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Brussels I Regulation (recast)

Czechia

Czechia



FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable.

Article 74 - Description of national rules and procedures concerning enforcement

Information available in the factsheet [Procedures for enforcing a judgment](#).

Article 75 (a) - Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

The district courts have subject-matter jurisdiction.

The district court with territorial jurisdiction is determined as follows:

1. Where enforcement of a judgment has already been ordered, the court which issues and enforces the order has territorial jurisdiction. The rules of national jurisdiction governing judicial enforcement are set out in Act No 99/1963, the Code of Civil Procedure (Section 252).
2. Where distraint (exekuce) has already been ordered, the court which orders the distraint has territorial jurisdiction (court of enforcement (exekuční soud)). The rules for determining the court of enforcement are set out in Act No 120/2001 on court bailiffs and enforcement activities (the Enforcement Code (exekuční řád)) (Section 45).
3. Where enforcement of a judgment or distraint has not been ordered, the court which would have jurisdiction for enforcing the decision (see point 1 above) or would be the court of enforcement (see point 2 above) has jurisdiction in the proceedings.

A list of all district courts, including updated contact details, is available on the [Ministry of Justice website](#).

Article 75 (b) - Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

An appeal is lodged with the court whose decision is being contested (that court refers the appeal to the court with jurisdiction for the appeal).

The regional courts have jurisdiction in terms of the subject matter for appeal proceedings. The regional court within whose jurisdiction the district court which ruled at first instance on the application for refusal of enforcement (or proceedings for recognition or refusal of recognition) is located has territorial jurisdiction.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Only extraordinary remedial measures may be used, namely:

- action for annulment (*žaloba pro zmatečnost*) in accordance with Section 229 et seq. of Act No 99/1963, the Code of Civil Procedure;
- action to re-open proceedings (*žaloba na obnovu řízení*) in accordance with Section 228 et seq. of Act No 99/1963, the Code of Civil Procedure;
- redress (*dovolání*) in accordance with Section 236 et seq. of Act No 99/1963, the Code of Civil Procedure.

All the extraordinary remedial measures referred to are brought before the court which ruled at first instance on the application for refusal of enforcement (or proceedings for recognition or refusal of recognition).

The Supreme Court has jurisdiction for redress proceedings (*řízení o dovolání*). The court which ruled at first instance has jurisdiction for actions to re-open proceedings (*řízení na obnovu řízení*). The court which ruled at first instance has jurisdiction for actions for annulment (*řízení o žalobě pro zmatečnost*) in certain cases, while the Court of Appeal has jurisdiction in others (cf. Section 235a of Act No 99/1963, the Code of Civil Procedure).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Slovak.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

Act No 91/2012 on private international law, in particular Section 6 of the Act.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

- Agreement between the People's Republic of Bulgaria and the Czechoslovak Socialist Republic on Legal Aid and Settlement of Legal Relations in Civil, Family and Criminal Matters (Sofia, 25 November 1976);
- Treaty between the Czechoslovak Socialist Republic and the Republic of Cyprus on Legal Aid in Civil and Criminal Matters (Nicosia, 23 April 1982);
- Treaty between the Czechoslovak Socialist Republic and the Hellenic Republic on Legal Aid in Civil and Criminal Matters (Athens, 22 October 1980);
- Treaty between the Czechoslovak Socialist Republic and the Kingdom of Spain on Legal Aid, Recognition and Enforcement of Court Decisions in Civil Matters (Madrid, 4 May 1987);
- Treaty between the Government of the Czechoslovak Socialist Republic and the Government of the Republic of France on Legal Aid and the Recognition and Enforcement of Judgments in Civil, Family and Commercial Matters (Paris, 10 May 1984);
- Treaty between the Czechoslovak Socialist Republic and the Hungarian People's Republic on Legal Aid and Settlement of Legal Relations in Civil, Family and Criminal Matters (Bratislava, 28 March 1989);
- Treaty between the Czechoslovak Socialist Republic and the Italian Republic on Legal Aid in Civil and Criminal Matters (Prague, 6 December 1985);
- Treaty between the Czechoslovak Socialist Republic and the Polish People's Republic on Legal Aid and Settlement of Legal Relations in Civil, Family, Labour and Criminal Matters (Warsaw, 21 December 1987), within the meaning of the Treaty between the Czech Republic and the Polish Republic amending and supplementing the Treaty between the Czechoslovak Socialist Republic and the Polish People's Republic on Legal Aid and Settlement of Legal Relations in Civil, Family, Labour and Criminal Matters, signed at Warsaw on 21 December 1987 (Mojmírovce, 30 October 2003);

- Convention between the Czechoslovak Republic and Portugal on the Recognition and Enforcement of Court Decisions (Lisbon, 23 November 1927);
- Convention on Legal Aid in Civil Matters between the Czech Republic and Romania (Bucharest, 11 July 1994);
- Treaty between the Czechoslovak Socialist Republic and the Socialist Federal Republic of Yugoslavia on Legal Relations in Civil, Family and Criminal Cases (Belgrade, 20 January 1964);
- Treaty between the Czech Republic and the Slovak Republic on Legal Aid provided by Judicial Bodies and on Settlements of Certain Legal Relations in Civil and Criminal Matters (Prague, 29 October 1992).

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