AGENDA FOR
IMF LEGAL DEPARTMENT ROUNDTABLE

ON

EFFECTIVE ENFORCEMENT OF CIVIL AND COMMERCIAL CLAIMS

March 12-13, 2015, Joint Vienna Institute, Vienna (Austria)

<u>March 11, 2015</u>

7 p.m.	Welcome reception *(Skybar)*

<u>March 12, 2015</u>

8:30 – 9 am	Registration and Welcome from JVI
9:00 – 9:15 am	Opening remarks
9:15 – 9:30 am	Macro–economic importance of effective and efficient debt enforcement

Introductory Session: Challenges to Effective Enforcement

This session will focus on the key challenges faced by countries in the effective enforcement of commercial claims.

9:30-11:00 a.m.	Participants will discuss the main challenges they face in effective enforcement of commercial claims and share their experiences in addressing these challenges. Experts will comment on recent developments and any identifiable trends.
11:00 -11:15 a.m.	Coffee Break

Session 2: Payment Orders for Domestic Transactions – Comparative Lessons.

This session will focus on the experience with the special procedure to obtain enforcement title for moneyed debts called Payment Orders which constitute the very large majority of commercial debts and enforcement claims in any country. The session will specifically look at Payment Order regimes for domestic transactions and *not on the EU Regulation applicable to cross-border transactions (Mahnverfahren (GER & AUT); Injuncao (PRT) and EU Regulation).*

11:15-12:45 p.m.	Country Experience with Domestic Payment Order Regimes (Commencement & Process) Participants will share country experiences on key features of their Payment Order systems such as whether Payment Orders are mandatory and have a value cap; and the filing procedures. The focus will be on identifying what works well and what has not worked and why.
12:45- 2:15 p.m.	Lunch (to be provided at JVI)
2:00-3:30 p.m.	Session Resumes: Country Experience with Domestic Payment Order Regimes (Decision & Performance) Participants will share information on decision format, appeals and performance (cost, recovery). Reflections on improving efficiency and performance will be the focus of the discussion.
3:30-3:45 p.m.	Coffee Break
3:45 – 5:00 p.m.	Designing and Establishing a New Payment Order Regime: Country Experience This session comprises of three short presentations. Poland and Italy have recently introduced Payment Order systems and will highlight the following components of their systems: (a) objectives and design; (b) building blocks (civil procedure, IT infrastructure, courts & personnel); (c) roll-out (management, duration & cost), and (d) effectiveness in recovery; impact on court process. Portugal will share details of the design and effectiveness of its system and reflect on lessons learned.
7:00 – 9:00 pm	Official Dinner (*Beim Novak*)

<u>March 13, 2015</u>

Session 3: Garnishments (Bank Accounts)

This session will focus on garnishment (seizure) of bank accounts, which is one of the most frequently used and easy to apply instruments to secure (freeze) assets and to enforce court orders (and other title documents) in recovery.

9:00- 10:00 a.m.	Results of the Country Survey on Garnishments
	Two weeks prior to the Roundtable, participants will be sent a short questionnaire with technical questions on bank garnishments in their respective country. The responses will be consolidated and shared with participants during this session.
10:00- 10:15 a.m.	Coffee Break
10:15-11:30 a.m.	Conservatory or Executory Garnishment: Procedural Issues
	Participants will reflect on the speed, formalities and cost of such procedures as well as identification of bank accounts (possibly through a central registry), employer and bank compliance issues, and possible vicarious liability issues.
11:30- 12:30 p.m.	Coverage of Garnishment: Substantive Issues
	Participants will share experiences on the coverage of garnishments, including the types of bank accounts that may be garnished (current, deposit, joint, and/or accounts etc.), timing issues (sums at seizure, subsequent transfers in etc.), exempt payments (social security payments, student grants etc.); dual income situations etc.
12:30-12:40 p.m.	Closing Remarks