

E-auctions around the world

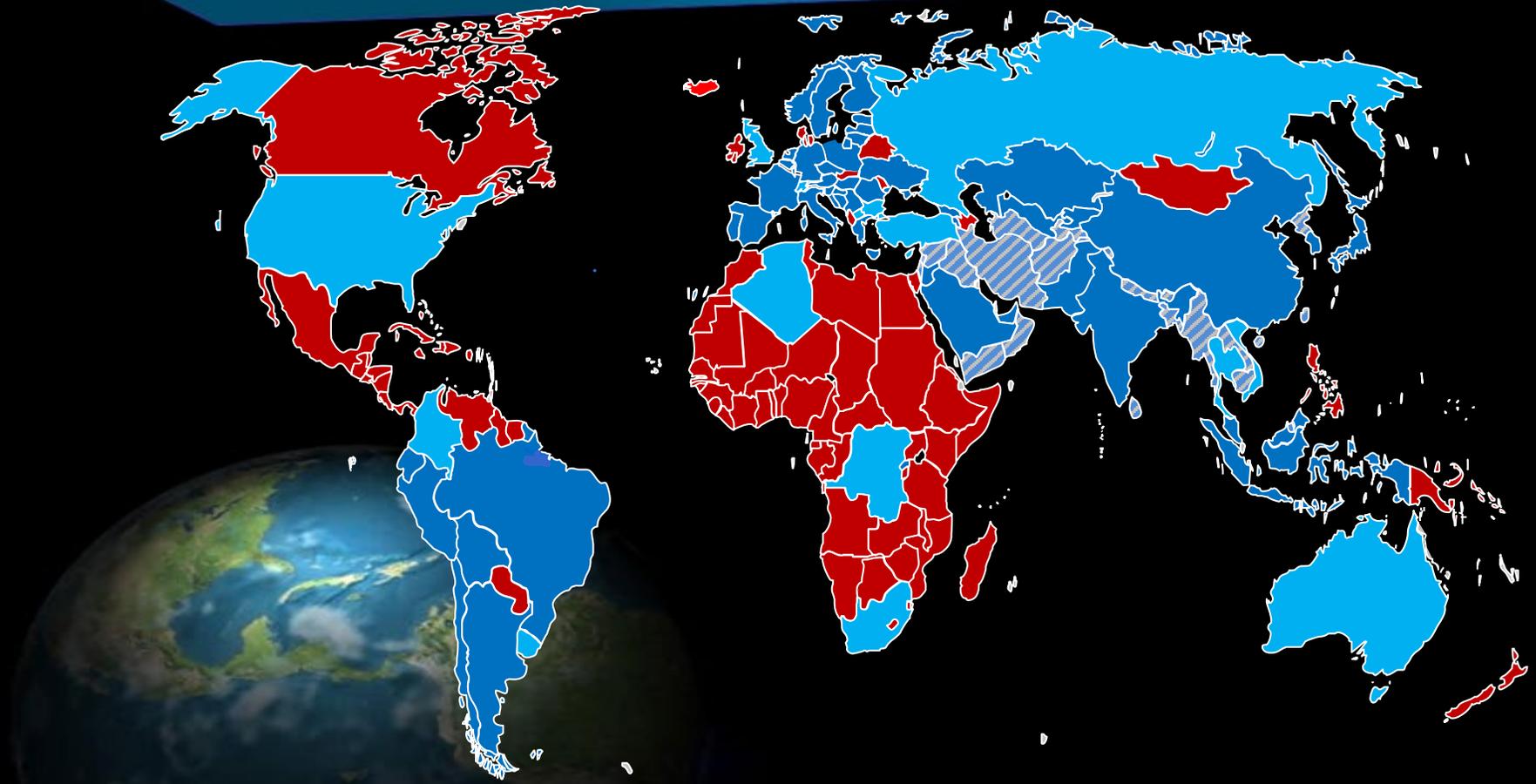
**an outline of judicial electronic auctions
from a comparative perspective**

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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