



EXPERT GLOSSARY

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Project EU-En4s — JUST-AG-2018/JUST-JCOO-AG-2018

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Introduction

“So difficult it is to show the various meanings and imperfections of words when we have nothing else but words to do it with.” The latter quote by English philosopher John Locke fittingly describes the frustrations of many lawyers dealing with cross-border cases. A lawyer is required to look beyond the mere naming of a foreign decision. He or she is just as much, if not more so, interested in understanding the legal effects behind the form. Often, lawyers will be barred from this knowledge, simply because they do not know the native language of the State, wherefrom the decision originated. Even where this information is available, it is not uncommon to be lacklustre or to skew the correct meaning due to the various understandings of domestic practitioners and academics. Sometimes, a decision will find an equivalent by name in another State, however, the substantive meaning behind the decision can vastly differ. Therefore, this expert glossary was not set up to provide readers with mere direct translations, but rather, as an attempt to highlight the general features behind the various decisions of project-participating States, as well as two additional States (Bulgaria, North Macedonia). A glossary is nonetheless a shortened dictionary and the function of the latter is to provide succinct definitions of listed terms. For a lawyer, be it a practitioner or academic, having knowledge of foreign enforcement titles and their basic features, is of great importance.

The glossary is subdivided into two major parts. First, the glossary outlines types of domestic decisions, together with an identification of those decisions, corresponding to the concept of “judgement” under the Brussels Ia Regulation (according to domestic theory and practice). This is followed by a general list of enforcement titles under the domestic laws of project-participating States.



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Types of domestic decisions and Types of domestic decisions under BU I A



State	Domestic decisions	Types of domestic decisions under BU I A
<p>Albania</p>	<p>Judgments (<i>alb. “vendim”</i>) and orders (<i>alb. “urdhër”</i>)</p> <ul style="list-style-type: none"> – Interim judgments are those issued by the court during (in some cases even before) the hearing, upon party’s request, in order to ensure the conduct of the hearing in accordance with the provisions of the Art. 125 ACPC. These judgments are not considered enforcement titles. Exceptionally, interim judgments on security measures and on the mandatory taking of evidences are considered enforcement titles according to Art. 510/(a) and 511(2) of the ACPC. – Non-final judgments are procedural judgments on the dismissal of the case, by which the court or the judge, in cases provided for in the ACPC, terminate the court civil proceedings without settling the case on the merits, as well as any other judgment, which without settling the case on the merits, terminates the initiated court proceeding. (Art. 127 ACPC) These judgments are not enforcement titles. – Final judgments are those that settle the case on the merits and, are rendered by the court at the end of the proceedings. (Art. 126 ACPC) These judgments become enforcement titles only when two conditions are cumulatively meet: first, the final judgment becomes irreversible (peremptory) and second, when the final judgment is condemnatory and not merely declaratory. Exceptionally, even when the first condition is not met, under Art. 510 (a) ACPC, a final judgment is an enforcement title, when it is rendered on temporary enforcement. A final judgment can also be a consent judgment. This court settlement binds the parties the same as other judgments and it is an enforcement title under the same two conditions mentioned above. – Orders: The orders can be taken by the court in order to ensure that the judicial process is conducted in compliance with the provisions of the ACPC (Art. 171/a ACPC). The orders are rarely applicable and they cannot become an enforcement title. 	<p>1. Judgements:*</p> <ul style="list-style-type: none"> – Final judgments of the civil courts on the merit of the case – Civil courts judgments on provisional measures (except decisions on provisional measures issued from the courts that do not have jurisdiction to adjudicate the merit of the case and those that are taken ex parte) – Civil court judgments on temporary enforcement – Civil courts judgments on the part ordering costs of the proceedings – Criminal judgments in the section on property rights <p>2. Authentic instrument:*</p> <ul style="list-style-type: none"> – Notary documents containing monetary obligation. These documents are not directly enforceable, but it is the court, through issuing the enforcement order, the authority to decide, if the documents should become enforceable or not. The enforcement order establishes the existence of an enforcement title capable of being enforced and consequently orders the enforcement authority to enforce the content of that enforcement title. – Documents of consular authorities abroad. Consular authorities are granted by RoA to authenticate some documents, same as notary in RoA. – Court settlement <hr/> <p>*Albania is not a Member State of the EU. BU I A is not directly applicable.</p>



