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Cross-border placement of a child including foster family

 Luxembourg

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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 central authority designated under Article 103 of Council Regulation (EU) 2019/1111 of 25 June 2019 is also the competent authority for the prior approval of the placement of a child in Luxembourg:

The State Public Prosecutor (*Procureur Général d'Etat*)

Cité judiciaire, Bâtiment CR

Plateau du Saint-Esprit

L-2080 Luxembourg

Telephone: (+352) 47 59 81 - 2335

Fax: (+352) 47 05 50

Email: parquet.general@justice.etat.lu

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.

The procedure laid down in Article 82 of Council Regulation (EU) 2019/1111 of 25 June 2019 applies.

The Central Authority of the requesting Member State must transmit to the Luxembourg Central Authority a request for consent which includes a report on the child together with the reasons for the proposed placement in Luxembourg, and any other information it considers relevant, such as the expected duration of the placement.

The request and any additional documents must be accompanied by a translation into French, German or English.

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.

In implementation of Regulation (EU) 2019/1111, the same system applies to the placement of a child in Luxembourg in *foster care (famille d'accueil)* or in the home of a *trustworthy person (personne digne de confiance)* and requires prior consultation and approval by the Luxembourg Central Authority.

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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