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European payment order

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), Austrian nationals and nationals of countries that are party to the Agreement on the European Economic Area may use Hungarian before the district courts 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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