<p>Austria</p>	<p>Judgments (<i>ger. “Urteil”</i>) and orders (<i>ger. “Beschlüsse”</i>)</p> <ul style="list-style-type: none"> – Judgment: The final decision is usually rendered in the form of a judgment. It decides on the merits of the claim as well as the parties’ main petitions. In exceptional cases the judgment can be announced orally right after closing the hearing, but usually the judgment will be issued in written form. In addition to regular judgments there are some special configurations of judgments. The most important one is the default judgment (<i>nem. “Versäumungsurteil”</i>), which can be issued, if the defendant is absent from the hearing or failed to file a statement of defense upon the plaint of the plaintiff. – Orders: Procedural matters are usually decided by issuing a (formal) decision or an order. It does not decide on the merits of the petitions of the parties, but settles certain procedural requirements, a request to submit a statement or the provision of legal aid. If the decision regarding a certain procedure was made during the hearing, it will be rendered orally, otherwise it will be delivered to the parties of the dispute in written form. 	<p>1. Judgements</p> <ul style="list-style-type: none"> – Final judgments of the civil courts on the merit of the case – Orders – Zahlungsbefehl and the (Wechsel)Zahlungsbefehl – In principle, this term also covers provisional measures (<i>ger. “einstweilige Verfügungen”</i>), although problems may arise in that the defendant was not heard before the decision was issued. <p>2. Authentic instrument:</p> <p>A list of which Austrian authentic instruments fall under the euro-autonomous concept does not exist or is not meaningful. In any case, authentic instruments are documents which: have been drawn up in the prescribed form by an Austrian authority (as holder of sovereign power; including the Austrian representation and consular authorities abroad) within the limits of its official powers, by a person of public faith (usually a notary) in whose business circle they were established in the prescribed form. The documents have been drawn up abroad and are deemed to be authentic instruments in the State in which they were drawn up (foreign authentic instruments) and such instruments are deemed to be authentic instruments in Austria if (formal) reciprocity exists between Austria and the state of establishment. The document has the prescribed certification.</p>
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Belgium	<p>Judgments (“<i>vonnis</i>”), Ruling (“<i>arrêt</i>”) and Order (“<i>beschikking/référé</i>”)</p> <ul style="list-style-type: none">– Judgment: A decision rendered by a court in first instance. There is a distinction made between a final decision, a decision before adjudicating and measures concerning the administration of trial. Further distinction is also made between final judgments and interim judgments.– Ruling: A decision rendered by a higher court, for example the Court of Cassation or the Court of Appeal.– Order: These mostly refer to judgements in summary proceedings or to measures concerning the administration of a trial.	<p>The available domestic decisions in Belgium all fall within the scope of judgment, as set out in recent case law of the CJEU (Pula Parking d.o.o. v Sven Klaus Tederahn, Case C–551/15, ECLI:EU:C:2017:193). Procedures before the institutional courts, such as the court of first instance or the judge of attachments/seizures are therefore judgements. The same reasoning applies for the authentic instruments.</p>
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Bulgaria	<p>Court decisions (“Решение”) and Orders (“Определение”)</p> <ul style="list-style-type: none">– The court decision is a state judicial act, a unilateral authoritative statement of the court, which resolves the legal dispute, establishing the legal situation between the disputants and obliging them to comply with it. According to their consequences, the decisions are establishing, condemning and constitutive.<ul style="list-style-type: none">○ Establishing decisions: Those in which the court rules only on the existence or nonexistence of the disputed right.○ Condemning decisions: Those by which the court confirms the existence of a disputed possession and condemns the defendant to satisfy it by allowing its enforcement. These decisions are enforcement titles under Bulgarian law.○ Constitutive decisions: Those by which the court confirms the existence of a disputed testamentary right and orders a change in the civil relations.– Orders can be divided in several groups.<ul style="list-style-type: none">○ Orders on which the court rules on procedural issues○ Orders on the course of the case○ Orders on appeal of actions or refusals of the bailiff○ Orders that are equated to the decisions in their legal consequences (eg. The order for termination of the case due to waiver of a claim and the order for costs - Art. 248 par. 3 of the Civil Procedure Code). They are equated, because with these court acts the court rules on certain material issues (eg. the disputed subject, claims for costs). These orders can be enforcement titles.	<p>1. Court decisions</p> <p>All decisions rendered in claim proceedings, which are adversarial in all types of claims (declaratory, constitutive and condemning), in which the court acts as a judicial body and when its decision gives protection and sanction of violated rights, ruling on the essence of the dispute and terminating it. The acts of the administrative courts and of the administrative jurisdictions fall within the scope of the Regulation under the determination of costs.</p> <p>2. Precautionary measures</p> <p>Precautionary measure allowed by the Bulgarian court, which hears the dispute on the merits in the course of the case with the participation of the defendant under Art. 389 of the Civil Procedure Code meets the conditions of the Regulation for recognition and permission of the execution on the territory of another country.</p> <p>3. Orders</p> <p>The order issued on the basis of Art. 410 of the Civil Procedure Code states that (1) The applicant may request the issuance of an enforcement order for receivables for monetary amounts or substitutable items, when the claim is adjudicated in a district court and for the transfer of movable property which the debtor has received with an obligation to return it or it is encumbered by a pledge or it has been transferred by the debtor with an obligation to transfer possession when the claim is brought before a district court. This type of order falls within the scope of the Regulation as the defendant has the right to object under Art. 414 of the Civil Procedure Code. The order accompanied by an order for immediate execution does not meet the requirements of the Regulation.</p> <p>Authentic instrument: Agreements between the parties for the settlement of legal disputes, for example through mediation which is</p>
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		certified or registered by a public body as an authentic document falls within the scope of the Regulation.
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<p>Croatia</p>	<p>Judgments (hrv. “presuda”) or a Decree (hrv. “rješenje”)</p> <ul style="list-style-type: none">– Judgment: The courts render the judgment to decide on the merits of the case (i.e. the main claim and auxiliary claims). Provided the conditions are met, the court may render a <i>partial judgment</i> (Art. 329 of the Civil Procedure Act) and <i>interim judgment</i> (Art. 330 of the Civil Procedure Act). The former is rendered if only some of the claims or only part of the claim is ready to be decided on. Such judgments are an exception because even in cases where there are more claims one judgment is rendered to decide on them (Art. 325(2) of the Civil Procedure Act). Interim judgment is not an enforcement title document under the Croatian law. Partial judgment is considered an independent judgment. Partial judgment is also an enforcement title, when it acquires enforceability (subsequent to finality) and provided it is adequate for enforcement.– Decree: Whenever the court does not decide in a judgment, the legislation obliges the court to decide in a form of a decree. In the course of the proceedings, the courts may render various decrees. If they relate to managing of the proceedings, the court is not bound by such decree and such decree is not separately appealable. The decree consists of the introductory part and the operative part, while the reasons are not always stated in the decree. The decree has to be reasoned if it is rendered to reject the party’s request or if the decision is made on the opposite requests of the parties, while it may be reasoned in other cases as well when deemed necessary. Special types of decrees on the merits are rendered in the proceedings commenced by an action for protection of possession, and when the claim is upheld for rendering the payment order. The decrees on the merits should in principle be reasoned, however, the decree in which payment order is contained does not contain reasons. Both mentioned	<p>1. Judgments</p> <p>In addition to standard judgments rendered upon the closing of the main hearing, judgment based on admission of a claim, judgment based on waiver of a claim and both types of default judgments known in Croatian law are all covered by the term judgment. Certain decisions on procedural matters (eg. such as decisions determining the date of the hearing, decisions regarding evidence, witnesses, expert witnesses, deadline within which a particular submission must be filed), remain outside of the term judgment. They are rendered in the form of a decree (rješenje) in by the Croatian courts. Having said that, certain decrees rendered by the Croatian courts would qualify for the “judgment” within the meaning of Art. 2(a) of the Brussels I bis Regulation, e.g. decree on the protection of possession.</p> <p>2. Protective measures</p> <p>Pursuant to the Croatian Enforcement Act, prior to the commencement of a civil or any other court proceedings on the secured claim, the jurisdiction for deciding on the application for an interim measure lies with the court competent for the application for enforcement. The court with territorial jurisdiction for conducting enforcement proceedings is competent for enforcing an interim measure. After the commencement of the civil or any other court proceedings, the court before which the procedure was initiated shall have jurisdiction to decide on the application for the interim measure. Therefore, under Enforcement Act it may happen that a measure is rendered by a court which does not have jurisdiction with regards to the subject matter of the dispute. These measures would not fall under the notion of “judgment” within the meaning of Art. 2(a) of the Brussels I bis Regulation.</p> <p>Authentic instrument: Notarial deed (hrv. “javnobilježnički akt”), a document on legal transitions and statements drawn up by notaries and private deeds solemnized by notaries, would all into this category.</p>
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	decrees are enforcement title documents, provided the meet general requirements in the Enforcement Act.	
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<p>Cyprus</p>	<p>Judgements and Orders</p> <ul style="list-style-type: none">– Judgments: Cyprus civil procedure rules provide for judgments in default of appearance or defense. In case the defendant fails to file an appearance within the prescribed period, the claimant can apply to the court and obtain a default judgment. However, a defendant can file an appearance outside the prescribed time limit to stop the issuing of a judgment in default. If the defendant files an appearance but not a defense, the claimant can file an application for issuance of judgment without a full hearing being conducted. Where the defendant files an appearance or a defense to a specially endorsed writ of summons, the claimant can, where appropriate, apply for a summary judgment on the grounds that there is no defense to the action. Summary judgments offer a fast-track adjudication of its claim, when the claimant has good and valid reasons to believe that the defendant has no defense. Another type is the judgment to set aside, which is sought by the defendant in order to have the claim dismissed or to have part or full action eliminated on grounds such as lack of jurisdiction or res judicata. Cypriot courts can also issue interim judgments (eg. such as a judgment for the claimant to provide security for costs, judgment for amending pleadings).– Orders: The Cypriot courts may issue prohibitive, mandatory, disclosure or preservation orders within the framework of pending proceedings. Cypriot courts have jurisdiction to issue <i>Anton Piller orders</i>, which are search orders that allow the claimant to enter premises and obtain information which is likely to be destroyed, <i>Norwich Pharmacal orders</i>, which require disclosure of information against a wrongdoer by a third party, which prevent the defendant from disclosing the filing of the proceedings and/or the application to the public in general, any potential defendants and/or any other unauthorized third party. Other orders that can be issued are orders in support of arbitration or foreign proceedings, or orders facilitating an arbitration proceeding.	<p>All of the described domestic decisions conform to the definitions of ‘judgments’ and ‘authentic instruments’ in the context of B IA.</p>
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Czech	<p>Judgments (cz. “Rozsudek”) and Rulings (cz. “Usnesení”)</p> <ul style="list-style-type: none">– Judgment is a type of court decision which expresses in an authoritative manner the outcome of court proceedings on the merits.– Rulings are issued especially in procedural matters, such as the commencement of proceedings, the conditions of the proceedings, the rejection, change or withdrawal of the party's proceedings, the interruption and suspension of the proceedings, or the costs of the proceedings. In proceedings pursuant Act. No. 292/2013 Coll., on special court proceedings, the court decides in form of Ruling unless specified that such form should be a judgment, even though the decision is on its merits. By a ruling the competent court can also approve court settlements or orders the enforcement of decisions.	<ol style="list-style-type: none">1. Judgments2. Rulings3. Public documents in civil matters (cz. “Veřejná listina”) Public documents in civil matters issued by courts of the Czech Republic or by another state authorities within the scope of their competence as well as documents declared by special regulations which certify that they are an order or statement of the authority that issued the document and, unless a contrary has been proved, the truthfulness of what is verified or certified therein.4. Public documents in administrative matters Public documents in administrative matters issued by the courts of the Czech Republic or other state authorities or the authorities of territorial self-governance entities within the scope of their powers as well as declared by special laws as public instruments which do confirm that they represent the declaration of the authority which issued the document.5. Notarial act with direct enforceability6. Court settlement
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France	<p>Judgments, Ordonnance, Arbitral awards and Collegial decisions rendered by Courts of Appeal and the Court of Cassation</p> <ul style="list-style-type: none">– Judgment: Any decision rendered by a first-degree court (eg. <i>Tribunal de Proximite, Tribunal Judiciaire, Tribunal de Commerce, Conseil de Prud'hommes</i>), which orders payment, or which takes an investigative or execution measure, is called upon judgment. Decisions apply immediately unless otherwise specified. The judgment ends the procedure when all the points of the dispute are judged. The judge can also take a decision of incompetence, that is to say that he considers that the dispute does not concern this court.– Ordonnance: An ordonnance in legal matter is a decision by which the judge decides provisionally, or those by means of which he takes measures of judicial administration. A decision which results from the fact that the judge has decided without a collegial formation. However, legally, this decision of the single judge is also considered a form of judgment.– Arbitral awards are arbitral decisions taken by arbitrators (<i>fra. "sentences arbitrales"</i>). These latter are only enforceable after they have been verified by the President of the Tribunal Judiciaire, according to a simplified exequatur procedure.– The collegial decisions rendered by Courts of Appeal and the Court of Cassation are called (<i>fra. "arrêts"</i>).	<p>1. Judgments</p> <p>Any decision rendered by a first-degree court (eg. <i>Tribunal de Proximite, Tribunal Judiciaire, Tribunal de Commerce, Conseil de Prud'hommes</i>).</p> <p>2. Ordonnance</p> <p>An ordonnance taken by a single judge or in in collegiality.</p>
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<p>Germany</p>	<p>Judgments (<i>ger. “Urteile”</i>), Orders (<i>ger. “Beschlüsse”</i>) and Rulings (<i>ger. “Verfügungen”</i>)</p> <ul style="list-style-type: none"> – Judgment are decisions of a court issued on the basis of a necessary oral hearing. After the expiry of the period determined for the means of recourse against judgements, the judgment receives the effect of formal res judicata, which is a requirement for material res judicata. Judgments on the merits in favor of the claimant can be granting performance, affecting the legal relationship, or be a declaratory judgment. Judgments granting performance are enforceable once formal res judicata is given or the judgment is declared provisionally enforceable. Following a hearing, a <i>controversial judgment</i> is issued, whereas a <i>default judgment</i> is rendered due to the default of either party. If the defendant accepts the claim, the court issues a <i>judgment by confession</i>. If the claimant waives its claim, a <i>waiver judgment</i> is issued. If the court dismisses an action as inadmissible due to the lack of a procedural requirement, a <i>procedural judgment</i> is rendered. Depending on whether the judgment terminates the instance or not, it is either called a final judgment or an interim judgment. Final judgments are considered enforcement titles. A third distinction is made according to the criterion of conditionality. The unconditional judgment is the rule. For appeal and enforcement purposes, the conditional judgment is regarded as a final judgment. As its existence depends on the outcome of the subsequent proceedings, it receives the effect of formal res judicata. – Orders are decisions of the court issued without an oral hearing or under exempted oral hearing or even issued on the basis of a necessary oral hearing (eg. the approval of legal aid). Orders that are issued under §796b ZPO and §796c ZPO are considered enforcement titles. – Rulings are decisions of the presiding judge or another judge, which usually contain measures of organization of procedure. Rulings are 	<p>1. Judgments</p> <p>Not only judgments on the merits, but also procedural judgments and judgments by default are encompassed by the definition. The German ZPO also contains regulations which allow for judgments in a shortened form, meaning judgments that are drafted without the facts and the reasoning. These conform to the definition, as the form of the judgment is irrelevant. Moreover, it does not matter whether the decision by the court is already final and binding; it is sufficient that the decision has effects, which are capable of being recognized and enforced. This leads to the conclusion that also provisional decisions are included in the term “judgment”. Judgments, which deal with questions of arbitration, are not to be recognized under the B IA. However, judgments, which have been rendered in denial of the validity or in disregard of an arbitral agreement, are to be recognized.</p> <p>2. Orders</p> <p>The order that costs have to be fixed is encompassed by the definition. Yet, the mere invoice for court costs, which the judicial authorities issue to the debtor according to § 19 Gerichtskostengesetz (henceforth: GKG), as well as the basic decision on costs, are not encompassed.</p>
