



# **E-auctions around the world**

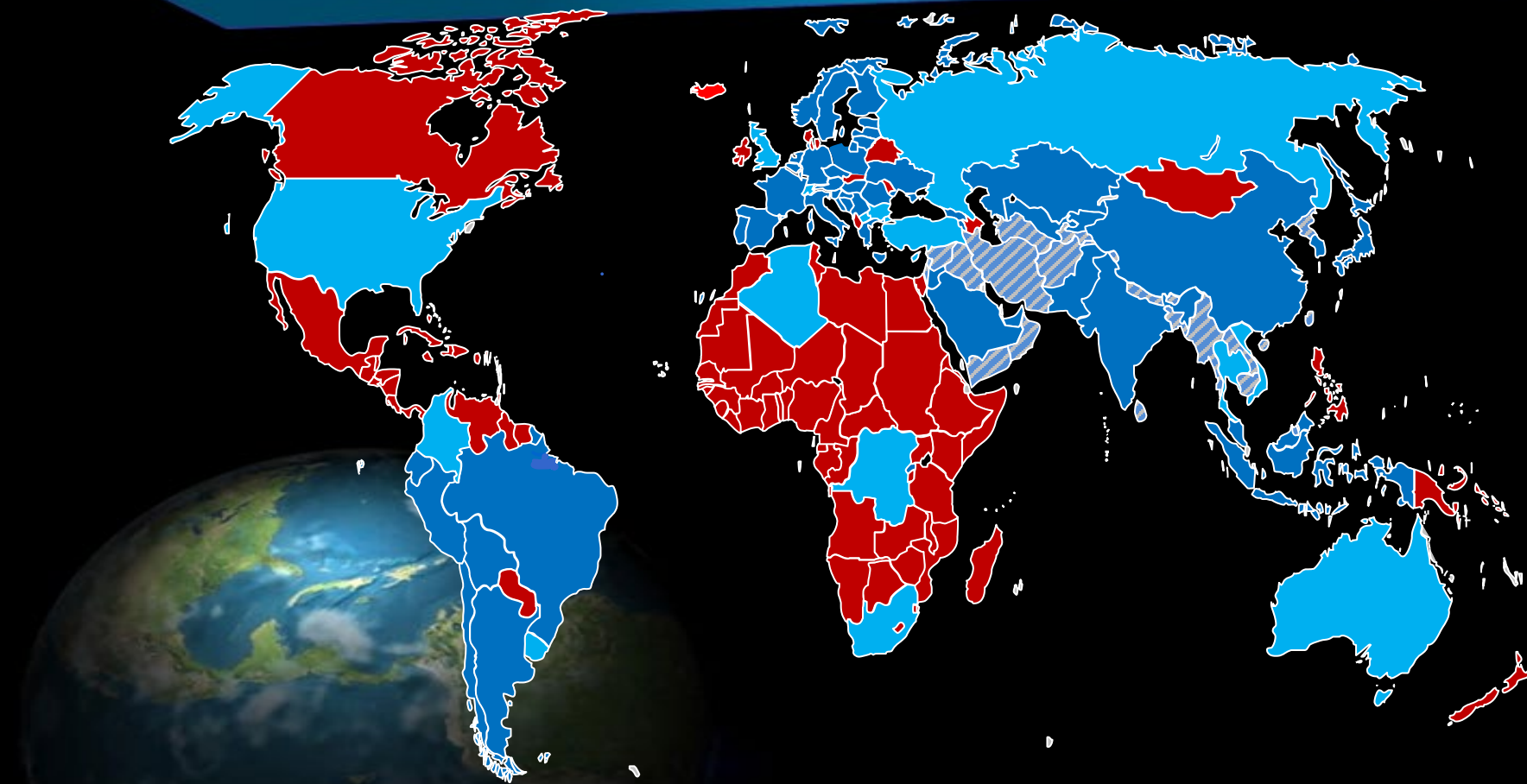
**an outline of judicial electronic auctions  
from a comparative perspective**

**avv. Massimiliano Blasone, 25 October 2021**

# Current global situation

We can find three groups of judicial systems from the perspective of judicial auctions:

- a) with **online auctions** (for mobile or immobile goods or both);
- b) with **offline auctions** (requiring bidders to be present or done in writing);
- c) **developing** (heterogeneous category including States in which online judicial auctions are: introduced by law but not applied; not for all types of immovable/movable goods (e.g. only for motor vehicles); not for all kind of creditors but only for assets owned by public authorities or mortgages; with partial territorial coverage; under construction).



**Blue:** online auctions;  
**Light blue:** developing;  
**Red:** offline auctions;  
**Striped:** not examined;

**October 2021**

# Common purposes of judicial systems with online auctions

- better revenue from the sale;
- reduction of the costs and duration of the proceedings;
- transparency of the sale;
- fight against corruption and disturbances.

# Common elements of judicial systems with online auctions

- held online via platforms both for advertising and for sales management;
- in most States there is only one dedicated public platform while only in some the choice between various websites is left to the enforcement agent or the judge;
- the bidder must register on the platform in order to submit his bid and participate in the auction;
- there are only “pure” online auctions without mixed forms;
- auctions are carried out in real time or in pre-established time (like eBay);
- electronic payments of bid deposits and prices are mandatory;
- auctions are managed by specialized "auctioneers" in each State (notaries, bailiffs, enforcement agents, government agencies, bar associations, judges, sheriffs, professionals delegated by the judges).



# CONCLUSIONS

- The pandemic favored the development of online judicial auctions;
- There is a tendency to open up to foreign investments especially in the real estates field, laying the foundations for a new global market based on:
  - o simplicity and reliability of the platforms;
  - o clear rules and also in English;
  - o specialization and central role of enforcement agents;
- The enforcement agent is the guarantor of the proper conducting of the procedure and of the respect for the rights of the parties involved.

# TOPICS FOR DISCUSSION

To allow the full development of this new global market the following would be necessary:

- to harmonize the rules on digital identification of bidders for the purposes of registering on the platforms and submitting/signing the bids;
- to develop a single dedicated online platform per State;
- to create a network of international consultants for online bidders;
- to clearly establish and strengthen in the law the role of enforcement agents as representatives of the judicial system who ensure the quality and legality of the process.

**THANK YOU!**

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**AUCTION**  
**YOU WIN IT, YOU BUY IT!**

When buying at auction, you need to come armed with more than just your poker face.

 **Queensland Government**