

[Home](#) > ... > [Taking Legal Action](#) > [European Judicial Atlas In Civil Matters](#) > [Brussels IIb Regulation - Matrimonial Matters and Matters of Parental Responsibility \(recast\)](#) > Sweden

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

Sweden



Sweden

## 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)

There are no authorities in Sweden that issue authentic instruments or register agreements.

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

A declaration that a party to proceedings before the Social Welfare Board (socialnämnden) has been exempted from costs or charges is provided by the board in the municipality in question. A declaration that a party to proceedings before the Social Welfare Board has been deemed to meet the financial conditions for obtaining full or partial legal aid is provided by the Legal Aid Agency ([Rättshjälpsmyndigheten](#)).

[Link](#) to the list of municipalities in Sweden responsible for social service activities.

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

The certificate referred to in Article 36(1) is issued by the court or other authority that issued the decision.

Since Swedish courts and authorities do not issue authentic instruments or register agreements, it will not be necessary to issue certificates under Article 66(1).

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);

The court or other authority which issued the decision orders the rectification of certificates pursuant to Article 37(1) or Article 48(1) or issues certificates of non-execution or limited enforcement pursuant to Article 49.

Since Swedish courts and authorities will not be issuing certificates under Article 66(1), it will not be necessary to rectify any such certificates in Sweden under Article 67(1).

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)

An application for a declaration under Article 30(3) that there are no grounds for refusing recognition is made to the district court (tingsrätten).

Where an application concerns a decision relating wholly or partly to a child's person, the application must be made to a district court as referred to in Chapter 21, Section 1a, of the Parental Code (*föräldrabalken*).

Where an application concerns a decision which does not relate, in whole or in part, to a child's person, the application is made to the district court in the list below within whose jurisdiction the opposing party has their residence. If the opposing party is not resident in Sweden, the application must be made to Nacka District Court (Nacka tingsrätt).

Article 40 or 59

An application under Article 40 or 59 for a decision not to be recognised or not to be enforced must be submitted to the district court.

Where an application concerns a decision relating wholly or partly to a child's person, the application must be made to the district court dealing with a case as referred to in Chapter 21 of the Parental Code for the enforcement of the decision to which the application relates. If no enforcement proceedings have been initiated, an application must be made to a district court as referred to in Chapter 21, Section 1a, of the Parental Code.

Where an application concerns a decision which does not relate, in whole or in part, to a child's person, the application must be made to the district court in the list above within whose jurisdiction the applicant has their residence. If the applicant is not resident in Sweden, the application must be made to Nacka District Court.

Appeals

Appeals under Article 61(2) must be lodged with the court of appeal (hovrätten).

Appeals under Article 62 must be lodged with the Supreme Court (Högsta domstolen).

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

— Article 52, in the case of an application for enforcement of a decision relating to a child's person: the application is made to a district court as referred to in Chapter 21, Section 1a, of the Parental Code.

— Article 52, in the case of an application for enforcement of a decision relating to legal costs or to the property of a child: the application is made to the [Swedish Enforcement Authority \(Kronofogdemyndigheten\)](#).

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

Appeals must be lodged with the court of appeal or the Supreme Court.

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

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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

Not applicable

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))

Swedish, 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)

Swedish or English

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