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	mostly not contestable. There is no possibility to lodge an appeal against a ruling, cf. § 329 ZPO.	
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<p>Italy</p>	<p>Sentence (<i>ita. "sentenza"</i>), Orders (<i>ita. "ordinanza"</i>) and Decree (<i>ita. "decreto"</i>)</p> <ul style="list-style-type: none">– Sentence: The sentence is defined as a jurisdictional provision containing a decision, pronounced by the judge in a trial. Normally it is the concluding or final act of a judgment. Its form is established by law: it is passed "in the name of the Italian people", with the title "Italian Republic", it contains a disposition (the pronouncement in short of the judge's decision) and its grounds (the statement of reasons for the decision in the judgement). The sentence is the most formal and complex. It is used for a final judgment in ordinary proceedings as well as for many important orders.1. Orders: The order is succinctly reasoned. If it is issued at a hearing, it is included in the minutes; if it is issued outside a hearing, it is written at the bottom of the minutes or on a separate sheet, with the date and signature of the judge or of the president of the panel of judges, when rendered by a panel. The court clerk communicates the order issued outside a hearing to the parties, unless the law requires notification.2. Decree: The decree is issued <i>ex officio</i> or on a motion by a party, which may also be made orally. If it is issued upon a motion, this is noted at the bottom of the decree. When the motion is made orally, minutes are drawn up and the decree is inserted in the same minutes. The decree is not motivated, unless the motivation is expressly prescribed by law. The decree is a type of final order used in many special proceedings, particularly those conducted <i>ex parte</i>. In practice, the most important measure of this type is the injunction order, which is issued (e.g. when there is documentary evidence of a claim, according to art. 633 Code of Civil Procedure).	<p>1. Judgments</p> <p>Under Italian law, a judgment is a decision issued by a judge exercising his/her decisional powers granted by the law. Most first instance judgments (including monetary judgments or judgments ordering or prohibiting the performance of acts) are enforceable, even if appealed, unless the court of appeal has suspended enforcement. Declaratory judgments are enforceable only when they have final and conclusive effect (<i>res judicata</i>).</p> <p>2. Orders</p> <p>The following orders are provisionally enforceable even if they are technically not "decisions":</p> <ul style="list-style-type: none">– <i>Ex parte</i> orders for the payment of sums of money or for the transfer of movable assets, provided they are declared temporarily enforceable either by the judge or after 40 days from its service failing the debtor's opposition– Notices to vacate or notices of eviction related to overdue payment under a lease contract (art. 657 ff. Code of Civil Procedure)– Notices of repossession upon the expiry of a rental contract or in the case of late payment of rent, when such notices are confirmed by a court order– Orders issued in the course of proceedings for the payment of sums– Conciliation reports settling employment disputes– Orders issued to employers to pay sums of money to unlawfully dismissed employees. <p>Authentic instrument: The public deed is a document drawn up, with the required formalities, by a notary or other public official authorized to attribute public faith to it in the place where the deed is made. In the</p>
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		Italian legal system, authentic instruments are created mainly by notaries. Italian law makes extensive use of such authentic instruments across a range of legal transactions, particularly ones involving the entry or adjustment of an entry in a public register.
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Lithuania	<p>Judgments (<i>lit. "Teismo sprendimas"</i>), Orders (<i>lit. "Teismo įsakymas"</i>)</p> <ul style="list-style-type: none">– Judgement is a final first instance decision on the merits of the dispute, while a decision is to be understood as a decision on procedural matters (Art. 260 Civil procedure code). <i>Partial judgement</i> is a final first instance decision on the part of the merits of the dispute. <i>Default judgement</i> could also become the final act if the defendant not raised objections within 20 days after the delivery of procedural documents. Certain types of judgements are called <i>lit. "sprendimas"</i>, which directly translates into „<i>decision</i>“ even though the “decision” is an intermediate judgement for procedural questions. Such intermediate decisions are taken by the court for all the procedural questions on which the case is not resolved essentially (Art. 290 part. 1 Civil procedure code).– Order could also become the final act, if the debtor did not raise objections within a certain period of time, after the delivery procedural documents. Court order is issued in summary procedure, where a first instance Court decides on monetary questions. Court order differs from the judgement, since it could become an enforcement order by itself after it come into force.	<p>1. Judgements</p> <p>Authentic instrument: Notary acts</p>
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Netherlands	<p>Judgments (<i>dutch. "vonnis" or in appeal proceedings "arrest"</i>) and Orders (<i>dutch. "beschikking"</i>)</p> <ul style="list-style-type: none">– Judgements must be drawn up in an executorial form ("<i>grosse</i>"). Furthermore, at the top of the judgment or court order the text "<i>In the name of the king</i>" must be written in order to get the executorial effect. The judgement or court order must be issued by a Dutch court. These are not exclusively civil courts, but also administrative or criminal courts, if the court decision has to be executed by means of the Dutch civil procedure. The claim of decision must be due and therefore eligible for the execution.– Orders: This kind of a decision is given within procedure of a non-contradictory kind. Order of a judge to pay out the revenue of an execution and the order of the tax authority as well as the prosecution have the status of an enforcement order.	<ol style="list-style-type: none">1. Judgements2. Authentic instrument: The authentic instrument must be a written document that is signed and has the purpose of evidence. This document must be drawn up by an official person, like a notary or a civil servant. In order to have the effect of an enforcement title the authentic instruments must describe precisely what the debtor has to perform. Conforming to the decision of the Dutch Supreme Court of 26 June 1992, the authentic instrument must state the claim as well as the legal relationship that existed at the moment the authentic instrument was drawn up. In case of a monetary claim, the authentic instrument must contain the amount of the claim.
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North Macedonia	<p>Judgments (<i>mac. “пресуда”</i>) and Decrees (<i>mac. “решение”</i>)</p> <ul style="list-style-type: none">– Judgements: The final decision in a matter is usually rendered in the form of a judgment. By rendering a judgment, the court shall decide upon the relief claimed in respect of the principal claim, as well as upon the lateral claims. The court decides on the merits of the claim by a judgment, except in cases for disturbance of possession, whereas a decree is rendered on the merits. In procedure for issuing a payment order, which is separate civil summary proceedings, the decree satisfying the claim shall be rendered in a form of a payment order.– Decree: Procedural matters are decided by issuing a decree. If the decree regarding a certain procedural issue was made and announced at the hearing, it shall be rendered and served on the parties in the written form only if an appeal is allowed against it, or if enforcement can be carried out on its ground, or if so is necessary for purposes of conduct of the proceedings.	<p>North Macedonia is not a Member State of EU and thus B IA is not directly applicable.</p> <hr/> <p>*North Macedonia is not a Member State of the EU.</p>
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<p>Poland</p>	<p>Judgment (<i>pol. “wyrok”</i>), Decree (<i>pol. “postanowienie”</i>), Payment order (<i>pol. “nakaz zapłaty”</i>), European payment order, Presiding judge’s direction (<i>pol. “zarządzenie przewodniczącego”</i>) and Assistant judge’s direction (<i>pol. “zarządzenie asystenta”</i>)</p> <ul style="list-style-type: none"> – Judgment is a decision that resolves the substance of the case rendered within the framework of a trial carried out in accordance with rules of civil proceedings. Judgments are also rendered in criminal proceedings and may include resolutions as to civil claims related to the criminal offence. – Decree is a decision that resolves the substance of the case rendered outside framework of a trial carried out in accordance with rules of civil proceedings, or within the framework of a trial if the code does not provide for rendering a judgment or payment order. As a rule, decrees rendered within the framework of a civil trial constitute formal and not substantive decisions. Decrees are also rendered in criminal proceedings, in strictly defined circumstances, and may conclude proceedings in a given case. In such event, a decree may include resolutions as to civil claims related to the criminal offence. – Payment order is a form of a substantive decision issued solely in trial proceedings in strictly defined circumstances, in separate proceedings of a summary nature (e.g. summary proceedings, electronic summary proceedings and prescriptive proceedings). – European payment order is a substantive decision issued solely in summary proceedings based on EU law. – Presiding judge’s direction is a decision issued solely in formal matters. 	<p>1. Judgements</p> <p>2. Decrees</p> <p>Under the Polish law, decrees imposing protective measures to be enforced by enforcement agencies are, as a rule, not served on defendants prior to their enforcement (Art. 740 Code of Civil Procedure). The purpose of this is to guarantee the enforcement of such protective measures. Service of a decree granting a protective measure in these circumstances is made through the enforcement agency upon the commencement of enforcement action. Starting with the date of service, the defendant is entitled to appeal against the decision. The same rule applies when the protective measure involves the recording of a judicial mortgage in the defendant’s land and mortgage register. After such a mortgage is recorded, the court keeping custody of the land and mortgage register serves the decree imposing a protective measure on the defendant. Decrees imposing protective measures are served on defendants only in cases where the enforcement of the protective measure depends on the behavior of the defendant (e.g. Art. 755 Code of Civil Procedure). The above applies in situations where the defendant was able to appeal against such measures under domestic regulations of the Member State of origin. The ECJ ruled in this matter in the past, based on the provisions of the Brussels convention, finding that <i>“Provisional or protective measures cannot include measures that were delivered without the party against which they are directed having been summoned, unless they were served on the defendant prior to their enforcement.”</i> (Judgment of the ECJ of 21. 05. 1980, Bernard Denilauler v. SNC Couchet Frères, European CR 1980, p. 1553).</p> <p>3. Payment orders</p> <p>Authentic instruments: Under Polish law, authentic instruments include a notarial act wherein the debtor voluntarily submits to the enforcement of an obligation involving the payment of a specific sum of money or the</p>
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	– Assistant judge's direction is a decision issued in circumstance strictly defined by regulations, solely in formal matters.	handover of property, a judgment issued by the National Board of Appeals, excerpts from a list of debts, approved by an official receiver, etc.
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Portugal	<p>Sentence or Judgement (por. “<i>sentença</i>”), Orders (por. “<i>despachos</i>”)</p> <ul style="list-style-type: none">– A Sentence is the act by which the judge decides the main action or some incident that presents the structure of an action. The decisions of the collegial courts are called judgements (por. “<i>acórdão</i>”). Sentences and judgements are enforcement titles.– Orders are intended to provide for the regular progress of the process, without interfering in the conflict of interest between the parties. The order for enforcement of the injunction application transforms it into an enforceable title. Civil enforceable decisions are issued in criminal proceedings.	<ol style="list-style-type: none">1. Sentence2. Judgement3. Orders <p>Authentic instruments are documents drafted or authenticated by a notary or registrar and documents authenticated by lawyers or solicitors (Art. 38 Decree Law No. 76-A/2006 of 29 March 2006).</p>
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<p>Slovenia</p>	<p>Judgment (<i>slo. “sodba”</i>) and Decrees (<i>slo. “sklep”</i>)</p> <ul style="list-style-type: none"> – Judgement: With a judgment, the court decides on the claim relating to the substance of the matter and on accessory claims. Generally, all claims are decided by a single judgment. The judgment consists of an introduction (<i>slo.: “uvod”</i>), reasoning (<i>slo.: “obrazložitev”</i>) and operative part (<i>slo.: “izrek”</i>). In the operative part is the decision of the court on whether or not the claim is justified. Generally, only the operative part of the judgment becomes final. – Decrees: Unless the court renders a judgment, its decision shall be made in the form of a decree. With a decree, the court decides on all interim procedural issues and dismisses the action when procedural requirements are not meet and. We nonetheless differentiate between: decrees on the substance by which a court decides on justification of the claim (final decree in disputes for disturbance of possession and payment order) and decrees by which the court resolves procedural issues, particularly decrees of procedural management. 	<p>1. Judgment: The subject matter of the judgment must be of a civil or commercial nature. These are generally rendered by courts of general jurisdiction. If a judgement is rendered by an administrative or social and labour court, but its subject matter falls related to civil and commercial nature (e.g. claims for indemnification), it is considered to be a judgment in light of euro-autonomous definition.</p> <p>2. Decree: The scope of the euro-autonomous definition of a judgment should cover decrees on the substance (final decree in disputes for disturbance of possession and payment order). In the Slovenian legal system, the court declines jurisdiction with a decree. When the court declines jurisdiction on the basis of jurisdiction clause with a decree, the latter will accordingly be considered as a judgment within B IA. Decisions of a procedural nature (<i>e.g. decree relating to conduct the proceedings or on the taking of evidence</i>) which are not intended to govern the legal relations of the parties are not covered with euro-autonomous notion of judgment.</p> <p>3. Provisional, including protective, measures</p> <ul style="list-style-type: none"> ○ Interim orders (<i>slo. “začasne odredbe”</i>) ○ Preliminary order (<i>slo. “predhodne odredbe”</i>) ○ Individual evidence procedure with expert <ul style="list-style-type: none"> – Authentic instrument: Only the directly enforceable notarial deed conforms the euro-autonomous definition of an authentic instrument.
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<p>Spain</p>	<p>Decisions (<i>spa. “providencias”</i>), Judicial decrees (<i>spa. “autos”</i>), Sentences (<i>spa. “sentencias”</i>)</p> <ul style="list-style-type: none"> – Decisions would be issued when the ruling refers to procedural issues that require a judicial ruling as required by Law, just in case the form of judicial decree is not expressly required. – Judicial decrees: This instrument is used to solve appeals against decisions or decrees/orders, regarding admission or dismissal of evidence, judicial approval of transactions, mediation agreements, provisional and protective measures etc. Judicial decrees must be issued to solve appeals against non-definitive judicial decrees. Definitive judicial decrees must be issued to solve the admission or to dismiss the lawsuit or counterclaim and to solve about joinder of causes of action. – Sentences will be passed to put an end to the proceedings, in first or second instance, once it has concluded its ordinary processing provided by Law. Sentences will also resolve extraordinary appeals and reviews of final judgments, and the rescission of final sentences at the request of the convicted in absentia. – Oral rulings: Decisions will be orally pronounced during the celebration of a hearing, trial or appearance (e.g. admission or dismissal of evidence). <p>Non – judicial:</p> <ul style="list-style-type: none"> – Proceedings can be order proceedings (to give the judicial decrees the course provided by Law), constancy proceedings, communication proceedings, or execution proceedings. – Non-judicial decrees will be pronounced to admit a claim/lawsuit, when the procedure in which the LAJ had absolute competency is finished and in every kind of procedure, when the decision made 	<ol style="list-style-type: none"> 1. Decisions 2. Judicial decrees 3. Sentence 4. Oral Rulings 5. Non-judicial decrees <p>Authentic instruments: There is listing of public documents (for the purposes of evidence during the procedure) detailed within Art. 317 LEC, including notarized documents, and the certifications of operations in the intervened centers, certifications issued by Land and Commercial Registrars, and those issued by legally authorized public authorities (either in the exercise of their powers or on behalf of a Public Administration). All of these instruments are in conformity with the definition provided by the BIA.</p>
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	<p>should be reasoned. Specifically, Court will pronounce a decree to determinate the costs or expenses of the procedure.</p>	
<p>Sweden</p>	<p>Judgment (swe. “dom”), Decision (swe. “beslut”), Intermediate judgment (swe. “mellandom”), Partial judgment (swe. “deldom”), Decree/decision (swe. “utslag”)</p> <ul style="list-style-type: none"> – Judgment: A court’s decision on the matter in substance. – Intermediate judgment: A final decision – before the decision in substance – of a particular objection or a part of the case that concerns a preliminary question. In private international law disputes, Swedish courts frequently use this kind of decision to settle jurisdictional or choice of law controversies. – Partial judgment: A final decision of a court concerning certain claims in the dispute (for example two claims for damages, where one claim is undisputed), which are settled before the case as a whole is settled. – Decision: A court’s decision that does not concern the substantive matter, but usually a formal issue, for example inadmissibility. – Decree/decision: Certain decisions by a court or a public authority. In this context, claims for damages in criminal cases should be mentioned. Even though part of criminal proceedings, the damage claim falls mainly under the rules of civil procedure, and have a civil law character. If, for example, the injured party is domiciled abroad, the application of choice of law rules in Swedish court may occur in order to determine claims for damages. This Private International Law issue is however, rarely observed by prosecutors or the counsels of the injured party. 	<ol style="list-style-type: none"> 1. Judgment 2. Decision 3. Intermediate judgment 4. Partial judgment 5. Decree/decision



