

**FENCA**

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## Newsletter °45

**March 2009**



### **BOARD OF DIRECTORS**

**Kornel Tinguely (President), Switzerland (+41 21 349 25 05)**

**Carsten D. Ohle (Vice President), Germany (+49 40 28 08 260)**

**Marco Recchi (Secretary), Italy (+39 06 59 23 346)**

**Ivo Klimeš (Board Member), Czech Republic (+420 266 793 500)**

 ABR - BVI (Belgium)	 NVI (Netherlands)	 VSI (Switzerland)
 AIA (Czech)	 NIF (Norway)	 CSA (Great Britain)
 ANCR (France)	 PZW (Poland)	 AMCC (Romania)
 BDIU (Germany)	 APERC (Portugal)	 AUCA (Ukraine)
 HeADM (Greece)	 ANGECO (Spain)	 NAPCA (Russia)
 UNIREC (Italy)	 SI (Sweden)	

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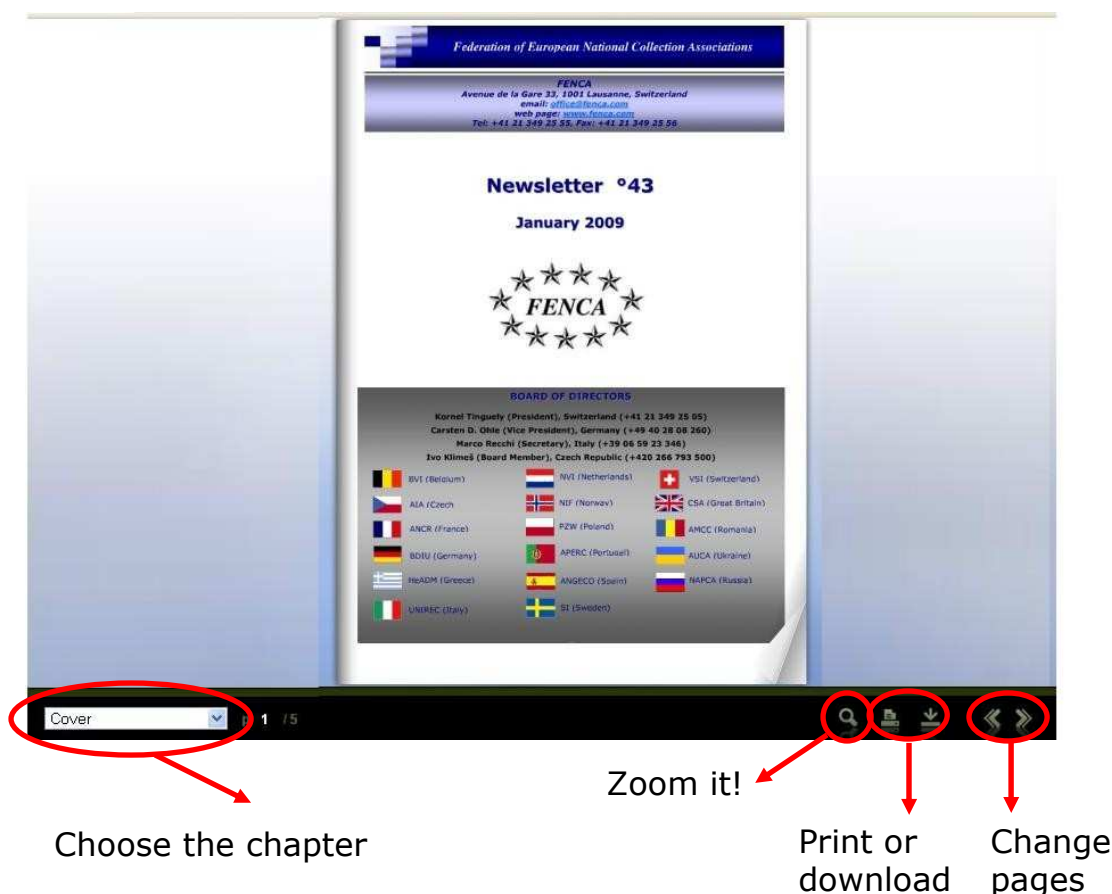
## Instruction

The newsletter is organized in the form of flipping book, with the index, option of downloading, printing and page changing.

The content is organized like in the previous newsletters:

- FENCA news,
- FENCA article,
- News from Brussels,
- News from Our Members,
- Publicity.

Now, instead of scrolling down the whole text, it is you who decide what you want to read and you jump to the selected article.



You can directly print from the web page pages you selected, but you will get a better quality if you download the whole document in .pdf and print selected pages

from there. Also **only** in the .pdf file you can use clickable links, for the needs of your readers we provide text of references at the last pages of the newsletter.

## FENCA News

### ★ Easter Wishes!

*Easter's here  
with its springtime joy and cheer!  
Cherish the beautiful Spring season  
with the brightest blossoms  
in your life and convey  
your feelings to loved ones  
with our bunch of Easter wishes.*

### ★ President's Letter ...see page 6

### ★ European Business Test Panel Consultation

EBTC issued a new consultation concerning SOLVIT: an EU network consisting of 30 centres – one in each EU country and in Iceland, Liechtenstein and Norway- that work together to solve problems arising from incorrect or inappropriate application of EU internal market law by national administrations in cross-border situations. SOLVIT is a free service that deals with complaints from business and citizens. SOLVIT aims at solving problems within a 10 week deadline.

