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# Maintenance obligations

Romania



Romania

## 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 71 1. (a) - Courts for application for a declaration of enforceability and courts for appeal against decisions on such applications

Competence to deal with applications for a declaration of enforceability (*exequatur*) lies with the tribunal (*tribunal*) with jurisdiction over the place of habitual residence of the party against which the enforcement is requested, or of the place of enforcement (Article 95 and Article 1103 of Law No 134/2010 on the Code of Civil Procedure).

An appeal may be lodged against a decision on an application for a declaration of enforceability. Competence to deal with an appeal against an application for a declaration of enforceability lies with the court of appeal (Article 96 of Law 134/2010 on the Code of Civil Procedure).

### Article 71 1. (b) - Redress procedure

A decision given on appeal (*apel*) may be contested by a review on a point of law (*recurs*) (Article 97(1) of Law No 134/2010 on the Code of Civil Procedure).

A review on a point of law comes under the competence of the High Court of Cassation and Justice (*Înalta Curte de Casație și Justiție*):

Bd. Octavian Goga, No 2, section II, sector 3, postal code 030982, Bucharest

Website: <https://www.iccj.ro/>.

### Article 71 1. (c) - Review procedure

The review procedure for the purposes of Article 19 [of Council Regulation (EC) No 4/2009] is as follows:

The court with competence is that which issued the decision, typically a district court or tribunal.

According to Article 505(1) of Law No 134/2010 on the Code of Civil Procedure, an action for annulment (*contestația în anulare*) is lodged with the court whose decision is being challenged.

According to Article 510(1) of Law No 134/2010 on the Code of Civil Procedure, an application for review (*cererea de revizuire*) is addressed to the court that issued the final decision for which an application for review has been lodged.

## Article 71 1. (d) - Central Authorities

Ministry of Justice

Directorate for International Law and Judicial Cooperation (*Directia Drept internațional și Cooperare Judiciară*)

Str. Apolodor 17, Bucharest Sector 5, post code 050741

Tel.: 0040372041077

Fax: 0040372041079, 0040372041084

Email: [ddit@just.ro](mailto:ddit@just.ro) or [dreptinternational@just.ro](mailto:dreptinternational@just.ro)

## Article 71 1. (f) - Competent authorities for enforcement

The authorities competent for enforcement are:

- 1) The bailiff or judicial enforcement officer (*executorul judecătoresc*) (Article 652 of the Code of Civil Procedure) from the appeal court district in which the debtor's residence or registered office is located or in which the debtor's assets are located.
- 2) The court of enforcement, which is the district court (*judecătoria*) for the district in which the debtor's residence or registered office is located (Article 651 of the Code of Civil Procedure). The court of enforcement decides on applications for a declaration of enforceability, appeals against enforcement, and on any incidents arising during enforcement.

## Article 71 1. (g) - Accepted languages for translations of documents

Romanian

## Article 71 1. (h) - Languages accepted by Central Authorities for communication with other Central Authorities

The Ministry of Justice accepts the use of English and French, in addition to Romanian, for communication with other central authorities in the European Union.

■ Last update: 17/02/2025

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