

Court requests

Competent courts in other EU Member States making requests for account information under Article 14 of the European Account Preservation Order Regulation (EAPO Regulation) should address them to the:

Bundesamt für Justiz
(Federal Office of Justice)
Division II 5
53094 Bonn
Germany

Fax: +49 228 99 410-6440
E-mail: eu-kontenpfaendung@bfj.bund.de

To find the account in question, the name and date of birth of the debtor will be needed. In the case of legal persons, their address will also be required. Requests to the Bundeszentralamt für Steuern (Federal Central Tax Office) for information can only be made if the person's date of birth is provided. Such applications must be made in German.

Further information

For more information, please visit the website of the Federal Office of Justice:

 www.bundesjustizamt.de/eu-kontoinfo

Contact details

Bundesamt für Justiz
(Federal Office of Justice)
Division II 5
Adenauerallee 99-103, 53113 Bonn, Germany
Postal address: 53094 Bonn, Germany

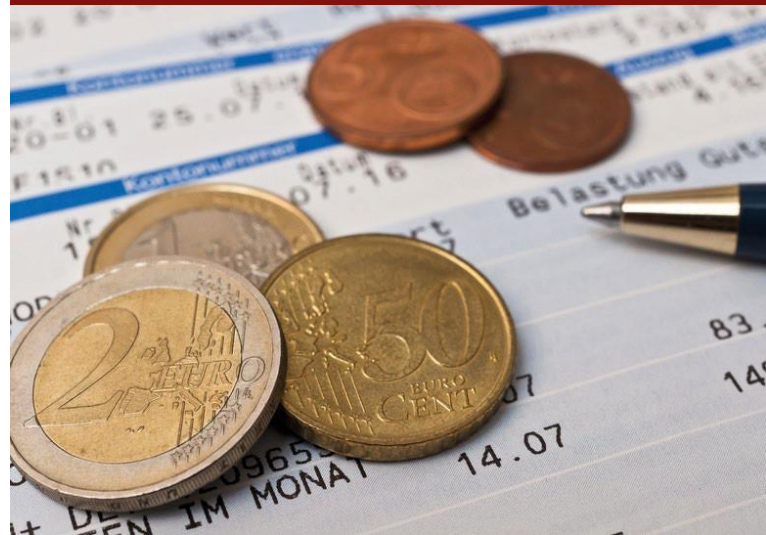
Phone: +49 (0) 228 99 410-40
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Federal Office
of Justice

Central Information Authority

for obtaining account
information in Germany



European Regulation on provisional preservation of accounts

The European Account Preservation Order Regulation (EAPO Regulation) came into force on 18 January 2017.

Under this Regulation, creditors located in EU Member States (apart from Denmark) are able to bring about court orders which make it possible to freeze funds in debtors' accounts held at financial institutions anywhere in the EU.

The procedure can be used in cross-border civil and commercial matters. For these purposes, either the creditor's place of residence or the court responsible for the request must be in a different EU Member State from that in which the account to be subject to the preservation order is located.

Forms are provided for making an application for the provisional preservation of an account. The forms can be downloaded by going to the European e-Justice Portal and selecting "Dynamic forms" from the sidebar.

 e-justice.europa.eu

How account information is obtained

If creditors do not have adequate information on accounts held by debtors in another EU Member State, they can – at the same time as they apply for the issuance of the provisional preservation order – request that the competent court ask the information authority to gather information about whether debtors hold accounts in the Member State, and if so, at which banks they hold them.

If all conditions are fulfilled, the court seised will ask the Central Information Authority of the other Member State to obtain the account information (Article 14 EAPO Regulation).

The **Federal Office of Justice** (Bundesamt für Justiz – BfJ) in Bonn is the Central Information Authority for bank accounts in **Germany** under the EAPO Regulation (as set out in Section 948 Subsec. 1 Zivilprozessordnung – Code of Civil Procedure).

The Federal Office of Justice makes a request to the Bundeszentralamt für Steuern (Federal Central Tax Office) for information. This information is then forwarded by the Federal Office of Justice to the court making the request. The Federal Office of Justice deletes the data sent by the Federal Central Tax Office immediately after this. Once 30 days have passed, the debtor is informed that the data has been collected and forwarded to the court.



Advantages of the new procedure

The procedure provided for by the European Account Preservation Order Regulation makes taking legal action against debtors in other EU Member States more straightforward. The EAPO Regulation allows creditors to secure payment by having debtors' funds frozen in advance of enforcement. It allows cross-border access to the debtors' accounts without debtors being warned by having documents served on them beforehand. It has also created a new instrument for obtaining account information.

Forms are provided which can be used for applying for court orders, for the bank's third party debtor declaration, and for debtors to use in the case of any appeal.

No obligation exists for parties involved in the procedure to be represented by a lawyer.