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DEBT COLLECTION CLAIM IN ITALY

DEPOSITIONS OUT OF ITALY

by

Francesco Misuraca, Attorney at law
www.smaf-legal.com

In order to start a debt collection recovery claim in Italy is necessary to consider the following rules.

The EC Regulation No. 1206/2001 of May 28, 2001 on commercial and civil matters has been adopted by Italy since 1st January 2004. Under this Regulation is possible taking evidence in EU member state (excluded in Denmark which didn't ratify it).

In case depositions are to be taken outside of the territory of Italy (and EC Regulation No. 1206/2001 does not apply), it shall be necessary to send the rogatory letter by court, through Foreign Ministry, to the Italian Consulate in the state where witness is living; so that, deposition is taken directly before Italian consul (if witness is Italian citizen) or forwarded by consul to the competent authority in foreign state in case witness is foreigner.

Italy has signed the Hague Convention on 18th March 1970 about the Taking of Evidence Abroad in Civil or Commercial Matters.