

Handbook on the national information authorities responsible for investigating the debtor's bank accounts under Article 14 of the EAPO Regulation (No. 655/2014)

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I. The EAPO procedure to obtain information about the debtors' bank accounts: general traits and structure

Regulation 655/2014 establishing a European Account Preservation Order ('EAPO Regulation')¹ not only created a procedure to obtain the provisional attachment of the debtors' bank accounts; it also introduced a procedure to search for the debtor's bank accounts. The so-called information mechanism is structured in four steps: (1) application for the information; (2) examination of creditor's information request by the court and sending the request to the information authority of the Member State where the bank accounts are suspected to exist; (3) investigation by an information authority of the debtors' bank account; (4) reception of the outcome of the investigation by the court which submitted the request for information.

1. The creditor's application for information about the debtor's bank accounts

The EAPO information mechanism is limited to creditors who have obtained a judgment, court settlement or an authentic instrument.² This makes the information mechanism more limited than the EAPO procedure: creditors can apply for an EAPO without a title,³ but not for information for other debtors' bank accounts.

Creditors have to apply for information within the application for the EAPO. Creditors cannot apply for the information about the bank accounts and the EAPO separately.⁴ The EAPO application standard form contains a section dedicated to requests for information.⁵ Even if

¹ Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters, OJ L 189, 27.6.2014, p. 59–92.

² Article 14(1) EAPO Regulation.

³ Article 5(a) EAPO Regulation.

⁴ Katharina Hilbig-Lugani, 'Art. 14 EuKoPfVO' in Thomas Rauscher and Wolfgang Krüger (eds.), *Münchener Kommentar zur Zivilprozessordnung. Band 3* (6th edition C.H. Beck 2022), margin no. 22.

⁵ Point 7, Annex I: Application for a European Account Preservation Order, Commission Implementing Regulation (EU) 2016/1823 of 10 October 2016 establishing the forms referred to in Regulation (EU) No 655/2014 of the European Parliament and of the Council establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters, C/2016/6339, OJ L 283, 19.10.2016, p. 1–48 ('EAPO Commission Implementing Regulation').

creditors identify some of the debtor's bank accounts, they can still request to investigate other possible bank accounts that the debtor might have.⁶

In order to access the EAPO information mechanism, creditors have to satisfy the general prerequisite to obtain an EAPO. This means that creditors have to prove the PERICULUM IN MORA under Article 7(1). If the creditors' title is not yet enforceable, creditors have to prove also the FUMUS BONI IURIS under Article 7(2). If the court determines it necessary that the creditor provides a security,⁷ then providing a security is also a condition to access the information mechanism.

Besides the general prerequisites to obtain an EAPO, creditors have also to substantiate 'that the debtor holds one or more accounts with a bank in the specific Member State'. Creditors with a non-enforceable title have to provide 'sufficient evidence to satisfy the court that there is an urgent need for account information because there is a risk that, without such information, the subsequent enforcement of the creditor's claim against the debtor is likely to be jeopardised and that this could consequently lead to a substantial deterioration of the creditor's financial situation'.⁸

2. Examination of creditor's information request by the court and sending the request to the information authority of the Member State where the bank accounts are suspected to exist

The court which examines the EAPO application is the same that examines the request for information. If all the prerequisites are duly established, then court will send the request for information to an information authority in the Member State where the bank accounts are believed to exist. The request is sent by the means (email; fax; mail...) accepted by the information authority.

3. Investigation by an information authority of the debtors' bank account

Once the information authority receives the information request it has to start the investigation of the debtors' bank accounts. There is no deadline to provide an answer to the requesting court. The information authority only has to act 'expeditiously'.⁹ The information authority has always to provide an answer to the court which submitted the request for information, even just to report that no bank accounts were found. Information authorities might charge a fee for collecting information about the debtor's bank accounts. It is discretionary to Member States to decide whether information authorities have to charge or not a fee.

⁶ This is expressly acknowledged in the EAPO application standard form: 'Where you already know the details of one or more of the debtor's bank accounts but you have reason to believe that the debtor also holds one or more other accounts in a specific Member State and you do not know the details of the latter account(s), you can — in the same application for a Preservation Order — give details of the debtor's bank account you do know and, at the same time, lodge a request to obtain account information for other account(s) in a specific Member State' (Point 6, Annex I: Application for a European Account Preservation Order, EAPO Commission Implementing Regulation).

