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# Taking evidence (recast)

Spain



Spain

## 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

Not applicable.

### Article 3(2) - Requested courts

Judges or magistrates.

Under the Spanish judicial system, the authority designated by Spain as receiving authority (Court Registries and Central Services (*Decanatos y Servicios comunes procesales*)) forwards the request to the authority competent to take evidence.

### Article 4 - Central body

The central body designated by Spain is the Subdirectorate-General for International Legal Cooperation at the Ministry of Justice (*Subdirección General de Cooperación Jurídica Internacional del Ministerio de Justicia*).

Subdirectorate-General for International Legal Cooperation

Ministry of Justice

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28015 Madrid

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[rogatoriascivil@mjusticia.es](mailto:rogatoriascivil@mjusticia.es)

### Article 6 - Languages accepted for completion of the forms

Spain accepts requests and communications pursuant to the Regulation that are drawn up in Spanish or Portuguese.

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

As regards the means of reception currently available, the courts are able to use IT and digital means to handle requests and other communications. In the absence of electronic means, requests and documents are transmitted and received by post.

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

The judges or magistrates of the competent courts in the place where the evidence is to be taken are responsible for decisions on requests for direct taking of evidence.

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

No comment.

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

No comment.

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