1386 to 1675/20 of the Judicial Code.

However, various legal provisions concerning civil enforcement procedures may be found in other legal documents as well:

- The Criminal Code of 8 June 1867 and the Code of Criminal Investigation, which contains principles governing the (civil) enforcement of criminal decisions.
- The Code of Economic Law of 28 February 2013, which contains provisions on bankruptcy.
- The Income Tax Code 1992 of 10 April 1992, the Value Added Tax Code of 3 July 1969 and the Code for the amicable and forced recovery of tax and non-tax debts of 13 April 2019, which contain provisions applicable to the recovery of tax debts.
- The Law of 15 June 1935 on the use of languages in judicial matters is also of particular importance since Belgium has three official languages, namely French, Dutch and German.

Alongside these laws, there is a series of laws, decrees and ordinances that influence the civil enforcement procedure. This regulative framework (available only in French and Dutch) is published on a bi-annual basis by Larcier[1].

I.2 Enforceable titles

I.2.1 Enforcement titles

[1] See CODEX HUISSIER DE JUSTICE, Patrick Gielen, Bert Nelissen, 2020, available on: https://www.larcier.com/fr/code-annote-code-des-huissiers-de-justice-2020-2019-9782807917613.html

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No seizure of movables can be effected without an enforcement title (article 1494 of the Judicial Code).

The phrase "enforcement title" is to be interpreted in its broadest sense[2]. The provisions of the Judicial Code regulate the enforcement of judgments and acts. According to this Code, the enforcement title is "the title which, bearing the executory formula determined by the R.D. (Royal Decree) of 9 August 1993, permits the immediate expropriation of the debtor's property"[3].

Enforcement can therefore take place by virtue of a judgment, a notarial deed with an enforcement clause, an administrative act that is enforceable by law, or a decision issued under a tax law.

I.2.2 European enforceable documents

Since the adoption of Regulation (EC) No. 805/2004[4] on the European Enforcement Order, Regulation (EC) No. 1896/2006[5] on the European order for payment and Regulation (EC) No. 861/2007[6] on the Small Claims Regulation, we are witnessing the creation of enforceable documents that can travel freely, like a "European passport"[7], in all Member States of the European Union without any further (legal) control in the Member State of enforcement. In this case, since the document in question is recognized throughout the European Union as an enforceable title, it may be validly enforced on the basis of such title, in accordance with article 1494 of the Judicial Code[8].

I.2.3 Enforcement titles which are not certified as European enforceable documents

1.2.3.1 Brussels I

In case of a court decision issued in another EU Member State, the enforceability of such title in Belgium will be based on the decision and the order issued by the president of the court of first instance through a simplified exequatur procedure in accordance with Regulation (EC) No 44/2001[9] (Brussels I Regulation)[10].

The enforceability on Belgium territory is conferred on the foreign title through the exequatur procedure. The content of the enforcement title remains defined by the foreign decision. As the exequatur decision is considered a declaratory decision, it does not give rise to rights, but only effect to rights duly acquired by virtue of the

[2] See Rapport Comm. royal, Pasin, p. 517, col. 1.
[3] See G. de Leval, La saisie-arrêt, Liège, Faculté de droit, 1976, nos 166 et s.
[4] J.O.U.E., n° L 143 du 30 avril 2004, pp. 15 et s.
[5] J.O.U.E., n° L 399 du 30 déc. 2006, p. 1.
[6] J.O.U.E., n° L 199 du 31 juillet 2007, p. 1.
[7] See G. de Leval, «Reconnaissance et exécution de l'acte notarié dans l'espace européen», in Liber amicorum Paul Delnoy, Bruxelles, Larcier, 2005, p. 672.
[8] For the developments see Rép. not., «Code DIP — Premiers commentaires» (J.-L. Van Boxstael), t. XVIII, l. I, éd. 2010, nos 20 et s.
[9] J.O.C.E., n° L 12 du 16 janv. 2001, pp. 1 et s.
[10] Idem.

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enforceable title[11].

1.2.3.2 Brussels Ibis

Since 10 January 2015 Regulation (EC) 1215/2012 (Brussels Ibis), applies to the majority of civil decisions. This Regulation (under article 36,) enables judgments issued in one Member State to be recognized in the other Member States without the need to initiate a special procedure to obtain enforceability. It is sufficient to request the court of origin to issue a special certificate provided for in article 54 of the Regulation, in order to enable the enforceability of the foreign decision (accompanied by the certificate) in all EU member states.

I.2.4 Non-European foreign titles

A judicial decision or authentic instrument from outside the European Union, can be declared enforceable in Belgium, subject to the application of international treaties, through the exequatur procedure provided for in articles 22 to 31 of the Belgian Code of Private International Law[12].

The enforceability on Belgian territory is conferred on the foreign title through the exequatur procedure. In this case, the enforcement title consists of the foreign decision and the order (exequatur) issued by the president of the court of first instance. Enforcement is carried out as if it is a Belgian enforcement title.

I.3 Service of documents to parties and third parties

I.3.1 Distinction between service of documents and notification

Belgian law makes a distinction between service of documents and notification:

Service is the delivery of a document to another person through a ministerial official. In Belgium, this official is the judicial officer. The service itself consists in the delivery of the document by the judicial officer, through a judicial officer writ. The writ includes a certified copy of the document to be served to the other person. Most documents in the enforcement process (such as the service of the enforcement title, the order for payment, the documents of seizure or eviction) are to be served to the parties. In addition, the judicial officer also serves documents outside the enforcement process, e.g., the act of summons to appear before a court.

Notification is the sending by post (i.e., without the intervention of a public official) of a procedural document in original or copy.

Notification is carried out by the registrar (occasionally by the public prosecutor's office) by judicial mail (a special type of registered letter with acknowledgement of receipt) or by ordinary or registered mail (article 46 of the Judicial Code).

It is the law that determines which documents shall be served by the judicial officer or notified by post. In that respect, Belgian legislation is very detailed. As a general rule,

[11] See G. de Leval, Eléments de procédure civile, 2e éd., Liège, Faculté de droit, 2005, n° 185, pp. 268 et s. and cited references.
[12] Idem.

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all judicial or extra judicial documents in the enforcement process are to be served through the judicial officer.

I.3.2 Importance of the date of service

The date of service is important. Belgian law knows a considerable number of time limits. For example, in case of a service of the writ of summons, certain time limits must be respected between the date of service and the date for the introductory hearing in the court. The same applies regarding enforcement. When a judgment is served, the date of service is considered the starting point for the time limit for lodging an opposition or appeal.

I.3.3 Content of the writ of service

On pain of nullity, the writ of service must be signed by the judicial officer. In accordance with article 43 of the Judicial Code, the writ of service includes:

1) the day, month, year and place of service;

2) the full name, domicile and, where necessary, the electronic court address or electronic address of the chosen domicile, capacity and registration in the commercial register of the person at whose request the document is served;

3) the surname, first name, domicile or, in the absence of domicile, residence and, where applicable, judicial electronic address or electronic address of the chosen domicile, capacity and registration in the commercial register of the person at whose request the business is served;

4) the surname, first name and, where applicable, capacity of the person to whom the copy was delivered, or of the deposit of the copy in the case provided for in article 38 §1 of the Judicial Code, or of the deposit of the business certificate at the post office in the cases provided for in article 40 of the Judicial Code;

5) the surname and first name of the judicial officer and indication of the address of his office;

6) the specified overview of the costs of the service of the document.

The person to whom the copy is given shall endorse the original. If he or she refuses to sign, the judicial officer shall record this refusal in the writ.

In accordance with article 44 of the Judicial Code, when it has not been possible to deliver the copy to the addressee in person, the judicial officer will leave the documents in a sealed envelope. This envelope mentions the office of the judicial officer, the name and surname of the addressee and the place of service and bears the heading "Pro Justitia - To be handed over urgently". No other indication may appear on the envelope.

I.3.4 Different types of service

1.3.4.1 Personal service

As a basic rule, the judicial officer first attempts personal service: in this case he/she hands over copy of the judgment to the addressee in person, in any place where the

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addressee is found.

1.3.4.2 Service at home

If service of the judgment to the addressee in person is not successful, the judicial officer will attempt to serve the document at the domicile of the addressee. The domicile is the address resulting from the registration of the addressee in the population register or, in case of a legal entity, the commercial register. In the event that the person concerned does not have an official domicile, the judicial officer will attempt to serve the judgment at their residence. This is defined as any place where the addressee stays on a regular base. This includes, for example, the place where the person has an office or carries on a trade or industry.

In the case of service at home (domicile) or at the residence, if the addressee is not present or does not show up, the judicial officer, in accordance with the Judicial Code, will hand over a copy of the judgment to a relative, relative's friend or relative's spouse or to a person who is employed at the domicile or residence.

Service can then be made on a person other than the addressee.

1.3.4.3 Service by deposit

If no other person is present at the domicile or residence of the addressee, service shall be done by delivering a copy of the judgment at the domicile or residence in a sealed envelope. In addition, the judicial officer will send a registered letter to the person concerned to inform them of the service.

1.3.4.4 Service on the King's Prosecutor

If it is impossible to deliver a copy of the judgment in a sealed envelope, or the judicial officer has serious doubts if the domicile or residence of the addressee is correct, or the addressee does not have a known domicile or residence, the judicial officer will hand a copy of the judgment to the public prosecutor. The prosecutor will make the necessary investigations so that the service is carried out as soon as possible. In the jargon, this is called "service on the public prosecutor's office".

