

Electronic filing of enforcement applications

Guide for online applicants

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Version history

Version	Topic	Date
1.0	Version published on the website on 11/12/2006	7/12/2006
1.1	Added version history, added new topics and changed the order of topics. To be published on the website in 6/2007	30/5/2007
1.2	Updated	01/07/2010
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Introduction

Applicants filing a large number of enforcement applications can do it electronically through the Enforcement Information System. Applicants first obtain authorization for electronic filing from the National Administrative Office for Enforcement. The purpose of this document is to help applicants and attorneys in the process of becoming Enforcement Information System users.

In electronic filing, applicants use line transfer to send files containing the enforcement applications to Tieto Corporation, the company responsible for file transfers and the managed services for Uljas, the Enforcement Information System. Applicants must, at their own expense, install in their information system a programme which creates application files that are compliant with the valid file description. Alternatively, applicants can use a corresponding service or programme elsewhere. Before the permission to file electronic applications is granted, the content and technical features of the applicant's test material will be checked.

The benefits of electronic filing include a fast procedure and manageability of large amounts of information. The electronic filing procedure will be completely paperless if:

- debts are directly distrainable or
- debts are subject to civil law and the judgements concerning them can be found in the register of judgements (the judicial administration's national information system for notices of judgements and decisions).

Creditors do not incur any extra fees for using the electronic procedure. The enforcement fees payable to the State are the same regardless of the application method.

1. Filing applications electronically

Applicants and attorneys using the Enforcement Information System must be familiar with enforcement procedures. Electronic filing of applications also requires technical capabilities, ensuring that the application files are compliant with the Enforcement's file descriptions and that the data transfer between the systems is working.

Applicants and attorneys are responsible for following the agreed procedures during the testing and permission procedures and later when they use the system. If you have any questions, please contact the Legal Register Centre on the dedicated email address for the applicants using the Information System: tj-hakija.uo@om.fi

1.1. Beginning the application procedure

You must first apply to the National Administrative Office for Enforcement for permission to file enforcement applications electronically (for contact information, see section 7). Include the following information in your permission application:

- Is the permission for electronic filing sought for enforcement applications under private or public law?
- If the application concerns debts enforceable under public law that are directly distrainable, provide the name of the debt and the statute under which it is directly distrainable.
- Do you want to be notified of the institution of proceedings?
- Provide an estimate of the number of enforcement applications you will file (applications per year).
- Provide a contact name, telephone and email for the applicant for sending any additional requests for information and permission drafts.

For instructions on applying for permission to file enforcement applications electronically, see

<http://www.oikeus.fi/ulosotto/fi/index/velkojanaulosotossa/ulosotonhakeminen/ulosotonsahkoinenhakeminen.html>.

The National Administrative Office for Enforcement manages the permission procedure for electronic filing. It will first provide the applicant with draft permission. When you are informed that the draft permission is ready, contact the Legal Register Centre to begin technical testing.

- Fill in the information form for the applicants using the Information System (Tietojärjestelmähakijan tiedot), found on the website, and submit it to the Legal Register Centre.
- You will then receive an identifier for Uljas, the national Enforcement Information System. You will use the same identifier during testing and when you file applications.
- You must sign a communication agreement with Tieto Corporation (for contact details, see section 7). After you have signed the agreement, you will receive separate user IDs for testing and filing. It is extremely important that you enter the testing user ID when you

send in test materials.

When the data transfer functions and the first testing materials are ready, contact the Legal Register Centre again. To notify the Centre of sending test material, please email tj-hakija.uo@om.fi. When the application materials meet the standards set for the technical features and content, the Legal Register Centre will inform the National Administrative Office for Enforcement that the permission to file electronic applications can be approved. The Office will approve the application and notify the applicant and the Legal Register Centre. However, you must contact the Legal Register Centre before you file the first enforcement application.

For the Enforcement file descriptions, see <http://www.oikeus.fi/ulosotto/fi/index/velkojanaulosotossa/ulosotonhakeminen/ulosotonsahkoinenhakeminen/teknisettiedostotym.kuvaukset.html>

2. Enforcement application terminology

2.1. Application types

Applicants using the Information System can apply for enforcement of debts under private law, and debts that are directly distrainable. Applicants must indicate the application type in their permission application.

