

## DEBT COLLECTION FEES

### *Beyond No Cure No Pay: your debtor covers ours costs*

We apply the most favourable variant of No Cure No Pay for you:

1. If we do not collect anything, you do not pay a fee. After all, an unpaid invoice causes enough frustration.
2. If we do collect, then you still do not pay a fee. We ensure that your debtor not only pays the outstanding amount, but also all additional costs such as interest and collection costs. This way, your debtor pays for our efforts. After all, we believe that you should have to incur as few expenses as possible for a debt collection case. That is what we call justice.

## NATIONAL DEBT COLLECTION

### *Debt collection fees for claims from Dutch creditors against Dutch debtors*

### Extrajudicial debt collection

Our starting point is always to collect in the extrajudicial phase, which is to ensure your debtor pays without the intervention of the court.

#### 1. COMPLETE COLLECTION

Amount recovered:  
**100%**  
of the invoiced amount

#### 2. PARTIAL COLLECTION

Amount recovered:  
**90% - 100%**  
of the collected invoiced amount

#### 3. NO RESULT

We do not charge an additional fee. You will only have to pay €75 as a basic fee

#### 1. Complete debt collection: the most common scenario

While being the most common scenario, it is also the most favourable scenario. If we collect the entire claim including interest and collection costs, the recovery will cost you nothing! You will receive the full invoiced amount. The interest and collection costs recovered from your debtor will compensate for our work.

Exception: if your general terms and conditions are incomplete or if they do not apply to the transferred case allowing us to collect insufficient interest and collection costs, then you will receive up to 5% less of your invoiced amount. For more information, [read our conditions](#).

#### 2. Partial debt collection

Partial collection occurs when your debtor only pays a part of the invoiced amount. This happens if the claim is disputed or in the event of the debtor's bankruptcy. There is also a case of partial collection if you do not want the additional costs to be recovered from your debtor. In this case, the collected amount will be allocated pro-rata to the principal amount and to the interest and collection costs that we have claimed from the debtor. You will then receive the percentage of the principal amount that has been recovered.

If your general terms and conditions are incomplete, the interest rate for the calculation method will be set at 1% per month and the collection costs at 15%, with a minimum of € 150. For more information, [read more on our fees for partial debt collection](#).

#### 3. No result

If your debtor still does not pay, then we do not charge an additional fee. You will only pay a [basic fee](#) of €75. This also

includes the costs for generating credit reports and extracts from the Chamber of Commerce. Every law firm is obliged to charge a basic fee.

## Judicial debt collection – taking your debtor to court

If your debtor does not pay in the extrajudicial phase, then we can go to court in consultation with you. In our litigation advice, we explain which legal procedure is best suitable for your case along with the rates for judicial collection apply. Due to the guidelines set under the Bar Association, we do not collect based on No Cure No Pay during the judicial collection process.

### Fixed fee or hourly rate

Your legal collection case can be charged based on a fixed price for the entire case or on an hourly fee. We will always discuss the collection costs with you in advance and will only start processing your case once you have given us your permission to do so.

### Disputed case

Collecting a claim can also go through the court when there is a disputed claim, and your debtor disagrees with your invoice. This can happen if your debtor is dissatisfied with the quality of the delivered goods, or because your debtor claims that no or only a partial delivery has been made. Because the counterparty believes that you have not fulfilled your contractual agreements, they are of the opinion that they are not obliged to pay either. In that case, we will try to settle the case without court intervention, but occasionally legal action is unavoidable. We will only act once we have received your permission.

## EXCEPTIONAL CONDITIONS

### Recovering your goods

Our aim is always to get your outstanding invoices paid. However, in some cases, it is not possible to collect your invoiced amount, if, for example, your debtor has been declared bankrupt. In order to prevent any further damage to your company, we can assist you in recovering your goods. You will then pay €75 for basic fees and 10% over the invoice value of the recovered goods. [Read more](#).

### Costs for withdrawing your debt collection case

If you withdraw your case or if you otherwise fail to enable us to continue the case, we are entitled to charge you the interest and collection costs that would have been paid by the debtor. Under certain conditions, a strict application of this could lead to unfavourable results. However, it is entirely up to us to moderate our charges if necessary. [Read more](#).

## GENERAL CONDITIONS

- The amount collected includes everything that has been received after you have received our order confirmation, irrespective of who has made the efforts and irrespective of when the collection is terminated. Alternative compensation will also be regarded as a received payment.
- When transferring your case to Bierens Debt Recovery Lawyers, you permit the amount paid by your debtor to be transferred to a third-party funds account for payment or settlement with (advance) bills (advance) declarations, fees and costs. Our office can send (advance) declarations if necessary. This enables us to settle your case faster.
- We are at all times entitled to send you a bill in accordance with our rates, for the amounts collected after the transfer of the debt collection.
- Our collection lawyers work according to the guidelines set by the Association of Collection and Litigation Lawyers (Vereniging van Incasso en Proces Advocaten) under the Dutch Bar Association (Nederlandse Orde van Advocaten) and the Code of Ethics of the International Association of Commercial Collectors (IACC).
- Any liability is limited to the amount paid out in the case in question by our professional liability insurance.
- Both the court that is competent in your place of residence and the court in Amsterdam is authorised to obtain knowledge on disputes.

