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Brussels IIb Regulation - Matrimonial matters and matters of parental responsibility (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 103 (1) (a) (1st part) – Public authorities or other authorities authorized to establish an authentic instrument referred to in point (2)(b) of Article 2(2), and public authorities authorized to register an agreement referred to in point (3) of Article 2(2)

Not applicable

Article 103 (1) (a) (2nd part) – Administrative authorities granting legal aid referred to in Article 74(2)

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Article 103 (1) (b) (1st part) – Courts competent to issue certificates for a decision pursuant to Article 36(1), and courts and authorities competent to issue a certificate for an authentic instrument or agreement referred to in Article 66

- Article 36(1)

Courts competent to issue a certificate for a decision

(a) a district court (*okresní soud*)

(b) a district court (*okresní soud*)

(c) Brno City Court (*Městský soud v Brně*).

- Article 66

Courts and authorities competent to issue a certificate for an authentic instrument or agreement

Not applicable

Article 103 (1) (b) (2nd part) – Courts competent to rectify certificates referred to in Article 37(1), Article 48(1), and courts competent to issue a certificate specifying that the lack or limitation of a certified decision referred to in Article 49; and courts and authorities competent to rectify the certificate, issued under Article 66(1), referred to in Article 67(1);

- Article 37(1) and 48(1)

Courts competent to rectify a certificate

Article 37(1)

(a) a district court (*okresní soud*)

(b) a district court (*okresní soud*)

(c) Brno City Court (*Městský soud v Brně*).

Article 48(1) - privileged decisions

(a) a district court (*okresní soud*) - Article 42(1)(a)

(b) a district court (*okresní soud*) - Article 42(1)(b) – Article 29(6)

- Article 49

Courts competent to issue a certificate on lack or limitation of enforceability

(a) a district court (*okresní soud*) - Article 42(1)(a)

(b) a district court (*okresní soud*) - Article 42(1)(b)

Article 103 (1) (c) – Courts competent for recognition of a decision (Article 30(3)) and for the refusal of recognition (Article 40(2)), as well as the courts and authorities competent for refusal of enforcement, for challenge or appeal, and for further challenge or appeal referred to in 58(1), 61(2) and 62

- Article 30(3)

Courts competent to recognise a decision

District Court (*okresní soud*)

- Article 40(2)

Courts competent to refuse the recognition of a decision

District Court (*okresní soud*)

- Article 58(1)

Courts competent to refuse the enforcement of a decision

District Court (*okresní soud*)

- Article 61(2)

Courts to which an appeal against a decision to refuse the enforcement is to be lodged

District Court (*okresní soud*)

- Article 62

Courts to which an appeal against a decision pursuant to Article 61(2) is to be lodged

District Court (*okresní soud*)

Article 103 (1) (d) – Authorities competent for enforcement referred to in Article 52

District courts and/or court bailiffs

Article 103 (1) (e) – Redress procedures against a decision on the application for refusal of enforcement referred to in Articles 61 and 62

- Article 61

Appeals against decisions to refuse the enforcement pursuant to Articles 61 and 62

Appeals pursuant to Section 201 et seq of Act No 99/1963 (Code of Judicial Civil Procedure), as amended

- Article 62

Further appeals against decisions to refuse the enforcement pursuant to Articles 61 and 62

Action for annulment pursuant to Section 229 et seq of Act No 99/1963 (Code of Judicial Civil Procedure), as amended

Review of an appeal pursuant to Section 236 et seq of Act No 99/1963 (Code of Judicial Civil Procedure), as amended

Article 103 (1) (f) – Names, addresses and means of communication for the Central Authorities designated to assist with the application of the Regulation in matters of parental responsibility. In case more than one Central Authority is designated, geographical and functional jurisdiction of each Central Authority to be indicated as referred to in Article 76

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Article 103 (1) (g) – If applicable, categories of close relatives, in addition to parents, with which the child may be placed within the territory of a Member State, without the prior consent of that Member State as referred to in Article 82

No reply

Article 103 (1) (h) – Languages of the institutions of the European Union other than the own language of a Member State, in which communications to its Central Authorities can be accepted as referred to in Article 91(3))

Czech, Slovak, English

Article 103 (1) (i) – Languages accepted for the translations of requests and accompanying documents sent under Articles 80, 81, 82, and of the free text fields of the certificates as referred to in Article 91(2)

- Article 80, 81, 82

Czech, Slovak

- Article 91(2)

Czech, Slovak

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