2.2. Enforcement methods

Applicants can choose whether they want the normal full enforcement or limited enforcement. Limited enforcement can be used to attach recurring income, tax refunds or other liquid assets. If several debtors are liable for the same debt, limited enforcement may not be used.

If the applicant withdraws the restriction, normal enforcement will be carried out. The barrier fee for limited enforcement is lower than that for normal enforcement. The institution of limited enforcement carries the same legal effects as normal enforcement. For example, the time-barring of the debt is interrupted. If limited enforcement has been instituted, the matter can no longer be entered in the passive register.

Applicants can also seek the garnishment of tax refunds only. In this case, no other measures are undertaken and only tax refunds are garnished.

Select the appropriate code for the enforcement method in the form. The enforcement methods are:

- Normal enforcement
- Limited enforcement
- Garnishment of tax refunds only

2.3. Passive enforcement

Applicants may include a request in their application for passive registration of the debt in the event that the debtor lacks means. Passive registration can

only be requested if normal enforcement is used. The request for passive registration must be included in the enforcement application or requested later while the matter is pending. The request for passive registration can be cancelled at any time. Passive registration applies to the matter as a whole, i.e. applicants cannot limit the passive registration to only one of the debtors in case of joint liability but the request will cover all joint debtors listed in the application.

Passive registration will be valid for two years from the last impediment certificate issued to the debtor. The applicant will be notified of the end of registration. Creditors must notify the bailiff when a passive debt has been fully paid.

Passive registration will not continue the pendency of a matter and the bailiff is not under any duty to actively search the debtor's assets or determine his or her whereabouts. If, however, attachable assets are found, they will be attached in order to cover the passive receivable, unless there is a barrier to this procedure. The enforcement matter relating to the passive receivable will become pending by the attachment decision or an interim measure. After the passive receivable has been attached, creditors must inform the bailiff of the amount of receivables. After the end of pendency, the receivable will, if necessary, be re-entered in the passive register, provided that the registration period has not yet lapsed.

Matters subject to passive enforcement can be renewed normally through the electronic renewal system within the registration period (see Electronic renewals). In the renewal procedure, the status of the passive enforcement matter will be changed to 'Ready with impediment'.

2.4. Year debited and original due date

'Year debited' refers to the year when a public receivable was debited. 'Original due date' is the date when the receivable has become due.

Applications for public receivables must indicate either the year when the receivable was debited or the original due date. The time limit for public receivables is usually five years. Under section 20 of the Act on the Enforcement of Taxes and Payments (laki verojen ja maksujen täytäntöönpanosta 706/2007), public receivables expire after five years from the beginning of the year following the one when the receivable was ordered or debited, and otherwise from the beginning of the year following the one when the receivable became due.

2.5. Time limit of the ground for enforcement

A ground for enforcement imposing a payment liability on a natural person remains enforceable until the expiry of a time limit.

The time limits are:

1. 15 years when the creditor is a legal person and the debtor is a natural

- person;
2. 20 years when the creditor is a natural person and the debtor is a natural person;
 3. 20 years when the creditor is a natural person or a legal person, and the debtor is a natural person and the payment liability relates to damages arising from a criminal offence for which the debtor has been sentenced to imprisonment or community service.

The receivable becomes time-barred if the time limit on the grounds for enforcement expires. After this, the provisions of the Act of Time-Barring of Debts (laki velan vanhentumisesta 728/2003) on time-barred debts apply to the receivable. If attachment has been carried out within the time limit on the collection of a debt, or the receivable has been declared in a sale referred to in Chapter 5 of the Enforcement Code, the expiry of the time limit does not preclude the payment of the receivable out of the attached assets.

If the payment liability for the debts referred to in the ground for enforcement is imposed on a legal person and a natural person, the ground will be subject to a time limit with relation to the natural person. With relation to the legal person, enforcement can be extended until the receivable is paid or lapses for another reason.

'Creditor' refers to the person in the ground for enforcement to whom the imposed receivable must be paid. Transfer of the grounds for enforcement will not change the time limit established in the grounds. The time limit of the grounds for enforcement is calculated from the date of issue of the judgement by default, final judgement or other final ground for enforcement.