### Debt collection fees excluding VAT

The stated rates do not include VAT. On your invoice, the amounts will include the VAT. The VAT can be reclaimed via your VAT return so that you only end up with the costs as stated here. Are you not a VAT-registered organisation? Then please contact us to make different arrangements.

# INTERNATIONAL DEBT COLLECTION

## Debt collection costs for claims on foreign debtors

### Extrajudicial debt collection

Our starting point is always to collect in the extrajudicial phase, which is to ensure your debtor pays without the intervention of the court.

|                                                                                                  |                                                                                                               |                                                                                                       |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>1. COMPLETE COLLECTION</b><br><br>Amount recovered:<br><b>100 %</b><br>of the invoiced amount | <b>2. PARTIAL COLLECTION</b><br><br>Amount recovered:<br><b>85% – 92%</b><br>of the collected invoiced amount | <b>3. NO RESULT</b><br><br>We do not charge an additional fee.<br>You will only have to pay €150 as a |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|

#### 1. Complete debt collection: the most common scenario

While being the most common scenario, it is also the most favourable scenario. In the case of a complete debt collection, we collect the full invoiced amount including interest and costs. After settling your case, you will receive up to 100% of the invoiced amount. The exact percentage depends on the amount of interest and collection costs that we have been able to recover from the debtor. Often this differs in each country as the regulations may vary. Naturally, we make every effort to collect as much as possible, so that your collection case is (almost) free of charge. [Read more about full debt collection for international debtors.](#)

#### 2. Partial debt collection

Partial collection occurs if your debtor only pays part of your total claim. For example, if the claim is disputed or, for example, in the event of bankruptcy. In that case, you will receive a statement for the collected amount based on a graduated scale below:

Graduated scale for international cases:

| Invoiced amount                        | Debt collection costs in % |
|----------------------------------------|----------------------------|
| Over the first €25.000,-               | 15%                        |
| Over the amount above up to €50.000,-  | 12,5%                      |
| Over the amount above up to €100.000,- | 10%                        |
| Over the amount above                  | 8%                         |

[Read more about partial debt collection for international cases.](#)

#### 3. No result

If your international debtor does not pay, then you will not be charged a fee. In that case, you only pay €150 for basic costs. Every law firm is obliged to charge a basic fee. However, for that amount, you will have a specialised debt collection lawyer from the country of the debtor. In consultation with you, we can also go to court in order to collect your money after all. [Read more.](#)

#### 4. Judicial debt collection – taking your debtor to court

If your debtor does not pay in the extrajudicial phase, then we can go to court in consultation with you. In our litigation advice, we explain which legal procedure is best suitable for your case along with the rates for judicial collection apply. Due to the guidelines set under the Bar Association, we do not collect based on No Cure No Pay during the judicial collection process.

## Formulating procedural advice

If your debtor does not pay in the extrajudicial phase, then we can go to court in consultation with you. Before we start the legal process, we will first consider the possibilities are in this process. In order to do so, we will draft a piece of legal advice. This advice explains which court is competent in which country, which law applies and which procedure we recommend. The costs for legal advice depends on the complexity of your case and the country in which your debtor is located. Naturally, we will let you know in advance what the expected costs will be and we will only get started after receiving your permission.

## CONDITIONS FOR NO CURE NO PAY

### For invoices less than €3,000

For invoices below €3,000, you will have to pay a “[low claims surcharge](#)” of €125 for a full or partial collection. Due to the high fixed costs for international files, this is necessary in order to be able to collect at a reasonable cost. After all, international cases require the expertise of two different lawyers in order to work on the case, one from the client's country and one from the debtor. With regular clients, this surcharge is dropped.

## EXCEPTIONAL CONDITIONS

### Recovering your goods

Our aim is always to get your outstanding invoices paid. However, in some cases, it is not possible to collect your invoiced amount, if, for example, your debtor has been declared bankrupt. In order to prevent any further damage to your company, we can assist you in recovering your goods. You will then pay €150 for basic fees and 10% over the invoice value of the recovered goods. [Read more](#).

### Costs for withdrawing your debt collection case

If you withdraw your case or if you otherwise fail to enable us to continue the case, we are entitled to charge you the interest and collection costs that would have been paid by the debtor. Under certain conditions, a strict application of this could lead to unfavourable results. However, it is entirely up to us to moderate our charges if necessary. [Read more](#).

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## CLIENT'S AGREEMENT

The client hereby agrees that the claims against debtors, handed to Bierens Debt Recovery Lawyers for recovery, will be dealt with in accordance with the above-mentioned rates and terms.

Signatory's Name \_\_\_\_\_

Employed by (name of organisation) \_\_\_\_\_

Place (city/town) \_\_\_\_\_

Postal code \_\_\_\_\_

Date \_\_\_\_\_

Signature