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# Cross-border placement of a child including foster family

 Czechia

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European Judicial Network  
(in civil and commercial matters)

## 1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

The authority competent to consent to child placement for the purpose of the procedure under Council Regulation (EU) No 2019/1111 is the Czech Republic's central authority within the meaning of that Regulation, i.e. the Office for International Legal Protection of Children (Úřad pro mezinárodněprávní ochranu dětí), pursuant to Section 35(2)(k) of Act No 359/1999 on social and legal protection of children, as amended.

## 2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

If informed about a child and asked to provide an opinion, the Office always examines the family history in the Czech Republic to ascertain whether there are any relatives or persons close to the child in the Czech Republic able and willing to take care of him/her and it assesses them through the authority responsible for the social and legal protection of children. Where there are no relatives or close persons available, the possibility to place the child in foster care (or, in an extreme case, in a residential institution) is examined as well. Where a child can be suitably placed in the Czech Republic, the Office notifies the requesting authority (the court, the central authority, the foreign authority responsible for the social and legal protection of children etc.), as well as the embassy (where appropriate) and proposes a solution. In administrative proceedings, the Office also gives its consent to a specific placement of a child.

Where a foreign authority decides on the placement of a child in the Czech Republic it is necessary to agree on the transfer and transport of the child. Where the child cannot be brought by its current carers or picked up abroad by its future carers, it is possible for the transport of the child to be arranged in cooperation with the embassy and the Czech authority responsible for the social and legal protection of children (application of Section 36 of Act No 359/1999 on social and legal protection of children, as amended).

A transfer process that is the least onerous for the child, as well as an acclimatisation regime, need to be discussed when negotiating with the foreign partner (the central authority, the foreign authority responsible for the social and legal protection of children, the foreign foster parent or relative from whose care the child is transferred). The way the child is transferred is discussed by the Office with the competent foreign body in advance.

The child must be in possession of a travel document (a passport or an emergency travel document) and, where possible, a birth certificate (if born in a state other than the Czech Republic), the court decision including the

certificate referred to in Article 36 of the Brussels II ter Regulation or another document attesting to the possibility to recognise the court decision, medical documentation, including a vaccination card and insurance card, and a school attendance certificate.

**3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?**

No

**4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?**

No

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