All who are interested in answering the consultation are requested to register under:

<http://ec.europa.eu/yourvoice/ipm/forms/dispatch?form=250&lang=en>

and then you will receive your private username and password from EBTP.

### ★ 2nd World Credit Congress

The second World Credit Congress will take place in Dublin, Ireland, November 24th and 25th 2009.



**2<sup>nd</sup> World Credit Congress & Exhibition**  
The Global Summit for Credit and Collection Professionals  
NOVEMBER 2009 - DUBLIN - IRELAND

All, who is interested, can find information on: <http://www.creditcongress.com/>

### ★ Survey FENCA

The European Survey FENCA is currently collecting the data. The survey has been translated to German, Czech, Polish, Italian, Greek, Spanish and Portuguese. If you would like to answer the survey, please, send us the email to [office@fenca.com](mailto:office@fenca.com)



## President's Letter



**Kornel Tinguely**  
**President of FENCA**

Ladies & Gentlemen

Dear colleagues, dear Friends,

*The first quarter of the year is over. It is the last moment for managers to do the first serious check of her companies. Where are we with our company? What is the general economic situation on our market? Do we reach the goals? Will we be able to survive as we are or do we have to change anything?*

*We are in the middle of the economical crisis. The majority of occidental countries are in recession. We read daily about bankruptcies; increasing unemployment; increase of poverty etc. Politicians from all around criticise what others do bringing only not useful proposals. At the end all solutions are good for the politician only to be re-elected and to get money from the state. Till now all actions including billions of € which were injected in the economy couldn't stop the recession. Soon we will see if the billions agreed by the G 20 will bring certain calm or a reprise of economy. The question remains: who and how will pay the debt to the state?*

*How does this crisis affect our business? If I look backwards, the first 3 months of this year brought a slight increase of bankruptcies. Personally I expect that in the second quarter the level of bankruptcies will continuously grow and the second part of the year will bring even stronger increase. That means that the debt collection business should increase in general.*

*On the other hand, a majority of debt collection companies work on the basis of "no money no fees". As we know, bankruptcies bring no money; so our business will have to work more for the same result or clearly our benefit will decrease. Moreover I expect also that some of our clients will disappear but in the same time companies which still do in-house collection will outsource it to debt collection companies. The need to cut costs will push them to outsource some tasks, and as we know, outsourcing of debt collection is one of the easiest and most effective ways cut costs and get a benefit in a short time.*

*Debt purchasing will experience similar changes in the future. Debt purchasing has an influence on the debt collection business, because or some debt collection companies buy the debt or the debt buyers work with debt collection companies.*

*Actually they are a lot of debts (often very bad debts) to buy on the market. In the past there was an excessive amount of money on the market what resulted in the high price of debts to sell. The current crisis will dump prices to a correct level.*

*It remains an open question; how many debt buyers will disappear as they have stocks which they acquired for an excessive price. The nearest future will brings answers to that question...*

*Despite of the above mentioned points a great majority of SMEs is still performing well and demands a debt collection.*

*FENCA is working hard to follow the huge amount of work in progress which is performed in Brussels. You'll find the latest upgrade about the situation in Brussels in this newsletter.*

*We are also finalizing our next congress in Prague and regulating some other internal duties. The Board of FENCA will meet in two weeks, in Cologne, Germany assisting the conference and AGM of BDIU and organizing in the same time its Board Meeting.*

*I wish you all happy Easter and hope to see you soon!*

Your President

Kornel Tinguely

## Congress in Prague

### Thursday 24.09.2009

**15:00** Opening of the FENCA  
Reception Desk for Participants

**18:00** Welcome drink

**19:00** Opening of the Congress,  
Kornel Tinguely, President of  
FENCA, Switzerland

Opening speech: Vladimir  
Gazarek, President of AIA

Opening speech: Czech  
government representative

Opening speech:  
Representative of the Czech  
Chamber of Commerce

**20:00 - ?** Welcome Diner\*

\* **dress code: business suit**

**12:15 - 14:15** Lunch break



**14:20** **Conflicts' solution**



*Tim Fearon*

**15:00** **Late Payment Directive**



Juan Antonio Salazar Romero

**15:35 - 16:10** Coffee break



**16:10 - 17:00** Questions & Answers  
Ivo Klimes

**20:00 -?** Reception + Gala diner  
and dance\*

\* **dress code: business suit / evening  
dress**

### Friday 25.09.2009

**09:35** **Field collection through  
Europe**



*Marco Recchi*

**10:15** Data protection  
*vacant*

**10:55 - 11.30** Coffee break



**11:35** **EU Law**



*Stefan Zickgraf*

**During the day there will be organised  
a field trip for accompanying persons:**

Strahov, Loreta and Prague Castle, lunch  
on the boat with the waterside sightseeing  
of Prague, Mala Strana and Cathedral of  
St. Nicolas

## **Saturday 26.09.2009**

**9:30** AGM FENCA

**At 12:00 there will be organised a field trip for accompanying persons and the Congress' participants upon subscription:**

Townhall and Powder Gate, walking by old streets to the Jewish Town, Old Town Square with Clock Tower, Tyn Cathedral and around Wenceslav Square.