In electronic filing of applications, the time limit of the grounds for enforcement is given in the information on the grounds for enforcement by using the code value found in the electronic application codes. The time-barring date can be entered in the appropriate date field of the information on the grounds for enforcement.

The time limit of the grounds for enforcement will be established on the basis of the information provided by the applicant. When the time limit of the ground has lapsed, the matter will be returned to the applicant with an impediment certificate.

2.6. Payment allocation order

Receivables are usually recorded in the order they have been listed in the grounds for enforcement and assets are allocated according to the priority of receivables. In the enforcement system, assets are allocated in the following order:

- 1. Interest of interest receivables
- 2. Interest receivables
- 3. Interest of capital
- 4. Capital

- 5. Interest of costs
- 6. Costs

2.7. Request for service

The application must indicate the request for service when the applicant requests for the bailiff to serve on the debtor a copy of a non-final judgment by default. A party to the judgment by default is entitled to apply for recovery in the court that issued the judgment by default.

The request for service of a judgment by default is selected by using the yes/no code. The applicant will be charged a fee for serving the judgment.

2.8. Legal finality of a ground for enforcement

Legal finality refers to a situation where the matter cannot be appealed through the ordinary appeal methods. If a ground for enforcement is not legally valid, the time limit for appeal has not yet lapsed, or the matter has been appealed but a legal decision has not yet been issued. A decision on an illegal payment liability may be enforced in the same way as a legally final judgment despite appeal but any accrued assets can be remitted to the applicant only against security. A judgment by default can be enforced in the same way as a legal judgment. In the form, select the appropriate code for the information on legality.

2.9. Notice of filing

Applicants can retrieve a notice of filing for the applications they have sent when the matter has been checked and implementation has been instituted. The notice of filing includes information such as the unique Enforcement matter number, date of filing, and the contact details of the deputy bailiff in charge.

Two methods can be used to create the notice of filing. Applicants can receive a notice of filing for all their enforcement applications, or the notice of filing is created only for the applications that are processed by an enforcement office different from the one expected by the applicant. If you choose the latter option, you must indicate the code of the enforcement district where you expect the application to be processed. In this case, the application must show additional information under code 40 (Enforcement district identified by the applicant), including the enforcement district code.

2.10. Competence provision in the information on the ground for enforcement

If in the application the ground for enforcement is based on an administrative decision by the Government, ministry, central government agency or regional government agency or other administrative decision, the enforcement of which is in accordance with the Enforcement Code subject to the provisions of another law, the application must include a note of the provision on which the competence of an administrative decision as a ground for enforcement is based.

If the application concerns a directly discernible debt, you must indicate the provision on which your right to apply for enforcement without a judgment or decision is based.

The provisions are entered in the competence provision record.

2.11. Application and matter reference data

The application reference data refers to the data that the applicant needs in identifying the matter, such as the original invoice number and the unique reference number in the applicant's own system.

The application must be given a unique identifier by using *reference1* or a combination of *reference1* and *reference2*. The identifying information includes the applicant specification record where the applicant can add more information, such as the period of debt. In some cases, the specification file can include a more specific name for the matter, if a suitable name has not been found in the name codes. *reference1*, *reference2* and the applicant specification are printed in the demand for payment sent to the debtor.

2.12. Additional information concerning the matter or the debtor

A range of *additional information* can be added to the application. In some cases, the application is processed in accordance with the additional information. For example, the electronic renewal of a matter uses its own additional information code (see 2.17 Renewing a matter electronically).

Additional information on debtor, such as place of work or assets, can be included in order to help enforcement.

2.13. Combined receivables

Applicants can combine directly discernible debts, matters under the same name for a single debtor and matters debited during the same year in a single enforcement application. These applications for several receivables are combined into a single enforcement matter. If you decide to combine the applications, enter additional information under code 45 (debiting specification) with a more specific information about the receivables in the application. This information will be printed in the demand for payment sent to the debtor.

2.14. Debtor address details

The debtor's enforcement office is mainly assigned on the basis of the debtor's address. It is therefore necessary to provide a detailed address for the debtor. Debtors can be given only one address in the electronic application. The address must be given in one of the following formats:

- (1) Street address and postal code
- (2) Street address, postal code and municipality code
- (3) Municipality code (if the street address and postal code are unk-

nown)

Debtors with foreign addresses cannot be saved electronically in Uljas.

