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Brussels I Regulation (recast)

National information and online forms concerning Regulation No. 1215/2012

General information

Regulation 1215/2012 seeks to facilitate access to justice, in particular by providing the rules on the jurisdiction of the courts and the rules on a rapid and simple recognition and enforcement of judgments in civil and commercial matters given in the Member States.

The Regulation replaces Regulation 44/2001 (the Brussels I Regulation) which, however, continues to apply to proceedings instituted before Regulation 1215/2012 comes into application on 10 January 2015 (for further details see Article 66 of Regulation 1215/2012).

The Regulation applies between all Member States of the European Union including Denmark which has concluded the 2005 Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. The necessary legislative amendments in Denmark already entered into force on 1 June 2013.

The Regulation determines the courts of which Member State have jurisdiction to decide on a civil and commercial dispute where there is an international element.

The Regulation further provides that a judgment given in a Member State shall be recognised in the other Member States without any special procedure being required.

A judgment given in a Member State and enforceable in that State shall be enforced in another Member State without any declaration of enforceability being required.

The Regulation provides for two forms, namely, the certificate concerning a judgment and the certificate concerning an authentic instrument/court settlement. In accordance with the Regulation, the Member States have notified the competent courts to which the application for refusal of enforcement has to be submitted and the courts competent to deal with the appeals. **Please select the relevant country's flag to obtain detailed national information.**

In accordance with Article 26(2), for certain matters, the court shall, before assuming jurisdiction, ensure that the defendant is informed of his right to contest the jurisdiction of the court and of the consequences of entering or not entering an appearance". For that purpose, the [European Judicial Network in civil and commercial matters](#) established a [non-mandatory standard text PDF \(192 Kb\)](#) [en](#) containing the information which the court could use to fulfil its obligation to provide to the defendant with the information pursuant to Article 26(2) of the Regulation.

The European e-Justice Portal provides you with information concerning the application of the Regulation and a user-friendly tool for filling in the [forms](#).

Related links

[Regulation \(EU\) No 1215/2012](#) of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

[Agreement between the European Community and the Kingdom of Denmark](#) on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, OJ, 2005 11 16, L299.

The [enforcement atlas](#), developed by an EU funded project, provides information on the enforcement procedures (procedures, requirements, competence, costs and timing) in the enforcement systems of the EU countries and of the UK.

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Brussels I Regulation (recast) - Belgium

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

the court of first instance (*tribunal de première instance / rechtbank van eerste aanleg*).

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- for an appeal by the defendant: the court of first instance

- for an appeal by the applicant: - the court of appeal (*cour d'appel / hof van beroep*).

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

the Court of Cassation (*Cour de cassation / Hof van Cassatie*)

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

None

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Belgium and France on Jurisdiction and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Paris on 8 July 1899,

the Convention between Belgium and the Netherlands on Jurisdiction, Bankruptcy, and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Brussels on 28 March 1925,

the Convention between the United Kingdom and the Kingdom of Belgium providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Brussels on 2 May 1934,

the Convention between Germany and Belgium on the Mutual Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Bonn on 30 June 1958,
the Convention between Belgium and Austria on the Mutual Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 16 June 1959,
the Convention between Belgium and Italy on the Recognition and Enforcement of Judgments and other Enforceable Instruments in Civil and Commercial Matters, signed at Rome on 6 April 1962,
the Treaty between Belgium, the Netherlands and Luxembourg on Jurisdiction, Bankruptcy, and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Brussels on 24 November 1961, in so far as it is in force.

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Brussels I Regulation (recast) - Bulgaria

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

Direct enforcement under Regulation (EU) No 1215/2012 is governed by Article 622a of the Code of Civil Procedure:

'Article 622a (new, State Gazette No 50/2015) (1) A judgment given in another Member State of the European Union shall be enforceable without the need for a writ of execution.

(2) The bailiff shall carry out enforcement, at the request of the party concerned, on the basis of a copy of the judgment from another Member State of the European Union, authenticated by the court which issued it, and a certificate issued pursuant to Article 53 of Regulation (EU) No 1215/2012.

(3) Where the bailiff establishes that the measure or order cannot be enforced under the conditions and in accordance with this Code, he shall order substitute enforcement.

(4) A judgment given in another European Union Member State ordering a provisional, including a precautionary, measure shall be enforceable in accordance with paragraphs 1 and 2. Where the measure was ordered without the defendant being summoned to appear, proof of service of the judgment shall be submitted.

(5) When carrying out enforcement, the bailiff shall serve a copy of the certificate referred to in paragraph 2, inviting the debtor to comply voluntarily. The certificate shall be accompanied by a copy of the judgment given in another Member State of the European Union if it has not been served on the debtor.

(6) The debtor may, within one month of service, lodge an application for refusal of enforcement. Where a translation of the judgment is necessary, the time limit shall be suspended until it is provided to the debtor.

(7) Either party may appeal against the adaptation of the measure or order referred to in Article 436.'

For matters relating to the enforcement proceedings not governed by Regulation (EU) No 1215/2012, the general rules of Part Five 'Enforcement Procedure' of the Code of Civil Procedure apply.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

The application under Article 36(2) or under Article 45(4) is filed with the provincial court with jurisdiction over the opposing party's permanent or registered address or, if that party has no permanent or registered address in Bulgaria, over the permanent or registered address of the party concerned. If the party concerned does not have a permanent address or registered address in Bulgaria either, the application is to be made to the Sofia City Court. (Article 622 of the Code of Civil Procedure)

The application under Article 47(1) must be submitted to the provincial court with jurisdiction over the permanent address or registered address of the debtor, or over the place of enforcement. (Article 622b of the Code of Civil Procedure)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Bulgaria, the Sofia Court of Appeal ('Софийски апелативен съд'). The appeal is submitted via the provincial court that issued the decision refusing enforcement or the decision finding that there are no grounds for refusal of recognition,

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Further appeals against decisions of the Sofia Court of Appeal are to be lodged with the Supreme Court of Cassation. (Article 623(6) of the Code of Civil Procedure).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

The Bulgarian courts and other authorities have international jurisdiction when the plaintiff or applicant is a Bulgarian national or a legal person registered in the Republic of Bulgaria (Article 4(1)(2) of the Code of International Private Law).