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Enforcement titles in national legal orders of Member states



State	National legal Act	Enforcement titles in national legal orders
Albania	Albanian Civil Procedure Code (ACPC) - Art. 510 and 511	<p>Based on the Judgment of the Civil Chamber of the High Court No. 169, dated 05. 03. 2013: "An enforcement title is a final act that shows the recognition of the full, precise, defined obligation of one person or entity against another one under the provisions of the law." More precise definition can be find in an Unified Judgment of the Albanian High Court No. 980 dated 29. 09. 2000: "Enforcement titles are mainly judicial judgments, as well as, in exceptional cases, other acts expressly provided for in the ACPC, or in special laws, which, by virtue of their enforcement power, are equated for all effects with irreversible judgments. An act issued by a competent state body, or prepared and certified by a public servant, under the conditions explicitly provided by law, to be an enforcement title, must contain a known, required and precise obligation, which is not related to the fulfilment of certain deadlines and, above all, unconditional due to other circumstances or other mutual obligations."</p> <p>Albanian Civil Procedure Code (ACPC) in Art. 510 and 511 provides a list of enforcement titles:</p> <ol style="list-style-type: none">1. Irreversible/peremptory civil judgments of the court containing an obligation;2. Interim judgments on security claim;3. Judgments on temporary enforcement;4. Judgments on fines imposed by the court;5. Judgments on mandatory taking of evidence;6. Judgments on the part ordering costs of the proceedings;7. Irreversible/peremptory criminal judgments in the part dealing with property rights;8. Foreign judgment that are recognized in Republic of Albania in accordance with the provisions of the ACPC;9. Foreign arbitral awards that are recognized in Republic of Albania in accordance with the provisions of the ACPC;10. Arbitral awards issued in the Republic of Albania;11. Notary documents containing monetary obligations;12. Documents for granting bank loans;13. Documents for granting loans from non-bank financial institutions;14. Bills of exchange, cheques, and order papers equivalent to them;15. Other documents that according to specific laws are considered enforcement titles and the enforcement officer is authorised to enforce them.



