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Matters of matrimonial property regimes

Greece



Greece

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 64(1) (a) - the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 44(1) and with appeals against decisions on such applications in accordance with Article 49(2)

The competent court for declaring the enforceability of a decision concerning matrimonial property regimes and the property consequences of registered partnerships on the application of the interested party, under Article 44(1) of the Regulations in question, is the Single-Member Court of First Instance (Monomeles Protodikeio) during the non-contentious proceedings (Article 740 et seq. of the Code of Civil Procedure).

Article 64(1) (b) - the procedures to contest the decision given on appeal referred to in Article 50

The competent court for appeals in adversarial proceedings against decisions on applications for a declaration of enforceability in accordance with Article 49(2) of the Regulations in question, is the Court of Appeal (Efeteio). According to the case-law of the Court of Cassation, this takes the form of an application/appeal tried at first and final instance by the Court of Appeal, by way of exception to the rule of Article 12(2) of the Code of Civil Procedure.

A decision of the Court of Appeal under Article 50 of the Regulations in question, as described under point (b), may be contested by an appeal in cassation.

Article 65 (1) - the list of the other authorities and legal professionals referred to in Article 3(2)

Not applicable

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