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Bulgaria and Belgium on certain Judicial Matters, signed at Sofia on 2 July 1930,

the Agreement between the People's Republic of Bulgaria and the Federal People's Republic of Yugoslavia on Mutual Legal Assistance, signed at Sofia on 23 March 1956, still in force between Bulgaria, Slovenia and Croatia,

the Treaty between the People's Republic of Bulgaria and the Romanian People's Republic on Legal Assistance in Civil, Family and Criminal Matters, signed at Sofia on 3 December 1958,

the Agreement between the People's Republic of Bulgaria and the People's Republic of Poland on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed at Warsaw, on 4 December 1961,

the Agreement between the People's Republic of Bulgaria and the People's Republic of Hungary on Legal Assistance in Civil, Family and Criminal Matters, signed at Sofia on 16 May 1966,

the Agreement between the People's Republic of Bulgaria and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 10 April 1976,

the Agreement between the People's Republic of Bulgaria and the Czechoslovak Socialist Republic on Legal Assistance and Regulation of Relations in Civil, Family and Criminal Matters, signed at Sofia on 25 November 1976,

the Agreement between the People's Republic of Bulgaria and the Republic of Cyprus on Legal Assistance in Civil and Criminal Matters, signed at Nicosia on 29 April 1983,

the Agreement between the Government of the People's Republic of Bulgaria and the Government of the French Republic on Mutual Legal Assistance in Civil Matters, signed at Sofia on 18 January 1989,

the Agreement between the People's Republic of Bulgaria and the Italian Republic on Legal Assistance and the Enforcement of Judgments in Civil Matters, signed at Rome on 18 May 1990,

the Agreement between the Republic of Bulgaria and the Kingdom of Spain on Mutual Legal Assistance in Civil Matters, signed at Sofia on 23 May 1993,

the Agreement between the People's Republic of Bulgaria and the Republic of Austria on Legal Assistance in Civil Matters and Documents, signed at Sofia on 20 October 1967.

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Brussels I Regulation (recast) - Czechia

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable.

Article 74 - Description of national rules and procedures concerning enforcement

Information available in the factsheet [Procedures for enforcing a judgment](#).

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

The district courts have subject-matter jurisdiction.

The district court with territorial jurisdiction is determined as follows:

1. Where enforcement of a judgment has already been ordered, the court which issues and enforces the order has territorial jurisdiction. The rules of national jurisdiction governing judicial enforcement are set out in Act No 99/1963, the Code of Civil Procedure (Section 252).
2. Where distraint (*exekuce*) has already been ordered, the court which orders the distraint has territorial jurisdiction (court of enforcement (*exekuční soud*)). The rules for determining the court of enforcement are set out in Act No 120/2001 on court bailiffs and enforcement activities (the Enforcement Code (*exekuční řád*)) (Section 45).
3. Where enforcement of a judgment or distraint has not been ordered, the court which would have jurisdiction for enforcing the decision (see point 1 above) or would be the court of enforcement (see point 2 above) has jurisdiction in the proceedings.

A list of all district courts, including updated contact details, is available on the [Ministry of Justice website](#).

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

An appeal is lodged with the court whose decision is being contested (that court refers the appeal to the court with jurisdiction for the appeal).

The regional courts have jurisdiction in terms of the subject matter for appeal proceedings. The regional court within whose jurisdiction the district court which ruled at first instance on the application for refusal of enforcement (or proceedings for recognition or refusal of recognition) is located has territorial jurisdiction.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Only extraordinary remedial measures may be used, namely:

action for annulment (*žaloba pro zmatečnost*) in accordance with Section 229 et seq. of Act No 99/1963, the Code of Civil Procedure;

action to re-open proceedings (*žaloba na obnovu řízení*) in accordance with Section 228 et seq. of Act No 99/1963, the Code of Civil Procedure;

redress (*dovolání*) in accordance with Section 236 et seq. of Act No 99/1963, the Code of Civil Procedure.

All the extraordinary remedial measures referred to are brought before the court which ruled at first instance on the application for refusal of enforcement (or proceedings for recognition or refusal of recognition).

The Supreme Court has jurisdiction for redress proceedings (*řízení o dovolání*). The court which ruled at first instance has jurisdiction for actions for annulment (*řízení o žalobě pro zmatečnost*) in certain cases, while the Court of Appeal has jurisdiction in others (cf. Section 235a of Act No 99/1963, the Code of Civil Procedure).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Slovak.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

Act No 91/2012 on private international law, in particular Section 6 of the Act.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

Agreement between the People's Republic of Bulgaria and the Czechoslovak Socialist Republic on Legal Aid and Settlement of Legal Relations in Civil, Family and Criminal Matters (Sofia, 25 November 1976);

Treaty between the Czechoslovak Socialist Republic and the Republic of Cyprus on Legal Aid in Civil and Criminal Matters (Nicosia, 23 April 1982);

Treaty between the Czechoslovak Socialist Republic and the Hellenic Republic on Legal Aid in Civil and Criminal Matters (Athens, 22 October 1980);

Treaty between the Czechoslovak Socialist Republic and the Kingdom of Spain on Legal Aid, Recognition and Enforcement of Court Decisions in Civil Matters (Madrid, 4 May 1987);

Treaty between the Government of the Czechoslovak Socialist Republic and the Government of the Republic of France on Legal Aid and the Recognition and Enforcement of Judgments in Civil, Family and Commercial Matters (Paris, 10 May 1984);

Treaty between the Czechoslovak Socialist Republic and the Hungarian People's Republic on Legal Aid and Settlement of Legal Relations in Civil, Family and Criminal Matters (Bratislava, 28 March 1989);

Treaty between the Czechoslovak Socialist Republic and the Italian Republic on Legal Aid in Civil and Criminal Matters (Prague, 6 December 1985);

Treaty between the Czechoslovak Socialist Republic and the Polish People's Republic on Legal Aid and Settlement of Legal Relations in Civil, Family, Labour and Criminal Matters (Warsaw, 21 December 1987), within the meaning of the Treaty between the Czech Republic and the Polish Republic amending and supplementing the Treaty between the Czechoslovak Socialist Republic and the Polish People's Republic on Legal Aid and Settlement of Legal Relations in Civil, Family, Labour and Criminal Matters, signed at Warsaw on 21 December 1987 (Mojmírovce, 30 October 2003);

Convention between the Czechoslovak Republic and Portugal on the Recognition and Enforcement of Court Decisions (Lisbon, 23 November 1927);

Convention on Legal Aid in Civil Matters between the Czech Republic and Romania (Bucharest, 11 July 1994);

Treaty between the Czechoslovak Socialist Republic and the Socialist Federal Republic of Yugoslavia on Legal Relations in Civil, Family and Criminal Cases (Belgrade, 20 January 1964);

Treaty between the Czech Republic and the Slovak Republic on Legal Aid provided by Judicial Bodies and on Settlements of Certain Legal Relations in Civil and Criminal Matters (Prague, 29 October 1992).

