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

Slovakia



Slovakia

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)

not applicable

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

not applicable

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

Article 36(1)

district courts (*okresné súdy*), Bratislava II City Court (*Mestský súd Bratislava II*), Košice City Court (*Mestský súd Košice*), regional courts (*krajské súdy*)

Article 66

not applicable

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);

Article 37(1), Article 48(1) and Article 49

the court that issued the certificate (i.e. the relevant district or regional court, Bratislava II City Court or Košice City Court)

Article 66(3) in conjunction with Article 37(1)

not applicable

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

Article 30(3)

- Jurisdiction for applications for recognition of a decision relating to divorce, legal separation or marriage annulment lies with the Regional Court in Bratislava (*Krajský súd v Bratislave*).
- Jurisdiction for applications for recognition of a decision relating to parental rights and obligations lies with the district court in the place where the child is resident or, if the child is not resident, in the place where he or she is currently staying. If there is no such court, jurisdiction lies with Bratislava II Municipal Court.

Article 52

- the court in whose district the minor is resident (i.e. the relevant district court, Bratislava II City Court or Košice City Court)
- the court in whose district the minor is staying (i.e. the relevant district court, Bratislava II City Court or Košice City Court), if the court having territorial jurisdiction is not known or unable to intervene in time

Article 40(1) and (2)

- Jurisdiction for matters relating to divorce, legal separation or marriage annulment lies with the Regional Court in Bratislava.
- Jurisdiction for matters relating to parental rights and obligations lies with the court in the place where the child is resident (i.e. the relevant district court, Bratislava II City Court or Košice City Court) or, if the child is not resident, in the place where he or she is currently staying. If there is no such court, jurisdiction lies with Bratislava II Municipal Court.

Article 58(1)

- the court in whose district the minor is resident (i.e. the relevant district court, Bratislava II City Court or Košice City Court)
- the court in whose district the minor is staying (i.e. the relevant district court, Bratislava II City Court or Košice City Court), if the court having territorial jurisdiction is not known or unable to intervene in time

Article 62

- Appeals on points of law as an extraordinary remedy may be lodged with the Supreme Court of the Slovak Republic (*Najvyšší súd Slovenskej republiky*) if one of the grounds exhaustively listed in the relevant act applies (Sections 420 and 421 of Act No 160/2015 – the Code of Civil Dispute Procedure [*Civilný sporový poriadok*])

Article 61(2)

The court whose decision is being appealed against.

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

district courts, Bratislava II City Court or Košice City Court

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

Article 61

Appeals

Article 62

Appeals on points of law as an extraordinary remedy may be lodged if one of the grounds exhaustively listed in the relevant act applies (Sections 420 and 421 of Act No 160/2015, the Code of Civil Dispute Procedure).

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

- For the purposes of Article 79(e):

Ministry of Justice of the Slovak Republic

Račianska ul. 71

813 11 Bratislava

Telephone: +421 2 888 91 379/341/425

Fax: +421 2 888 91 605

E-mail: civil.inter.coop@justice.sk

Web: <https://www.justice.gov.sk>

- For the purposes of Article 79(a), (b), (c), (d), (f) and (g):

Centre for International Legal Protection of Children and Youth (Centrum pre medzinárodnoprávnu ochranu detí a mládeže)

Špitálska č. 25 - 27

P.O. Box 57

814 99 Bratislava

Tel.: +421 2 20 45 82 00;

E-mail: info@cipc.gov.sk

Web: <https://www.cipc.gov.sk>

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

The minor's grandparent, sibling or a sibling of the minor's 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))

- For the purposes of Article 79(e):

Slovak (the State language) and Czech

- For the purposes of Article 79(a), (b), (c), (d), (f) and (g):

Slovak (the State language), Czech and 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)

For the purposes of Article 80(3) and Article 82(4):

Slovak and Czech

- For the purposes of Article 81(2):

Slovak and Czech

- For the purposes of Article 91(2):

Slovak and Czech

■ Last update: 26/07/2024

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