

# GGN PRICING POLICY AND CONDITIONS FOR NON-OFFICIAL LEGAL SERVICES AND ADDITIONAL FEES FOR OFFICIAL LEGAL SERVICES

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## 1. Non-official legal services

- 1.1 Definition of non-official legal services

Non-official legal services include activities such as:

- a. collections;
- b. consultancy services;
- c. legal assistance;
- d. conducting legal proceedings;
- e. serving summons;
- f. representation at hearings;
- g. filing and processing applications, appearing in court, as well as all related activities;
- h. handling enforcement orders submitted by litigants or their representatives for enforcement, including collection of resulting funds for the enforcer.

- 1.2 'The clients'

- 1.2.1 GGN and its affiliated bailiffs shall perform the activities at the request of and/or under contract from:

- a. agents, including:
  - I. bailiffs;
  - II. attorneys;
  - III. members of the Netherlands Association of Collection Agencies (NVI) or the Netherlands Association of Legal Advisers (NVRA);
- b. advisers, including:
  - I. clients who are: legal advisers and/or owners of a collection agency who do not fall under the aforementioned category;
- c. other clients, including:
  - I. clients who do not fall under the above categories.

- 1.2.2 The board of GGN shall be entitled to apply fees used for any category of clients to persons other than those listed in that category and to amend these fees.
- 1.3 Basic fee and rates
- 1.3.1 In all cases where GGN creates a file and enters information on the case into its system, a basic fee of €35.25 shall be charged.
- 1.3.2 Other fees:
- a. Information from the basic personal register ('BRP'), social security database ('SVB'), the Information Agency ('IB') and the Employee Insurance Agency ('UWV') €1,69
  - b. Standard information from the Trade Register €4,47
  - c. Information from the Land Registry €4,22
  - d. Basic debt recovery information €185,00
  - e. Vehicle registration information from the Netherlands Vehicle Authority ('RDW') €1,59
  - f. Information on source of income (Employee Insurance Agency policy) €1,85
  - g. Information on source of income (electronic request for information) €2,53
  - h. Sending the 14-day letter as required under the Extrajudicial collection costs decree ('Besluit vergoeding voor buitenge rechtelijke incassokosten') €5,00
  - i. Consultation of the Digital Seizure Register ('DBR') €1,66
  - j. Information from the Matrimonial Property Register €1,25
  - k. Publication in the Government Gazette €10,00
  - l. Issue of authenticated or other copies €6,83
  - m. Login code for Case-law quality and innovation programme ('KEI') €1,85
  - n. Post-trial representative fee, 50% of one representative fee point

GGN shall endeavour to recover these costs from the debtor where possible.

- 1.3.3 Interest on extrajudicial collection costs and on settled court costs shall fall to GGN.

1.4 Hearing agent fees

Payable to GGN for activities as per Section 1.1(e and f)

- 1.4.1 In undefended cases or in the event of settlement before the first hearing date, the fee charged shall be half the customary or allocated representative fee, with a minimum of €7,05 per appearance at hearing and a maximum of €70,29.

- 1.4.2 In defended cases, the fee charged shall be one third of the representative fee, with a minimum of €7,10 per appearance at hearing and a maximum of €210,81, plus a possible hourly surcharge of €84,44 each of the following services:

- I. preparing for and attending appearances by parties;
- II. witness examination;
- III. onsite inspection;
- IV. oral explanation;
- V. hearing on the facts.

- 1.4.3 In the case of settlement during the proceedings, the fee charged shall be one third of the customary representative fee payable based on the court-approved scale of costs, calculated on the original principal claimed. For other cases, Section 1.4.2 shall apply.

1.5 Settlement costs for agents

- 1.5.1 'Settlement costs' shall mean: the fees GGN charges agents for its work settling cases, after issue of a summons, submission of a petition, or provision of an enforcement order for settlement.

- 1.5.2 The basis for calculation of settlement costs shall be the total of the funds received less the costs payable to GGN, regardless of to whom the payment was made.

- 1.5.3 The settlement costs shall be 5%, with a minimum of €49,24 and maximum of €702,94.

- 1.5.4 Settlement costs shall also be due on payments made to GGN during or immediately following precautionary measures taken by GGN.