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Brussels I Regulation (recast) - Denmark

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Denmark, the district courts ('byretten')

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Denmark, the high court ('landsretten') through the court that took the decision

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Denmark, the Supreme Court ('Højesteret'), if allowed by the Appeals Permission Board. Appeals must be lodged through the court that took the decision.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

- in Denmark, Finnish, Icelandic, Norwegian and Swedish

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Denmark, Article 246(2) and (3) of the Administration of Justice Act

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Denmark, Finland, Iceland, Norway and Sweden on the Recognition and Enforcement of Judgments in Civil Matters (the Nordic Judgments Convention), signed at Copenhagen on 11 October 1977.

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Brussels I Regulation (recast) - Germany

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1. How can third-party notice (TPN) be described in general?

Third-party notice ('TPN') is used to give formal notification of a pending court proceeding (initial proceeding - *Vorprozess*) to third parties who are not parties to it. Third-party notice is effected by submitting to the court a written document which is then officially served on the TPN recipient. The third party is free to decide whether or not to join the proceedings. A third party who does join the proceedings does not become a party, but is merely an intervener, whose statements and actions must not conflict with those of the main party. The intervener cannot be required to pay any of the costs.

2. What are the main effects of judgments on persons who have been given TPN?

Third-party notice supposes that a party to an ongoing proceeding (initial proceeding) has reason to fear an unfavourable outcome, but also has reason to expect that if the outcome is unfavourable they will then be able to bring an action for damages against the third party or make a claim against the third party under a warranty or guarantee. Thus the party issuing the third-party notice has an interest in winning the initial proceeding (and here the intervener may be able to assist) or — if the initial proceeding is lost — in recovering their losses by winning a subsequent proceeding (*Folgeprozess*) against the third party. If the third party supports the party who issued the notice, the third party must accept the case as they find it. They may enter pleas in law and submit procedural documents, provided that they do nothing that contradicts the main party. If the third party declines to join the proceeding, or does not take a position, the proceeding continues without regard to the third party. If the party who issued the notice subsequently brings proceedings against the third party, the third party cannot claim that the decision in the initial proceeding was wrong. This means that, in the subsequent proceeding, a finding of the initial proceeding to the advantage of the party who issued the third-party notice will be treated as binding.

3. The third-party notice has no effect on the decision on points of law in the initial proceeding.

4. The outcome of the initial proceeding is not binding if the intervener was prevented from entering pleas in law either by the state of the proceeding at the time of the intervention or by statements and actions of the main party.

5. The effects of the third-party notice apply irrespective of whether the third party joins the initial proceeding.

6. The third-party notice has no effect on the relationship between the third party and the adversary of the party who issues the third-party notice, unless the third party intervenes in support of the adversary.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Germany, the *Landgericht*.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Germany, the *Oberlandesgericht*.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Germany, the *Bundesgerichtshof*.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Germany: Section 23 of the Code of Civil Procedure (*Zivilprozessordnung*).

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

- in Germany, Sections 68 and 72-74 of the Code of Civil Procedure.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Germany and Italy on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 9 March 1936;

the Convention between Germany and Belgium on the Mutual Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Bonn on 30 June 1958;

the Convention between Germany and Austria on the Mutual Recognition and Enforcement of Judgments, Settlements and Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 6 June 1959;

the Convention between the United Kingdom and the Federal Republic of Germany on the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bonn on 14 July 1960;

the Convention between the Netherlands and Germany on the Mutual Recognition and Enforcement of Judgments and Other Enforceable Instruments in Civil and Commercial Matters, signed at The Hague on 30 August 1962;

the Convention between Germany and Greece on the Mutual Recognition and Enforcement of Judgments, Settlements and Authentic Instruments in Civil and Commercial Matters, signed at Athens on 4 November 1961;

the Convention between Spain and the Federal Republic of Germany on the Recognition and Enforcement of Judgments, Settlements and Enforceable Authentic Instruments in Civil and Commercial Matters, signed at Bonn on 14 November 1983.

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Brussels I Regulation (recast) - Estonia

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1) How can third-party notice (TPN) be described in general?

Under Estonian procedural law, it is possible for a third party to participate in proceedings with or without an independent submission. When a dispute in court is settled to the disadvantage of a certain party to proceedings, that party can bring an action against a third party to release it from an obligation stemming from an alleged breach of contract, an obligation to compensate for damages or an obligation of redress or, if it has reason to expect that a third party will bring such a claim against it, it can, until such time as the preliminary proceedings have been completed or the deadline for applications by written procedure has expired, submit an application to the court conducting the proceedings to add a third party to the proceedings. Once the preliminary proceedings have been completed, an application to involve a third party in the proceedings may be made only with the consent of the other parties to the proceedings or of the court. The court will agree to the third party's involvement after completion of the preliminary proceedings only if there was a valid reason for not having submitted the application in good time and if, in the opinion of the court, the third party's involvement would serve the interests of settling the case. The court serves a notice to the third party, informs the other party of the notification and sets a deadline for them to take a position. If the notice satisfies legal requirements and the party justifies the need to add a third party, the court orders the third party to be added to the proceedings. A third party not making an independent submission is a party to the proceedings under Estonian procedural law if it is not one of the other parties to the proceedings (applicant or defendant). If it transpires that the third party has been added to or has intervened in the proceedings without justification, the court may order it to be excluded from the proceedings. A third party not making an independent submission which has been added to or intervenes in proceedings on the side of the applicant or defendant should presumably support the position of the relevant party to the proceedings i.e. put forward arguments in support of that party and have an interest in that party succeeding. A third party not making an independent submission may take all procedural steps except those that can only be taken by the applicant or defendant alone; this includes appealing decisions taken in the case. An application, complaint or procedural act by a third party has a legal effect on the proceedings only if this does not conflict with the application, complaint or act of the applicant or defendant on whose side the third party is participating in the proceedings. When making a complaint or taking any other procedural step, the same deadline applies to the third party as to the applicant or defendant on whose side it is participating in the proceedings, unless the law provides otherwise.