**20:00 - ?** Concert and elegant diner in the city (upon subscription)

The concert and diner will be organized in the Kaiserstein Palace.

## **Sunday 27.09.2009**

**6:30 - 11:00** Breakfast & Check out

## Sponsoring opportunities

### Main sponsor 5000 €

- Your full company information in every document's pack
- Your company logo on our web page promoting the Congress and on all printed materials
- Your company logo on every guest speaker presentation
- Your company logo at the bottom of every newsletter from the moment of commitment
- Maximum 3 main sponsors of the Congress

### Music sponsor 2000 €

- Your full company information in every document's pack
- Your company logo on our web page promoting the Congress
- Your company logo on the banner over the band "The music is sponsored by..."

### Key holders 300 €

- Your company logo on key holders (material provided by your company)
- 100 words description of your company, together with
- logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

### Pens 4/09 --- 300 €

- Your company logo on pens (material provided by your company)

- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

### Notice books 300 €

- Your company logo on notice books (material provided by your company)
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

### Badge holders 300 €

**Sold out**

### Suggestion...? (submitted to acceptance by FENCA) 300 €

- Your company logo on materials provided
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

### Document distribution 300 €

- Your full company information on the sponsoring table

**Documents' packs sponsoring 500 €**

- Your company logo on the first page of documents' packs with a mention "This document pack is sponsored by..."
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Welcome drink 24.09.2009 600 €**

- Tags with your company logo and name on every table with the mention "The welcoming drink is sponsored by...."
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Welcome dinner 24.09.2009 1000 €**

- Tags with your company logo and name on every dinner table with the mention "The welcoming dinner is sponsored by...."
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Welcome dinner wine + water  
24.09.2009 600 €**

- Stickers with your company logo on every wine and water bottle, with exposure to guests before serving; water bottles with stickers all the time on tables; (stickers provided by your company)
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Coffee breaks 25.09.2009 +  
26.09.2009 600 €**

- Coffee area will be in the exhibitors' area
- Your company logo on the tables of coffee breaks' area
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Business lunch 25.09.2009 600 €**

- Your company logo on the big panel at the entry to the lunch area
- Your company logo on the tags on lunch tables, with the mention: "This business lunch is sponsored by..."
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Cocktail 26.09.2009 600 €**

- Your company logo on the cocktail tables
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Gala Dinner 26.09.2009 1500 €**

- Your company name and logo with the mention "This Gala Dinner is sponsored by..." on the big panel at the entry
- Your company logo on the menu
- Your company logo on the dinner tables, with the mention "This Gala Dinner is sponsored by.."
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Gala Dinner wine + water 26.09.2009 800 €**

- Stickers with your company logo on every wine and water bottle, with exposure to guests before serving; water bottles with stickers all the time on tables; (stickers provided by your company)
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Welcoming Dinner and Gala Dinner table decoration 24.09.2009 + 26.09.2009 700 €**

- Tags with your company logo and name in every decorative element on tables with the mention "The decoration is sponsored by...."
- 100 words description of your company, together with logo and contact details in each document's pack
- Your company may provide leaflets for the FENCA sponsor table

**Exhibition 19/09 25.09.2009 26.09.2009 2000 €**

- Exhibition area in the coffee area
- Your full company information in every document's pack
- Price includes price of a single room for 3 nights and meals
- 5 minutes company presentation in the time slots between speakers; order will be provided with the program



## Ferber-Software – Your IT Partner For Successful Debt-Collection

What is it that makes your debt-collection management successful? Perhaps it is because you have focused, for instance, on specific branches of industry and/or activities or on particular types of clients? Do you collect hundreds of thousands of ultra-small amounts using high-octane efficiency? Or are you an expert in B2B business?

**Whatever debt you collect – you can now optimise the management of all your debt-recovery operations with IKAROS.**

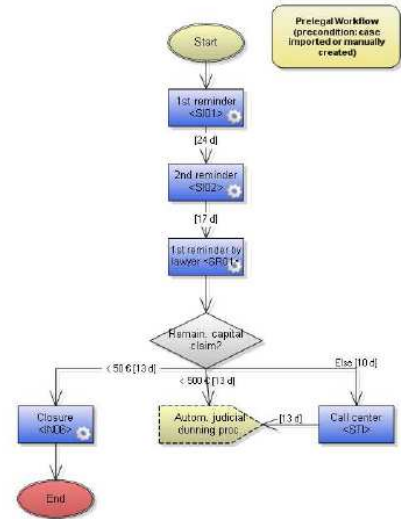
Are you also interested in meeting the special requests of your clients when it comes to the providing of interfaces, reports, workflows etc. ? Do you score extra points over the competition by offering conditions that can be fashioned in a particularly flexible style? Do you receive your account solicitation services on customer creditworthiness or address lists from just one specific service provider?

