

07/02/2006 - Directive 2000/35/EC: Combating Late Payment in Commercial Transactions

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Implementation - latest news:

Transpositions in Member States on 13.05.2004 - Under examination:

Country	Legislative act
AT	Zinsenrechts - Änderungsgesetz BGBl I Nr 118/20002 Änderung der Basis - und Referenzzinssatz -VO, BGBl II Nr 309/2002
BE	Loi concernant la Lutte contre le retard de paiement dans les transactions commerciales C-2002/09716 of 2/8/2002
CY	Law No. : 73(I)/2003; Official Gazette of the Republic of Cyprus No. 3736 - 11.7.2003
CZ	Act No. 513/1991 Coll., Commercial Code, as amended, Act No. 40/1964 Coll., Civil Code, as amended, and Act No. 99/1963 Coll., Civil Procedure Act, as amended
DE	Law on the Modernisation of the Law of Obligations (Gesetz zur Modernisierung des Schuldrechts) of 26.11.2001 (Bundesgesetzblatt 2001 Part I, p.3138 Amendments to the Civil Code (BGB): Sections 286, 288(2) and 247.138) with effect from 01.01.2002 Sections 307(1), 449 Code of Civil Procedure Sections 688-703d, Sections 330-347
DK	Act No 379 of 6/6/2002 amending the Act on interest for late payment Order no 601 of 12/07/2002 on out of court recovery costs in connection with late payment
EE	Law of Obligations Act (LO) § 113(1); LO § 113 subsection 1-3; LO § 103 (1); LO 113(1); LO § 113(5); LO § 42, § 5, § 6 subsection 2; LO § 45; LO § 233(1); Code of Civil procedure § 169 (1) and § 170 (3)
EL	Presidential Decree no.166/2003 (Government Gazette no.138/5.6.2003)
ES	Ley 3/2004, de 29 de diciembre, por la que se establecen medidas de lucha contra la morosidad en las operaciones comerciales. BOE 314, 30-XII-2004.
FI	Interest Act (633/1982) as amended by Act 340/2002 (Statutes of Finland 10.05.2002); Act on regulations concerning contractual terms between traders (1062/1993) as amended by Act 341/2002 (Statutes of Finland 10.05.2002) <i>Provisions already in force</i> Chapter 21 of the Code of Judicial Procedure; Recovery of Claims Act, 22.4.1999/513; Ministry of Justice Decision concerning the basis of the amounts of