2) What are the main effects of judgments on persons who were given TPN?

If a party submits an application to have a person added as a third party, but the court does not add the person to the proceedings or the person is excluded from third-party proceedings, that person is not legally bound by the ruling in the main proceedings.

If a party submits an application to have a person added as a third party and that person is added to the proceedings as a third party, the third party cannot, with regard to the applicant or defendant on whose side it intervened in the proceedings or was added to the proceedings, rely in proceedings subsequent to the main proceedings on the fact that the resolution on the ruling made in the proceedings was incorrect or the circumstances were incorrectly established. If a party to the proceedings initiates proceedings against a third party not making an independent submission and relies on previous proceedings, the third party can also raise an objection which it raised in the proceedings as a third party and which contradicts the party's statements. A third party may also object that it was not able to submit an application, objection, evidence or complaint because it intervened or was added to proceedings too late or was not able to submit them because of statements or actions by the applicant or defendant on whose side it participated in the proceedings. It can also object that the applicant or defendant, unbeknownst to the third party, failed to submit an application, objection, evidence or complaint deliberately or by gross negligence.

3) Is there a binding effect with regard to the legal assessment in the main proceedings?

If a party submitted an application to have a person added as a third party, but the court did not add the person to the proceedings or the person was excluded from third-party proceedings, the ruling in the main proceedings is not legally binding, including with regard to the legal assessment.

4) Is there a binding effect with regard to established facts which the third party could not challenge in the main proceedings e.g. because they were uncontested by the parties?

Circumstances established by the court are not legally binding on the third party if the third party was not able to challenge them because the other parties did not contest them or if the party in whose favour the third party was added to the proceedings did not agree with the circumstances challenged by the third party.

5) Does TPN produce its effects irrespective of whether or not the third party joined in the main proceedings?

Under Estonian procedural law, it is possible to add a third party to the proceedings and for a third party to intervene in the proceedings upon their own application. The court decides by means of an order whether to allow the third party to be added to or to intervene in the proceedings. A party or third party may lodge an appeal against an order by which the court allows or refuses to allow a third party to intervene in the proceedings, or adds or refuses to add a third party to the proceedings or removes a third party from the proceedings. District court rulings on appeals against county court rulings are not subject to appeal before the Supreme Court.

6) Does TPN affect the relation between the third party and the opponent of the notifying party?

If a party applies to have a third party added to proceedings, but the court does not add that third party to the proceedings, this has no impact on relations between the party submitting the application and its opposing party.

If a party submits an application to have a person added as a third party and that person is added to the proceedings as a third party, the third party cannot, with regard to the applicant or defendant on whose side it intervened in the proceedings or was added to the proceedings, rely in proceedings subsequent to the main proceedings on the fact that the resolution on the ruling made in the proceedings was incorrect or that the circumstances were incorrectly established.

The addition of a third party not making an independent submission and the consequences thereof are governed by Sections 214 and 216 of the Code of Civil Procedure.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

County courts.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

District courts through the county court whose ruling is being contested by means of the appeal.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

The Supreme Court.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

English.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

Article 86 (jurisdiction at the location of property) of the Code of Civil Procedure, insofar as the claim is unrelated to that property of the person. Article 100 (claim for termination of application of standard terms) of Code of Civil Procedure, insofar as the action is to be lodged with the court in whose territorial jurisdiction the standard term was applied.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Sections 212–216 of the Code of Civil Procedure.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

The Agreement on Legal Assistance and Legal Relations between the Republic of Lithuania, the Republic of Estonia and the Republic of Latvia, signed in Tallinn on 11 November 1992.

The Agreement between the Republic of Estonia and the Republic of Poland on Legal Assistance and Legal Relations in Civil, Labour and Criminal matters, signed at Tallinn, on 27 November 1998.

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Brussels I Regulation (recast) - Ireland

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Ireland, the High Court

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Ireland, the Court of Appeal (however, in accordance with the provisions of the Irish Constitution the Supreme Court shall have appellate jurisdiction from a decision of the High Court if it is satisfied that there are exceptional circumstances warranting a direct appeal to it).

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Ireland, none (however, in accordance with the provisions of the Irish Constitution the Supreme Court shall have appellate jurisdiction from a decision of the Court of Appeal if it is satisfied that certain conditions laid down in the Constitution are satisfied.)

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Ireland, the rules which enable jurisdiction to be founded on the document instituting the proceedings having been served on the defendant during his temporary presence in Ireland

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

None

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Brussels I Regulation (recast) - Greece

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

for applications for refusal of enforcement, the Single Member Court of First Instance ('Μονομελές Πρωτοδικείο') of the place of residence of the person against whom enforcement is requested

for applications for a decision that there are no grounds for refusal of recognition under Article 36(2), the Single Member Court of First Instance ('Μονομελές Πρωτοδικείο') of the place of residence of the person against whom the application is made for recognition that there no grounds for refusal. The Single Member Court of First Instance ('Μονομελές Πρωτοδικείο') is also competent for applications for refusal of recognition (Article 45)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Greece, the court of appeal ('Εφετείο')

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Greece, the Supreme Court ('Άρειος Πάγος')

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Greece, Article 40 of the Code of Civil Procedure

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between the Kingdom of Greece and the Federal Republic of Germany for the Mutual Recognition and Enforcement of Judgments, Settlements and Authentic instruments in Civil and Commercial Matters, signed at Athens on 4 November 1961,
the Agreement between the Federal People's Republic of Yugoslavia and the Kingdom of Greece on the Mutual Recognition and Enforcement of Judgments, signed at Athens on 18 June 1959,
the Convention between the People's Republic of Hungary and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Budapest on 8 October 1979,
the Convention between the People's Republic of Poland and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 24 October 1979,
the Treaty between the Czechoslovak Socialist Republic and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 22 October 1980 and still in force as between the Czech Republic, Slovakia and Greece,
the Convention between the Republic of Cyprus and the Hellenic Republic on Legal Cooperation in Matters of Civil, Family, Commercial and Criminal Law, signed at Nicosia on 5 March 1984,
the Convention between the Socialist Republic of Romania and the the Kingdom of Greece on Legal Assistance in Civil and Criminal Matters, signed at Bucharest on 19 October 1972,
the Agreement between the People's Republic of Bulgaria and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 10 April 1976.

