

Pradžia>Kreipimasis į teismą>Europos teisminis atlasas civilinėse bylose>Paveldėjimas
Succession

Čekija

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)

Pursuant to Article 45(1) of the Regulation, applications for a declaration of enforceability are dealt with by the *okresní soud* [district court] (in Prague, the *obvodní soud*, in Brno, the *Městský soud*).

Appeals against decisions on applications for a declaration of enforceability pursuant to Article 50(2) of the Regulation are dealt with by the *krajský soud* [regional court] (in Prague, the *Městský soud*). Appeals should be lodged with the court whose decision is being appealed.

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

Only the following extraordinary appeal procedures may be used:

- *žaloba pro zmatečnost* [action in annulment];
- *žaloba na obnovu řízení* [action to re-open proceedings];
- *dovolání* [appellate review];

All the extraordinary appeal procedures listed should be lodged with the court which ruled on the case at first instance.

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

Only a court may issue a European Certificate of Succession. If succession proceedings are already under way, the certificate is issued by the Court Commissioner of the court responsible for those proceedings under § 100(1) of Act No 292/2013 on Special Judicial Procedures.

If a European Certificate of Succession has to be rectified, amended or revoked after the succession proceedings have been completed, that court act may not be performed by a notary acting as Court Commissioner, as his or her competence has lapsed; he or she is no longer a Court Commissioner.

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

The *krajský soud* [regional court] (in Prague, the *Městský soud*) decides on appeal procedures lodged with a notary acting as a Court Commissioner or with the *okresní soud* [district court] whose decision is being appealed.

Article 79 - Establishment and subsequent amendment of the list containing the information referred to in Article 3(2)

Under § 100(1) of Act No 292/2013 on Special Judicial Procedures, acts of the court of first instance in succession proceedings are performed by a notary, acting as a Court Commissioner, authorised by the Court, unless otherwise specified.

Last update: 18/05/2023

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