	<p>court costs ordered to be paid in accordance with Section 8 c of Chapter 21 of the Code of Judicial Procedure, 14.12.2001/1311; Contracts Act 13.6.1929/228.</p> <p><i>Note</i></p> <p>Laws also applicable in Åland</p>
FR	<p>Law 2001-420 of 15.05.2001 Articles 53, 54, 55, 56 (Law on New Economic Regulations);</p> <p>Articles L 441-3; L 441-6; L 442-6; L 470-7 of the Commercial Code</p> <p>Art 1405 et seq of the Civil Procedure Code;</p> <p>Decrees No 2001/210 of 07.03.2001, 2002/231 of 21.01.2002 and 2002/232 of 21.02.2002</p>
HU	<p>Article 301/A of Act IV of 1959 on the Civil Code; Article 200 par. (1) of the Civil Code; Article 301/A par. (3) of the Civil Code; Article 301 par. (1)-(2) of the Civil Code; Article 299 par. (1) of the Civil Code; Article 301 par. (4) of the Civil Code; Article 78 par. (1) of Act III of 1952 on Civil Procedure; Article 301/A par. (5) of the Civil Code; Article 209 of the Civil Code; Article 5 of the Law-Decree No. 11 of 1960 on the Entry Into Effect and Implementation of the Civil Code; Article 368 par. (1) of the Civil Code; Articles 313-323 of the Act on Civil Procedure; Article 688 of the Civil Code point (d); Article 398 of the Act on Civil Procedure</p>
IE	<p>Statutory Instrument 388 of 2002 (implemented under s3, ECA 1972) - 07.08.2002</p>
IT	<p>Decreto Legislativo 9/10/2002 n.231</p>
LT	<p>Law of the Republic of Lithuania on the Prevention of Late Payment in Commercial Transactions, 9.12.2003, No. IX-1873</p>
LU	<p>Loi du 18 avril 2004 relative aux d'avis de paiement et aux intérêts de retard (JO du Grand-Duché de Luxembourg A-N 66, 6 mai 2004, p. 977)</p>
LV	<p>Following Articles of Civil Law (Civillikums) and Civil Procedure Law (Civilprocesa likums) correspond to the Directive 2000/35/EC:</p> <p>Para.1(a) Art.3: Art. 1496, 1652 and 1759 of Civil Law; Para. 1(b) Art.3: Art. 1652, 2035 of Civil Law; Para. 1(c) Art.3: Art. 1651-1668 of Civil Law; Para. 1(d) Art.3: Art. 1765 of Civil Law; Para. 1(e) Art.3: Art. 41, 44, 458 of Civil Procedure Law; Para. 2 Art.3: Art. 1496 of Civil Law; Para. 3 Art.3: Art. 1, 2391 of Civil Law; Para. 4 Art.3: Art. 1, 2391 of Civil Law; Para. 5 Art.3: Art. 76 of Civil Procedure Law; Art. 4: Art. 2033, 2034 Of Civil Law; Art. 5: Chapter 50 of Civil Procedure Law</p>
MT	<p>Part VII of the Business Promotion Act (Cap. 325); Government Gazette 30.1.2001</p>
NL	<p>Amendment to the Civil Code published in the Bulletin of Acts, Orders and Decrees [<i>Staatsblad</i>] (No 545 of 14 November 2002 and No 561 of 21 November 2002)</p>
PL	<p>Act of 12 June 2003 on payment periods in commercial transactions</p>
PT	<p>Decreto-Lei n. 32/2003 (17 February 2003)</p>
Scotland	<p>Late Payment of Commercial Debts Regulations (SI 2002 No 335 -</p>

	07.08.2002) amending the Late Payment of Commercial Debts (Interest) Act 1998; Late Payment of Commercial Debts (Rate of Interest) (no 3) Order 2002 (SI 2002 No 336 - 07.08.2002); Late Payment of Commercial Debts (Interest) Act 1998 (Commencement No 6) Order 2002 (SI 2002 No 337) with effect from 07.08.2002
SE	Amendments to: The Code of Land Law, chapter 6 section 3 Interest Law 1975:635, sections 4-6, section 9 Law on General Partnerships and Single Partners 1980:1102, chapter 2 section 6 Law on Conditions of Commercial Contracts 1984:292, sections 1,3 Law on Company Mortgages 1984:649, chapter 2 section 5 Law on Concession Fees in the field of television and radio 1992:72, section 9 The Maritime Law, chapter 3 Law on deposit Guarantees 1995:1571, section 13 With effect from 1/7/2002
SK	Act from 10th of July 2003 which amends and complements act No. 99/1963 Coll. (Civil Trial) as amended and complemented by act No. 328/1991 Coll. About Bankruptcy proceedings as amended; Act No. 513/1991 from 5th November 1991- Commercial Code; Act No. 530/2003 from 28th October 2003 about the Commercial Register and about amendments and changes of some acts; Act No. 99/1963 Civil Trial Code from 4th December 1963
SI	Articles 13, 378, 380 & 520 of Code of Obligations (CO) (OG RS, No 83/2001); Legally Prescribed Default Rate of Interest Act, Art. 2 (OG RS, No 56/2003; 135/2003); Articles 488, 492 & 496 of the Civil Procedure Act (CPA) (OG RS, No 26/1999).
UK (except Scotland)	Late Payment of Commercial Debts Regulations (SI 2002 No 1674 - 07.08.2002) amending the Late Payment of Commercial Debts (Interest) Act 1998; Late Payment of Commercial Debts (Rate of Interest) (no 3) Order 2002 (SI 2002 No 1675 - 07.08.2002); Late Payment of Commercial Debts (Interest) Act 1998 (Commencement No 5) Order 2002 (SI 2002 No 1673) with effect from 07.08.2002

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