Austria	Enforcement Order (EO) – <i>ger.: Exekutionsordnung</i> (Art. 1 of EO)	Enforcement Order in Art. 1 provides a list of enforcement titles: <ol style="list-style-type: none">1. Final judgments and other judgments (<i>ger. Urteile</i>), decisions (<i>ger. Beschlüsse</i>) and administrative orders (<i>ger. Bescheide</i>) of civil courts in disputes, if further legal proceedings are excluded or if an appeal suspending execution is not granted;2. Payment orders issued in the mandate and bill of exchange procedure and in the official liability procedure, if they have not been objected to in time;3. Orders for payment issued in the order for payment procedure, which are no longer subject to a statement of opposition (<i>ger. Einspruch</i>);4. Judicial terminations of an inventory contract for land, buildings and other immovable or legally declared immovable property, for ship mills and structures built on ships, if no protest has been lodged against the termination in due time, as well as, under the same condition, judicial orders for the transfer or takeover of the inventory object;5. Settlements, which have been concluded on private law claims in front of civil or criminal courts (court settlements);6. Decisions given in noncontentious proceedings, in so far as they are enforceable under the rules applicable to them;7. The legally binding court decisions issued in the insolvency proceedings and the official entries in the register of applications filed in the insolvency proceedings, provided that they are enforceable under § 61 Insolvency Code (<i>ger. Insolvenzordnung</i>);8. Legally binding findings of the criminal courts which rule on the forfeiture, extended forfeiture, confiscation or seizure of assets or objects or on the confiscation or realization of seized or confiscated assets (§ 115a StPO), on the enforcement of a foreign decision in criminal matters concerning orders relating to property (§ 65 ARHG, § 52d EU-JZG), on the costs of criminal proceedings or on claims under private law, or which declare an ordered security to be forfeited;9. Final decisions and rulings of civil and criminal courts, imposing fines or penalties on parties or their representatives;10. Decisions of the administrative authorities on claims under private law, provided that they are enforceable in accordance with the provisions applicable to them and that the enforcement is transferred to the ordinary courts by statutory provisions;11. Orders of the insurance institutions (§ 66 ASGG), with which benefits are awarded or claimed back;12. Orders of the administrative authorities as well as findings and decisions of the administrative courts, the Administrative Court and the Constitutional Court, provided that they are enforceable according to the
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		<p>regulations applicable to them and the enforcement is transferred to the ordinary courts by statutory provisions;</p> <p>13. Payment orders and statements of arrears issued in respect of direct taxes, charges and social security contributions, as well as state, district and municipal surcharges, which are enforceable in accordance with the provisions relating thereto;</p> <p>14. Decisions of the administrative authorities and courts mentioned in no. 10 and 12, which impose fines, penalties or the reimbursement of costs of proceedings, provided that they are enforceable under the provisions applicable to them and that the execution has been transferred to the ordinary courts by statutory provisions;</p> <p>15. Settlements concluded before a municipal mediation office, before police authorities or before other public bodies called upon to enter into settlements, if the effect of a court settlement is attached to them by the existing regulations;</p> <p>16. The awards of arbitrators and arbitral tribunals which are no longer subject to appeal to a higher arbitral body and the settlements concluded before them;</p> <p>17. The notarial acts specified in § 3 of the Law of 25th July 1871, RGBI. No. 75.</p>
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Belgium	Judicial Code (JC) – Art. 1494	Judicial Code in Art. 1494 provides a list of enforcement titles: <ol style="list-style-type: none">1. Court decision;2. Consent order;3. An arbitral award;4. A notarial instrument;5. An administrative document to which the law has conferred enforceability.
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Bulgaria	Bulgarian Civil Procedure Code (BCPC) – Art. 404	<p>Bulgarian Civil Procedure Code in Art. 426 provides a list of direct and foreign enforcement titles:</p> <p>Direct enforcement titles under Art. 426 (1) of BCPC are:</p> <ol style="list-style-type: none">1. The bailiff's resolution for assignment of real estate to the buyer (Art. 498 (2) BCPC). The law provides for a simplified procedure for the transfer of possession of real estate and movable property to the buyer at the public sale.2. The bailiff's resolution for determining the equivalence of movable property in case of substitute execution (Art. 521 (2) BCPC) Hypothesis: A claim process is underway, as a result of which the creditor requests revindication of movable property. For example, a TV set that has not been returned, but during the process it has been proven to belong to the creditor. In the course of the claim process, under the conditions of eventuality, there is no claim for payment of the equivalent of the TV set. There is only a condemnation decision to return the TV set. A writ of execution is issued, the bailiff goes to the debtor's home, but the TV set is not there. In this case, the bailiff collects the equivalence of the property without having a court decision for this. Only at the discretion of the bailiff with the help of an expert the price of the TV set is determined. Based on this assessment, the bailiff directly collects the equivalent of the property that cannot be handed over. Important: Unlike the first hypothesis, in this case it is not necessary for the bailiff's resolution to have entered into force (argument art. 521 para. 3 sentence 2 BCPC).3. The bailiff's order for collecting the remainder or the entire amount from the store, if the movable property is sold in deviation from the provisions of the law (art. 479 sentence 2 BCPC) Hypothesis: A movable property is sold through a shop. The sale price of the property is determined by the bailiff. The item is handed over to the buyer in the store by the seller only if the price has been paid in advance. If the item is sold at a price lower than the one at which it was given by the bailiff, the responsibility for this is borne by the seller. Neither the creditor nor the bailiff needs to sue for collection of the equivalent. By its own order, the bailiff orders the price to be paid by the seller within these proceedings, without the necessity of issuing a writ of execution. There is no possibility to appeal this order. The defense is by claim order.4. The bailiff's order for determining the costs in the enforcement process. Such an order is issued by the bailiff upon a request made by the creditor for adjudging the costs incurred by him in the enforcement proceedings (attorney's fees, fees for experts, state fees paid, etc.) and is subject to appeal according to Art. 435 para. 2 of the BCPC, but the appeal does not suspend the execution.5. The permission of the district court for taking over the movable property from the person to whom it has been handed over. (item 2 of TR № 2/2013 of 26.06.2015 under item № 2/2013, OSGTK of the SCC). Hypothesis: Ivanov
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		<p>has a writ of execution for the amount of BGN 5,000 against Petrov. He directs execution on Petrov's movable property (e.g. car). The bailiff has made an inventory and has handed over the car for safekeeping. The law says so - the public sale of the car is carried out by the bailiff who has described the car. That is, in this case the bailiff, whom Ivanov's case is with, should take the car out for sale. The problem: Ivanov's bailiff is inactive and he does nothing. This prevents the other creditors from satisfying the car. Draganov also has a claim against Petrov and he wants to make an inventory, assessment and sale of this same car. For this purpose he needs a permit from the district court. He can receive one only if within a month's time Ivanov's bailiff has not registered a protocol for regular publicity of the public sale. If Dragnov receives such a permission, he will be able to refer the bailiff, with whom his lawsuit has been filed, for taking the item from the guard of the first lawsuit (Ivanov's lawsuit).</p> <p>6. The court decisions made in another EU Member State (Article 622a of the BCPC), which fall within the scope of Regulation 1215/2012.</p> <p>7. Extract from the register of special pledges for registered security and for commencement of enforcement (Article 35 para. 1 and Article 2 of the SPL) regarding the fulfillment of the obligation of the legislator to transfer the possession of the pledged property Note: The above list of enforcement titles is not exhaustive. An indirect enforcement title is the one on the basis of which a writ of execution is issued according to the order of special proceedings, the subject of which is an inspection of the PPI. Here, the relation between the enforcement title and enforcement is mediated by the proceedings of issuing a writ of execution.</p>
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Croatia	Enforcement Act (Ovršni zakon) – Art. 23	Enforcement Act (Ovršni zakon) in Art. 23 provides a list of enforcement titles: <ol style="list-style-type: none">1. Enforceable court decision and enforceable court - Art. 24(1) of the OZ;2. Enforceable administrative decision or enforceable administrative settlement (provided they order fulfilment of a pecuniary obligation) - Art. 24(2) of the OZ;3. Enforceable settlement with the competent State Attorney Office before commencing the litigation in which the Republic of Croatia is a party;4. Enforceable arbitration award;5. Enforceable notary decision and enforceable notarial deed;6. Settlement entered into in the proceedings before the courts of honour attached to the domestic chambers and in the mediation proceedings as well as other documents specifically designated by the legislation in force.
Cyprus	Cyprus Civil Procedure Code (CCPC) – Order 35, Rule 18	Under CCPC the only enforcement titles are a court judgment or order . Any party who has obtained a court judgment or order can request the competent authorities to take enforcement measures, with the competent authorities being the Court Service (bailiffs) and the Land Registry, in case the judgment produces in rem effects. Acts that are not issued by a court, such as arbitral awards, do not constitute enforcement titles.