I.3.5 E-service

According to the new article 32quater/1 of the Judicial Code, in Belgium it is possible to effect service by electronic means to two types of electronic addresses:

- to a "judicial e-mail address", i.e., the unique e-mail address allocated by the competent authorities to a natural or legal person. At present, such electronic addresses are allocated;
- to an "electronic address for service of documents", i.e., any other e-mail address where service may be effected, providing the addressee expressed prior consent of such electronic service.

Initially, since Belgium does not implement yet the "judicial e-mail address", electronic service is effected only to the electronic addresses for service of documents and therefore to ordinary e-mail addresses (gmail, yahoo, outlook etc.).

In practice, before the addressee can have access to the document, he or she must

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give explicit consent. To do so, he or she must identify himself or herself, authenticate himself or herself by the electronic ID card and, finally, confirm his or her consent.

There is a register in which are stored all electronic addresses as a choice of domicile and to which email addresses electronic service has already been successfully completed.

This register can be consulted by the judicial officer.

Electronic service is considered to be "personal" service in the following two cases:

- The request for service was sent to an electronic court address and the addressee opened the document within 24 hours of the dispatch of the notice of service;
- It was possible to serve the document at an electronic address for service and the addressee opened the document within 24 hours of sending the request for consent.

In case the request for service has been sent to an electronic address and the addressee has not opened the document within 24 hours of sending it, the normal provisions for the service of documents will apply.

I.4 Legal remedies, appeal and objection

I.4.1 Enforcement judge

In accordance with article 569, 5) of the Judicial Code the court of first instance hears all challenges to the enforcement of judgments and rulings. Disputes relating to provisional measures, enforcement procedures and interventions by the maintenance claims service are brought before the enforcement judge (article 1395 of the Judicial Code)[13].

I.4.2 Substantive competence

In accordance with article 1395, paragraph 1 of the Judicial Code, all applications relating to provisional measures, enforcement measures, security interests and the pledge register[14] shall be brought before the enforcement judge. Consequently, the enforcement judge has wide powers[15].

In addition, under article 1396 of the Judicial Code, the enforcement judge has a supervisory function. The judge must ensure compliance with the provisions on

[13] See. Cass., 27 févr. 1995 (R.W., 1995-1996, p. 43), which specifies that the trial judge is not competent to determine the legality of enforcement; Cass., 7 sept. 2017, T. Not., 2018, p. 172 et obs. Chr. Engels. See also Rép. not., «La saisie immobilière» (G. de Leval), t. XIII, l. II, éd. 2019, nos 137 à 143.

[14] In the context of the reform in the field of security interests, which came into force on January 1, 2018, article 1395 of the Judicial Code was supplemented with the following paragraph: *«Sous réserve de l'article 46 du titre XVII du livre III du Code civil, toutes les demandes qui ont trait à des sûretés mobilières et au registre des gages sont portées devant le juge des saisies»*.

[15] For a detailed analysis see art. 1395 of the Judicial Code. See also V. Chantry, G. de Leval, D. Dessard, R. Dujardin, Fr. Georges, V. Grella, D. Liénard, J. Ligot et E. Rixhon, La jurisprudence du Code judiciaire commentée, vol. IV, Saisies, G. de Leval sous dir. scient. et Fr. Georges sous coord., Bruges, La Charte, 2009, pp. 90-106.

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provisional measures and means of enforcement. They may, even ex officio, request the judicial officer to report on the state of the enforcement proceedings. In case of negligence, the judge will inform the public prosecutor, who assesses the possible disciplinary infringements. According to the Belgian Court of Cassation, the enforcement judge hears requests concerning the means of enforcement on the debtor's property, assesses the legality and regularity of such enforcement, without the ability to rule on the cause itself, except in the cases expressly provided for by the law[16].

I.4.3 Territorial jurisdiction

The enforcement judge with territorial jurisdiction is that of the place where the seizure is to be carried out, unless the law provides otherwise (Judicial Code, art. 633).

With regard to territorial jurisdiction in matters of attachment under a third party as well as in matters of applications and appeals referred to in article 1395/2 of the Judicial Code, the second paragraph of article 633 of the Judicial Code specifies that the competent court is not that of the place where the attachment is to be carried out, i.e., the place where the garnishee is located, but the competent court of the domicile of the enforcement debtor.

I.4.4 Proceedings in accordance with provisions for summary proceedings

Article 1395, paragraph 2, of the Judicial Code stipulates that all requests shall be submitted and investigated in accordance with the provisions of summary proceedings, except in cases where the law provides that they shall be made by written request[17]. This implies that in case the law does not explicitly provide for a method of introduction and investigation of the request, it will be introduced and investigated according to the rules of summary proceedings. Unlike in summary proceedings, the requirement of urgency is not necessary for the legal remedy in the enforcement proceedings[18].

The notice of convocation requires a minimum of two days[19]. The summons may not be given for a hearing held on the due date on pain of relative nullity.

The orders issued by the enforcement judge are, in principle[20], provisionally

[16] See Cass., 1er déc. 2005, Pas., 2005, p. 2394 ; E. Dirix et K. Broeckx, Beslag, coll. A.P.R., Bruxelles, Kluwer, 2010, p. 40, n° 54 and cited references.
[17] See, for example, Judicial Code, art. 1417 al. 2, art. 1422, art. 1426, art. 1437, art. 1459, etc.
[18] See Civ. Termonde, 21 nov. 2001, T. Not., 2002, p. 515.
[19] See Judicial Code, art. 1035 and 1395. In addition, in urgent cases that require prompt action, the enforcement judge may, under article 1036 of the Judicial Code, allow a public or private hearing to be called at an indicated time, even on holidays, from day to day or hour to hour. In the case of enforcement of ships, such authorization is not even required (Judicial Code, art. 1037).
[20] An exception may be found in art. 1543, al. 2, of the Judicial Code, which concerns the order issued upon an objection by the debtor in garnishment – attachment – enforcement (See Liège, 24 déc. 1981, Jur. Liège, 1982, p. 133, which provides that in this case the judge may order, at the request of the party, provisional enforcement), as well as in the case of issues related to distribution by contribution and order provided for by art. 1636, 1649, 1650 et 1670 of the Judicial Code (See G. de Leval, Traité des saisies, Liège, Faculté de droit, 1988, n° 34 et réf. cit.) and in the case of actions provided for by article 1514 of the Judicial Code.

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enforceable by operation of law.

I.5 Postponement, suspension and termination of enforcement

In case of difficulties of enforcement, the debtor party can always file requests before the judge of seizures, who is the judge of enforcement.

Indeed, article 1395, paragraph 1, of the Judicial Code, provides that all requests relating to seizures, enforcement proceedings, security interests and the register of pledges are brought before the seizure judge, acknowledging a very broad material competence to this judge.

In addition, pursuant to article 1396 of the Judicial Code, the seizure judge has a control function. He must ensure compliance with the dispositions regarding seizures and enforcement measures. He can, even ex officio, be given a report by the judicial officer on the state of the proceedings. If they find negligence, they inform the Public Prosecutor, who assesses the disciplinary facts that it may involve.

As rightly summarized by the Supreme Court, the judge of seizure who hears a request concerning the means of execution on the debtor's assets assesses the legality and regularity of the execution, without being able to rule on the cause itself, except in the cases expressly provided for by the law.

The seizure judge postpones, suspends or terminates the enforcement if necessary.

I.6 Counter enforcement

No information available.

I.7 Objects and exemptions on enforcement

I.7.1 Movables

In accordance with article 1408 of the Judicial Code, which applies only to natural persons and not to legal persons, and in addition to the exemptions by special legal provisions, the following movables are exempted from attachment:

1) Essential family furniture, clothing and laundry, with the exception of luxury furniture and luxury goods;

2) Property necessary for the pursuit of the education or professional training of the seized person or of dependent children living under the same roof. A television, which is not of a particularly luxurious nature, can be considered necessary for the education of children and therefore is exempted from seizure;

3) If not for the payment of their price, the goods indispensable to the profession of the enforcement debtor, up to the value of EUR 2,500 at the time of seizure. The choice is up to the enforcement debtor. In order to assess the value, it is necessary to take into account not the purchase or replacement value but the residual realization value;

4) Goods used for agriculture;

5) Food and fuel necessary for the debtor and their family during one month;

6) One cow, or twelve ewes or goats at the choice of the enforcement debtor, as well

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as a pig and twenty-four farmyard animals, with the straw, fodder and grain necessary for bedding and feeding said animals for a period of one month.

These objects may still be attached if they are located in a place other than the place where the enforcement debtor usually lives or works.

I.7.2 Intangible goods

With regard to the exemption of intangible goods, the following points will be briefly analyzed:

- Seizure-free part of salary or other periodic income

In accordance with article 1409 §1 of the Judicial Code, there is a seizure free part for the sums paid in application of a contract of employment, an apprenticeship contract, a statute, a subscription, or remuneration for work performed under the authority of another person, as well as payment of compensation of holidays in accordance with the legislation relating to annual holidays.

Article 1410 §1 of the Judicial Code also covers alimony and social benefits (unemployment benefits, mutual insurance benefits, invalidity benefits, etc.).

The necessary income as provided for in article 1409bis of the Judicial Code is exempted up to a certain amount. This refers to the income other than periodic professional or replacement income. In other words, it may be a renewable professional income or a professional income that is renewable (e.g., rent).

Finally, the guaranteed income referred to in article 1410 §2 of the Judicial Code, which is cannot be seized at all, such as family benefits, orphans' pensions, allowances for the disabled etc.

