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European payment order

Austria

Article 29(1)(a) - Courts with jurisdiction

For applications for the issue of a European order for payment, only the Vienna Commercial Court has jurisdiction (§ 252(2) of the Austrian Code of Civil Procedure).

Article 29(1)(b) - Review procedure

Procedurally, applications for review under Article 20(1) and (2) are treated as applications for restitutio in integrum. However, a decision granting an application under paragraph 2 is appealable (§ 252(5) of the Austrian Code of Civil Procedure).

Article 29(1)(c) - Means of communication

Submissions in the European order for payment procedure may be made either in paper form or electronically using WebERV (web-based electronic justice). In principle WebERV is open to all natural and legal persons. The technical prerequisites for this are special software and the existence of a transmitting agency. A list of current transmitting agencies can be found at <http://www.edikte.justiz.gv.at/edikte/km/kmhlp05.nsf/all/erv>.

Submission via fax or e-mail is not possible.

Article 29(1)(d) - Accepted languages

German is the accepted language in accordance with Article 21(2)(b).

In addition to the official language (German), any person may use Hungarian before the district courts (*Bezirksgerichten*) of Oberpullendorf and Oberwart, Slovenian before the district courts of Ferlach, Eisenkappel and Bleiburg, and Croatian before the district courts of Eisenstadt, Güssing, Mattersburg, Neusiedl am See, Oberpullendorf and Oberwart.

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