2.15. Notice of changes

The applicant must notify the enforcement office if enforced receivables are remitted directly to the applicant, the amount of the enforced receivable is otherwise changed or if the applicant wants to cancel the enforcement. Such information can be sent to the enforcement office on paper or electronically if the applicant has directly discernible enforcement matters. In this case, the types of change are: *changed payment, cancellation and changed receivable*.

The same principles of delivery and naming apply to change batch files and application batch files (see Transfer of material). Each change in the change batch is identified with the identifying data for the matter, such as reference information and the debtor ID. The change can also be allocated to a matter by using the enforcement matter number.

2.16. Batch processing in enforcement

Application and material files are processed and saved in Uljas in every weekday evening and during weekends. When the applications and changes have been processed, a receipt file is created in the return materials folder (from_uljas folder). Applicants must check that the application and change batches have been saved and see to any errors.

2.17. Renewing a matter electronically

Applicants can within certain conditions electronically renew matters that have been returned with an impediment. The enforcement system creates new matters based on earlier matters.

The renewal application must indicate the matter number for the previous matter in the additional information under the code for the previous enforcement matter number. If the matter has been enforced more than once, provide the latest enforcement matter number. If you have received payments from the debtor between the impediment remittance and the renewal application, enter such data in the renewal application additional information under the code for payment information.

The introduction of electronic renewal must be agreed with the Legal Register Centre.

3. Application and change format

The application and change files are provided as XML files that comply with the XML format. The files must be valid for the Enforcement XSD description (hakemusera scheme). With regard to the special features of the XML standard, note the coding of symbols. For example, the following

symbols are entered by their corresponding entities: &, <, >, ', ". The symbol entities: &, <, >, ', ".

XML application and change material uses the ISO Latin 1 character set. UTF-8 coding must be run for the ISO Latin 1 characters whose hex code exceeds 7F (dec 127) (codes outside the basic ASCII), such as the Scandinavian characters. These characters are often present in names and addresses. UTF-8 coded characters include Å, å, Ä, ä, Ö, ö, É, é, Û, ü etc. The coding of other symbols must also be checked, including §, ½, £, %, €,), (.

Enter the codes in code fields without spaces. Only enter the given code number, such as 12. The length of the code field can be four characters but each code is entered without the first zeroes, for example 2 and 20 and not 0002, 0020, i.e. directly from the code set. Enter dates as real dates, such as 01.01.2006 (note: 00.00.2006 is not allowed). The decimal separator is the full stop (money and interest fields).

Uljas is case sensitive, meaning that both upper- and lower-case letters are used in the information published in Uljas. It is recommended that the information in applications and changes is also case sensitive. You must ensure that the remittance files sent as return information are also case sensitive. Make note of this in your receiving application.

Application and change batch files can be made up of several applications. Batch names are unique and the file names are also shown in the files. The application batch name is made of the following sections: *applicant ID, application or change batch/h or m, batch order number, year, e.g. 100h00106.xml*. The batch file and file format names must be in lower case.

4. Remittances and transfer notices

Uljas creates XML remittance files and transfer notices. For the file descriptions, see the Enforcement website:

<http://www.oikeus.fi/ulosotto/fi/index/velkojanaulosotossa/ulosotonhakeminen/ulosotonsahkoinenhakeminen/teknisettiedostotym.kuvaukset.html>

The remittance itemisation file can include the following remittances:

- Money remittance
- Matter remittance
- Impediment remittance
- Cancellation
- Debtor remittance

Remittance files are sent to applicants at night during the week, and at weekends.

Applicants are sent a transfer notice if a debtor has been transferred between government agencies. Transfer notice files are sent to petitioners once per

week.

5. Communications

Online applicants are sent communications in the communication files through the relay service.

Communications sent using the relay service, i.e. the material transfer service, are sent to all online applicants using the from_uljas directory.

In addition, you should keep your contact details up to date in the enforcement application files and send new contact details by email to: tj-hakija.uo@om.fi.

6. Problems

If there is a problem, please contact: tj-hakija.uo@om.fi.

7. Contact details

Legal Register Centre

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