

[Home](#) > ... > [Taking Legal Action](#) > [European Judicial Atlas In Civil Matters](#) > [Brussels IIb Regulation - Matrimonial Matters and Matters of Parental Responsibility \(recast\)](#) > [Greece](#)

Brussels IIb Regulation - Matrimonial matters and matters of parental responsibility (recast)

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 103 (1) (a) (1st part) – Public authorities or other authorities authorized to establish an authentic instrument referred to in point (2)(b) of Article 2(2), and public authorities authorized to register an agreement referred to in point (3) of Article 2(2)

- Authority referred to in point (b) of point (2) of Article 2(2): Any administrative authority and Citizens' Service Centres (KEP). In addition, lawyers and notaries, in accordance with the provisions governing the exercise of their functions.
- Authority referred to in point (3) of Article 2(2): The competent single-member court of first instance (*monomelés protodikeío*) or a notary.
- Authority referred to in point (b) of point (2) of Article 2(2): -

Article 103 (1) (a) (2nd part) – Administrative authorities granting legal aid referred to in Article 74(2)

In Greece, 'administrative authorities' are not involved in the procedure for granting legal aid. The competent authorities are the courts with territorial and subject-matter jurisdiction.

Article 103 (1) (b) (1st part) – Courts competent to issue certificates for a decision pursuant to Article 36(1), and courts and authorities competent to issue a certificate for an authentic instrument or agreement referred to in Article 66

The body competent to issue certificates as referred to in Article 36(1) is the court that issued the decision or the authority (notary) that issued the document.

The body competent to issue certificates as referred to in Article 66 is the court that issued the decision or the authority (notary) that issued the document.

Article 103 (1) (b) (2nd part) – Courts competent to rectify certificates referred to in Article 37(1), Article 48(1), and courts competent to issue a certificate specifying that the lack or limitation of a certified decision referred to in Article 49; and courts and authorities competent

to rectify the certificate, issued under Article 66(1), referred to in Article 67(1);

The court competent to rectify or withdraw certificates is the court that issued the decision.

The court competent to issue a certificate on lack or limitation of enforceability of a certified decision is the court that issued the decision.

Article 103 (1) (c) – Courts competent for recognition of a decision (Article 30(3)) and for the refusal of recognition (Article 40(2)), as well as the courts and authorities competent for refusal of enforcement, for challenge or appeal, and for further challenge or appeal referred to in 58(1), 61(2) and 62

The court competent for recognition of a decision (Article 30(3)), refusal of recognition (Article 40(2)) and refusal of enforcement (Article 58(1)) is the single-member court of first instance of the place of residence of the person against whom enforcement is sought. If the place of residence of that person is not known, the region of their place of residence is taken into account. If that is not known either, the competent court is the Athens Single-Member Court of First Instance.

The court competent for challenge or appeal (Article 61(2)) is the court of appeal (*efeteío*).

The court competent for further challenge or appeal (Article 62) is the Supreme Court (*Áρειος Πάγος*).

Article 103 (1) (d) – Authorities competent for enforcement referred to in Article 52

The authority competent for enforcement is the bailiff (*dikastikós epimelitís*).

Article 103 (1) (e) – Redress procedures against a decision on the application for refusal of enforcement referred to in Articles 61 and 62

Challenges and appeals, as referred to in Article 61, are lodged (in the form of the legal remedy of appeal (*éfsesi*)) before the court of appeal, while further challenges or appeals, as referred to in Article 62, are lodged (in the form of the legal remedy of appeal in cassation (*anaíresi*)) before the Supreme Court.

Article 103 (1) (f) – Names, addresses and means of communication for the Central Authorities designated to assist with the application of the Regulation in matters of parental responsibility. In case more than one Central Authority is designated, geographical and functional jurisdiction of each Central Authority to be indicated as referred to in Article 76

The Central Authority in application of Article 76 is the Private International Law Department (*Τμήμα Ιδιωτικού Διεθνούς Δικαίου*) of the Ministry of Justice (*Υπουργείο Δικαιοσύνης*).

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Article 103 (1) (g) – If applicable, categories of close relatives, in addition to parents, with which the child may be placed within the territory of a Member State, without the prior consent of that Member State as referred to in Article 82

Greece has not decided that the consent referred to in paragraph 1 is not required for a placement other than with a parent.

Article 103 (1) (h) – Languages of the institutions of the European Union other than the own language of a Member State, in which communications to its Central Authorities can be accepted as referred to in Article 91(3))

Greek, English

Article 103 (1) (i) – Languages accepted for the translations of requests and accompanying documents sent under Articles 80, 81, 82, and of the free text fields of the certificates as referred to in Article 91(2)

- Article 80(3): Greek

- Article 81(2): Greek

- Article 82(4): Greek

- Article 91(2): -

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