

# RATES REGULATIONS AND PROVISIONS FOR NON-OFFICIAL LEGAL PRACTICE AND ADDITIONAL FEES CONCERNING THE OFFICIAL PRACTICE OF THE GGN FIRMS

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- 1. non-official legal practice**
  - 1.1 *Description of non-official administration of justice*

The non-official administration of justice includes:

    - a. the collection activities;
    - b. providing advice;
    - c. providing legal assistance;
    - d. conducting litigation;
    - e. initiating a summons;
    - f. acting as cause-list representative;
    - g. filing requests and processing them, appearing in court, along with all other related activities;
    - h. the finalisation of the enforcement of enforcement orders handed over by the petitioning party or its/his/her representatives, including the collection of the ensuing costs for the execution creditor.
  - 1.2 *The 'clients'*
    - 1.2.1 The activities will be performed by the GGN firms or the court bailiffs affiliated with these firms at the request of and/or on the instruction of:
      - a. Intermediaries, which includes:
        - I Court bailiffs;
        - II Lawyers;
        - III Members of the NVI (Dutch Association of Debt Collection Agencies) or the NVRA (Dutch Association of Legal Consultants).
      - b. Consultants, which includes:
        - I Clients who are: legal advisers and/or operators of a debt collection agency not defined in the aforementioned category.
      - c. Other clients, which includes:
        - I Clients not included in the above categories.
    - 1.2.2 The GGN board is authorised to declare the rates for any category of clients applicable to persons other than those referred to in the relevant category or to amend same.
    - 1.3 *Basic fee - administration charges*
      - 1.3.1 A standard fee of € 33.05 will be charged in all cases for which GGN offices create a file and incorporate the information in their records.
      - 1.3.2 Other rates:
        - a. Information obtained from the Municipal Personal Records Database € 1.63
        - b. Standard information from the Commercial Register € 4.79
        - c. Information from the Land Registry € 5.10
        - d. Basic debt recovery information (private individuals) € 52.90
        - e. Basic debt recovery information (legal entity) € 163.70
        - f. Registration number information € 1.38
        - g. Income source information (UWV policy) € 1.58
        - h. Income source information (E-ri) € 2.08
        - i. Sending the 14-day letter prescribed by the Order on payment of extrajudicial collection costs € 5.00.

re a) also applicable to LRD, SVB, IB and UWV.  
Which costs will be recovered from the debtor insofar as possible and permitted.
      - 1.3.3 Interest on the extrajudicial collection costs and on the liquidated legal fees accrues to GGN.
      - 1.4 *Rates for cause-list representation by intermediaries.*

The rates owed to GGN offices for the activities referred to in clause 1.1 under e. and f.:

        - 1.4.1 In undefended cases or in the event of payment before the first hearing date, half the amount awarded or half of the customary salary for authorised representatives, with a minimum of € 6.60 per cause-list appearance, and a maximum of € 65.90.
        - 1.4.2 In defended cases, one-third of the salary for authorised representatives, with a minimum of € 6.65 per cause-list appearance to a maximum of € 197.60, possibly plus € 79.15 per hour for each act related to:
          - I the preparations for and attending a personal appearance of the parties;
          - II a witness examination;
          - III an on-site inspection;
          - IV a verbal explanation;
          - V an interview related to unresolved questions.
        - 1.4.3 In the event of a settlement during the proceedings, one-third of the customary salary for authorised representatives owed in accordance with the court's tariffs scale, to be calculated based on the original principal sum sought, and clause 1.4.2 applies otherwise.
      - 1.5 *Settlement costs for intermediaries*
        - 1.5.1 Settlement costs are defined as: the costs which the GGN firms charge the intermediaries for their activities related to the settlement of cases after a summons has been issued, a petition has been filed or if they have received an execution order for payment.
        - 1.5.2 The basis for the calculation of the settlement costs is the total of the amounts received less the costs due to the GGN firm, regardless of who the payment was made to.
        - 1.5.3 The settlement costs amount to 5% with a minimum of € 46.15 and a maximum of € 658.85.
        - 1.5.4 The settlement costs will also be owed on the payments made to the GGN office during or immediately following the prejudgment measures taken by the GGN office.
        - 1.5.5 If the application of the rates referred to in clauses 1.4 and 1.5 leads to a result lower than € 33.05 plus the disbursements incurred, only the basis fee of € 33.05 will be charged. If the application of the rates referred to in clauses 1.4 and 1.5 leads to a result of € 33.05 or higher, the basic fee will not be charged.

