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Succession

Malta

Article 78 (a) - the names and contact details of the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 45(1) and with appeals against decisions on such applications in accordance with Article 50(2)

The competent Court to deal with the application for a declaration of enforceability is the First Hall of the Civil Court. Appeals are to be filed before the Court of Appeal.

Article 78 (b) - the procedures to contest the decision given on appeal referred to in Article 51

Look at the provisions of Title IV of the Third Book of the Code of Organisation and Civil Procedure (Chapter 12 of the Laws of Malta) regarding retrial.

Article 78 (c) - the relevant information regarding the authorities competent to issue the Certificate pursuant to Article 64

The competent authorities to issue a certificate according to Article 64 are the Civil Court (Voluntary Jurisdiction Section) and notaries who possess a warrant according to Notarial Profession and Notarial Archives Act.

Article 78 (d) - the redress procedures referred to in Article 72

The challenge must be lodged by means of a sworn application before the First Hall of the Civil Court according to the Code of Organisation and Civil Procedure (Chapter 12 of the Laws of Malta). Appeals from the decision of the First Hall of the Civil Court must be lodged before the Court of Appeal.

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