**Whatever debt you collect – IKAROS adapts to your individual needs.**

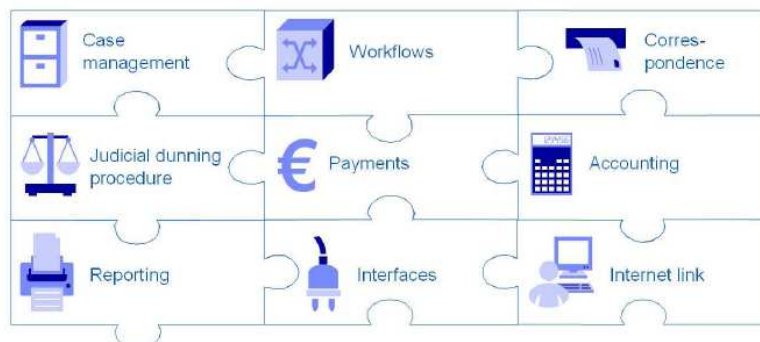
Is it imperative that your IT service provider is a reliable and efficient business partner? Do you wish to become actively involved in the future development of your software? Do you expect projects to be successfully brought to fruition on time and to the agreed budget?

**Whatever debt you collect – your satisfaction and your success are the most important targets on our radar. That's what we aim to collect.**

Take us at our word. We are looking forward to meeting you at our booth at the FENCA meeting in Prague.



### Optimizing you debt-collection management



Tailor-made to your needs



### Contact information



**Ferber-Software GmbH**  
Mr Achim Buschkühle  
Phone: +49 2941 270 547  
vertrieb@ferber-software.com  
www.ferber-software.com

## FENCA Article

### Bankruptcies once again: stronger raise

The falling trend in company bankruptcies since 2005 got reversed last year. The number of insolvencies in the EU-15 plus Norway and Switzerland raised of 15 000 cases in 2008. That number corresponds to **11%** of the total growth.

There are only 3 countries among members of FENCA, where the trend was falling: Switzerland, Netherlands and Poland.

The highest growth in insolvencies noted Spain: over 138%, jumping from 880 cases in 2007 to 2100 cases in 2008. Other remarkable growths noted France (+15.4%), UK (+15.4%), Italy (+29.2%) and Norway (+27.9%).

The dramatic development of insolvency cases is directly connected to the drop of the global economy and harder policy of financing enterprises. A big number of the west European countries didn't get the insolvency wave with the full strength yet...

The highest number of insolvencies per 10 000 enterprises reached France: **215** (the average number of insolvencies per 10 000 enterprises among west European countries is 83).

The number of work places lost in 2008 due to the company insolvencies touched the level of **1.4 Mio** (1.2 Mio in 2007). The branch which had the highest number of insolvency proceedings were services: in average 36.4%. Due to the financial crisis and conjuncture downturn are concerned also the sector of transport and real estate, as well as construction and trade.

The eastern Europe started to feel a recession in the car industry and

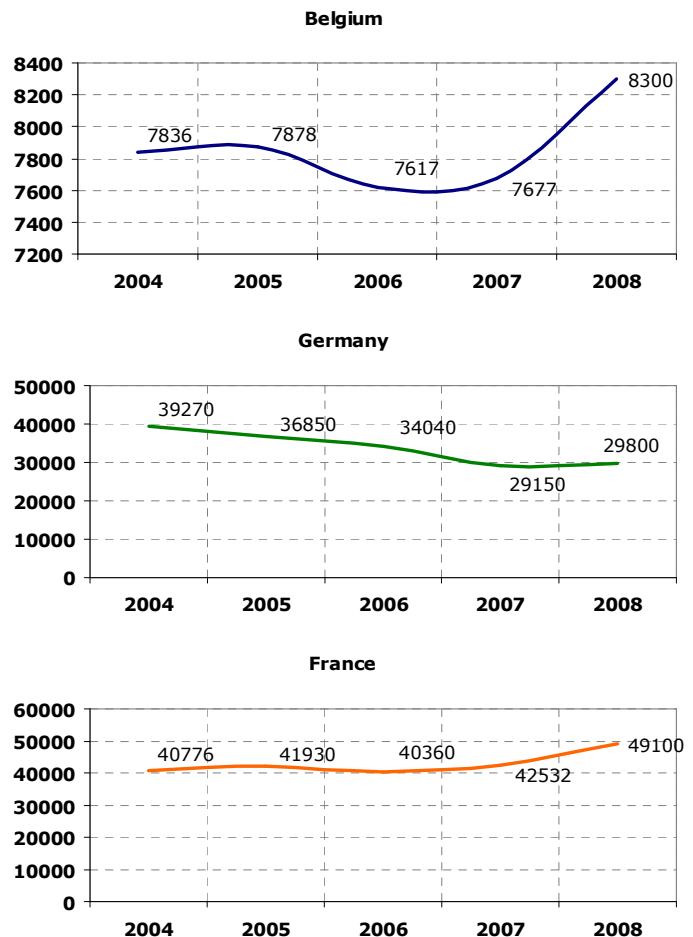
## Curiosity

The payment moral of EU Commission is not an example to take. In the past year every fifth bill was paid with delay and the penalty interest reached the level of 378 000 €. Because of the bad payment habit processing of the bills was slowed down and entered in a mess.

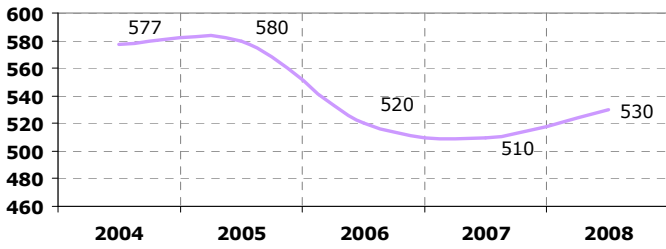
Source: **Creditreform**

processing industries.