<p>Czechia</p>	<p>Czech Civil Procedure Code (CzCPC) – Act No. 99/1963, Art. 251 and 261</p>	<p>Czech Civil Procedure Code provides a list of enforcement titles:</p> <ol style="list-style-type: none"> 1. An enforceable court decision: <ul style="list-style-type: none"> – Enforceable decisions of courts and other authorities being active in criminal proceedings where they award a right or affect assets; – Enforceable court decisions in administrative proceedings; – Enforceable decisions of arbitral tribunal and of settlements approved thereby; – Enforceable decision of state notaries and of agreements approved thereby; – Notarial records with a consent to direct enforceability made according to a special statute; – Enforceable decisions and other enforcement orders of public authorities; – Decisions of the institutions of the European Communities (EU); – Another enforceable decisions, approved settlements and documents that may be enforced by a court according to law, excluding titles enforced in administrative or tax proceedings. (§ 274 CzPC); 2. Decision of the arbitration commission of the association 3. List of receivables according to Act on Insolvency Proceedings 4. Enforceable decisions issued pursuant EU regulations.
<p>France</p>	<p>Code des procédures civiles d'exécution (CPCE) – Art. L111-3</p>	<p>The only enforceable titles under Art. L111-3 of CPCE are:</p> <ol style="list-style-type: none"> 1. The decisions of the courts of the judicial order or of the administrative order when they are enforceable, as well as the agreements to which these courts have conferred enforceable force 2. Foreign acts and judgments as well as arbitral awards declared enforceable by a decision not liable to a suspensive appeal of execution 3. Extracts from the conciliation minutes signed by the judge and the parties 4. Notarial acts bearing the executory form 5. The title issued by the bailiff in the event of non-payment of a check 6. Certificates issued by legal persons governed by public law qualified as such by law, or decisions to which the law attaches the effects of a judgment.