⁷ Art. 12 EAPO Regulation.

⁸ Art. 12 EAPO Regulation.

⁹ Art. 14(6) EAPO Regulation.

4. Reception of the outcome of the investigation by the court which submitted the request for information

Upon receiving the reply from the information authority, the court has to adopt the decision on the EAPO application 'without delay'.¹⁰ If the information authority finds the debtor's bank accounts, the court will grant the EAPO. There are two possibilities if the information authority finds no bank accounts. If the creditor has not provided information about any bank accounts, then the EAPO application has to be rejected. Nonetheless, if the creditor identified at least one of the debtor's bank accounts in the EAPO application, then the EAPO will be granted against the identified account or accounts.

II. Information authorities per Member States

Information authorities play a pivotal role in the functioning EAPO information mechanism: they are responsible for searching for the debtor's bank accounts. Member States were given the discretion to appoint the national body they considered adequate to perform the role of information mechanism. In this regard, most Member States opted for a single central information authority to handle all information requests received. However, a few Member States have opted for a decentralized system of information authority (e.g. France), having several bodies within their territory that can act as information authorities.

The content of this section is primarily based on the available information about the information authorities contained in the e-Justice portal. If this information were insufficient to reach the information authorities or the information authorities did not react to the information requests, the European Judicial Network can provide additional support to find and contact national information authorities.

Whereas there is no official standard form for courts to send an information request, it is recommended to use the *ad hoc* standard form elaborated by the European Judicial Network for such a purpose. This *ad hoc* standard form is available in the e-Justice portal in all the EU official languages.¹¹

1. Austria

- a. **Information authority:** There are two kinds of Austrian information authorities. When the debtor's domicile is outside Austria, the information authority is the District Court of the Inner Vienna (*Bezirksgericht Innere Stadt Wien*). When debtors are domiciled in Austria, then the information authority would be territorially competent District Court (*Bezirksgericht*) territorially competent for the area where the debtors have their domicile.
- b. **Language:** The request for information has to be sent in German.
- c. **Fee:** Austrian information authorities do not charge any fee for searching for the debtors' bank accounts.
- d. **Contact details of the information authority:**
 - **District Court of Inner Vienna (*Bezirksgericht Innere Stadt Wien*):** There is no available information in the e-Justice portal on how the District Court of Inner

¹⁰ Article 18(5) EAPO Regulation.

¹¹ This *ad hoc* standard form can be found in the following [link](#) (accessed on 15 April 2023).

Vienna can be reached. The official website of this court provides an address and a phone number:

- **Address:** Marxergasse 1a 1030 Wien (Austria)
- **Phone number:** (+43) 1 51528
- **Fax:** (+43) 1 51528 308720
- **Other Austrian District Courts (*Bezirksgerichten*) competent to search for the debtor's bank account when the debtor is domiciled in Austria:** In this scenario, it would be necessary to determine which is the competent District Court in place where the debtor has his/her domicile.

2. Belgium

- a. **Information authority:** The Belgian information authority is the National Chamber of Bailiffs (*Chambre nationale des huissiers de justice/Nationale Kamer van Gerechtsdeurwaarders*)
- b. **Language/s accepted:** The Belgian information authority accept information requests in Flemish and French. It is unclear whether information requests in other languages (e.g. German or English) might be accepted.
- c. **Fee:** Based on the available information in the e-Justice portal is not clear whether the Belgian information authority charges a fee for its providing information about the debtor's bank accounts.
- d. **Contact details:**
 - **Address:** Avenue Henri Jaspar 93, 1060 Saint-Gilles, Belgique
 - **E-mail:** info@nkgb-cnhb.be
 - **Phone number:**

3. Bulgaria

- a. **Information authority:** The Bulgarian information authority is the Directorate for Electronic Justice and Registers (*Електронно правосъдие и регистри*) within the Bulgarian Ministry of Justice (*Министерството на правосъдието*).
- b. **Language(s) accepted:** According to the e-Justice portal Bulgarian authorities only accept documents in Bulgarian
- c. **Fee:** 50 Bulgarian leva (around 25 euros)
- d. **Contact details:**
 - **Email(s):** There are two email accounts that can be used to reach the Bulgarian information authority:
 - **Email no. 1:** ep@justice.government.bg
 - **Email no. 2:** s_kaloferova@justice.government.bg
 - **Phone number:** (+359) 2 9237 511