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Brussels I Regulation (recast) - Spain

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Spain, the court of first instance ('Juzgado de Primera Instancia').

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Spain, the provincial court ('Audiencia provincial')

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Spain, the extraordinary appeal based on a procedural infringement and the appeal in cassation to the Supreme Court ('Tribunal Supremo')

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

None

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Spain and France on the Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Paris on 28 May 1969,
the Agreement of 25 February 1974, in the form of an exchange of notes interpreting Articles 2 and 17 of the Convention between France and Spain on the Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Paris on 28 May 1969,
the Convention between Spain and Italy regarding Legal Assistance and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Madrid on Tuesday 22 May 1973,
the Convention between Spain and the Federal Republic of Germany on the Recognition and Enforcement of Judgments, Settlements and Enforceable Authentic Instruments in Civil and Commercial Matters, signed at Bonn on 14 November 1983,
the Convention between Austria and Spain on the Recognition and Enforcement of Judgments, Settlements and Enforceable Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 17 February 1984,
the Treaty between the Czechoslovak Socialist Republic and the Kingdom of Spain on Legal Assistance, Recognition and Enforcement of Court Judgments in Civil Matters, signed at Madrid on 4 May 1987, still in force between the Czech Republic, Slovakia and Spain,
the Agreement between the Republic of Bulgaria and the Kingdom of Spain on Mutual Legal Assistance in Civil Matters, signed at Sofia on 23 May 1993,
the Convention between Romania and the Kingdom of Spain on Jurisdiction, Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bucharest on 17 November 1997.

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Brussels I Regulation (recast) - France

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

See 'Procedure for enforcement of a court judgment'.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

for applications for refusal of enforcement, the enforcement judge of the Combined Court (*Tribunal Judiciaire*), since this application can be made only in the context of a challenge to an enforcement measure.

for applications for a decision that there are no grounds for refusal of recognition under Article 36(2), and applications for refusal of recognition (Article 45), the Combined Court if this is the principal issue.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in France, the Court of Appeal (*Cour d'appel*). The court of appeal with territorial jurisdiction depends on the court that issued the decision at first instance.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in France, the Court of Cassation (*Cour de cassation*).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in France, Articles 14 and 15 of the Civil Code

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Belgium and France on Jurisdiction and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Paris on 8 July 1899,

the Agreement between the Government of the People's Republic of Bulgaria and the Government of the French Republic on Mutual Legal Assistance in Civil Matters, signed at Sofia on 18 January 1989,

the Treaty between the Government of the Republic of France and the Government of the Czechoslovak Socialist Republic on Legal Assistance and the Recognition and Enforcement of Judgments in Civil, Family and Commercial Matters, signed at Paris on 10 May 1984,

the Convention between France and Spain on the Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Paris on 28 May 1969,

the Agreement of 25 February 1974, in the form of an exchange of notes interpreting Articles 2 and 17 of the Convention between France and Spain on the Recognition and Enforcement of Judgments, Arbitration Awards and Authentic Instruments in Civil and Commercial Matters, signed at Paris on 28 May 1969,

the Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Republic of France on the recognition and enforcement of judgments in civil and commercial matters, signed at Paris on 18 May 1971,

the Convention between the People's Republic of Hungary and the French Republic on Legal Assistance in Civil and Family Law, on the Recognition and Enforcement of Judgments and on Legal Assistance in Criminal Matters and on Extradition, signed at Budapest on 31 July 1980,

the Convention between France and Italy on the Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 3 June 1930,

the Convention between France and Austria on the Recognition and Enforcement of Judgments and Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 15 July 1966,

the Convention between the Socialist Republic of Romania and the French Republic on Legal Assistance in Civil and Commercial Matters, signed at Paris on 5 November 1974.

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Brussels I Regulation (recast) - Croatia

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Third parties who are not parties to a dispute are given notice of litigation concerning the dispute to inform them that an adopted ruling may have an indirect legal effect on them. If the applicant or defendant is required to give notice to a third party about litigation filed in order to obtain a certain effect under civil law, he/she may do so at any time before a final decision has been issued in the proceedings by making a submission through the civil court, indicating the reason and the state of the proceedings. A party that has issued notice to a third party about litigation may not then use that fact to request a stay of proceedings, an extension of deadlines or the postponement of a hearing.

A third party that has a legitimate interest in the success of one of the parties in litigation may join that party, but is not obliged to do so. If that third party decides to intervene, he/she submits a declaration of intervention, either at a hearing or through a written submission delivered to both parties. A third party that enters litigation does not become a party to the proceedings, but acquires the status of an intervener who must accept the state of the litigation at the time of intervention; the actions of the intervener may not run counter to those of the party that it joins.

There are three types of intervener under Croatian law: an ordinary intervener, an intervener with the status of sole co-litigator (the legal effect of the judgment relates equally to the intervener and the party to the proceedings) and a *sui generis* intervener (intervention of state attorney and social services centre in the proceedings). If the type of intervener is not stated, it is assumed to be an ordinary intervener.

A final decision adopted in litigation of which a third party was given notice or in which it participated as an intervener produces a specific legal effect on that third party which is normally referred to as an intervention effect. Third parties can avert that effect by successfully lodging an objection known as *exceptio male gesti vel conducti processus*. Thus, if new litigation is launched against a third party who was given notice of litigation or who took part in the dispute

concerned, that third party will not have the option of claiming in the new litigation — when settling his/her dispute with the party whom he/she joined in the previous litigation — that the dispute, as presented to the court during those proceedings, was not correctly resolved. However, the final decision will not have an absolute effect on the intervener.

Accordingly, if a party undertook procedural actions knowing that they would worsen his/her procedural position, or if he/she failed to take procedural actions knowing that — on the basis of the arguments at his/her disposal — they could improve his/her procedural position, or if he/she removed the procedural significance of procedural actions taken by his/her intervener that were likely to be favourable or undertook actions which conflicted with them, in that case the intervention effect of the previously adopted final decision in the dispute between the party that the intervener joined and the adverse party may be contested with regard to the former intervener.

It is presumed that the intervener was allowed to take any actions in the litigation that were likely to contribute to a positive outcome in the dispute, unless found otherwise in relation to the objection lodged by the former intervener.

