Request for non-disclosure of debt collection to third parties (Art. 8a (3d) SchKG)

**Please complete in block letters and observe the legal notes on the back.**

To be completed by the debt enforcement office

Received

Collection proceeding no.

Debtor

(Surname and first name or company; address, postcode, town/city

**Contact for enquiries**

Telephone or e-mail

Address of the debt enforcement office

Creditor

(Surname and first name or company; address, postcode, town/city

Represented by

(Surname and first name or company; address, postcode, town/city

Non-disclosure of the following debt collection is requested:

Collection proceeding no.

Order for payment served on

The applicant hereby declares that he/she considers the aforementioned **debt collection** to be **unjustified** and has filed an **objection** against the payment order. He/she further states that he/she is not aware of any request to dismiss the objection (leave to continue enforcement proceedings) or of any action for the recognition of a claim in relation to the aforementioned debt collection.

This request may be made **no earlier than three months after serving the order for payment**. Requests submitted prematurely may be rejected and subject to costs.

After receipt of this request, the creditor is requested by the office to declare within 20 days whether they have filed a request for the dismissal of the objection (leave to continue enforcement proceedings) or whether they have filed a court action. If this is not the case (or if no such statement is made), the request is approved and the aforementioned debt collection will no longer be disclosed to third parties. If the creditor subsequently submits a request for the dismissal of the objection or an action for the recognition of a claim and notifies the office of this, the debt enforcement proceedings in question will be disclosed to third parties again.

In accordance with Art. 12b GebV SchKG, the flat fee for this request is **CHF 40**. It also includes any expenses of the office. The fee is payable irrespective of whether the request is approved or rejected.

Comments

Date and signature of the applicant

Legal information

[Art. 8a SchKG](https://www.fedlex.admin.ch/eli/cc/11/529_488_529/de#art_8)

E. Records of proceedings and registers / 2. Right to inspect

1 Any person who can credibly demonstrate an interest may inspect the records and registers of the debt enforcement and bankruptcy offices and obtain extracts thereof.

2 In particular, such an interest is plausibly demonstrated if the request for information is made in direct connection with the conclusion or performance of a contract.

3 The offices shall not inform third parties of a debt collection if:

a. the debt collection is null and void or has been annulled on the basis of an appeal or a court decision;

b. the debtor has prevailed with a restitutionary action;

c. the creditor has withdrawn the debt collection;

d. the debtor has made a request to this effect after the expiry of a period of three months from the service of the order for payment, if the creditor fails to provide proof after the expiry of a period of 20 days set by the debt enforcement office that proceedings for the dismissal of the objection (Art. 79-84) were initiated in good time; if this proof is provided subsequently or if the debt collection proceedings are continued, they will be disclosed to third parties again.

4 The right to inspect by third parties expires five years after the conclusion of the proceedings. Judicial and administrative authorities may continue to request extracts in the interest of the proceedings pending before them.

[Art. 17 (1-3) SchKG](https://www.fedlex.admin.ch/eli/cc/11/529_488_529/de#art_17)

M. Complaint / 1. To the supervisory authority

1 With the exception of cases in which this act prescribes the route of court action, any order from a debt enforcement office or a bankruptcy office may be appealed to the control authority on the grounds of violation of the law or inadequacy.

2 The complaint must be filed within ten days of the date on which the complainant became aware of the order.

3 An appeal may be filed at any time on the grounds of denial or delay of justice.

[Art. 12b GebV SchKG](https://www.fedlex.admin.ch/eli/cc/1996/2937_2937_2937/de#art_12_b)

Requests under Article 8a (3d) SchKG

1 The fee for the request under Article 8a (3d) SchKG is a flat rate of CHF 40. The payment of the fee covers all subsequent procedural steps as well as all expenses.

2 The fee is paid by the applicant in any case and regardless of the outcome of the proceedings.