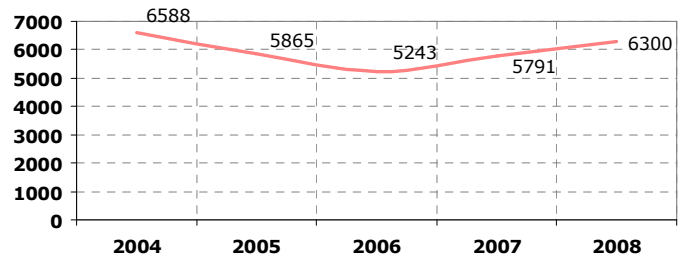
### Insolvencies 2004-2008:



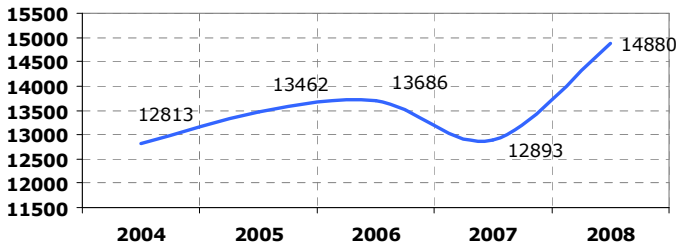
Greece



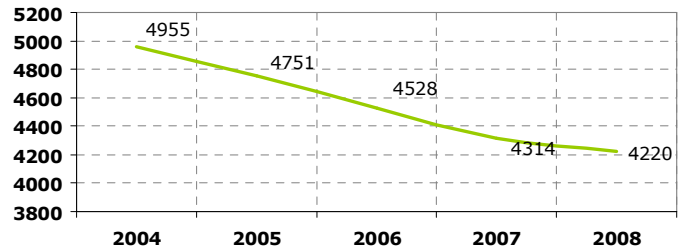
Sweden



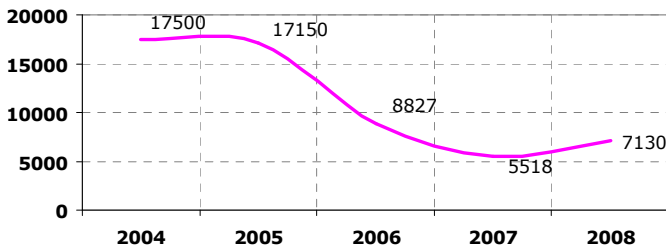
UK



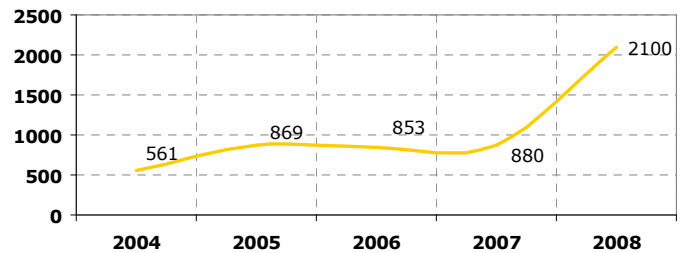
Switzerland



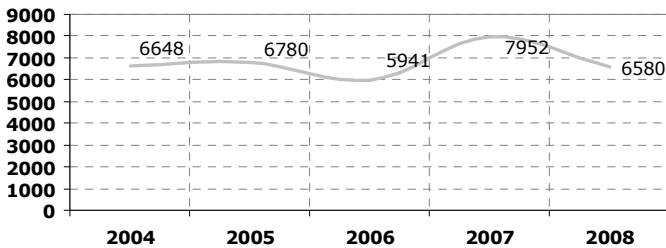
Italy



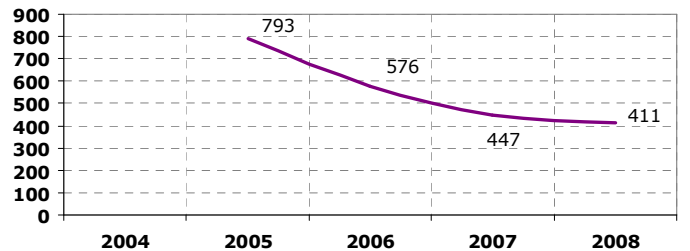
Spain



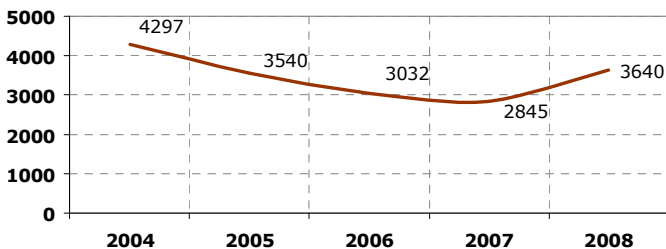
Netherlands



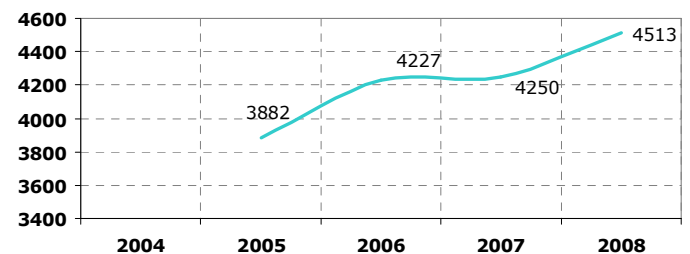
Poland



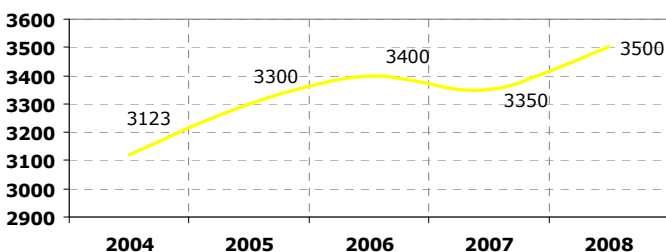
Norway



Czech Republic



Portugal



Source: Creditreform magazine, Issue 3/2009

## Nova, the intelligent solution to help your business grow.

tieto.com

As the leading debt collection system, Nova offers efficient, functional and reliable solutions for its users. As one of the largest IT-suppliers in northern Europe, Tieto offers the deepest understanding of our customers businesses and needs.

Tieto offers a very efficient and reliable solution named Nova for the debt collection- and credit market. Nova has been on the market for a long time and supports a large number of satisfied and successful customers. Nova is continuously developed to meet the needs and demands of our customers. Today Nova offers a wide range of functionalities and Add-On modules.



→ To maximize customer benefit Nova offers modules for Dialler functionality, Scanning, E-mail and SMS which helps Nova to match the customer processes.

Nova also offers modules such as the Batch server for an even higher grade of automation and increased opportunities for resource planning.

The solution is built for easy integration towards external systems used by banks, debt collection companies, finance companies, card companies, insurance companies and others.

Nova is the market leader with 70 installations in 14 countries and we count for example Aktiv Kapital, Alektum, DnBNor, GE Money Bank, Lindorff, Nordea and SEB to our customers.

Behind Nova you will find a very competent and experienced staff concerning issues regarding both the system as well as debt collection.

For more information please contact:

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## FENCA Profile



**Stefan Zickgraf** works in Brussels in InterRecherche SPRL as an assessor, lawyer and managing director.

He is a lobbyist of FENCA since 2005.

He is a specialist in :

- European Procurement Rules and Procedures,
- European Human Resource Development Programmes
- European Environmental, Transport, Energy Policies
- European Regional Development Policies and Programmes
- European SMEs Policies
- European funding for SMEs

- European Research and Development Programmes (FP6, 7)
- European and International Trade Law, e.g. Antidumping
- European legislation on the Internal Market
- European Legislation on the European Judicial Area

and has great experience in projects concerning:

- Acquisition and Management of EU projects and tenders
- Setting-up and management of EU-project consortia
- Legal advice and consulting to major European clients:
  - ❖ TÜV Südwest / Süddeutschland
  - ❖ VEW (merged with RWE in 2000)
  - ❖ Edelhoff comprising analysis and risk assessment according to European Directives
- Studies and publication on Eco-Audit, ISO 14 000 following
- Lobbying, e.g. Enterprise and Industrial policies and day to day
- Management of the European association's affairs

He has a broad international experience (Portugal, Nicaragua, Belgium, Romania and Slovakia).



**Creditreform**

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**Debt collection & Credit reports**



**Your PARTNER  
for debt collection  
and credit reports  
in Switzerland !**

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Tel +41 21 349 26 26  
Fax +41 21 349 26 27  
Email: [info@lausanne.creditreform.ch](mailto:info@lausanne.creditreform.ch)  
Web: [www.lausanne.creditreform.ch](http://www.lausanne.creditreform.ch)

## News from our Members

### News from Switzerland



The Swiss debt collection Association « VSI » held his Annual General Meeting on April 3rd. In the morning the members could participate in 5 presentations. The President of the association, Mr Thomas Kast, performed a presentation about "Management in the Crisis". The CEO of the Association, Dr Robert Simmen performed three presentations: about "Debt collection costs in charges of the debtor", in the subject of "Penalty interests" and about the representation of debt collection companies by the suing offices in two cantons.

A remark has to be done here: the legal penalty interests in Switzerland are very low, they amount only to 5 percents. The Swiss Association with a politician initiated one year ago an action to adapt the law and to increase the minimal interest due by debtors who pays with delay. This action passed by two chambers and now is in processing by the Federal Department of Justice.

The third presentation of Dr Simmen represents a typical Swiss problem. Switzerland is composed of 26 and half cantons and each of them has its own civil process law.

The last presentation was given by Dr David Rüetschi, responsible for the supreme control in the suing and bankruptcy affairs in the Federal Department of Justice. He described changes in his offices and especially the introduction of the electronic processing in the suing offices and courts.

In the Afternoon, the Association held his AGM. The President welcomed the 26 delegates and Board Members (the Swiss Association has 35 members). A special welcoming was given to the guests: Mr Peter Neuhaus, representative of Swiss Trade Association; Mr Wolfgang Spitz, President of BDIU; Dr Carsten D. Ohle Vice-President of FENCA and Mr. Kornel Tinguely, President of FENCA and Board Member of the Swiss Association.

The whole AGM was held in a friendly and constructive atmosphere. After 12 years in the Board, The President Mr Thomas Kast has decided to retire. On his place was unanimously elected Mr Thomas Hutter (as a new President) and Ms Eveline Küng was elected a Vice-President of the Swiss Association.