- Determination of the part of the salary that can be seized

For the year 2020, the amounts for the calculation of the seizable or transferable quotas are fixed as follows:

Net Monthly Income	Professional income	Replacement revenues
Up to 1138 €	Nothing	Nothing
From 1138 € to 1222€	20% (16.80€)	20% (16.80€)
From 1222.01 € to 1349 €	30% (38.10€)	40% (50.80€)
From 1349,01 € to 1475 €	40% (50.40€)	40% (50.40€)
Above 1475 €	All can be seized	All can be seized

It needs to be mentioned that alimony creditors have a special position when it comes to the seizure of periodic incomes or salary. Article 1412 of the Judicial Code provides that the exemptions or limitations to seizure do not apply when the seizure is made based on a backlog in the payment of maintenance obligations, whether they result from the obligation of the spouses to support each other (even in the event of divorce or separation) or the parents' maintenance obligation towards their children or reciprocally.

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- Immunities: exemption from seizure of property belonging to a legal person governed by public law

Based on article 1412bis of the Judicial Code, property belonging to the State, the Regions, Communities, provinces, communes, public interest bodies and generally all legal persons governed by public law is exempted from seizure.

There are, however, two exceptions to this principle:

- Assets which legal persons governed by public law have declared that they may be seized. This list, which includes seizable property, is to be deposited at the places prescribed by article 42 of the Judicial Code for the service of judicial documents.
- Where such a statement is missing, or in case the realization of the property contained in the declaration is insufficient to pay the creditor, the property which is manifestly not useful to such legal persons to carry out their public function or for the continuity of the public service may be seized. In this case, the legal person that is governed by public law may either oppose the seizure within one month from the date of the seizure before the enforcement judge or offer alternative assets to the creditor. In this case, the offer binds the creditor if the assets are located on Belgian territory and their realization is sufficient to satisfy them.

The burden of proof of manifestly unhelpfulness lies with the enforcement creditor.

I.8 (Court) penalties and fines

A periodic penalty may be defined as a pecuniary sanction intended to force the enforcement debtor to fulfill a certain obligation. This sanction is decided by a judge and is independent of compensation for the non-performance of the obligation in question. This means that the enforcement debtor may be obliged to pay both the amount of the penalty, as well as any damages they may be ordered to pay as compensation.

The pronouncement of a periodic penalty aims to satisfy several objectives. First of all, the periodic penalty must necessarily be an accessory to a main judgment, which implies that it must be pronounced and applied at the same time as the main judgment. Secondly, the periodic penalty must be requested by the enforcement creditor, who may propose an amount to the court. However, the court is not bound by the proposal of the creditor and may decide on a lower or higher penalty. Moreover, the penalty can never be enforced before the service of the decision that pronounced it.

Once the penalty has been incurred, the creditor does not need a new title. Indeed, enforcement of the penalties can be effected with the principal sentence.

The amount of the periodic penalty may be fixed or vary according to the number of infringements of the debtor or the number of days of delay in the enforcement of the disputed obligation. In any event, the court may set a ceiling beyond which the

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amount may not vary.

Finally, it should be noted that the statute of limitation for the penalty is six months from the date on which it is incurred. According to the preparatory works, "it would indeed be contrary to the purpose of the periodic penalty payment and to equity to allow the creditor to let the periodic penalty payments accumulate by their inaction until the day when they would have reached a disproportionate total".

I.9 Access to information on the domicile and assets of the debtor

In Belgium judicial officers have access to a variety of data and information on the debtor:

1.9.1 National register

In Belgium, the national register number or national identification number (N.N.) is a unique and personal identifier consisting of 11 digits. This number is shown on the Belgian identity card and on most passports.

This electronically searchable register contains the following information about the debtor:

- Address;
- Date and place of birth;
- Nationality;
- Employment;
- Marital status;
- Persons domiciled with the debtor.

Access to this register is limited to the judicial officer, providing the latter has a mandate from his client and is authorized by law (i.e., for enforcement or other formal task). The judicial officer is liable for any misuse under criminal, civil and disciplinary law.

1.9.2 Commercial register

The commercial register, the Belgian monitor and some registers from commercial parties (Infobase, Graydon) which supply updated information on the companies, are available for legal entities.

1.9.3 Employee register

In Belgium, judicial officers have digital access to information on the employers of debtors through the ONSS (National Office of Social Security).

The judicial officer or his employees may access it in real time by providing their identification card. Abuse is considered a criminal offense.

1.9.4 Vehicle register

In Belgium, judicial officers have digital access to information on vehicles.

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This is a centralized register updated in real time, providing information about which vehicles belong to the enforcement debtor and whether a car detected on the spot belongs to them.

The judicial officer or his employees may also access it in real time with their identification card. Abuse is considered a criminal offense.

1.9.5 Centralized file of seizure notification

This file has been operational since 29 January 2011, and its purpose is the registration and electronic consultation of movable and immovable property seizure notices, payment orders prior to attachment in execution of real property, determinations of absence of seizable property, notices of transfer orders, debt assignment notices, collective debt settlement notices and notices of protest.

This file is mainly maintained by Belgian judicial officers, and can also be consulted by them, as well as by other legal professionals such as notaries, lawyers, judges, debt mediators and so on.

The file was also created from a social perspective. Indeed, a coherent picture of a debtor's situation can be provided to different groups of users. It also provides a good insight for interested parties to decide whether a specific enforcement measure against a person is appropriate or not.

In this way, the actor of justice can decide if an enforcement process against the enforcement debtor is efficient and cost effective.

In the long term, the register will allow a better understanding of the phenomenon of poverty.

PART II: ORGANIZATION OF ENFORCEMENT

II.1 The status of the judicial officer

II.1.1 The notion of the judicial officer

The judicial officer is a public ministerial official who performs his/her functions under the status of a self-employed professional.

It is only self-employed professionals who are permitted to act independently and impartially, and to thus be subject to a code of ethics. This thus applies to judicial officers, who are, moreover, subject to specific disciplinary measures.

In fact, the judicial officer has a dual professional identity: official and independent.

The independent activity emerges from the exercise of the self-employed profession of judicial officer.

Their role, moreover, is public in nature. Furthermore, the legislator has assigned particular exclusive powers to the judicial officer, such as the service of documents. Given that they have exclusive powers for various tasks, the judicial officer cannot refuse to assist a person subject to trial who requests their services.

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The judicial officer fulfils a specific and active role at the crossroads between executive and judicial power. As they are self-employed professionals, they work independently and impartially. Moreover, their professional experience is available for the service of everyone.

In addition to their knowledge and experience, judicial officers must have academic training and in-depth practical experience (they must hold a Bachelor or Master of Law followed by an internship of two years culminating in an approval examination).

In accordance with article 519 of the Judicial Code, they serve citations, judgments and rulings in such a way that they can be considered the representative of the judiciary. On the other hand, they are also responsible for the physical enforcement of court decisions, which is an important component of executive power.

II.1.2 Judicial officer's obligations

II.1.2.1 Legal obligations and limitations

The judicial officer is obliged to carry out their formal duties whenever requested and by whom ever requested. However, they may not act on behalf of their spouse or relatives and allies in direct line, nor on behalf of those of their spouse or their relatives and collateral allies, up to the fourth degree. This obligation is the normal counterpart of their exclusive powers. The judicial officer must refuse to lend their ministry each time the mission is illegal or contrary to public order or good morals.

Judicial officers have exclusive power for the drafting and service of all writs in the judicial district to which they belong.

Furthermore, they assure the implementation of all court decisions, documents or titles that are legally binding.

Within the scope of the public service of the judicial officer, some important principles must be observed:

- As understood by the aforementioned wording "in the judicial district", their jurisdiction is limited to the territorial jurisdiction of the court of first instance of the place of their residence. When, within the scope of a case, a document has to be served to a debtor who resides in another judicial district, the judicial officer must refer this to a colleague with relevant territorial jurisdiction.
- Due to the fact that a monopolistic position has been assigned to the judicial officer in the performance of their duties, they are obliged to provide their services, every time they are so required and for any person who so requests (article 520 Judicial Code).
- In accordance with article 1386 of the Judicial Code, the judgements and documents can be implemented on production of the authenticated copy or the minutes, provided with the enforcement order. The right to execute an enforcement order is prescribed for ten years.

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- The judicial officer may proceed with the execution of national and foreign notarized deeds declared to be legally binding, foreign court decisions for which an enforcement order has been obtained, arbitration decisions, judgements, rulings, orders and tax constraints.

II.1.2.2 Time limitations

The judicial officer shall not act in a place not open to the public, before six o'clock in the morning and after nine o'clock in the evening, nor on Saturdays, Sundays and legal holidays, except in case of emergency and on the basis of the authorization of the judge. This provision is not valid in criminal matters or when the duty consists in establishing a purely material fact at the request of a private individual.

II.1.3 Responsibilities

II.1.3.1 On a disciplinary level

As a professional and public officer, a judicial officer is subject to a set of deontological rules. If they fail to comply with these, they may be subject to disciplinary sanctions.

Any judicial officer or candidate judicial officer who, by their behavior, violate the dignity of the body of judicial officers or fail in their duties may be subject to one or more minor or serious disciplinary penalties.

Minor sanctions include:

1) regarding judicial officers and candidate judicial officers:
   a. call to order;
   b. reprimand;
   c. a disciplinary fine of 250 to 5,000 euros which is paid to the State;
   d. exclusion from the General Assembly and the Council of the District Chamber, from the General Assembly and the Executive Committee of the National Chamber, from the Disciplinary Commission and from the Appointments Commission for a maximum period of five years, the first time, and ten years in the event of a repeat offence;

   The fine may be imposed at the same time as another penalty.
2) in the case of judicial officer candidates, a ban on making substitutes for a maximum period of six months, the first time, and twelve months in the event of a repeat offence.