Germany	Zivilprozessordnung (ZPO) – Art. 704 and 794	<p>The enforceable titles under Art. 794 of ZPO are:</p> <p>Compulsory enforcement may be pursued based on final judgments that have become final and binding, or that have been declared provisionally enforceable.</p> <p>Compulsory enforcement may furthermore be pursued:</p> <ol style="list-style-type: none">1. Based on settlements concluded by the parties, or between one of the parties and a third party, in order to resolve the legal dispute either in its full scope or as regards a part of the subject matter of the litigation, before a German court or before a dispute resolution entity established or recognised by the Land department of justice (<i>ger. Landesjustizverwaltung</i>), as well as based on settlements that have been recorded pursuant to section 118 (1), third sent. or section 492 (3) for the record of the judge2. Based on orders assessing the costs3. Based on decisions against, which a complaint may be lodged as an appellate remedy4. Based on writs of execution5. Based on decisions declaring arbitration awards as enforceable, provided that the decisions are final and binding or have been declared provisionally enforceable6. Based on orders pursuant to section 796b or section 796c7. Based on records or documents that have been recorded in accordance with the requirements as to form by a German court or by a German notary within the bounds of his official authority, provided that the record or document has been recorded regarding a claim that can be provided for by a settlement, that is not directed at obtaining a declaration of intent, and that does not concern the existence of a tenancy relationship for residential spaces, and furthermore provided that the debtor has subjected himself, in the record or document, to immediate compulsory enforcement of the claim as specified therein8. Based on European orders for payment that have been declared enforceable according to regulation no 1896/20069. Based on European orders for payment of uncontested claims according to regulation no 805/2004; Based on European orders for payment of uncontested claims according to regulation no 805/200410. Based on European orders for payment of small claims according to regulation no 861/200711. Based on enforcement titles rendered by a member state of the European Union and that are to be enforced pursuant to regulation no 1215/201212. Insofar as, pursuant to the stipulations of sections 737, 743, section 745 (2), and of section 748 (2) it is necessary to sentence a party involved to tolerating compulsory enforcement, this shall be substituted by the
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		party involved approving, in a record or document prepared pursuant to subsection (1) number 5, the immediate compulsory enforcement against the objects that are subject to the title he holds.
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Italy	Codice di procedura civile (CdPC) - Art. 474 del	<p>According to art. 474 Code of Civil Procedure, there are two types of enforcement titles: judicial and extra-judicial. Judicial titles include judgments, measures and deeds issued by a court during or at the end of court proceedings. A settlement (<i>ita. conciliazione</i>) concluded in the course of a civil action is enforceable as a judgment (art. 185 and 322 CdPC). Extra-judicial titles include debt instruments, public deeds and authenticated private deeds created autonomously by the parties.</p> <p>Enforcement titles under Art. 474 of the CdPC are:</p> <ol style="list-style-type: none">1. Sentences, judicial decisions and other deeds to which the law expressly attributes executive effectiveness2. Authenticated private deeds, regarding the obligations of sums of money contained therein, bills of exchange as well as other debt instruments to which the law expressly attributes the same effects;3. Deeds received by a notary or other public official authorised by law to receive them. Enforcement for delivery or release can only take place by virtue of the enforcement titles referred to in points 1 and 3 of para. 2. The notice to comply shall contain full transcription, pursuant to art. 480, para. 2, of the authenticated private deeds referred to in point 2 of para. 2.
Lithuania	Lithuanian civil code (LCC) – Art. 587	<p>Enforcement titles under Art. 587 of the LCC are:</p> <ol style="list-style-type: none">1. Enforcement orders issued on the basis of court judgments, sentences, decisions, rulings2. Court orders3. Court judgements and decisions when according to the law they are held to be enforceable instruments4. Court judgements, institutional and official decisions regarding preliminary measures5. Court judgements regarding the limitations of activities of a legal person and its liquidation6. Institutional and official decisions in administrative cases so far as they concern monetary obligations.



Netherlands	Dutch Code on Civil Procedure (DCCP) – Art. 430 Rv	<p>The concept of “enforcement title” is defined in article 430 Rv as a judgement (“<i>vonnis</i>” or in appeal proceedings “<i>arrest</i>”) or a court order (“<i>beschikking</i>”) issued by a Dutch court as well as an authentic instrument (“<i>authentieke akte</i>”) drawn up in the Netherlands.</p> <p>Enforcement titles under Art. 430 Rv of the DCCP are:</p> <ol style="list-style-type: none">1. Court judgments as well as court orders. These judgements must be drawn up in an executorial form (<i>grosse</i>). At the top of the judgment or court order the text “In the name of the king” (<i>In de naam van de Koning</i>) must be written in order to get the executorial effect (Art. 430 para 2 Rv). The claim of decision must be due and therefore eligible for the execution.2. Authentic instruments (<i>authentieke akte</i>). The authentic instrument must be a written document that is signed and has the purpose of evidence. This document must be drawn up by an official person, like a notary or a civil servant. In order to have the effect of an enforcement title the authentic instruments must describe precisely what the debtor has to perform. The authentic instrument must state the claim as well as the legal relationship that existed at the moment the authentic instrument was drawn up. In case of a monetary claim, the authentic instrument must contain the amount of the claim.3. All other instruments may be considered as an enforcement title, if they are named by law to be executed in the Netherlands. Such instruments are the official report of a court hearing in which a settlement of the parties (court settlement) is drawn up – Art. 87 para 3 Rv as well as the order, related to the procedural costs – Art. 237 para 4 Rv and Art. 250 para 4 Rv. The order of a judge to pay out the revenue of an execution and the order of the tax authority as well as the prosecution have the status of an enforcement order.4. Arbitration decisions in executorial form. These enforcement titles must have the effect to be executed in the Kingdom of the Netherlands. In order to have the effect of the execution, the service of the enforcement title on the debtor is required – Art. 430 para 3 Rv.
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North Macedonia	Enforcement Act (EA) – Art. 12, para. 1	<p>Enforcement Act sets a list of documents that have the character of enforcement titles, opting for a <i>numerus clausus</i> system:</p> <ol style="list-style-type: none">1. An enforceable court decision and court settlement (a judgment, decree, payment order or other order issued by the courts, the elected courts and the arbitrations, while a court settlement shall be considered to be the settlement concluded before these courts).2. An enforceable decision and settlement in an administrative procedure if designated for fulfilment of a monetary claim (A decision in an administrative procedure shall be considered to be a decree or conclusion reached by a state administration body or a legal entity in performing their public authorizations determined by the law, whereas a settlement in an administrative procedure shall be considered to be a settlement concluded in accordance with the Law on Administrative Procedure).3. An enforceable notary public title (The notary public document shall be considered as an enforceable title, if it has become enforceable according to special provision that regulates the enforceability of such document).4. A decree for issuing notarial payment order (The decree for issuing a notarial payment order becomes an enforcement title after the notary certifies it as final and enforceable).5. Other document considered under the law as enforcement title
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Poland	Code of Civil Procedure (CCP) – Art. 776	Enforcement titles under Art. 776 of the CCP are: <ol style="list-style-type: none">1. A final court judgment (i.e. judgement, decision, payment order)2. A court judgment that is not yet final, but has been rendered provisionally enforceable3. A settlement made before a court4. An excerpt from a judgment issued in group litigation, specifying in particular the amount of a cash consideration due to a member of a group or sub-group5. A final judgment issued by a court referendary (i.e. decisions and payment orders)6. Settlements made before a conciliation service created for the purpose of resolving disputes resulting from claims made by employees under employment relationships7. Settlements made between an employer and employee, determining the amount due from the employee in compensation for damage caused to the employer or a third party that was redressed by the employer8. A decision issued by the Social Conciliation Commission at the Member Minister of the Council of Ministers responsible for matters related to workers' unions9. A settlement made before the Social Conciliation Commission at the Member Minister of the Council of Ministers responsible for matters related to workers' unions10. Settlements made before a surveyor in matters related to the demarcation of real properties11. An excerpt from an insolvency table, approved by an official receiver, containing a description of a given debt and any amounts received by its creditor against its repayment12. An excerpt from a list of debts, approved by an official receiver, containing a description of a given debt and any amounts received by its creditor against its repayment, constitutes an enforcement title against any heir13. A court judgment ordering a purchaser to hand over the ownership of a business back to the administrator or debtor14. A final court judgment in the matter of awarding final remuneration to a bankrupt entity and members of the council of debtors constitutes an enforcement title against the administrator and the bankrupt entity15. A final court decision ordering an administrator to return unapproved amounts into the bankruptcy estate constitutes an enforcement title against the administrator16. An excerpt from an approved insolvency table, containing a description of each creditor and the receivables they are entitled to receive; following a final refusal to approve a composition or final discontinuation of restructuring proceedings, the excerpt constitutes an enforcement title against the debtor17. An excerpt from an approved insolvency table, together with an authenticated copy of a final decree approving a composition following a final decree to approve the composition, constitutes an enforcement title against the debtor and any person who secured the implementation of the composition, provided that
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a document confirming that a security was established is lodged with the court, as well as against any person ordered to make a contribution, provided that the composition stipulates that contributions be made between creditors