FENCA congratulates both persons the brilliant election, and wishes them a successful time in the Board.

## News from Brussels

### ★ EU PROPOSES NEW RULES ON LATE PAYMENT IN BUSINESS

After a delay of almost three months the European Commission finally came up with its long awaited proposal:

#### The EC's official release:

"Based on a commitment in the Small Business Act, the Commission suggested on the 8th of April a new policy approach to tackle the situation on late payments and proposes substantial changes to the late payment directive of 2000.

The Commission suggests that public authorities should lead by example and should – as a rule – pay their bills within 30 days. In parallel, the Commission commits itself to speed up payment of goods and services so to fully respect the targets for paying bills and, in a number of cases, even shortening payment times to under the current legal period.

The proposed changes reflect the importance of timely payments to businesses, and especially to SME's:

- As a rule public authorities should pay within 30 days otherwise they will have to pay interest, a compensation for recovery costs and a flat-rate compensation of 5% of the amount due, which kicks in from day 1 of the delay. In duly justified cases the payment periods can be longer.
- The freedom to contract will be respected in business to business relations, however in case of delay businesses will be entitled to claim late payment interest and a compensation of recovery costs.

- The rules on grossly unfair contracts are tightened.

This proposal aims at improving the cash flow of European business which is particularly important in times of economic downturn. It also aims at facilitating the smooth functioning of the internal market via the elimination of related barriers to cross-border commercial transactions."

Look for details in:

[http://ec.europa.eu/enterprise/regulation/late\\_payments/index.htm](http://ec.europa.eu/enterprise/regulation/late_payments/index.htm)

#### Some important issues for the debt collection industry:

The actual proposal foresees in Art.4 of the draft directive to clarify and enforce the compensation of recovery costs. In the first place, according to paragraph 1 of Art.4 the creditor shall be entitled to obtain:

- for a debt of less than EUR 1000, a fixed sum of **EUR 40**
- for a debt of EUR 1000 or more, but less than EUR 10 000, a fixed sum of **EUR 70**
- for a debt of EUR 10 000 or more, a sum equivalent to **1%** of the amount for which interest for late payment becomes payable

In addition, according Art 4.2, the creditor shall be entitled to be compensated for all remaining recovery cost incurred through the late payment. Those shall include also the cost outsourced debt recovery efforts.

In a phone call with the responsible FENCA's representatives in Brussel Mr. Antonio Salazar, the ECs officer in charge, agreed that it would be welcomed, if the

debt recovery industry made either a proposal for a clarification or even a proposal for an additional clause Art. 4.3 in order to clarify beyond any doubt, that contracted debt recovery agencies efforts would be also be fully covered.

Another issue discussed was the role of representative organisation in tackling unfair contractual clauses. For example would a clause, which foresaw 0% percent interest for late payments be automatically considered as grossly unfair and legally void. For sensibly differing interest rates (in comparison to the statutory interest defined in Art. 2.5) it would be up to the national courts to correct or to forbid such clauses.

It would then be the role of the representative organisations to monitor and attack such grossly unfair clauses. Such representative organisations would usually be Chambers of commerce and professional associations, representing their members' interest as creditors.

Still there is long path to go until the proposal will be moulded into a new directive. The new European Parliament and the new European Commission will have to finalise this legislative initiative with the Council after October this year.

The further development in this European legislative act will have to be closely encompassed and where necessary and possible enhanced by stakeholders, such as FENCA.

As from May a newly assigned EC officers, **Mr. Hans Ingels**, will be responsible for the follow-up. FENCA representatives have already established a personal contact to this EC-officer and are confident to continue the good and close working relationship to this important EC-

team.

So far the proposal is welcome in the overall, but still the details need to be checked carefully.

Some criticism already came up from the SME-stakeholder UEAPME, the European craft and SME employers' organisation.

UEAPME appreciated the Commission's efforts to shorten payment periods for public authorities, although no maximum time limit was set for those exceeding 30 days. It also reacted positively to the introduction of compensation rights for recovery costs and to the proposal to allow creditors to charge interests for late payments, even if an obligation to do so would have been a better alternative.

The organisation regretted, however, the decision to exclude business-to-consumer transactions from the scope of the proposal. UEAPME claims, that this would leave small businesses undefended against late or missing payments from private customers. This, UEAPME claims, would leave SMEs on their own against late payments from private customers, which are a growing concern in the present economic downturn.

FENCA's team in Brussels sees some merits in those arguments. But it would be necessary to provide facts and figures, which would clearly underline this position. In addition it should be considered that trying to introduce the business to consumer aspect into the actual late payment proposal might risk its overall success. Already now the Member States have shown considerable resistance to openly tackle the late payment of public authorities.

At first FENCA-members should consider with its team in Brussels the importance of finally achieving an efficient instruments for fighting notorious late payment.

★ **Collective redress**

[http://ec.europa.eu/consumers/redress\\_cons/collective\\_redress\\_en.htm](http://ec.europa.eu/consumers/redress_cons/collective_redress_en.htm)

On 27 November 2008 the Commission has adopted the Green Paper on Consumer Collective Redress.

(See *www.fenca.com*, section Documents, position 48).

The Green Paper sets out 4 options.