The notice has consequences of a procedural nature and under civil law. The party who gave notice may invoke, in the subsequent litigation against the third party that was given notice, the 'intervention effect' of the final judgment, irrespective of whether the third party entered the litigation as an intervener (for example, if the wrongdoer failed to take part as an intervener in the litigation between the injured party and an insurer even though the insurer asked him/her to do so, he/she may not raise objections in any recourse proceedings conducted against him/her by the insurer which he/she was able to raise in litigation conducted between the insurer and the injured party). Notice is also relevant for interrupting the period after which a case becomes statute-barred, for postponing maturity dates and for pursuing claims for liability on grounds of a defect.

The fact that a third party has been given notice of litigation has no impact on the relationship between that third party and the opponent of the party joined by an intervener, except where the third party has decided to join the litigation as an intervener.

Article 74 - Description of national rules and procedures concerning enforcement

The enforcement procedure in the Republic of Croatia is governed by the Enforcement Act (*Ovršni zakon*) (*Narodne novine* (NN; Official Gazette of the Republic of Croatia) Nos 112/12, 25/13, 93/14, 55/16, 73/17; hereinafter 'OZ').

That Act sets out the procedure by which courts enforce claims on the basis of enforcement instruments (enforcement procedure (*ovršni postupak*)). The Financial Agency (*Financijska agencija*; hereinafter 'FINA') — which is the legal person that conducts enforcement under OZ and the law governing enforcement with respect to funds — employers, the Croatian Pension Insurance Institute and other bodies laid down by law also take part in enforcement proceedings.

Municipal courts (*općinski sudovi*) have subject-matter jurisdiction in enforcement cases, except where this matter has been explicitly entrusted to another court, body or person. The courts with competence to order enforcement are also authorised to act on appeals against enforcement orders or other decisions that they adopted in response to a proposal for enforcement. The territorial jurisdiction specified by OZ is exclusive (e.g. the territorial jurisdiction for ruling on a proposal for enforcement with respect to immovable property and carrying out such enforcement belongs to the court on whose territory the immovable property is located).

First- and second-instance enforcement proceedings are conducted — and the corresponding decisions adopted — by a single judge, except where OZ provides for the proceedings to be conducted — and the corresponding decisions adopted — by a notary public.

The proceedings are initiated by the enforcement creditor, who submits a proposal for enforcement to the competent court on the basis of an enforcement instrument. The exception to this rule is when an enforcement creditor submits a request for direct recovery to FINA on the basis of an enforcement instrument (e.g. a final court judgment). This is permissible only in the event of enforcement with respect to a monetary claim of the enforcement debtor (direct recovery of a monetary claim). In that case, instead of adopting an enforcement decision, FINA sends a copy of the creditor's request with all the information to the enforcement debtor.

The subject of enforcement is things and rights on which enforcement may be carried out by law for the purpose of enforcing a claim. The means of enforcement are enforcement actions, security measures or the system of such actions or measures by which a claim is enforced or secured in accordance with the law.

The court orders enforcement by the means and on the subjects mentioned in the proposal for enforcement. If several means or several subjects are proposed for enforcement, the court will, at the enforcement debtor's request, restrict enforcement to only certain of those means or subjects if they are sufficient to recover the claim.

The question of whether a thing or a right can be the subject of enforcement, or whether enforcement on a given thing or right is restricted, is considered in the light of the circumstances that obtained when the proposal for enforcement was lodged.

Article 212 OZ lays down specific rules on enforcement with respect to funds which are exempted from enforcement or with respect to funds on which enforcement is restricted, and Articles 241 and 242 OZ lay down specific rules on exemption from and restriction of enforcement with respect to the property of legal persons. One of the basic principles of the enforcement procedure is that when a court conducts enforcement or security measures it is obliged to consider the dignity of the enforcement debtor and to ensure that the adverse effects of enforcement for the enforcement debtor are kept to the minimum.

An appeal may be lodged against a first-instance decision unless OZ provides otherwise. A permissible appeal submitted in due time against a judicial decision on enforcement on the basis of an enforcement instrument does not postpone enforcement. An appeal must be submitted within eight days of the date of service of the first-instance decision, unless OZ provides otherwise, or within three days in the case of disputes concerning bills of exchange or cheques.

All claims that have been granted by a final judicial decision, a decision of another competent public authority, a settlement before a court or another competent authority or a notarial deed become statute-barred after 10 years, including those for which a shorter limitation period is provided for by law in other circumstances.

Claims that have not been granted by a final judicial decision, a decision of another competent public authority, a settlement before a court or another competent authority or a notarial deed become statute-barred after five years, except where a different period is provided for by law.

A limitation period of three years from the date on which a payment becomes due applies to claims for periodic payments that fall due annually or at shorter intervals, irrespective of whether they are accessory periodic claims, such as claims relating to interest, or periodic claims relating to the right itself, such as maintenance claims. The same applies to annuities with which principal and interest is paid in equal, previously specified periodic amounts, but not to repayments in instalments or to other cases of partial performance.

A right from which periodic claims stem becomes statute-barred after a period of five years, starting from the date on which the oldest unmet claim becomes due. The right to maintenance under law cannot become statute-barred.

Mutual claims arising from commercial contracts on trade in goods and services, i.e. contracts on trade in goods and services concluded between a trader and a body governed by public law, and compensation claims for costs incurred under these contracts become statute-barred after three years. The limitation period applies separately to each case in which goods were supplied, works were carried out or a service was performed. Claims with respect to rent, whether it is to be paid periodically or in one total amount, become statute-barred after three years. Claims for compensation for damage become statute-

barred three years after the victim found out about the damage and about the person who caused the damage. In any event, such claims become statute-barred five years after the damage was incurred. Where damage was caused by a criminal offence, and provision is made for a longer limitation period for criminal prosecution, a claim for compensation for damage against the responsible person becomes statute-barred at the end of the limitation period for criminal prosecution.

Claims relating to supplies of electricity and heat, gas, water, chimney-sweeping and cleaning services become statute-barred after one year, where the service was provided to meet the needs of a household, radio station or radio-and-television station for the use of a radio receiver and a television set. The limitation period of one year also applies to claims of the post, telegraph and telephone service for the use of telephones and letterboxes, other claims from this service relating to amounts which are payable every three months or more frequently and claims relating to press subscriptions, calculated from the end of the period for which the publication concerned was ordered.

