

1. Procedures for rectification and withdrawal (Art. 10(2))

Concerning information on rules set out in national legislation implementing the application of Article 10(2) of the Regulation and laying down the procedure for rectification or withdrawal of a European Enforcement Order Certificate, the Latvian authorities would inform you that the implementing measures of Article 10(2) are incorporated into Articles 543.1 and 545.1 of the Law on Civil Procedure.

“Article 543.1. Rectification of errors in European Union enforcement documents

(1) On application by a party to the proceedings, a court that has delivered a judgement or taken a decision may rectify errors in a European Enforcement Order Certificate on the basis of Article 10 of Regulation (EC) No 805/2004 of the European Parliament and of the Council, in the certificate referred to in Articles 41(1) or 42(1) of Council Regulation (EC) No 2201/2003 on the basis of Council Regulation (EC) No 2201/2003, or in the certificate referred to in Article 5 of Regulation (EU) No 606/2013 of the European Parliament and of the Council on the basis of Article 9(1)(a) of Regulation (EU) No 606/2013. A court may also rectify errors in the certificate referred to in Article 5 of Regulation (EU) No 606/2013 of the European Parliament and of the Council at its own initiative.

(2) For submission of an application for the rectification of a European Enforcement Order Certificate, use must be made of the form referred to in Article 10 (3) of Regulation (EC) No 805/2004 of the European Parliament and of the Council.

(3) The issue of error rectification shall be examined at a court hearing, with the parties having been notified thereof prior to the hearing. The failure of these persons to attend shall not impede the examination of the issue.

(4) Errors in the enforcement documents referred to in Paragraph 1 of this Article shall be rectified by a court decision.

(5) An ancillary complaint may be made with regard to the court's decision to rectify an error in an enforcement document.

Article 545.1. Withdrawal of the European Enforcement Order Certificate and the certificate referred to in Article 5 of Regulation (EU) No 606/2013 of the European Parliament and the Council

(1) On application by a party to the proceedings, using the form referred to in Article 10(3) of Regulation (EC) No 805/2004 of the European Parliament and of the Council, a court that has delivered a judgement or taken a decision may withdraw a European Enforcement Order Certificate on the basis of Article 10 of Regulation (EC) No 805/2004 of the European Parliament and of the Council.

(11) On application by a party or at its own initiative, using the certificate referred to in Article 14 of Regulation (EU) No 606/2013 of the European Parliament and of the Council, a court that has taken a decision may withdraw the certificate referred to in Article 5 of Regulation (EU) No 606/2013 of the European Parliament and of the Council on the basis on Article 9(1)(b) of Regulation (EU) No 606/2013 of the European Parliament and of the Council.

(2) An application to withdraw a European Enforcement Order Certificate or the certificate referred to in Article 5 of Regulation (EU) No 606/2013 of the European Parliament and of the Council shall be examined at a court hearing, with the parties having been notified thereof prior to the hearing. The failure of these persons to attend shall not impede the examination of the issue.

(3) An ancillary complaint may be made with regard to the court's decision.

2. Procedures for review (Art.19 (1))

With regard to the implementation of Article 19(1) of the Regulation, no additional rules have been incorporated into national legislation, as in Latvia these rules are covered by the provisions of the Law on Civil Procedure.

“Article 51. Reinstating of procedural time-limits

(1) On application by a party to the proceedings, the court shall reinstate missed procedural time-limits if it finds the reasons for failing to meet them justified.

(2) When reinstating a missed procedural time-limit, the court shall also allow the delayed procedural action to be carried out.

Article 52. Extension of procedural time-limits

The time-limits set by a court or a judge may be extended on application by a party to proceedings.

Article 53. Procedure for extending or reinstating procedural time-limits

(1) An application for a time-limit extension or reinstatement of a missed time-limit shall be submitted to the court where the delayed action was to be carried out, and the application shall be examined by written procedure. Prior to the examination of the application by written procedure, the parties to proceedings shall be notified thereof and they shall be sent an application to have a time-limit extended or a missed time-limit reinstated at the same time.

(2) An application for a reinstatement of a procedural time-limit shall be accompanied by documents required for execution of the procedural action, and the grounds for the reinstatement of the time-limit.

(3) A time-limit set by a judge may be extended by a judge sitting alone.

(4) An ancillary complaint may be made with regard to a refusal of a court or a judge to extend or reinstate a time-limit.

3. Accepted languages (Article 20(2)(c))

Pursuant to Article 20(2)(c) of the Regulation Latvia indicates Latvian as the accepted language for receiving and issuing an European Enforcement Order Certificate.

4. Authorities designated for the purpose of certifying authentic instruments (Art. 25)

There are no institutions set up in Latvia that would be entitled to establish authentic instruments under Article 25 of the Regulation.

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