Major ("high discipline") sanctions include:

1) regarding judicial officers and candidate-judicial officers:
   a. a disciplinary fine of more than EUR 5,000 to EUR 25,000 which shall be paid to the State;

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b. suspension;

c. dismissal.

The fine may be imposed at the same time as another penalty.

2) regarding candidate-judicial officers, the prohibition to carry out substitutes for a duration of more than twelve months and which can go up to perpetuity.

There is a disciplinary commission within the jurisdiction of each court of appeal. It is competent to investigate complaints against judicial officers and candidate judicial officers from the districts within their jurisdiction.

Each disciplinary commission is composed of four members, including a magistrate who chairs the commission, two judicial officers and an external member with relevant professional experience in the field.

II.1.3.2 On a civil or criminal level

A judicial officer may incur civil or criminal liability. They can, regardless of disciplinary proceedings in progress, appear before the Belgian courts.

The judicial officer is personally responsible for all professional misconduct that they commit, unless the damage is the result of force majeure.

As a rule, they act as a paid agent of the party which requires their services. In the event of professional misconduct, they have contractual liability towards the latter.

Furthermore, they may also be liable for tort or tort against third parties.

II.2 Supervision over enforcement

The judge in charge of supervising enforcement is the enforcement judge.

Indeed, it follows from article 569, 5) of the Judicial Code that the court of first instance hears all challenges to the enforcement of judgments and rulings. Article 1395 of the Judicial Code further specifies that disputes relating to provisional seizures, enforcement proceedings and interventions by the maintenance claims service are brought before the enforcement judge.

In accordance with article 79 of the Judicial Code, the enforcement judge is appointed by the King among the judges at the court of first instance for a period of three years, which may be renewed for a further five years.

Generally speaking, the enforcement judge hears cases, in accordance with the authority of res judicata:

- applications for authorization to apply for precautionary measures (Judicial Code, art. 1413);
- applications for withdrawal and release of precautionary measures (Judicial Code, art. 1419 and 1420);
- applications relating to challenges to the regularity of the procedure for the attachment of precautionary measures (Judicial Code, art. 1489);
- requests relating to enforcement difficulties (Judicial Code, art. 1497);

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- requests concerning the granting of periods of grace where enforcement takes place by virtue of an authentic instrument other than a judgment (Judicial Code, art. 1333 and Civil Code, art. 1244).

The enforcement judge can only comment on the regularity and legality of the enforcement, even if a dispute is bound thereto. Their jurisdiction thus begins from the enforcement – or similar – and ends at the close of the seizure.

The enforcement judge can only rule on the merits of the case in specific cases provided by law.

Thus, they may acquaint themselves with disputes concerning claims, during which a third party may argue ownership rights to seized property before the enforcement judge. This also applies to conflicts concerning the order and distribution through contribution.

Their jurisdiction to rule on an enforcement procedure can only be challenged by a trial judge's decision on the seizure which has been declared provisionally enforceable. In this case, one may still have recourse to the appeal judge.

The enforcement judge's decisions are always provisionally enforceable. This means that their orders must always be enforced provisionally, despite the fact that an appeal might be filed.

Furthermore, they are responsible for providing judicial authorization to proceed with the protective attachment, requested by the creditor by means of a unilateral application. This request must be signed by a lawyer. Within eight days, the enforcement judge must issue their order:

- The judicial officer will certainly not interfere in the enforcement of criminal judgements, which is reserved for specific criminal proceedings.
- There are some specific exceptions to this principle, for example the owner who proceeds with the seizure.

Under article 1396 of the Judicial Code, the enforcement judge has a supervisory function. They must ensure compliance with the provisions on precautionary measures for seizure and enforcement. They may, even ex officio, be given a report on the state of the proceedings by the judicial officer. If they find negligence, they inform the public prosecutor who assesses the disciplinary facts that it may involve.

II.3 Access to the premises

Where access to the premises is refused or the doors are closed, the judicial officer may put a guard in front of the door(s) and will address the police commissioner without further formalities.

The person whom the judicial officer addressed or the delegated person or the person who replaces them shall be present at the opening of the doors. This person will sign the report of the judicial officer (article 1504 of the Judicial Code).

The preliminary procedure of forced opening of doors is necessary in case of active resistance (refusal to open the doors) or passive resistance (absence of the inhabitant,

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regardless of whether the closed doors can be opened without effort or fracture). According to the Belgian Chamber of Judicial Officers, if the judicial officer fears serious resistance from the debtor the public authority can intervene as a preventive measure[21].

The same procedure shall apply when a locked piece of furniture is to be opened in the absence of the enforcement debtor (article 1507 of the Judicial Code) or in case a safe-deposit box rented from a bank needs to be opened and the enforcement debtor does not respond to the summons given to them beforehand by the judicial officer (article 1505, al. 2 Judicial Code).

II.4 Obstructing the judicial officer from carrying out enforcement

See II.3.

II.5 Time of enforcement

All enforcement measures must be served on the basis of a procedural document.

Under the terms of article 47 of the Judicial Code, the judicial officer cannot carry out any service:

1) in a place not open to the public, before six o'clock in the morning and after nine o'clock in the evening;

2) on a Saturday, Sunday or a statutory holiday[22], except in cases of urgency and with the permission of the judge of the peace, in the case of a summons for a matter to be brought before him or her, the judge who authorized the act, in the case of an act subject to prior authorization, and the presiding judge of the court of first instance, in all other cases.

II.6 Mediation

The law of 21 February 2005 generalizes the use of mediation. In concrete terms, this means that in all the matters provided for (family, civil, commercial and social), mediation is now considered equal to civil procedure and arbitration. Mediation has the important advantage of providing a positive solution for all persons confronted with a conflict. A solution that they accept. The mediation procedure, which is now part of the Judicial Code, is surrounded by strict legal guarantees. The agreement resulting from mediation must therefore be respected by all concerned.

According to the principles applicable to mediation:

- Mediation is voluntary;
- Mediation is conducted by a competent person;
- Mediation is conducted in complete confidentiality.

There are two types of mediation:

[21] Regarding the difficulties of access encountered by the judicial officer see G. De Leval, « La saisie exécution mobilière », T.P.R.1986, 318-319.
[22] This restriction does not apply to service in criminal matters. See v. Cass., 27 mars 1984, R.W. 1984-1985, 1093; Anvers, 2 octobre 1975, R.W. 1976-1977, 1834.

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- Voluntary mediation, which takes place outside of court proceedings. In this framework, the parties choose by mutual agreement a third party - the mediator - to help them resolve their dispute.
- Judicial mediation, which takes place within the framework of judicial proceedings. It can be recommended by the judge with the agreement of the parties or proposed by one of the parties, always in agreement with the other party. In this case, the judicial procedure is suspended so that the parties can resort to mediation to find a solution to the conflict between them.

For both types of mediation, the parties will choose a mediator approved by the Federal Mediation Commission, who may be a judicial officer. They will then define, with the help of the mediator, the terms and conditions for the organization of the mediation, its duration and its cost.

International standards (e.g., the CEPEJ Guidelines) also promote the role of the judicial officer as a role of "post judicial mediator" during the enforcement stage.

PART III: ENFORCEMENT PROCEDURES

III.1 Initiation and end of the enforcement procedure

The enforceable title must have previously been served by a judicial officer, and most often, it must also have been preceded by a summons to pay; through this document, the creditor gives the debtor a final deadline to comply.[23] The service of an order to pay by the judicial officer is the starting point of the proceedings. On the occasion of service and consequently enforcement, the served party will receive a copy of the document (service), while the judicial officer will keep the original of the document as long as the file is in their office.

The copy of the writ must, on pain of nullity, contain all the details of the original and be signed by the judicial officer (article 43 of the Judicial Code).

If one or more parties do not comply with a court decision, they may be compelled to do so by the compulsory enforcement of the enforceable title.

Upon service of the order for payment, a period for voluntary fulfillment begins. One day after the order of payment has been served, the enforcement officer may initiate the enforcement on movables. For enforcement on immovables there is a waiting

[23] In urgent cases, it is possible, to carry out enforcement without an enforceable title as a preliminary measure (conservatoir beslag). However, in such cases it is compulsory to have a written authorization by the enforcement judge (unless it refers to enforcement of a provisional measure under a third party).
This authorization is subject to the following conditions:
The claim must be certain, liquid and due, i.e., it must not be disputed, it must be clearly identified in terms of amount and it must have matured.
There must also be a sense of urgency, particularly in the preservation of the creditor's guarantees, including the risk of the debtor's assets disappearing.
Sometimes the decision is provisionally enforceable. This allows a court decision to be enforceable as soon as it is pronounced, even in the event of potential appeals. Provisional enforcement is either:
pronounced by the court that rendered the decision or
provided for by the legislator.

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period of 15 days (articles 1499 and 1566 of the Judicial Code).

III.2 Enforcement against movable assets to settle pecuniary claims

III.2.1 Definition

Seizure of movable property is the enforcement procedure through which the enforcement creditor is satisfied for the fulfillment of the claim through the attachment and sale of the movable property of the enforcement debtor. Such movable property can be attached both at the residence of the enforcement debtor or at the residence of a third party.

III.2.2 Conditions

Article 1494 of the Judicial Code requires an enforceable title (either a certified copy or the original) for the attachment of movables.