- 1.5.5 If application of the fees referred to in Sections 1.4 and 1.5 results in a charge of less than €35,25, plus expenses incurred, only the basic fee of €35,25 referred to in Section 1.3.1 shall be charged. If application of the fees referred to in Sections 1.4 and 1.5 results in a charge of €35,25 or more, the basic fee shall not be charged.
- 1.6 Settlement costs for advisers
- 1.6.1 For work performed by advisers, provided they prepare and handle the court case themselves, GGN charges 10% of the amount recovered, plus one half and one third of the allocated representative fee, respectively, taking into account the provisions on hearing agent fees in Section 1.4.
- 1.6.2 The basis for calculation of the amount recovered is the total of the principals and interest paid by the debtor, regardless of to whom the payment was made.
- 1.7 Fees for other clients
- 1.7.1 'Collection activities' shall mean activities intended to secure payment of alleged claims, or activities intended to secure payment consisting in the execution of enforcement orders.
- 1.7.2 GGN shall charge the Client the following fees for collection activities:
- I. A) the fee according to the Decree on fees for extrajudicial collection costs (the 'Besluit vergoeding voor buitengerechtelijke incassokosten') on the amount recovered (Schedule of Extrajudicial Collection Costs ('BIK')), plus any expenses, if the Client is a natural person;  
a 15%-surcharge on the amount recovered, plus any expenses;  
B) GGN shall endeavour to recover the collection costs and expenses from the debtor;
  - II. the basis for calculation of the amount recovered is the total of the principals and interest paid by the debtor, regardless of to whom the payment was made;
  - III. in all cases where a claim appears to be unrecoverable, the Client shall owe GGN reimbursement for expenses incurred and a fee for services rendered, according to the rates in this Policy;
  - IV. for legal assistance and/or collection activities that do not fall within the scope of ordinary collection activities (such as extensive consulting or investigation activities), the Client shall owe GGN reimbursement for the expenses incurred and a fee for these activities, determined based on an hourly rate of €119.53 for cases involving amounts up to €5.000, and €154,68 for cases involving amounts over €5.000.

## **2. Rates for official services**

- 2.1 Definition of official legal services
- 2.1.1 'Official services' shall mean activities as described in Article 2 of the Dutch Bailiffs Act of 26 January 2001 (the 'Gerechtsdeurwaardwet'), which came into force on 15 July 2001.
- 2.1.2 For the performance of official services, GGN shall charge its clients the fees specified in the Bailiff fees decree (hereinafter the 'Btag'). GGN shall endeavour to recover these costs from the debtor.
- 2.1.3 If after a written notice, GGN cannot seize movable goods under a warrant of execution because:
- the movable goods are not of sufficient economic value;
  - the debtor is not the owner of the movable goods (for instance, because the debtor is the occupant at the address, or merely using it as a postal address);
  - the debtor does not reside at the address; or
  - dwelling is completely empty and vacated;
- then GGN shall charge 50% of the Btag rate for the report of seizure of movable goods.

- 2.2 Additional official services
- 2.2.1 GGN shall charge the following fees for the services indicated below, not defined in the Btag:
- serving a writ constituting a final demand for payment/interruption of the time limit €91,49;
  - serving a writ of correction €91,49;
  - serving a protest of a bill of exchange €174,72;
  - serving a subpoena €91,49;
  - serving a writ of appeal against a declaration of bankruptcy €91,49;
  - serving a writ of summons to attend an onsite inspection €91,49;
  - completing forms as the sending party €26,10;
  - hourly rate for drafting a bailiff's inspection report €140,52;
  - for preparation and filing of a bankruptcy petition or preparation and serving of a prejudgement attachment, the court hours in addition to the applicable writ costs according to the Btag.
- 2.2.2 If an order to perform an official act in the institution or execution of proceedings is cancelled at the Client's request, or if an official act is cancelled at the Client's request during performance, an hourly fee of €126,53, plus expenses, shall apply.
- 2.2.3 If an official act in the institution or execution of proceedings cannot be completed due to circumstances arising from incorrect or outdated information that the Client provided to GGN, 50% of the fee specified in the Btag shall be charged.
- 2.2.4 If the official act, or its preparation or follow-up, exceeds the timeframe specified in the Btag, the Client shall also owe a surcharge in the amount of €31,62 on top of the debtor's fee for every 15-minute period or portion thereof for the attaching bailiff, and a surcharge of €21,15 for every 15-minute period or portion thereof for each staff member allocated.
- 2.2.5 Rush rates
- 2.2.5.a Orders that must be completed (i) on working days between 20:00 and 07:00, (ii) on weekends or (iii) on generally recognised public holidays shall be charged at twice the normal rate.
- 2.2.5.b Orders that must be completed within 24 hours after submission shall be charged at twice the normal rate.
- 2.2.5.c Orders falling under both 2.2.5.a and 2.2.5.b shall be charged at three times the normal rate.
- 2.2.6 Copying and printing in excess of 100 pages per order shall be charged at €8,21 for 50 pages.

### **3. General**

- 3.1 Turnover tax  
All amounts/fees specified in this Policy are exclusive of any applicable turnover tax.
- 3.2 Indexing  
All amounts and fees listed in this Policy shall be indexed annually on 1 January. Indexing shall not apply to the percentages given above, only to amounts/fees explicitly indicated.
- 3.3 Financial legal aid  
All rates indicated in this Policy also apply to orders completed at the request of parties that have been awarded financial legal aid ('toevoeging') as referred to in the Dutch Legal Aid Act (the 'Wrb'). The Client shall cover any costs that do not fall within the scope of financial legal aid.