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# Maintenance obligations

Denmark



Denmark

## Article 71 1. (a) - Courts for application for a declaration of enforceability and courts for appeal against decisions on such applications

Applications for a declaration of enforceability in accordance with Article 27(1) must be submitted to the Agency of Family Law (*Familieretshuset*).

Contact details:

Statsforvaltningen (State Administration)

Storetorv 10

6200 Aabenraa

Denmark

Email: [post@familieretshuset.dk](mailto:post@familieretshuset.dk)

Tel.: +45 7256 7000

Website: [Familieretshuset.dk](http://familieretshuset.dk)

Decisions taken by the Agency of Family Law may be brought before the family court (*familieret*) for review within four weeks. Applications for judicial review must be submitted to the Agency of Family Law. In certain situations, the Agency of Family Law may re-examine a decision, even if a party has applied for judicial review of it.

The family court is part of the local district court (*byret*). See <http://www.domstol.dk>.

## Article 71 1. (b) - Redress procedure

A judgment delivered by the family court in a case where a decision taken by the Agency of Family Law was brought before the family court for review may be appealed before the high court (*landsret*) only with the permission of the Appeals Permission Board (*Procesbevillingsnævnet*). The Appeals Permission Board may grant leave to appeal against the judgment if a matter of principle is at stake or there are other specific reasons for doing so. Applications for leave to appeal must be submitted to the Board within four weeks of the judgment being delivered. However, the Board may exceptionally grant leave to appeal if the application is submitted after that but within one year of the judgment being delivered. The same applies where the family court rules by order, in which case the application periods are two weeks and six months respectively.

Judgments delivered by the high court at second instance may not be appealed. However, the Appeals Permission Board may allow a judgment to be reviewed by the Supreme Court (*Højesteret*) at third instance if a matter of principle is at stake. An application for such a review must be submitted to the Appeals Permission Board within four weeks of the judgment being delivered. However, the Board may exceptionally grant leave to

appeal if the application is submitted after that but within one year of the judgment being delivered. If the high court's ruling is issued by order, it may be appealed before the Supreme Court with the permission of the Appeals Permission Board. Such permission may be granted if the appeal concerns matters of principle. Applications for leave to appeal must be submitted to the Appeals Permission Board within two weeks of the ruling being issued. The Appeals Permission Board may exceptionally grant leave to appeal if the application is submitted after that but within six months of the ruling being issued.

Contact details for the courts (the family courts (district courts), the high courts and the Supreme Court) and the Appeals Permission Board may be found at: <http://www.domstol.dk>.

#### Article 71 1. (c) - Review procedure

Not applicable in Denmark.

#### Article 71 1. (d) - Central Authorities

Chapter VII of the Regulation, concerning cooperation between central authorities, is not applicable to Denmark under the provisions of the Agreement of 12 June 2009 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

In accordance with the United Nations Convention of 20 June 1956 on the Recovery Abroad of Maintenance (the UN Convention), the Danish Social Appeals Board (*Ankestyrelsen*) has been designated as the central authority responsible for international maintenance cases.

However, the arrears collection authority (the Danish Debt Collection Agency, *Gældsstyrelsen*) is authorised to act as mediator with regard to any applications for the recognition and enforcement (recovery) abroad of maintenance under the UN Convention.

#### Article 71 1. (e) - Public bodies

Not applicable in Denmark.

#### Article 71 1. (f) - Competent authorities for enforcement

The arrears collection authority (the Danish Debt Collection Agency) collects the claim arising from the decision that is to be enforced. If the claim is not paid, the arrears collection authority will proceed to enforce it.

If, in the course of collection or enforcement, the party required to make the payment contests the claim, the arrears collection authority will refer the case to the Agency of Family Law, which takes a decision that may involve the rejection or suspension of collection or enforcement.

However, the arrears collection authority can take a decision on the existence and size of the claim if the question at issue relates to the handling of the claim by the authority itself. It can also suspend enforcement.

Decisions taken by the Agency of Family Law may be brought before the family court for review within four weeks. In certain situations, the Agency of Family Law may re-examine a decision, even if a party has applied for judicial review of it.

Complaints about decisions taken by the arrears collection authority on the recovery of debts, etc., including decisions concerning the existence and size of claims where the question at issue relates to the handling of the claim by the authority itself can be brought before the National Tax Tribunal (*Landsskatteretten*).

The enforcement and small claims court (*fogedret*) rules on objections to seizures by the arrears collection authority. Appeals against decisions by the enforcement and small claims court can be brought before the high court. If the claim has an economic value not exceeding DKK 20 000, an appeal against a decision by the enforcement and small claims court can be brought only with the authorisation of the Appeals Permission Board. With the authorisation of the Appeals Permission Board, decisions handed down by the high court in appeal cases may be appealed to the Supreme Court.

Decisions by the Social Appeals Board and the National Tax Tribunal can be reviewed by the courts in

accordance with Article 63 of the Constitution. If the complainant is domiciled in Denmark, an application for the review of such a decision must be brought before the district court of the place where the complainant has his or her domicile. If the complainant is not domiciled in Denmark, the case must be brought before Copenhagen District Court. An appeal against the decision of the district court may be lodged with the appropriate high court; an appeal against the decision of the high court may be lodged with the Supreme Court, but only with the consent of the Appeals Permission Board. On application by a party, the district court may refer the case for examination by the high court if a matter of principle is at stake.

#### Contact details

Agency of Family Law

Storetorv 10

6200 Aabenraa

Denmark

Email: [post@familieretshuset.dk](mailto:post@familieretshuset.dk)

Tel.: +45 7256 7000

Website: <http://www.familieretshuset.dk>

Danish Debt Collection Agency

Nykøbingvej 76, Bygning 45.

4990 Sakskøbing

Denmark

Tel.: +45 70157304

Website: <http://www.gaeldst.dk>

National Tax Tribunal

Ved Vesterport 6, 4. sal

1612 Copenhagen V

Denmark

Email: [sanst@sanst.dk](mailto:sanst@sanst.dk)

Tel.: +45 3376 0909

Contact details for the courts (the district courts, the high courts and the Supreme Court) and the Appeals Permission Board may be found at: <http://www.domstol.dk>

#### Article 71 1. (g) - Accepted languages for translations of documents

Denmark accepts Danish, Finnish, Icelandic, Norwegian and Swedish translations of the documents referred to in Articles 20, 28 and 40.

#### Article 71 1. (h) - Languages accepted by Central Authorities for communication with other Central Authorities

Not applicable in Denmark.

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