III.2.3 Procedure - Summary

The seizure of movables is organized and governed by articles 1499 to 1538 of the Judicial Code.

The procedure for seizure of movables, characterized by its simplicity and rapidity, has different stages:

Simplicity: it consists of only four stages:

- the order for payment;
- inventory (seizure);
- the publication of the sale;
- sale.

The overall procedure can be completed in just over a month.

Prior to the attachment on the movables, the enforceable title needs to be served to the enforcement debtor and the debtor is served the payment order. The writ of service constitutes a notice of default and demand (order) for payment. One day after such payment order, the movables of the enforcement debtor can be attached.

The sale can take place one month after the seizure.

III.2.4 Form of seizure

The seizure of movables is carried out by a judicial officer, assisted by a witness of full age, who is not a relative or ally of the parties or of themselves up to the fifth degree (cousin of first degree; article 1501 of the Judicial Code).

The seizure is effected through an inventory of the movables and is recorded in a report (writ) which is subject to the ordinary formalities for seizures. In general, the goods will stay with the debtor and there is no change in the ownership or use. Only in case there are very serious grounds that the movables will be hidden or embezzled between the date of seizure and the date of sale, such movables can be sequestrated and handed over to a custodian.

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In addition to the ordinary content of the writs provided in article 43 of the Judicial Code, the writ of seizure must contain the general content that any writ of seizure must contain as provided for in article 1389 of the Judicial Code:

- the claimant's election of domicile in the district where the judge sits, who must, if necessary, hear the claim unless the claimant lives there;
- the surname, first name and domicile of the seized debtor;
- a specification of the sum claimed and the enforceable title under which the seizure is made;
- a summary description of the property seized (if necessary for identification, accompanied by photos).

In addition to this content, the report of the seizure of movable property must also contain the following information:

- on pain of nullity, a very apparent indication of the time limits prescribed, on pain of forfeiture, by article 1408 §3, paragraph 1 and by article 1526bis, paragraph 2 of the Judicial Code.

In addition to this information, the writ of the seizure of movables shall also contain:

- the surname, first name and occupation of the witness(es) and their signature (art. 1501 of the Judicial Code);
- a precise and detailed description of the objects seized with an indication of their main characteristics in order to avoid evasion or misappropriation (art. 1506, al. 1er of the Judicial Code);
- in the event of application of the access procedure provided for by article 1504, paragraph 2 of the Judicial Code the signature of the police commissioner, or of the person who has been assigned by them or who replaces them;
- an indication of the place, day and time of the sale (art. 1511 of the Judicial Code);
- if applicable, reference of the incidents of the seizure: opening of doors, insults, remarks by the distrained party, etc.;
- an indication of the date and time when the judicial officer consulted the notices of attachment, delegation, assignment and collective settlement of debts (art 1391 §2 of the Judicial Code).

III.2.5 Announcement of sale of seized property

The announcement of the sale is regulated by articles 1516 to 1518 of the Judicial Code.

The sale is announced at least three working days before the date of sale:

- By a document (placard) displayed in a manner visible from the outside, at the place where the sale will take place. An additional copy of this placard shall be handed over, within the same period of three days, by

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the judicial officer to the debtor in person or, if this is not possible, deposited at his residence in a sealed envelope bearing the headings provided for in article 44, paragraph 1 of the Judicial Code. The judicial officer shall record the accomplishment of this formality in a single writ if the posting and delivery take place in the same district (article 1518 Judicial Code). The Judicial Code makes it clear that this additional copy cannot be served on the debtor.

- Through an advertisement in the local newspaper(s). According to article 1516 of the Judicial Code, the advertisement may be placed twice in the same newspaper or once in two different newspapers.

III.2.6 Public sale of seized property

The sale does not immediately follow the seizure. There should be a period of at least one month (art. 1520 of the Judicial Code) between the seizure and the sale:

- between the handing over of the copy of the seizure writ mentioning the place, day and time and the sale (art. 1511 of the Judicial Code);
- between the service of the writ of seizure on the debtor and the sale, in case the seizure was made outside the residence of the enforcement debtor and in his absence (art. 1512 al.2 of the Judicial Code);
- between the service of the summons by virtue of the writ of execution and the sale, in the event of conversion of the provisional measure into an enforcement measure (art 1520 al.2 of the Judicial Code).

III.2.7 Place of sale

Based on article 1522 of the Judicial Code, it is obligatory to organize the judicial sale in the auction room of the judicial officers. Each district chamber of judicial officers has organized such auction room. Depending on the distance and the costs of transport, the enforcement judge may authorize the sale to be carried out in another more suitable place, at the request of a lawyer or a judicial officer. This might be the case, for example, in case movables of a company or a vehicle need to be sold, or in case of certain special goods that can be entrusted to a specialized gallery in order to obtain the highest price.

III.2.8 Distribution of revenues of the sale

Within 15 days after the sale, the revenues of the auction are distributed among the creditors. In case the revenues of the auction are insufficient to pay the creditors in full, each creditor, with the possible exception of preferential creditors, shall contribute to the loss in proportion to the size of their claim. This explains the name given to this procedure, namely distribution by contribution, giving rise, where appropriate, to what is known as the “distribution au marc le franc”.

In case a dispute on the distribution of funds arises, such dispute will be settled by the enforcement judge (art. 1634 and 1636 of the Judicial Code).

III.3 Attachment on the bank account of the debtor

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III.3.1 Definition

The attachment on bank accounts is an enforcement procedure through which the enforcement creditor is satisfied for the fulfillment of the claim through the attachment under a third party, i.e., the bank account(s) of the enforcement debtor.

The property in the hands of the third party forms part of the debtor's patrimony and the common earnings of the debtor's creditors. The attachment is therefore based, like all other seizures, on articles 7 and 8 of the Mortgage Law of 16 December 1851.

Depending on the procedure laid down in the Judicial Code, attachment on bank accounts may be carried out as a precautionary measure or as a forced enforcement measure.

III.3.2 Procedure

Since the procedure of attachment on bank accounts continues against both the seized debtor and the seized third party (bank), it involves three phases:

1. Service of the enforceable document to the enforcement debtor;
2. Service of the writ of attachment to the bank;

The attachment shall take the form of a judicial officer's writ served on the third party (i.e., the bank).

3. Notice of the attachment to the enforcement debtor;

Notice of the attachment to the enforcement debtor shall be done within 8 days, by registered letter sent by post with acknowledgement of receipt or through the judicial officer's writ (art. 1457 of the Judicial Code).

The notification officially informs the debtor concerned of the attachment. The enforcement debtor (article 1541 of the Judicial Code) may object the attachment within 15 days from the date of being given notice.

4. The declaration of the third party (bank).

The third party must block the bank accounts and is not entitled to do any payment. In accordance with article 1452 of the Judicial Code the bank should declare which obligations it has towards the enforcement debtor.

The initial declaration must be made within 15 days of the attachment (article 1452 of the Judicial Code).

In general, it is accepted that declarations from financial institutions indicate the balances of the enforcement debtor's accounts, whether they are in credit or in debit. Indeed, each indication is important for the creditor in order to be able to justify the appropriateness and usefulness of this means of enforcement.

A third party who fails to make his declaration within the legal time limit or who makes an inaccurate declaration is liable towards the enforcement creditor. This means that such third party may be declared debtor towards the enforcement creditor for all or part of the causes of the seizure, as well as for the costs thereof. The third party shall also bear the costs of the proceedings brought against them for these purposes,

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which, according to the law, shall remain their responsibility in such a case (art. 1456, para. 1, in fine of the Judicial Code) even if they are not declared debtor purely and simply because of the causes of the seizure.

III.3.3 Remittance of the sums and effects seized to the judicial officer

In the event of an attachment, the third party transfers the balances to the judicial officer who carried out the attachment and not to the hands of the enforcement creditor. The reason is that it might be necessary, in case of multiple attachments, to expedite, if necessary, the distribution procedure.

The enforcement debtor shall be released to the creditor only to the extent of the payments received by the creditor under this procedure followed by the contribution distribution procedure.

III.4 Enforcement against savings deposits and current accounts

See III.3.

III.5 Enforcement on immovable property

III.5.1 Introduction

Seizure and enforcement of real estate is governed by articles 1560 to 1626 of the Judicial Code. Proceedings against immovable property are, to say the least, a technical and complex matter.

In addition to the traditional and complex balances that enforcement law must arbitrate, there are also the circumstances inherent in property publicity and the frequency of situations of undivided ownership.

Seizure and enforcement of real estate is a procedure divided into different sequences. We will successively consider the preliminary formalities, the writ of seizure, the transcription of the latter, the appointment of the notary, including that for a private sale, the drafting of the sales conditions, the summons to take notice of this sales conditions, the marginal mention of this summons in the land register and the auction of the immovable.

III.5.2 Principle of seizable nature of immovables

In principle, an immovable is seizable to the extent that it is alienable, which excludes rights of use and residence. According to article 1560 of the Judicial Code, "the creditor may pursue the expropriation of: 1) real property and its appurtenances deemed to be immovable property, owned by its debtor; 2) rights of usufruct, emphyteusis and superficies belonging to the debtor, on property of the same nature".

III.5.3 Preliminary formalities

Before proceeding with the actual seizure of the immovable property, the creditor must serve a prior order (article 1564 of the Judicial Code), prescribed on pain of nullity by article 1622 of the same Code).

