

**NB: Unofficial translation**

**© Ministry of Justice, Finland**

**Act on a European Small Claims Procedure**  
(753/2008)

The following is enacted in accordance with the decision of Parliament:

**Section 1 — *Scope of application of the Act***

This Act provides provisions that supplement Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure, referred to below as the *Regulation*.

**Section 2 — *Competent court***

The claim referred to in the Regulation is considered in Finland in the Helsinki District Court.

**Section 3 — *Transfer of the case for consideration as a civil case***

If a claim does not fall within the scope of application of the Regulation, the District Court shall notify the plaintiff that the claim made in accordance with the procedure provided by the Regulation is deemed an application for a summons in accordance with chapter 5, section 1 of the Code of Judicial Procedure. If necessary the District Court shall request the plaintiff to supplement the application for a summons in accordance with chapter 5, section 5 of the Code of Judicial Procedure.

If under article 5(5) or 5(7) of the Regulation the claim or counterclaim is not considered in accordance with the procedure laid down by the Regulation, the District Court shall notify the plaintiff and the defendant that the consideration of the case shall continue in the manner referred to in chapter 5, section 15 of the Code of Judicial Procedure. At the same time the District Court shall give notice whether the preparation shall continue in writing or orally at the session or whether the case is transferred directly to the main proceedings.

If the District Court deems that it is not competent to consider the case as a civil case, the District Court shall with the consent of the plaintiff transfer the case to the competent District Court. The District Court may nonetheless refrain from transferring the case if the competent District Court cannot be determined without difficulty.

Decisions and other measures taken in the matter by the transferring District Court remain in force until the District Court to which the case is transferred decides otherwise. The transfer of the case is not subject to appeal.

#### **Section 4 — *Appeal***

Decisions by the Court in accordance with the procedure provided by the Regulation are subject to appeal as provided in the Code of Judicial Procedure, unless provided otherwise in the Regulation.

#### **Section 5 — *Jurisdiction in a case concerning irreconcilable judgments***

In the situation referred to in article 22(1) of the Regulation enforcement shall be refused by the Helsinki District Court.

#### **Section 6 — *Jurisdiction in a matter concerning stay or limitation of enforcement***

The bailiff is the competent authority in a matter concerning a stay or limitation of enforcement referred to in article 23.

The district bailiff shall personally decide on the measures referred to in article 23.

#### **Section 7 — *Translations***

When enforcement is sought from the bailiff in Finland of a judgment given in another Member State in accordance with the Regulation, the applicant shall provide the bailiff with a translation in Finnish, Swedish or English in accordance with article 21(2)(b) of the form referred to therein.

#### **Section 8 — *Entry into force***

This Act shall enter into force on 12 December 2008.