Claims of an insurance policyholder or a third party under a life insurance contract become statute-barred after five years, and claims under other insurance contracts after three years, calculated from the first day after the end of the calendar year in which the claim arose. An insurer's claims under an insurance contract become statute-barred after three years. The limitation period for a claim that an insurer may make against a third party that is responsible for the materialisation of the risk starts and ends at the same time as the insured person's claim against the third party.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

In the Republic of Croatia applications are submitted to the competent municipal courts in civil matters, and to the competent commercial courts in commercial matters.

All municipal courts are competent to rule on the recognition and enforcement of the decisions of foreign courts.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

In the Republic of Croatia an appeal against a decision on an application for refusal of enforcement should be lodged with the county court through the competent municipal court in civil matters, and with the High Commercial Court through the competent commercial court in commercial matters.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Under applicable national law, there are no courts with which a further appeal may be lodged.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

As far as jurisdiction in civil and commercial matters is concerned, Article 46 of the Private International Law Act (*Zakon o međunarodnom privatnom pravu*) (*Narodne novine* (NN; Official Gazette of the Republic of Croatia) No 101/17), which has been in force since 29 January 2019, specifies that Croatian courts have jurisdiction in disputes where there is an international element. That provision explicitly states that Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012) applies within the scope of that Regulation, and extends its application to include situations involving citizens of third countries. Paragraph 3 of that Article allows for the possibility of deciding that a court of a third country has jurisdiction, except where a Croatian court or a court of another Member State of the European Union has exclusive jurisdiction.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

In the Republic of Croatia third-party notice is governed by Article 211 of the Code of Civil Procedure (*Zakon o parničnom postupku*).

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Agreement between the Federal People's Republic of Yugoslavia and the People's Republic of Bulgaria of 23 March 1956 on Mutual Legal Assistance, the Treaty between the Socialist Federal Republic of Yugoslavia and the Czechoslovak Socialist Republic of 20 January 1964 on Regulation of Legal Relations in Civil, Family and Criminal cases,

the Convention between the Government of the Socialist Federal Republic of Yugoslavia and the Government of the Republic of France of 18 May 1971 on the Recognition and Enforcement of Judgments in Civil and Commercial Matters,

the Agreement between the Federal People's Republic of Yugoslavia and the Kingdom of Greece of 18 June 1959 on the Mutual Recognition and Enforcement of Judgments,

the Treaty between the Socialist Federal Republic of Yugoslavia and the People's Republic of Hungary of 7 March 1968 on Mutual Legal Assistance,

the Treaty between the Federal People's Republic of Yugoslavia and the People's Republic of Poland of 6 February 1960 on Legal Assistance in Civil and Criminal Matters,

the Treaty between the Romanian People's Republic and the Federal People's Republic of Yugoslavia of 18 October 1960 on Legal Assistance,

the Convention between the Federal People's Republic of Yugoslavia and the Republic of Italy on Mutual Judicial Cooperation in Civil and Administrative Matters, signed at Rome on 3 December 1960,

the Treaty between the Federal People's Republic of Yugoslavia and the Republic of Austria on Mutual Judicial Cooperation, signed at Vienna on 16 December 1954,

the Treaty between the Republic of Croatia and the Republic of Slovenia of 7 February 1994 on Legal Assistance in Civil and Criminal Matters.

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Brussels I Regulation (recast) - Italy

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Italy, the ordinary court ('Tribunali Ordinari')

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Italy, the court of appeal ('Corte d'appello')

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Supreme Court of Cassation (Corte suprema di cassazione)

Piazza Cavour

00193 Rome, Italy

Tel. +39 0668831

Fax: +39 066883423

website: <http://www.cortedicassazione.it>

Local holiday: 29 June

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Italian

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Italy, Articles 3 and 4 of Law No 218 of 31 May 1995

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between France and Italy on the Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 3 June 1930,

the Convention between Germany and Italy on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 9 March 1936,

the Convention between the Netherlands and Italy on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 17 April 1959,

the Convention between Belgium and Italy on the Recognition and Enforcement of Judgments and other Enforceable Instruments in Civil and Commercial Matters, signed at Rome on 6 April 1962,

the Convention between the United Kingdom and the Republic of Italy for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 7 February 1964, with amending Protocol signed at Rome on 14 July 1970,

the Convention between Italy and Austria on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, of Judicial Settlements and of Authentic Instruments, signed at Rome on 16 November 1971,

the Convention between Spain and Italy regarding Legal Assistance and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Madrid on 22 May 1973,

the Treaty between the Czechoslovak Socialist Republic and the Italian Republic on Legal Assistance in Civil and Criminal Matters, signed at Prague on 6 December 1985, still in force between the Czech Republic, Slovakia and Italy,

the Convention between the Socialist Republic of Romania and the Italian Republic on Legal Assistance in Civil and Criminal Matters, signed at Bucharest on 11 November 1972,

the Convention between the People's Republic of Poland and the Italian Republic on Legal Assistance and the Recognition and Enforcement of Judgments in Civil Matters, signed at Warsaw on 28 April 1989,

the Agreement between the People's Republic of Bulgaria and the Italian Republic on Legal Assistance and the Enforcement of Judgments in Civil Matters, signed at Rome on 18 May 1990,

the Convention between the Federal People's Republic of Yugoslavia and the Republic of Italy on Mutual Judicial Cooperation in Civil and Administrative Matters, signed at Rome on 3 December 1960, still in force between Slovenia, Croatia and Italy.

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Brussels I Regulation (recast) - Cyprus

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable.

Article 74 - Description of national rules and procedures concerning enforcement

A detailed description of the procedures can be found under [Procedures for enforcing a judgment](#).