These include:

- (1)** No immediate action,
- (2)** co-operation between Member States extending national collective redress systems to consumers from other Member States without a collective redress mechanism,
- (3)** a mix of policy instruments to strengthen consumer redress (including collective consumer alternative dispute mechanisms, a power for national enforcement authorities to request traders to compensate consumers and extending small claims to deal with mass claims),
- (4)** binding or non binding measures for a collective redress judicial procedure to exist in all Member States. A combination of different elements from these options is also open to consideration.

In a first step FENCA's team in Brussels responded to question directed to concerned stakeholders. This initiative has on the one hand good reasons, in as much

as bad and misleading business practice becomes more and more widespread and notorious in sectors as e-commerce and ICT-services.

On the other hand, the options presented by the European Commission threaten particularly SMEs with high burden of legal risk and financial risk, without yet exploring sufficiently existing tools in the Member States. Another time it looks like consumer protection is enforced at the expense of the European business, actually fighting to survive the consequences of the financial crisis.

***If you have any questions concerning the above mentioned points, please, contact FENCA at [office@fenca.com](mailto:office@fenca.com), your questions will be answered by our team in Brussels.***

**Topics for the news after Easter:**

1. Brussels I Regulation
2. Transparency on Debtors Assets
3. Attachment of bank account

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As displayed on the previous page, we offer you different formats for your publicity. The whole page A4 costs 300 € per edition, and respectively, smaller formats are cheaper. In the case you decide to run publicity of your company the whole year, we offer you following payment scheme:

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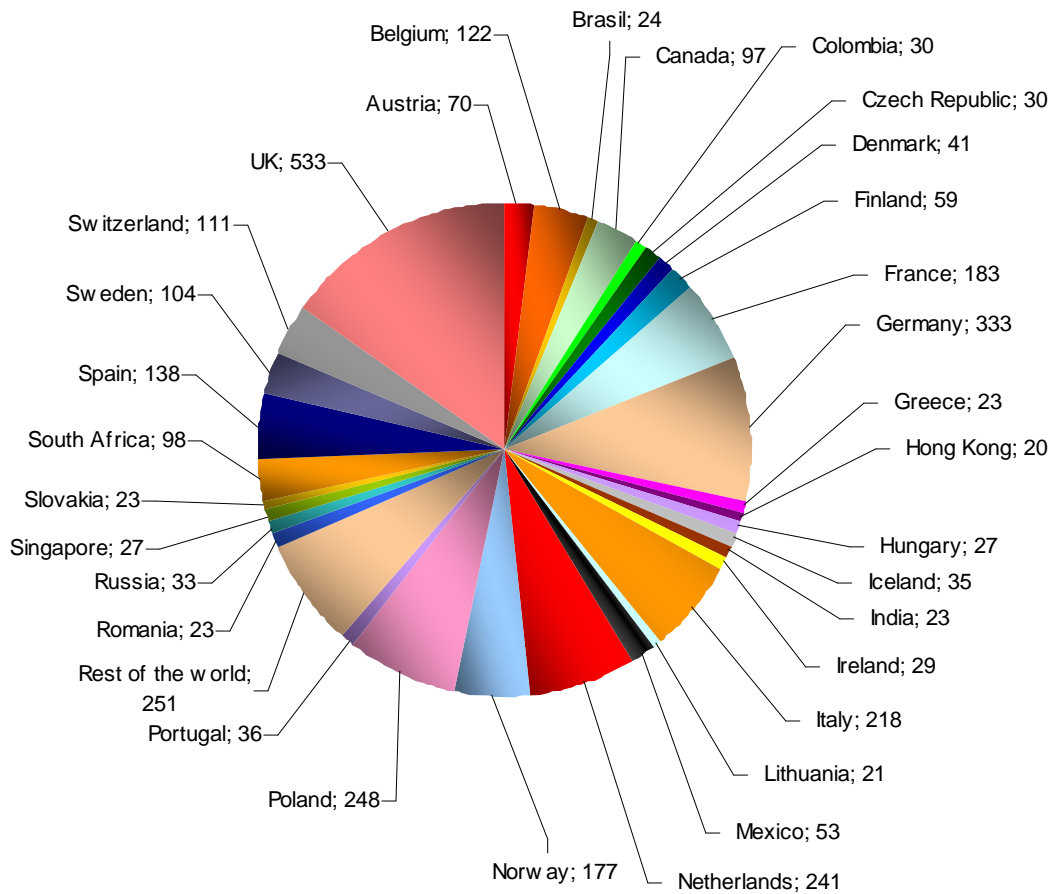
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## Our readers

As for March 25th we crossed the line of 3000 readers, all of them connected to the debt collection industry.



## Member countries



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**Germany:**  
<http://www.inkasso.de/>



**Great Britain:**  
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**Greece:** HeADM Hellenic  
Association of Debt  
Management Companies



**Italy:**  
<http://www.unirec.it/>



**Netherlands:**  
<http://www.nvio.nl>



**Norway:**  
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**Poland:**  
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**Portugal:** <http://www.aperc.pt>



**Romania:** <http://www.amcc.ro>



**Russia:** <http://www.napca.ru>



**Spain:** <http://www.angepco.com/>



**Sweden:**  
<http://www.svenskinkasso.se/>



**Switzerland:** <http://www.vsi1941.ch/>



**Ukraine:** Association of the Ukrainian  
Collection Agencies

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