4. Croatia

- a. **Information authority:** The Croatian national information authority is the Croatian Financial Authority (*FINA*)

- b. **Language(s) accepted:** Croatian
- c. **Fee:** The Croatian information authority charges a fee for searching and providing information about the debtor's bank accounts
- d. **Contact details:**
 - **Address:** Ulica grada Vukovara 70, 10000 Zagreb, Croatia
 - **Email:** info@fina.hr
 - **Phone number:** (+385) 800 00 80

5. Cyprus

- a. **Information authority:** The Cyprian information authority is the Central Bank of Cyprus (*Kentriki Trapeza*)
- b. **Language(s) accepted:** Greek and English
- c. **Fee:** The Cyprian information authority charges a fee for searching and providing information about the debtor's bank accounts
- d. **Contact details:**
 - **Address:** Leoforos Tzon Kennenty 80 1076 Lefkosia (Cyprus)
 - **Phone:** (+357) 227 141 00
 - **Fax:** (+357) 227 149 59
 - **E-mail:** cbcinfo@centralbank.gov.cy

6. Czechia

- a. **Information authority:** The Czech information authority is District Court for Prague 1 (*Obvodní soud pro Prahu 1*)
- b. **Language(s) accepted:** Czech or Slovakian
- c. **Fee:** Based on the available information in the e-Justice portal is not clear if the Czech information authority would charge a fee for searching for the debtors' bank accounts
- d. **Contact details:**
 - **Address:** Ovocný trh 587/14 112 94 Praha 1
 - **Phone:** (+420) 221 093 111
 - **Fax:** (+420) 224 221 499
 - **E-mail:** podatelna@osoud.pha1.justice.cz
 - **Court's spokesperson on civil law matters:** Petra Blažková:
 - **E-mail:** pblazkova@osoud.pha1.justice.cz
 - **Telephone:** (+420) 221 093 283

7. Estonia

- a. **Information authority:** The Estonian information authority is the Chamber of Bailiffs and Trustees in Bankruptcy (*Kohtutäiturite ja Pankrotihaldurite Koda*)
- b. **Language(s) accepted:** Estonian and English
- c. **Fee:** 20 euros
- d. **Contact details:**

- **Address:** Tartu mnt 16, 10117 Tallinn (Estonia)
- **Phone:** (+372) 64 63 773
- **E-mail:** info@kpkoda.ee

8. France

- Information authority:** In France, bailiffs (*huissiers/commissaires de justice*) are the information authority. Any French bailiff (*huissier/commissaire de justice*) can be reached to investigate the debtors' bank accounts through the EAPO information mechanism. In other words, it does not have to be a bailiff (*huissier/commissaire de justice*) territorially circumscribed to work within a specific area.
- Language(s) accepted:** French. Nonetheless, some bailiffs (*huissiers/commissaires de justice*) might accept information requests in other languages (e.g. English, Spanish).
- Fee:** Around 21 euros.¹²
- Contact details:** Information about all active French bailiffs (*huissiers/commissaires de justice*) in France can be found here: <https://commissaire-justice.fr/>.

9. Finland

- Information authority:** In Finland, bailiffs (*ulosottomies*) are the information authorities. You have two possibilities to reach a Finnish bailiff in the context of the EAPO information mechanism. You can send directly the request to a bailiff. Alternately, you can send the request to the National Enforcement Authority's Central Administration (*Ulosottolaitoksen keskushallinnon*), which, subsequently, would forward the information request to a bailiff.
- Language(s) accepted:** Finnish, Swedish and English
- Fee:** No fee
- Contact details:**
 - National Enforcement Authority's Central Administration (*Ulosottolaitoksen keskushallinnon*):
 - **Address:** National Enforcement Authority's Central Administration (*Ulosottolaitoksen keskushallinnon*), European account preservation, PO Box 2, 00067 Ulosottolaitos, Finland
 - **Telephone:** (+358) 295 658 801
 - **Fax:** (+358) 295 622 611
 - **Email:** hallinto.uo@oikeus.fi
 - Bailiffs (*ulosottomies*): All the information about the Finnish bailiffs can be found here: <https://ulosottolaitos.fi/fi/>

10. Germany

- Information authority:** Federal Office of Justice (*Bundesamt für Justiz*)
- Language(s) accepted:** German
- Fee:** No fee

