

Home>Taking legal action>European Judicial Atlas in civil matters>Maintenance obligations

Maintenance obligations

Portugal

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

With regard to Article 27(1):

- maintenance cases involving children (whether or not they are minors) or spouses will be heard by the **Family and Minors Division** (*Juízo de Família e Menores*), if one exists. If not, the case will be heard by the **Local Civil Division** (*Juízo Local Cível*), if one exists, or the **Local General Division** (*Juízo Local de Competência Genérica*).

- all other maintenance cases arising due to other family ties, either by blood or by marriage, will be heard by the **Local Civil Division**, if one exists, or by the **Local General Division**.

With regard to Article 3(2), the **Court of Appeal** (*Tribunal da Relação*) is the competent court.

Article 71 1. (b) - Redress procedure

A decision given on appeal may only be contested on a point of law before the **Supreme Court of Justice** (*Supremo Tribunal de Justiça*).

Article 71 1. (c) - Review procedure

With regard to Article 19(1)(a):

- the review procedure is the **extraordinary review procedure** laid down in Article 696(e) of the Code of Civil Procedure.

With regard to Article 19(1)(b):

- the review procedure is the **extraordinary review procedure** laid down in Articles 696(e) and 140 of the Code of Civil Procedure.

The appeal will be heard by the **court that handed down the decision under review** (Article 697(1) of the Code of Civil Procedure).

Article 71 1. (d) - Central Authorities

Portugal's **Central Authority** for the purposes of this Regulation is the following government department:

Directorate-General for Justice Administration (Direção-Geral da Administração da Justiça)

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Website: <https://dgaj.justica.gov.pt/>

Article 71 1. (f) – Competent authorities for enforcement

In cases that relate to maintenance obligations involving children, whether or not they are minors, the court with jurisdiction is:

- the **Family and Minors Division**, or, if there isn't one, the **Enforcement Division** (*Juízo de Execução*).

In cases that relate to maintenance obligations between spouses, the court with jurisdiction is:

- the **Family and Minors Division**, or, if there isn't one, the **Enforcement Division**.

In cases that relate to maintenance obligations arising due to family ties, either by blood or by marriage, the court with jurisdiction is:

- the **Enforcement Division**, or, if there isn't one,

- the **Central Civil Division** (*Juízo Central Cível*) for actions with a value of more than €50 000, or

- the **General Division** or the **Local Civil Division**, if one exists, for actions with a value of €50 000 or less.

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

The language accepted for translations of the documents referred to in Articles 20, 28 and 40 is **Portuguese**.

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

The languages accepted by the Central Authority for communication with other Central Authorities referred to in Article 59 are **Portuguese, English and French**.

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