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

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Belgium

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)

- Article 2(2)(2)(b): notaries (*notaires/notarissen*)

- Article 2(2)(3): no information.

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): the family court (*tribunal de la famille/familie rechtbank*), juvenile court (*tribunal de la jeunesse/jeugdrechtbank*), civil magistrate's court (*juge de paix/vrederechter*), court of appeal (*cour d'appel/hof van beroep*).

- Article 66: notaries

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): the family court, juvenile court, civil magistrate's court, court of appeal.

- Article 48(1): the family court, court of appeal.

- Article 49: the family court, court of appeal.

- Article 66(3)/Article 37(1): notaries.

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): the family court.

- Article 40(1): the family court.

- Article 58(1): the family court.

- Article 61(2): the family court and the court of appeal.

- Article 62: the court of appeal and the court of cassation (*cour de cassation/hof van cassatie*).

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

Bailiffs (*huissiers de justice/gerechtsdeurwaarders*).

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: appeal and opposition proceedings.

Article 62: appeal and cassation proceedings.

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

Federal Department of Justice (*Service Public Fédéral Justice/Federale Overheidsdienst Justitie*), Directorate-General for Legislation, Fundamental Rights and Freedoms (*Direction générale de la Législation et des Libertés et Droits fondamentaux/Directoraat-generaal Wetgeving en Fundamentele Rechten en Vrijheden*)

International civil cooperation (*Service de coopération internationale civile/Dienst Internationale rechtshulp in burgerlijke zaken*)

Federal contact point for international child abduction (*Point de contact fédéral « Enlèvement international d'enfants »/Federaal Aanspreekpunt Internationale Kinderontvoeringen*)

Administrative address: Boulevard de Waterloo 115

City/municipality: Brussels

Postcode: 1000

Tel.: +32 (0)2 542 67 00 (24/7)

Email: rapt-parental@just.fgov.be

Web address: https://justice.belgium.be/fr/themes_et_dossiers/enfants_et_jeunes/enlèvement_international_denfants/contact

Languages accepted: French (FR), Dutch (NL), German (DE), English (EN).

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))

English in addition to the three national languages: Dutch, French and German.

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)

- Article 80(3): the official language of the place where the application will be submitted (FR-NL-DE). Before submitting an application, it is recommended to contact the Belgian central authority to find out the language into which the application will have to be translated.

- Articles 81(2) and 82(2): the official language of the place where the application is to be processed. (FR-NL-DE). Before submitting an application, it is recommended to contact the Belgian central authority to find out the language into which the application will have to be translated.

- Article 91(2): only the official languages are accepted. Before submitting an application, it is recommended to contact the Belgian central authority to find out the language into which the application will have to be translated.

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