Depending on the circumstances, three other formalities may be required:

- the attempt at conciliation when the claim justifying the proceedings arises

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from a mortgage credit granted to a consumer (article VII.147/24 of the Code of Economic Law), which must then precede the order;

- the transcription of the order in the land registry; and
- the summons to the third party holder of the immovable (article 99 of the Mortgage Law).

III.5.4 Writ of seizure

Before the attachment can be served, a period of fifteen days must have elapsed since the service of the order by the judicial officer (article 1566 of the Judicial Code, prescribed on pain of nullity by article 1622 of the same Code), being specified that the order is valid for only 6 months (article 1567 of the Judicial Code, which is not prescribed on pain of nullity).

The writ of seizure, served by a judicial officer, must comply with article 1568, also providing that the latter is prescribed on pain of nullity by article 1622:

The formalities prescribed in the aforementioned article are the following:

1. a description of the title (judgment) under which the seizure is made;
2. a description of the immovable seized in the manner prescribed by article 141 of the Mortgage Act of December 16, 1851. If the seizure takes place in enforcement of an authentic act containing a mortgage, the seized property is designated in accordance with the description in this authentic act;
3. an indication of the judge who will decide on the request provided for in article 1580;
4. an indication of the option offered to the debtor to transmit to the court, on pain of inadmissibility, any offer to purchase the immovable within eight days of the service of the seizure.

The effects specific to the service of the writ of seizure are provided in articles 1572 to 1574 and 1576 of the Judicial Code; this last article must not be taken into consideration when the seized property is leased.

III.5.5 Transcription of the writ

The transcription of the writ of seizure is imposed by article 1569 of the Judicial Code, a provision prescribed on pain of nullity. The writ of seizure must be transcribed, no later than fifteen days after its service, in the register intended for that purpose, at the mortgage registry office of the situation of property.

The transcription of the writ of seizure is valid, unless renewed, for three years.

The sale of the seized property must take place within three years of the transcription of the seizure or its renewal. Otherwise, it is null and void.

The effects of the transcription of the seizure are twofold (real estate transfers and mortgages subsequent to the transcription are inopposable pursuant to article 1577 of the Code and, in principle, leases subsequent to the registration are also inopposable pursuant to article 1575).

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In addition, the creditor who proceeded with the transcription of their seizure prevents any other seizure transcription on the same immovable.

III.5.6 Appointment of a notary

The unilateral request for the appointment of a notary must be filed before the judge of seizures who is territorially competent in the month of the transcription of the writ (articles 1580 and 1025 of the Judicial Code).

The one-month period is not prescribed on pain of nullity or forfeiture.

In case of substantial exceeding of the time limit, another distraining creditor to whom the transcription is refused in accordance with article 1571 of the Judicial Code may apply to seizure judge to ask a subrogation in the proceedings.

When a request is made for the appointment of a notary, the seizure judge undoubtedly has an active role to play. They can (and must) check the regularity of the procedure that has reached this stage and the fulfilment of the substantive conditions of the proceedings. The order of appointment includes in its provisions the powers that the notary enjoys in order to overcome possible difficulties of access to the building.

The period of validity of the order is six months, pursuant to article 1587 of the Judicial Code, and is prescribed on pain of nullity.

Although it is not imposed by the Judicial Code, the service of the order appointing the notary by the judicial officer is of major importance; otherwise, the procedure could be called into question at a later date by way of third party opposition.

III.5.7 Drafting of the sales conditions

Article 1582, paragraphs 1 and 2, of the Judicial Code, provides in a rather elliptical way for the content of the notebook of specifications. This notebook contains the conditions of form and substance of the sale; it constitutes, with the minutes of the auction, the title of acquisition of the immovable good (article 1595 of the Code).

In addition to the information required under penalty of nullity (day(s) of sale, price delegation clause and advertising measures), the notebook of specifications describe the history of the lawsuits, govern the future transfer of the property, opportunely include a clause for the eviction of the debtor, and describe the state of occupation of the property as well as the applicable town planning and environmental rules, etc.

III.5.8 Summons to take notice of the notebook of specifications

The summons to take notice of the notebook of specifications is prescribed on pain of nullity (articles 1582, paragraph 3, and 1622, paragraph 1, in conjunction, of the Judicial Code). Such a summons must be served on the seized debtor, on the registered creditors, on the creditors whose order or the seizure of immovable goods has been transcribed, on the pursuing creditor and, where applicable, on the third party holder. In practice, the pursuing creditor exempts the notary from the summons after having informally received a copy of the draft specifications.

III.5.9 Marginal reference of summons in the land register

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The marginal reference of the summons in the land register is provided by article 1584 of the Judicial Code. It is required by the judicial officer, under the responsibility of the notary in charge of the seizure procedure.

III.5.10 Auction of immovables

The conditions of the auction, in addition to the provisions of notebook of specifications, are provided by articles 1585 to 1591 of the Judicial Code.

Article 1587 of the Judicial Code provides that on pain of (relative) nullity the auction must take place within 6 months of the appointment of the notary. It follows that the pursuing creditor must, if necessary, request either an extension of the time limit (article 51 of the Civil Code) or a new appointment of the notary.

We can at this stage underline the power of the notary to refuse bids from persons unknown to them or whose identity or solvency does not seem justified (article 1589 of the Judicial Code). This power is traditionally determined as discretionary by doctrine and jurisprudence. This prerogative is complementary to the prohibition on the notary to receive bids from certain persons (article 1591 of the Judicial Code).

III.6 Enforcement against wages and other permanent pecuniary income

See III.3.

III.7 Attachment under the debtor's debtor

The attachment under the debtor's debtor is provided for in article 1166 of the Civil Code, which states that "creditors may exercise all the rights and actions of their debtor, with the exception of those that are exclusively attached to the person".

Thus, the attachment under the debtor's debtor is a mechanism that allows the creditor to substitute his/her debtor in order to assert his/her rights and actions in the name and for the benefit of the debtor.

It is in fact a protective measure since it allows the exercise of rights and actions which an inactive debtor holds.

A creditor who wishes to bring this type of attachment against the debtor of their inactive debtor may act in payment of a sale price, in bringing an action for partition, in rescinding a sale of real estate for injury, in nullity or rescission of a contract, in making a declaration of claim in bankruptcy, etc., the creditor may take action in the name of the debtor.

It should be made clear, however, that the creditor's attachment under the debtor's debtor may concern only the rights and actions of their debtor and not the rights and actions of his debtor's debtor.

In order for there to be an attachment under the debtor's debtor brought by the creditor, several conditions must be met. First of all, the claim that the creditor has against their debtor must be a debt that is certain and exigible. Second, the debtor must be inactive. Finally, the last condition is that the creditor has an interest in acting. This means that the debtor must, by their inaction, create or threaten real insolvency.

The main effect of attachment under the debtor's debtor, for the creditor, is to

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preserve the debtor's patrimony. Indeed, the creditor cannot, by means of the oblique action, seek a condemnation for their personal benefit while acting in the name and on behalf of his debtor.

It is important to clarify that the fact that the creditor has instituted this action does not confer on them a preferential right over the property of their debtor. Thus, all creditors will be able to benefit from the effect of this action.

Nevertheless, the creditor acting has a lien on the proceeds of the assets for the costs they have incurred in the interest of the creditors.

III.8 Enforcement against shares

III.8.1 Description of the problem

Shares took on a development and importance that the drafters of the 1806 Code of Civil Procedure could not foresee.

The Code of Judicial Procedure does not contain any special rules on the subject, which therefore remains subject to ordinary law. We will distinguish between the seizure of bearer shares, the seizure of registered shares and finally the seizure of dematerialized securities.

The shares may be apprehended, in principle, by the distraining creditor by means of a seizure in the hands of the company.

In the absence of consistent regulations, the attachment of shares is problematic.

A distinction must be made here, depending on the type of company that may be involved in the seizure at the third party.

III.8.2 Seizure of bearer shares

Bearer shares (shares or bonds) may be seized by way of seizure and enforcement of movables if they are held by the seized debtor.

They will be seized by way of attachment if they are in the possession of third parties (for example, in deposit).

Seizure entitles the holder to the value of the securities that have been seized by the creditors.

III.8.3 Registered shares

Movable seizure may not be carried out on registered shares where the certificate recording the entry in the register of registered shares is not a negotiable instrument. Only the company shall have the title of ownership of the debtor shareholder.

The only enforcement method generally accepted in doctrine and case law is the seizure against a third party, even if it is difficult to explain it on shares that are not debt instruments against the company.

III.8.4 Seizure of dematerialized shares

Like the attachment of registered shares, it is accepted that these shares may be seized by attachment with the intermediary authorized to keep the accounts.

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A movable attachment of shares is therefore excluded in the case of dematerialized shares.

III.9 Other attachment procedures

Not applicable in the context of the Belgian enforcement system.

III.10 Handing over movable assets

III.10.1 Definition

The enforcement procedure for handing over movable assets is a precautionary measure that has the effect of placing a movable object provisionally in the hands of the court until a court decision has been made on the merits of the case, in case there are grounds for claiming ownership, possession or detention, in whatever hands it may be found (article 1462 of the Judicial Code).

III.10.2 Conservatory nature of the proceedings

The enforcement procedure for handing over movable assets is essentially a procedure for the preservation of certain goods and is thus limited. Subject to certain exceptional cases, its sole purpose is to immobilize the goods claimed in the hands of their holder and to avoid they will be sold pending a ruling on the claimant's claim.

Its sole purpose is to protect rights, most often real rights, over property that is in the hands of the enforcement debtor.

Under article 1465 of the Judicial Code, the judge may allow seizure claim even on public holidays.

