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Taking evidence (recast)

Belgium



Belgium

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

The court of first instance (*rechtbank van eerste aanleg / tribunal de première instance*).

Article 4 - Central body

Federal Public Service Justice
Department for International Legal Assistance in Civil Matters
Waterloolaan / Boulevard de Waterloo 115
1000 Brussels
Belgium

Telephone: +32 25426511
Fax: +32 25427006 / +32 25427038
Email: eu1206ue@just.fgov.be
Territorial jurisdiction: Belgium (whole country)
Languages: French, Dutch and English.

Article 6 - Languages accepted for completion of the forms

The standard forms referred to in Annex I to the Regulation and any attachments must be completed in or translated into the language of the judicial district of the court of first instance to which the application is made. No other language is accepted.

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

Post or fax.

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

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

Belgium declares that, in its relations with the other Member States, the Regulation prevails in matters within its scope over the following instruments:

- Convention of 21 June 1922 between Belgium and the United Kingdom on the transmission of judicial and extra-judicial documents and the collection of evidence;
- Convention of The Hague of 1 March 1954 on civil procedure;
- Convention of 1 March 1956 between Belgium and France on mutual judicial assistance in civil and commercial matters;
- Convention of New York of 20 June 1956 on the recovery abroad of maintenance;
- Agreement of 25 April 1959 between the Government of Belgium and the Government of the Federal Republic of Germany to facilitate the application of the Convention of The Hague of 1 March 1954 on civil procedure;
- Convention of 23 October 1989 between Belgium and Austria on mutual judicial assistance and legal cooperation, additional to the Convention of The Hague of 1 March 1954 on civil procedure.

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

Not applicable.

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