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Succession

Germany



Germany

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)

- Regional Court (Landgericht)
- Higher Regional Court (Oberlandesgericht)

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

Further appeal

- Federal Court of Justice [Bundesgerichtshof - BGH]

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

- Local court ('Amtsgericht')
- Baden-Württemberg: Amtsnotariat

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

- Higher Regional Court (Oberlandesgericht)

The appeal must be lodged within one month of the date on which the person entitled to appeal is informed of the decision.

If the person has their habitual residence abroad, the period is extended to two months.

The appeal must be lodged in writing or in the form of an oral statement recorded in writing at the court, and may raise questions both of law and of fact.

The appeal is automatically forwarded to the Higher Regional Court.

The Higher Regional Court may decide the case itself or refer it back to the court below, directing it to decide in the light of the Higher Regional Court's opinion.

Article 79 - Establishment and subsequent amendment of the list containing the information referred to in Article 3(2)

Not applicable

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