

European order for payment procedure

2004/0055(COD) - 04/07/2006 - Commission communication on Council's position

The Commission can accept the common position which, although modifying some specific features of the Commission's original proposal as amended following Parliament's opinion, remains faithful to the objective of simplifying, speeding up and reducing the costs of litigation concerning uncontested pecuniary claims.

All amendments of Parliament were included in the amended proposal of the Commission and also in the common position.

There is one case of divergence between the amended proposal and the common position. It concerns the definition of the term "cross-border case". The Commission regrets the limitation to cases where both parties are domiciled in a Member State and has made a declaration accordingly.

The common position of the Council has been negotiated together with the European Parliament in view of reaching a first-reading agreement. Therefore the European Parliament should not request any amendments of the common position.