¹² Article A444-43(151) French Commercial Code (*Code de Commerce*)

d. Contact details:

- **Address:** Bundesamt für Justiz, Adenauerallee 99-103, DE-53113, Bonn, Deutschland
- **Telephone:** (+49) 228 99 410 40
- **Email:** EU-Kontenpfaendung@bfj.bund.de

11. Greece

- Information authority:** Bank and payment account register system of the Greek Ministry of Finance (*Σύστημα Μητρώων Τραπεζικών Λογαριασμών και Λογαριασμών Πληρωμών του Υπουργείου Οικονομικών*).
- Language(s) accepted:** Greek
- Fee:** No fee
- Contact details:**
 - **Email:** gen-gramm@gsis.gr
 - **Telephone:** (+30) 210 480 2000; (+30) 210 480 3284; (+30) 210 480 3267

12. Hungary

- Information authority:** Hungarian Judicial Enforcement Authority (*Magyar Bírósági Végrehátó Kar*)
- Language(s) accepted:** Hungarian
- Fee:** The Hungarian information authority does not charge any fee
- Contact details:**
 - **Address:** Cházár A. u. 13. 1146 Budapest (Hungary)
 - **Telephone:** (+36) 612 731 595
 - **Fax:** (+36) 612 731 596
 - **E-mail:** mbvk@mbvk.hu

13. Ireland

- Information authority:** Minister for Justice
- Language(s) accepted:** English and Irish/Gaelic
- Fee:** The Irish information authority does not charge any fee
- Contact details:**
 - **Address:** 51 St. Stephen's Green, Dublin 2, D02 HK52 (Ireland)
 - **E-mail:** EAPOCA@justice.ie

14. Italy

- Information authority:** Italy has both a central and decentralized information authority. When the debtor is domiciled outside Italy, the information authority is the president of the court of Rome (presidente del tribunale di Roma). When the debtor is domiciled in Italian, the information authority is the territorially competent district court in the area where the debtor has his/her domicile.

- b. **Language(s) accepted:** Italian
- c. **Fee:** The Italian information authority does not charge any fee
- d. **Contact details:**
 - **Address:** 51 St. Stephen's Green, Dublin 2, D02 HK52, Ireland
 - **E-mail:** EAPOCA@justice.ie

15. Latvia

- a. **Information authority:** According to the e-Justice portal, the information authority is 'the district or city court or regional court to which the application for a European Account Preservation Order was submitted, or the district or city court if the application for a European Account Preservation Order was submitted to a foreign court'. It does not clarify which is the territorially competent court.
- b. **Language(s) accepted:** Latvian
- c. **Fee:** 15 euros
- d. **Contact details:** Information about the Latvian courts that can search for information about the debtors' bank accounts can be found here: <https://tiesas.lv/tiesas/saraksts>

16. Lithuania

- a. **Information authority:** State Tax Inspectorate under the Ministry of Finance (*Valstybinė mokesčių inspekcija prie Lietuvos Respublikos finansų ministerijos*).
- b. **Language(s) accepted:** Lithuanian
- c. **Fee:** No fee is charged by the information authority
- d. **Contact details:**
 - **Address:** Vasario 16-osios g. 14, 01107 Vilnius (Lithuania)
 - **Telephone:** (+370) 52 668 200
 - **Email:** vmi@vmi.lt

17. Luxembourg

- a. **Information authority:** Financial Sector Supervisory Commission (*Commission de Surveillance du Secteur Financier*)
- b. **Language(s) accepted:** German, French, Luxembourgish, English
- c. **Fee:** No fee is charged by the Luxembourgish information authority
- d. **Contact details:**
 - **Address:** 283 route d'Arlon, L-1150 Luxembourg
 - **Telephone:** (+352) 262 511
 - **Fax:** (+352) 262 512 601
 - **Email:** direction@cssf.lu

18. Malta

- a. **Information authority:** First Hall of the Civil Court
- b. **Language(s) accepted:** Maltese and English

- c. **Fee:** No fee is charged by the Maltese information authority
- d. **Contact details:**
 - **Address:** Republic Street, Valletta, VLT2000 (Malta)
 - **Telephone:** (+356) 259 023 462 60
 - **Email:** courts.csa@courtservices.mt