## 1.6 *Settlement costs for consultants*

1.6.1 For work performed by consultants, provided they prepare the legal aspects of the case and handle it themselves, the GGN offices are owed 10% of the amount collected, plus half or one-third of the awarded salary for authorised representatives, such with due observance of the provisions of clause 1.4 in 'rates for representation by intermediaries'.

1.6.2 The basis for the calculation of the collected amount is the total of the principal sums and interest paid by the debtor, regardless of who the payment was made to.

## 1.7 *Rates for other clients*

1.7.1 Collection activities include those activities which serve to obtain payment of alleged claims or the activities which serve to obtain payments consisting of the enforcement of execution orders;

1.7.2 The GGN offices shall charge the client as follows for collection-related work:

- I The rate of 15% of the collected amount or the rate in accordance with the Preliminary Work II report of the Dutch Association for the Judiciary, or the rate according to the Order on payment of extrajudicial collection costs, plus any disbursements, of which the GGN office shall seek to recover as much as possible from the debtor.
- II The basis for the calculation of the collected amount is the total of the principal sums and interest paid by the debtor, regardless of who the payment was made to.
- III In all instances in which a claim appears irrecoverable, the client will owe the GGN firm the costs it has incurred through disbursements and a fee for its work, to be determined in accordance with the rates of these regulations.
- IV For legal aid and/or collection costs that do not fall within the scope of the ordinary collection activities (for example, extensive advisory or investigative activities), the client will owe the GGN firm the costs it incurred through disbursements and a fee for this work based on an hourly rate of €112.05 for cases involving an interest of up to €5,000 and €144.95 for those involving an interest in excess of €5,000.

## 2. **official rates**

### 2.1 *Description of the official administration of justice*

2.1.1 Official activities are defined as the activities as described in Section 2 of the Dutch Court Bailiffs Act of 26 January 2001, which entered into effect on 15 July 2001.

2.1.2 For the performance of official acts, GGN offices will charge their clients the rates as described in the Dutch Court Bailiffs' Fees Decree (hereinafter: Btag).

### 2.2 *Addition to official acts*

2.2.1 Supplemental to clause 1.3, the following amounts will be charged for the following activities not listed in the Btag, which can never be recovered from the debtor:

- for issuing a demand for payment €85.75
- for issuing a rectification writ €85.75
- for protesting a bill €163.75
- for issuing a writ calling witnesses to appear €85.75
- for issuing a writ of opposition to bankruptcy €85.75
- for issuing a writ of summons for a local inspection €85.75
- for completing the forms, as the dispatching institution €24.45
- for an official report of ascertaining certain facts, an hourly rate of €131.70

2.2.2 For an instruction to perform an official act in the pre-procedural stage or the executorial stage which is cancelled by the client or an official act that is cancelled at the client's request during performance or cannot be completed for other reasons, an hourly rate of €118.60 exclusive of disbursements.

2.2.3 For an official act in the pre-procedural stage or the executorial stage that cannot be completed due to circumstances ensuing from the fact that the client provided the GGN firm contacted with incorrect or outdated information, 50% of the rate described in the Btag.

2.2.4 If the official act, or the preparation or follow-up for it, takes longer than the time set out in the Btag, the client will owe a surcharge on top of the debtor's rate in the amount of € 29.65 for every 15 minutes or portion thereof for the attaching bailiff and a surcharge of € 19.80 for every 15 minutes or portion thereof for the staff engaged in that respect.

2.2.5 For official acts to be performed outside ordinary working hours (Monday through Friday, from 7 a.m. to 8 p.m.) and at the weekend, the fees to be charged will be double the usual rates.

2.2.6 For the necessity to perform an official act or acts immediately at the request of the client, and the urgency is not related to a statutory or court ordered expiration date, the fees to be charged will be double the ordinary rates.

2.2.7 For copying and printing work exceeding 100 pages per order, costs will be charged of €7.70 per 50 pages.

## 3. **general**

### 3.1 *VAT*

3.1 All amounts and rates referred to in these regulations are exclusive of the VAT owing thereon.

### 3.2 *Indexation*

3.2 All the amounts and rates referred to in these regulations will be adjusted with effect from 1 January each year. The indexation is not applicable to the aforementioned percentages, but only to amounts/rates specifically mentioned.