

[Home](#) > ... > [Taking Legal Action](#) > [European Judicial Atlas In Civil Matters](#) > [Succession](#) > [Italy](#)

# Succession

Italy



Italy

## 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 78 (a) - the names and contact details of the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 45(1) and with appeals against decisions on such applications in accordance with Article 50(2)

Court of appeal (*corte d'appello*)

The contact details of all the courts of appeal can be found at this address:

[https://www.giustizia.it/giustizia/it/mg\\_4.wp](https://www.giustizia.it/giustizia/it/mg_4.wp) by clicking on RICERCA and then choosing 'Corte d'Appello' in the filter under TIPO UFFICIO (ignoring the other fields).

Article 78 (b) - the procedures to contest the decision given on appeal referred to in Article 51

Supreme Court of Cassation (*Corte Suprema di Cassazione*)

Piazza Cavour

00193 Roma (RM)

Italy

Tel. (+39) 06 68831

Fax (+39) 06 6883423

Website <http://www.cortedicassazione.it/>

Local holiday: 29 June

The procedure available in Italy is the appeal on a point of law (*ricorso per cassazione*).

Article 78 (c) - the relevant information regarding the authorities competent to issue the Certificate pursuant to Article 64

Notaries

The contact details of notaries (*notai*) can be found at this address:

[http://www.notariato.it/it/utilita/ricerca\\_notai.jsp](http://www.notariato.it/it/utilita/ricerca_notai.jsp).

## Article 78 (d) - the redress procedures referred to in Article 72

A 'complaint' (*reclamo*) under Article 739 of the Code of Civil Procedure.

(a)

The ordinary court (*tribunale*) for the place of residence of the notary, sitting with a three-judge bench (*in composizione collegiale*).

(b)

The contact details of all the ordinary courts (*tribunali*) can be found at this address:

[https://www.giustizia.it/giustizia/it/mg\\_4.wp](https://www.giustizia.it/giustizia/it/mg_4.wp) by clicking on RICERCA and then choosing 'Tribunale' in the filter under TIPO UFFICIO (ignoring the other fields).

(c)

A complaint under Article 739 of the Code of Civil Procedure is brought by application to the ordinary court, which decides in expedited proceedings in closed session (*in camera di consiglio*). The complaint must be lodged within a mandatory limit of ten days from communication (*comunicazione*) of the issuing authority's decision, if it is given against a single party, or from notification (*notificazione*), if it is given against more than one party.

■ Last update: 17/02/2025

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