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# Matters of matrimonial property regimes

France



France

## 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 applications referred to in Article 44 are submitted:

- to the director of registry services (*services de greffe judiciaires*) of the court (Articles [509-1](#) and [509-2](#) of the Code of Civil Procedure (*code de procédure civile*)), where they relate to a court decision or court settlement;
- to a notary (president of the Association of Notaries (*chambre des notaires*), or their replacement for foreign documents - the notary keeps the original of the document received for French documents - [Article 509-3](#) of the Code of Civil Procedure), if they relate to an authentic instrument.

The appeals referred to in Article 49(2) are lodged before the president of the Ordinary Court (*tribunal judiciaire*) (Article [509-9](#) of the Code of Civil Procedure).

Where the application relates to a court decision or court settlement:

\*Applications for a declaration of enforceability of a decision of a French court in view of its recognition and enforcement abroad are submitted to the director of registry services of the court issuing the decision or approving the agreement (Article 509-1 of the Code of Civil Procedure).

\*Applications for a declaration of enforceability, on French territory, of foreign enforcement orders, are submitted to the director of registry services of the Ordinary Court (Article 509-2 of the Code of Civil Procedure).

Where the application relates to an authentic act:

\*Application for the certification of French authenticated notarial acts in view of their recognition and enforcement abroad are submitted to the notary or the legal entity owning the notary's office which keeps the original of the document received (Article 509-3 of the Code of Civil Procedure).

\*Application for the certification of foreign authenticated notarial acts on French territory are submitted to the president of the Association of Notaries, or their replacement in case of absence or incapacity (Article 509-3 of the Code of Civil Procedure).

Appeals referred to in Article 49(2):

Appeals against declarations of enforceability of foreign enforcement orders and acts, on French territory, are submitted to the president of the Ordinary Court, who delivers a final ruling on the application (Article 509-9 of the Code of Civil Procedure).

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

A final ruling handed down by the president of the Ordinary Court can be contested only by bringing an appeal on a point of law (*pourvoi en cassation*) before the Court of Cassation (*Cour de cassation*).

The grounds for an appeal on a point of law may differ (ruling contravening the law, misuse of power, lack of jurisdiction, lack of legal basis, lack of legal grounds, conflicting judgments involving the same parties, etc.), but in each case the court limits itself to a review of the application of the law. This means that the Court of Cassation checks that the ruling did not contravene the law or disregard the rule of law but does not examine the facts of the case.

The appeal on a point of law is brought before:

Cour de cassation  
5 quai de l'Horloge  
75055 Paris

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

Not applicable

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