III.10.3 Authorization of the enforcement judge

The procedure for handing over movable assets can be initiated with the authorization of the enforcement judge (article 1462 of the Judicial Code). However, it may also be initiated without the authorization of the enforcement judge, either by virtue of a judgment or by virtue of a notarial deed (article 1414 of the Judicial Code).

The authorization of the enforcement judge only applies within his/her judicial district.

In order to obtain authorization, in addition to the general requirements (article 1026 of the Judicial Code), the request should describe the reasons (article 1464 of the Judicial Code). With the authorization, the claimant can seize the object from anyone who has the goods in their possession (article 1462 of the Judicial Code), the individualization of the distrained taking place at the latest at the time of seizure (article 1389 2) of the Judicial Code).

III.10.4 In-home peril criteria

The procedure for handing over movable assets, like all conservatory seizures, is justified only if there are urgent reasons to fear that the exercise of the claimant's rights may be jeopardized by the holder's actions (article 1413 of the Judicial Code).

The authorization of the enforcement judge does not preclude the decision of the dispute on the merits.

III.10.5 Form of seizure

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Seizure claims shall be made in accordance with the rules laid down for conservatory attachment of movables (article 1463 of the Judicial Code). Thus, pursuant to articles 1463, 1424 and 1501, paragraph 3 of the Judicial Code, in conjunction, the enforcement creditor may not be authorized to accompany the judicial officer on the premises in order to facilitate the identification of the movable property subject to seizure.

The writ of attachment shall contain, on pain of nullity, the service of the request and of the order authorizing the seizure or of the title (article 1424, 2) of the Judicial Code).

This rule is similar to the provisions of article 1387 of the Judicial Code.

III.11 Enforcement in reinstatement of employee to work

Not applicable in the context of the Belgian enforcement system.

III.12 Eviction

III.12.1 Definition

An eviction can be defined as the removal of a tenant from the premises of the landlord, due to a conflict between this landlord and tenant. The conflict in most cases regards the non payment of rent. The landlord will request the court for payment of the rent, termination of the rent contract and eviction of the enforcement debtor from the premises.

The eviction is only allowed under an enforceable title. In Belgium such court decision is taken by the justice of the peace.

III.12.2 Writ of execution

In order to obtain a write of execution to proceed to eviction:

- The owner submits, by means of a joint request or a summons, a request for eviction to the Justice of the Peace of the canton where the premises are located.
- In case the judge approves eviction, the judicial officer first serves the eviction judgment upon the tenant and orders them to leave the premises. This means that the tenant is officially informed of the judge's decision.
- The actual eviction takes place, in principle, one month after the judgment has been served.

There are three exceptions to this rule:

- The owner proves that the tenant already left the premises;
- The landlord and tenant have agreed on a different time limit and such agreement is recorded in the judgment;
- The judge may extend or shorten this period at the request of the landlord or tenant, depending on who can justify circumstances of particular gravity.

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In Belgium, the eviction procedure is time-consuming (on average 7 to 8 months or even up to 2 years) and expensive. Costs of eviction are high. On average, it costs 1,000-1,500€. These costs will have to be reimbursed by the defaulting tenant, but the landlord is required to prepay those expenses. The recovery of these prepayments is often complicated since the tenant is often insolvent.

III.12.3 Practical steps following approval of eviction

- The enforceable title is served to the tenant (enforcement debtor) who is ordered to leave the premises. The Public Centre for Social Action (CPAS) is informed as a preventive measure that a tenant is subject to an eviction order, unless the tenant objects to this communication. The CPAS provides assistance within the limits of its legal mission (organizing the renter's defense, helping in the search for a new home, granting financial assistance, etc.).
- The date for the eviction is set.
- The judicial officer comes to the tenant's home accompanied by the police and the municipal agents.
- If the tenant refuses access to the premises, the judicial officer will gain access to the premises with the assistance of a locksmith.
- The judicial officer inventories the furniture and has it removed, at the tenant's expense, to the place indicated by the tenant.
- If no site has been designated, the municipality removes the household contents and puts them in custody for a maximum of six months. To recover the furniture, the tenant will have to pay the costs of custody to the communal services. Meanwhile, it is always possible to receive basic necessities as they are exempted from seizure (bed, clothes, washing machine, kitchen utensils, etc.).

III.12.4 Eviction of tenants in winter

Contrary to general public opinion, formally, the law does not prevent eviction during wintertime. There is an exception for social housing, in which case a winter moratorium applies, at least for renters of social housing in Brussels and Wallonia, unless the person refuses the guidance of the Public Center for Social Welfare (OCMW):

- In the Brussels-Capital Region, eviction from social housing is prohibited between 1 December and 28 February.
- In the Walloon Region, eviction from social housing is prohibited between 1 November and 15 March.

It is up to the judge to assess a request for postponement of the eviction or to order an eviction. To decide, they will take into account the renter's family situation, age, financial standing, etc. The judge will also take into consideration the landlord's situation; non payment of rent can also jeopardize the landlord’s situation.

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III.12.5 Occupation of an apartment or house without authorization

Since November 16, 2017, squatting in a house or apartment is a criminal offence. Offenders risk a fine (208 to 2.400€) and imprisonment (8 days to 2 years). The eviction procedure in case of squatting of premises is a simpler procedure than that which is based on non payment of rent. A request can be addressed by the owner to the King's Prosecutor. The police can evict squatters immediately. The case can be appealed with the justice of peace.

III.13 Enforcement of obligations to act, refrain from acting or suffer action

See I.8.

III.14 Sequestration of goods

III.14.1 Definition

Under Belgian law sequestration is defined as the voluntary, judicial or legal deposit (in principle) in the hands of a third party, awaiting the outcome of legal proceedings, of a movable or immovable thing in respect of which there are divergent legal claims, with the aim of conservation and custody of such thing and with a view to safeguarding the rights of those who have an interest in it.

Belgian law distinguishes between legal sequestration and judicial sequestration.

III.14.2 Legal sequestration

The appointment of a sequestrant (custodian) under Belgian law is provided for in several provisions of the Judicial Code (articles 1403, al. 1er; 1407; 1443, al. 2; 1572, al. 1er) and by the general rule laid down in article 1961, 1) of the Civil Code: "The courts may order the sequestration of movable property seized from a debtor".

Hence, if the obligation to appoint a custodian to prevent misappropriation or dissipation of seized objects is no longer possible under the Judicial Code, it is still possible to request the enforcement judge to appoint a custodian. This measure, which derogates from the principle of free use of the seized property seized by the debtor, may be authorized only if there are very serious grounds to believe that the goods will be hidden or embezzled between the date of seizure and the date of sale.

These provisions most frequently apply in case of seized vehicles, when the enforcement judge authorizes their taking. Another example is sequestration as an indispensable complement to the seizure of an aircraft.

III.14.3 Judicial sequestration

III.14.3.1 Conditions of appointment

The appointment of a custodian requires two qualities: independence and impartiality. Since the judicial officer as a legal actor possesses both qualities, it is common, under Belgian law, that he/she is appointed as a custodian.

III.14.3.2 Custodian's obligations

Although the judge may define the duties of the custodian and the extent of those duties in the court order for appointment, we can consider that, as a general rule, the

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custodian's duties are following:

- The custodian must guard the property entrusted to them;
- The custodian must keep the property (duty of administration);
- The custodian must return the property when the custodian period is ended.

III.14.3.3 Custodian's rights

For the performance of their assignment, the custodian shall be paid a financial compensation. This remuneration shall be fixed by the judge in their appointment order, taking into account the circumstances of the assignment.

III.14.3.4 End of the assignment

As soon as the legal dispute on the merits of the property placed in sequestration is resolved between the parties, the custodian should return the objects to the person who is entitled to them.

III.14.4 Judicial officer's position

As mentioned above, appointment as a custodian requires two qualities: independence and impartiality. Since the judicial officer as a legal actor possesses both qualities, it is common, under Belgian law, that he/she is appointed as a custodian in both legal and judicial sequestration cases. Under Belgian law, the judicial officer is the legal actor par excellence to carry out such assignments granted by the enforcement judge or by the law and thus to positively contribute to good administration of justice.

III.15 Enforcement of foreign enforceable documents from non-EU States

See I.2.4.

PART IV: ENFORCEMENT COSTS

IV.1 The costs of enforcement

IV.1.1 Basic principle

To safeguard equal access to justice and predictability, article 522 of the Judicial Code stipulates that "the King shall set the fees for all acts of judicial officers and allowances for transport costs".

The fee, fixed by royal decree, aims to impose fixed costs for each action performed by the judicial officer in the context of legal and enforcement proceedings (i.e., the duties performed by the judicial officer within the framework of the functions legally assigned to them in their capacity as a judicial officer and public servant).

The development of regulatory pricing, mandatory for all judicial officers, was instituted in order to meet two imperatives:

- Firstly, to avoid arbitrariness and to ensure the protection of the interests of the parties: both the party who has to pay in advance fees, costs and disbursements (claimant) and the party who is ordered to pay and bear the costs of enforcement (debtor).
- Secondly, it ensures equity and stability in the remuneration for the

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(enforcement) actions as performed by the judicial officer. Under Belgian law this is considered an essential condition to safeguard the dignity and impartiality of the judicial officer. The payment of the fixed fees must provide the judicial officer with sufficient financial means to cover all their needs, the more since any other activities are prohibited. Thus, remuneration must ensure the independence and impartiality of the judicial officer

The fee is of public order, which implies that:

- The fee is mandatory both as a maximum and as a minimum;
- Any price-arrangements with (third) parties are strictly prohibited.