18. A final court decision ordering an administrator to return unapproved amounts into the recovery estate constitutes an enforcement title against the administrator
19. Final court decisions in the matter of remuneration and final remuneration of an administrator constitute enforcement titles against the administrator and the debtor
20. A written vote of a buyer cast in accelerated composition proceedings, composition proceedings or recovery proceedings, containing an undertaking to pay a contribution as per composition proposals, together with an authenticated copy of a final decree approving a composition, constitutes an enforcement title against the buyer who voted for accepting the composition
21. A plan of dividing the fund for reducing liability for maritime claims, drawn up by a court expert – official receiver and approved by a final and effective court decision
22. A plan of dividing the amount obtained through foreclosure of real property and the sale of a business or agricultural farm, in the part specifying the persons who are entitled to obtain the amounts paid by buyers
23. A final and effective bank settlement
24. A judgment of the National Appeals Board
25. A settlement made as a notarial act, concerning compensation for damage caused by mining and geological operations
26. A final judgment of a disciplinary court or disciplinary commission issued in respect of an advocate or enforcement officer with regards to any financial penalties and costs of disciplinary proceedings
27. A notarial act in which a tenant agrees to voluntarily submit to enforcement and undertakes to empty and hand over an abode used pursuant to an agreement for the occasional lease of an abode
28. A bank enforcement title provided for in a repealed provision of the law (no such enforcement titles are rendered any longer, but bank enforcement titles rendered prior to the change in law continue to exist in legal circulation)
29. A notarial act in which a debtor agrees to voluntarily submit to enforcement and which includes a duty to pay a sum of money or to handover certain items, specified as to their nature and amount in the act, or the handover a specific individual item, where the act specifies a deadline for complying with the obligation or an event precipitating compliance with the obligation
30. A notarial act in which a debtor agrees to voluntarily submit to enforcement and which includes a duty to pay a sum of money in an amount directly stated in the act or specified by means of a valorization clause, where



		<p>the act specifies an event precipitating compliance with the obligation and the deadline by which the creditor may seek for a writ of execution to be appended to this act</p> <ol style="list-style-type: none">31. A settlement made before a mediator32. A judgment of a domestic or foreign arbitration court33. A settlement made before a domestic or foreign arbitration court
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Portugal	Portuguese Code of Civil Procedure (PCCP) – Art. 703(1)	Enforcement titles under Art. 703 (1) of the PCCP are: <ol style="list-style-type: none">1. Court decisions (enforceable decisions)2. Documents released or authenticated, by a notary or other entities or professionals with competence to do so, which require constitution or recognition of any obligation (constitutive or recognitive document of an obligation)3. Credit titles (e.g. bank checks, bill of exchange and promissory notes)4. Other documents to which, by a special legal provision, enforcement is granted (e.g. Mediation agreements - Art. 9(1)(e) of Law 29/2013; Enforced order for payment – Art. 14 of Decree Law 269/98; The condominium members' meeting minutes, which decide on the amount of the contributions due to the condominium or any expenses necessary for the conservation and enjoyment of the common parts – Art. 6 of Decree Law 268/94).
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Slovenia	Claim Enforcement and Security Act (CESA) – <i>slo.</i> : <i>Zakon o izvršbi in zavarovanju</i> (Art. 17 and 18 of CESA)	<p>An enforcement title under Art. 17 of CESA is:</p> <ol style="list-style-type: none">1. An enforceable court decision:<ul style="list-style-type: none">– A judgment;– An arbitration award;– A decree, a payment or another order from court or arbitration;– A court settlement (concluded before a court);2. An enforceable notarial deed;3. Another enforceable decision or a document which is by law, ratified and published international treaty or in the Republic of Slovenia directly applicable legal act of the European union (henceforth EU) specified as enforcement title. <p>Enforceable decisions rendered in civil procedure are (Art. 18 of CESA):</p> <ul style="list-style-type: none">– Condemnatory judgment and condemnatory decree, rendered in contentious civil proceedings or in procedures before specialised courts;– Condemnatory decree, rendered in non-contentious civil procedures;– Condemnatory decree, rendered in enforcement procedure
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Spain	Spanish Code of Civil Procedure (LEC) – Art. 517.1	<p>The Spanish Legal Dictionary of the Royal Language Academy defines enforcement title as “<i>document to which the Law expressly grants force enough to obtain from the Courts the compliance of the obligation integrated in its content</i>”.</p> <p>Enforcement titles under Art. 517.1 of the LEC are:</p> <ol style="list-style-type: none">1. Final conviction sentence (<i>spa. sentencia de condena firme</i>)2. Arbitration award (<i>spa. laudos arbitrales</i>)3. Mediation agreement (<i>spa. acuerdo de mediación</i>), if raised to public deed4. Judgments (<i>spa. resoluciones judiciales</i>) that approve or homologue judicial transactions and that have achieved agreements during the procedure5. First copies of public deeds (If it is a second copy, it must be given because of a court order).6. Commercial contract policies signed by the parties and by a registered trade broker.7. Bearer or registered financial bonds representing past due obligations and coupons, also past due, of said bonds.8. The unexpired certificates issued by the entities in charge of accounting records regarding the securities represented by book entries referred to in the Securities Market Law.9. Judicial decree (auto judicial) that establishes the maximum claimable amount under compensation during criminal procedures derived from the use of motor vehicles.10. Other procedure decisions and documents that are linked to execution by legal provision (e.g. judicial decrees when the defendant partially accepts the claim – Art. 21.2 LEC; judicial decrees that decide on the challenge for excessive attorney’s fees – Art. 246.3 LEC or judicial decrees issued estimating the opposition to the precautionary measures adopted without the defendant’s hearing – Art. 742 LEC).
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Sweden	Enforcement Code (UB) – Chapter 3, Section 1	Enforcement titles under UB are: <ol style="list-style-type: none">1. A court judgment, order or decision, a settlement that is confirmed by a court, and a mediation agreement declared enforceable by a court2. An approved criminal penalty order, an approved order to pay a breach of regulations fine, or an approved order of charge3. An arbitration award, or a decision on cancellation of arbitration4. Undertakings concerning maintenance allowance5. A decision by an administrative authority that in accordance with a special regulation may be enforced6. A document that in accordance with a special regulation may form a basis for enforcement7. An order or decision in cases concerning payment orders or judicial assistance made by the Enforcement Authority, and a European enforcement order declared enforceable by the Enforcement Authority.
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