19. The Netherlands

- a. **Information authority:** Dutch bailiffs (*Gerechtsdeurwaarders*).
- b. **Language(s) accepted:** Dutch (though some bailiffs might accept information requests in English)
- c. **Fee:** A Dutch bailiff (*Gerechtsdeurwarder*) would charge around 89 euros for handling a request to search for the debtors' bank accounts
- d. **Contact details:** Information about all Dutch bailiffs (*Gerechtsdeurwaarders*) can be found here: <https://www.kbvg.nl/>

20. Poland

- a. **Information authority:** Department for International Cooperation and Human Rights (*Departament Współpracy Międzynarodowej i Praw Człowieka*) within the Polish Ministry of Justice (*Minister Sprawiedliwości*)
- b. **Language(s) accepted:** Polish
- c. **Fee:** The Polish information authority charges 50 złotych (around 11 euros) for searching for handling a request to search for the debtors' bank accounts
- d. **Contact details:**
 - **Address:** Al. Ujazdowskie 11, 00-950 Warszawa (Poland)
 - **Telephone:** (+48) 222 39 08 70
 - **Fax:** (+48) 226 28 09 49
 - **Email:** dwmpc@ms.gov.pl

21. Portugal

- a. **Information authority:** Order of Solicitors and Enforcement Agents (*A Ordem dos Solicitadores e Agentes de Execução* - OSAE).
- b. **Language(s) accepted:** Portuguese
- c. **Fee:** No fee is charged by the Portuguese information authority
- d. **Contact details:**
 - **Address:** Rua Artilharia 1, no 63, 1250-038 Lisbon (Portugal)
 - **Telephone:** (+351) 213 89 42 00
 - **Tax:** (+351) 213 53 48 70
 - **Email:** geral@osae.pt

22. Romania

- a. **Information authority:** Romanian National Union of Judicial Enforcement Officers (*Uniunea Națională a Executorilor Judecătorești* - UNEJ)
- b. **Language(s) accepted:** Romanian
- c. **Fee:** No fee is charged by the Romanian information authority
- d. **Contact details:**
 - **Address:** Str. Cuza Vodă nr. 143, sector 4, Bucharest (Romania)
 - **Telephone:** (+40) 213205092; (+40)213205050
 - **Tax:** (+40) 213534870
 - **Email:** uniune@executori.ro

23. Slovenia

- a. **Information authority:** Agency of the Republic of Slovenia for Public Legal Records and Related Services (*Agencija Republike Slovenije za javnopravne evidence in storitve – AJPES*)
- b. **Language(s) accepted:** Slovenian
- c. **Fee:** The e-Justice portal does not clarify whether the Slovenian information authority charges a fee for collecting information about the debtor's bank accounts
- d. **Contact details:**
 - **Address:** Tržaška cesta 16, 1000 Ljubljana (Slovenia)
 - **Email:** gp@ajpes.si / info@ajpes.si

24. Slovakia

- a. **Information authority:** The District Court of Banská Bystrica (*Okresný súd Banská Bystrica*)
- b. **Language(s) accepted:** Slovakian, Czech and English
- c. **Fee:** No fee is charged by the Slovakian information authority
- d. **Contact details:**
 - **Address:** Skuteckého 28, 975 59 Banská Bystrica (Slovakia)
 - **Telephone:** (+421) 488 86 11 98
 - **Email:** podatelnaOSBB@justice.sk

25. Spain

- a. **Information authority:** Subdirectorate General for International Judicial Cooperation (*Subdirección General de Cooperación Jurídica Internacional*) within the Spanish Ministry of Justice (*Ministerio de Justicia*)
- b. **Language(s) accepted:** Spanish
- c. **Fee:** No fee is charged by the Spanish information authority
- d. **Contact details:**
 - **Telephone:** (+34) 913 90 44 11
 - **Email:** sgcji@mjusticia.es

26. Sweden

- a. **Information authority:** Swedish enforcement authority (*Kronofogdemyndigheten*)
- b. **Language(s) accepted:** Swedish and English
- c. **Fee:** The Swedish information authority charges 300 Swedish crowns (around 26 euros) for handling a request to search for the debtors' bank accounts
- d. **Contact details:**
 - **Address:** Box 1050, SE-171 72 Sundbyberg
 - **Telephone:** (+46) 856 485 150
 - **Fax:** (+46) 829 26 14
 - **Email:** kontakt@kronofogden.se