IV.1.2 Control of right application of the fees

Article 523 of the Judicial Code obliges the judicial officers to specify the fees at the bottom of the original and the copy of each document. This means that, for example, the number of copies, need to be mentioned separately.

Likewise, article 46 of the Judicial Code provides, under penalty of (relative) nullity, that the writ of service must contain an indication of the detailed cost of the document.

IV.1.3 Categories of fees

There are five categories of fees:

- Fees related to the value of the claim;
- Proportional fees;
- Service fees;
- Fixed fees;
- Fees and disbursements.

IV.1.3.1 Fees related to the value of the claim

As a rule, for any act, a graduated fee is allocated to the judicial officer. This fee is calculated, in progressive instalments, depending on the value of the claim.

The value taken into consideration is:

- the value as claimed; or
- the amount as mentioned in the writ of execution under which the proceedings are instituted.

This fee includes:

- the cost of the original;
- the cost of a copy;
- the cost of the envelope in the case of a visa;
- the cost of listing in the directory;

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- the cost of sending (excluding postage) the original or a copy to the applicant or his or her counsel.

One-fifth of the fee shall be allocated for each additional copy that has to be served to another recipient (second, third and so on) within the same document.

This right is shared (3/4 - 1/4) if the file is sent to a colleague of the judicial officer in another district.

In case the debtor pays in instalments, an additional, fixed, fee per payment can be charged. The amount of the fee depends on the value of the claim.

IV.1.3.2 Proportional fees

This emolument is established according to a decreasing percentage by instalments and relates to:

- acts of protest;
- public sales; and
- distribution procedures by contribution.

IV.1.3.3 Service fees

They constitute remuneration in addition to the graduated fees according to the time required for the performance of the service concerned.

A distinction shall be made between the session due for any service and the hourly session.

The latter, the hourly shift, is provided for the minutes of:

- seizure;
- eviction;
- inventory;
- furniture removal;
- enforcement in respect of rights of contact with children.

IV.1.3.4 Fixed fees

They cover the cost of various one-off steps, ranging from the lifting of a dispatch or a copy of a court decision, to the cost of correspondence and stationery and the steps taken at the mortgage office, to the drafting of specifications.

IV.1.3.5 Reimbursement of expenses and fees for transportation

Judicial officers are entitled to reimbursement of their costs. The costs giving rise to reimbursement are as follows:

1) copies and extracts of documents or papers drawn up by the judicial officer and served with the exploits;

2) the dispatches, copies and excerpts of the minutes of sale;

3) the translation made by the judicial officer, both of the documents and of the

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documents served;

4) removal.

The judicial officer is entitled to a transportation fee. The amount depends on the size of the territory of their competence.

IV.1.4 Fees 2020

Fees of acts performed by judicial officers in civil and commercial matters

(A.R. 30.11.1976)

Fees applicable from 1 January 2020

Not applicable with regard to service within the framework of EC Regulation 1393/2007 (see below)

Article 6

CLASS			BASE		RIGHT	3/4	1/4	COPY	3/4	1/4
			BEF	EUR						
A.	0	124,99	408	10,1141	23,01	17,26	5,75	4,60	3,45	1,15
B.	125	369,99	678	16,8072	38,24	28,68	9,56	7,65	5,74	1,91
C.	370	619,99	949	23,5251	53,52	40,14	13,38	10,70	8,03	2,67
D.	620	1859,99	1085	26,8964	61,19	45,89	15,30	12,24	9,18	3,06
E.	1860	3719,99	1356	33,6144	76,47	57,35	19,12	15,29	11,47	3,82
F.	3720	12399,99	1626	40,3075	91,70	68,78	22,92	18,34	13,76	4,58
G.	12400	37199,99	1898	47,0502	107,04	80,28	26,76	21,41	16,06	5,35
H.	37200	…	2440	60,4860	137,61	103,21	34,40	27,52	20,64	6,88
I.	Undetermined Justice of the peace		814	20,1785	45,91	34,43	11,48	9,18	6,89	2,29
J.	Undetermined other		1085	26,8964	61,19	45,89	15,30	12,24	9,18	3,06

Article 7		BASE		RIGHT
		BEF	EUR	
Summons with threat	up to 124,99	279	6,9162	15,73
	deform 125	330	8,1805	18,61

Article 8				
Right of revenue: 1 % of the principal amount and interest	minimum	223	5,5280	12,58
	maximum	2212	54,8340	124,75
Right of revenue on advance payment				

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	0	up to	24,99	46	1,1403	2,59
	25	to	124,99	77	1,9088	4,34
	125	to	249,99	127	3,1482	7,16
	250	to	494,99	223	5,5280	12,58
	495	to	744,99	477	11,8245	26,90
	745	to	.....	632	15,6669	35,64
Article 9						
Act of protest: 1 % on the amount of the title			minimum	223	5,5280	12,58
			maximum	1106	27,4170	62,37
Article 10						
Public sale						
3 % on the first 1250 EUR						
2,5 % on the slice of	1250	to	2500			
2 % on the slice of	2500	to	12400			
1,5 % on the slice of	12400	to	18600			
1 % on the slice of	18600	to	24800			
0,50 % on the extra						
Minimum per day of service				1264	31,3337	71,28
Article 11						
Distribution by contribution						
2 % on the first 1250 EUR						
1,50 % on the slice of	1250	to	2500			
1 % on the slice of	2500	to	12400			
0,50 % on the extra						
Minimum right				632	15,6669	35,64
Article 12						
Shift per hour				380	9,4200	21,43
Minimum				760	18,8399	42,86
Where the value of the dispute is less than EUR 37, the minimum is reduced to each hour started is due in full. Shift applicable for any feature of significance.				380	9,4200	21,43
				220	5,4537	12,41
Article 13						
1. Delivery of copy not followed by service, copy or extract. Searches and Information				137	3,3961	7,73

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2. Newspaper inserts - Poster advertising - Declaration of sale - Notice of seizure	204	5,0570	11,50
2. Newspaper inserts - Poster advertising - Declaration of sale - Notice of seizure			
3. Cadastral and mortgage extract	273	6,7675	15,40
Registration and transcription			
Registration in another borough			
Correspondence and paper rights			
Consultation of seizure file			
Submission of requests			
report of proceedings following confinement			
Deposit and withdrawal « Caisse des dépôts et consignations »			
report third party declaration			
Research and information relating to the undivided ownership of properties			
Mortgage transcription renewal			
Certificate of payment bill of exchange			
4. Receipt of bond after higher bidding - Sale of vessel - Drafting of request	544	13,4854	30,68
5. Drafting of special conditions - report on the declaration of order for the award of a ship or vessel	814	20,1785	45,91

Article 15			
By writing role of 600 syllables	127	3,1482	7,16
Ditto for photocopying or printing any fraction of a role is counted in full Sending of the sales report per page Translation by role	64	1,5865	3,61
Route: see circular C98/153 of 22 December 1998 and the table below.	127	3,1482	7,16
	254	6,2965	14,32
Antwerpen	284	7,0402	11,02
Arlon	384	9,5191	14,90
Brugge	395	9,7918	15,32
Bruxelles	250	6,1973	9,70
Charleroi	370	9,1721	14,35
Dendermonde	335	8,3044	13,00
Dinant	574	14,2291	22,27
Gent	338	8,3788	13,11
Hasselt	405	10,0397	15,71
Huy	420	10,4115	16,29

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Ieper	292	7,2385	11,33
Kortrijk	287	7,1145	11,13
Leuven	374	9,2712	14,51
Liège	283	7,0154	10,98
Marche-en-Famen	505	12,5186	19,59
Mechelen	305	7,5608	11,83
Mons	340	8,4284	13,19
Namur	362	8,9737	14,04
Neufchâteau	514	12,7417	19,94
Nivelles	479	11,8741	18,58
Oudenaarde	295	7,3129	11,44
Tongeren	405	10,0397	15,71
Tournai	446	11,0561	17,30
Turnhout	372	9,2216	14,43
Verviers - Eupen	478	11,8493	18,54
Veurne	268	6,6435	10,40
Article 17 1. Witness - Shift per hour The 1st session is counted in full. The others are paid for half an hour in proportion to the time used. 2. Witness transport: see circular C98/153 of 22 December 1998 and the table below. 3. Guardian per day	127 64	3,1482 1,5865	7,16 3,61
Witness course = half of the course			
Antwerpen			5,51
Arlon			7,45
Brugge			7,66
Bruxelles			4,85
Charleroi			7,18
Dendermonde			6,50
Dinant			11,14
Gent			6,56
Hasselt			7,86
Huy			8,15

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Ieper			5,67
Kortrijk			5,57
Leuven			7,26
Liège			5,49
Marche-en-Famen			9,80
Mechelen			5,92
Mons			6,60
Namur			7,02
Neufchâteau			9,97
Nivelles			9,29
Oudenaarde			5,72
Tongeren			7,86
Tournai			8,65
Turnhout			7,22
Verviers - Eupen			9,27
Veurne			5,20

Convention of " THE HAGUE " 1965	
Service - document of delivery - For each document served - uniform tariff, single fixed amount ("all-in") including certificate, fax / postage etc.	165 € (Belgian VAT included subject to refund in case of VAT deferral)

Regulation EU 1393/2007	
For each document served - uniform tariff, single fixed amount ("all in")	165 € (Belgian VAT included subject to refund in case of VAT deferral)

PART V: LINKS, LITERATURE AND SOURCES

Links

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