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Taking evidence (recast)

Austria



Austria

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 2(1) - Authorities that can be considered as courts

Under Austrian national law, no authorities other than courts are currently competent to take evidence across borders under Article 2(1) of the Regulation.

Article 3(2) - Requested courts

In Austria, district courts are competent to execute requests for the taking of evidence in line with Regulation (EU) 2020/1783 of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence).

Article 4 - Central body

The central body referred to in Article 4 of the Regulation is, for all of Austria:

the Federal Ministry of Justice

Museumstraße 7

1070 Vienna

Tel.: (+43-1) 52 1 52 0

Fax: (+43-1) 52 1 52 2727

Email: team.z@bmj.gv.at

Article 6 - Languages accepted for completion of the forms

Forms may be completed in German or English.

Article 7 - Means accepted for transmission of requests and other communications

Even after the obligation to transmit requests and communications via the decentralised IT system based on e-CODEX (Article 7(1) in conjunction with Article 35(3) of the Regulation) becomes applicable, in the event of an IT system failure or other exceptional circumstances referred to in Article 7(4), requests and communications may still be transmitted by post, courier service, fax or email.

Article 19 – Central body or competent authority(ies) responsible for decisions on requests for direct taking of evidence

The central body referred to in Article 4 in conjunction with Article 19 of the Regulation is, for all of Austria:

the Federal Ministry of Justice

Museumstraße 7

1070 Vienna

Tel.: (+43-1) 52 1 52 0

Fax: (+43-1) 52 1 52 2727

Email: team.z@bmj.gv.at

Article 29 – Agreements or arrangements to which Member States are parties and which comply with the conditions in Article 29(2)

There are currently no plans to maintain any bilateral agreements.

Article 31(4) – Notification on the early use of the decentralised IT-system

Implementation will take place in May 2025 in accordance with the EU Digitalisation Regulation. There are no plans to use the system earlier than that.

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