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

In Cyprus the District Courts (*Eparchiaká Dikastíria*)

Nicosia District Court

Charalambos Mouskos Street, 1405 Nicosia, Cyprus

Telephone: (+357) 22865518

Fax: (+357) 22304212 / 22805330

Email: chief.reg@sc.judicial.gov.cy

Limassol District Court

8 Lord Byron Avenue, P.O. Box 54619, 3726 Limassol, Cyprus

Telephone: (+357) 25806100 / 25806128

Fax: (+357) 25305311

Email: chief.reg@sc.judicial.gov.cy

Larnaca District Court

Artemidos Avenue, 6301 Larnaca, P.O. Box 40107, Cyprus

Telephone: (+357) 24802721

Fax: (+357) 24802800

Email: chief.reg@sc.judicial.gov.cy

Paphos District Court

Corner of Neophytou & Nicos Nicolaides, 8100 Paphos, P.O. Box 60007, Cyprus

Telephone: (+357) 26802601

Fax: (+357) 26306395

Email: chief.reg@sc.judicial.gov.cy

Famagusta District Court

2 Sotiras Street, Megaro Tzivani, 5286 Paralimni, Cyprus

Telephone: (+357) 23730950 / 23742075

Fax: (+357) 23741904

Email: chief.reg@sc.judicial.gov.cy

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

in Cyprus, the Supreme Court of Cyprus (*Anótato Dikastírio Kýprou*)

Supreme Court

Charalambos Mouskos Street, 1404 Nicosia, Cyprus

Telephone: (+357) 22865741

Fax: (+357) 22304500

Email: chief.reg@sc.judicial.gov.cy

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

in Cyprus, the Supreme Court of Cyprus (*Anótato Dikastírio Kýprou*)

Supreme Court

Charalambos Mouskos Street, 1404 Nicosia, Cyprus

Telephone: (+357) 22865741

Fax: (+357) 22304500

Email: chief.reg@sc.judicial.gov.cy

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

- in Cyprus, Greek and English.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Cyprus, Article 21 of the Courts of Justice Law (Law 14/60).

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the 1982 Treaty between the Czechoslovak Socialist Republic and the Republic of Cyprus on Legal Assistance in Civil and Criminal Matters, the 1981 Convention between the Republic of Cyprus and the People's Republic of Hungary on Legal Assistance in Civil and Criminal Matters, the 1984 Convention between the Republic of Cyprus and the Hellenic Republic on Legal Cooperation in Matters of Civil, Family, Commercial and Criminal Law,

the 1983 Agreement between the Republic of Cyprus and the People's Republic of Bulgaria on Legal Assistance in Civil and Criminal Matters, the 1984 Treaty between the Republic of Cyprus and the Socialist Federal Republic of Yugoslavia on Legal Assistance in Civil and Criminal Matters (to which Slovenia, among others, is a successor),

the 1996 Convention between the Republic of Cyprus and the Republic of Poland on Legal Cooperation in Civil and Criminal Matters.

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Brussels I Regulation (recast) - Latvia

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Participation by third parties in civil proceedings is governed by Articles 78 to 81 of the Law on civil procedure. According to the first paragraph of Article 78 of the Law, a third party in civil proceedings is a natural or legal person whose rights or obligations in relation to one of the litigating parties may be affected by the judgment in the case. The aim of involving the third party in legal proceedings is to promote an all-round elucidation of the facts of the case and to ensure procedural efficiency by allowing that third party to provide explanations and to state their viewpoint on the claims made. If a person who might have been a third party in a case does not intervene, this does not deprive that person of their rights in any other manner or prevent them from defending their interests in a separate action. However, it is worth bearing in mind that the intervention of a third party in the case may affect the way in which the initial claim is resolved. This is important, for example, when a subsequent claim for compensation comes to be considered, since it follows from Latvia's national rules of civil procedure that a subsequent claim can be looked into only after the examination of the initial claim, and the facts accepted in the grounds of the decision on the initial claim cannot be examined afresh by the court.

Third parties may be admitted to intervene in the case until such time as the proceedings on the merits before the court of first instance have been completed. They may also be called upon to participate in the proceedings at the request of one of the parties or the prosecutor. Depending on the nature and degree of their interest, third parties are classified as (a) third parties with an independent claim; or (b) third parties without an independent claim.

Third parties that present an independent claim in relation to the subject matter of the dispute can intervene on application: in principle their independent claim is directed against both the defendant and the applicant. They have the same rights and obligations as the applicant (see Article 79 of the Law on civil procedure). The position of a third party with an independent claim differs from that of a party supporting the applicant, or a joint applicant, in that those parties' claims are not directed against one another, whereas satisfaction of the third party's claim would in principle preclude satisfying that of the applicant.

Third parties that do not present an independent claim in relation to the subject matter of the dispute can intervene in support of either the applicant or the defendant if the judgment in the case might affect the intervener's rights or obligations vis-à-vis one of the litigating parties. Third parties that do not present an independent claim have the same procedural rights and obligations as the litigating parties except that they cannot alter the grounds of the claim or subject matter, increase or diminish the extent of the claim, withdraw the application, acknowledge claims, conclude settlements or request enforcement of the court's judgment. Submissions asking for third parties to be called, and submissions by third parties asking to intervene in support of either the applicant or the defendant, must set out the grounds for calling the third party or granting them leave to intervene in the case (Article 80 of the Law on civil procedure).

Third parties without an independent claim usually intervene in cases where there is a possibility that one of the parties might subsequently seek redress from them, either in related cases, or in cases where the third party may themselves bring a subsequent action depending on the outcome of the initial action. Consequently, it follows from the provisions of Articles 78 to 81 of the Law on civil procedure that the judgment in a case in which a third party participates is binding on the third party, and the judgment can be enforced against the third party (or the third party can apply for the enforcement of the judgment), only in those cases where the third party submitted an independent claim. The judgment nevertheless produces legal effects for the third party in any event, in the sense that the facts established in that judgment are binding with respect to any subsequent claim based on the initial proceeding.

Article 74 - Description of national rules and procedures concerning enforcement

Court rulings and decisions in extrajudicial cases are to be enforced once they attain legal force, unless, in accordance with a law or court judgment, they are enforceable immediately. If a time limit is fixed for the voluntary enforcement of a court ruling but the ruling is not enforced, the court will issue an enforcement order after the expiry of the voluntary enforcement time limit. Registered bailiffs are authorised to initiate enforcement activities on the basis of enforcement instructions.

Enforcement orders are issued to applicants at their request by the court dealing with the case. One enforcement order is issued for each judgment. If a judgment is to be enforced in different places, of which a part is immediately enforceable, is in favour of a number of applicants or against a number of defendants, the court will issue a number of enforcement orders at the request of the applicant. When several enforcement orders are issued, the place of enforcement, or the part of the judgment that is to be enforced according to that order is to be precisely indicated in each of them, but in the case of joint and several recovery, so too must be the defendant against whom recovery is sought further to the order.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

In Latvia, to the district or city district court (*rajona (pilsētas) tiesa*) in the jurisdiction of which the decisions are enforced.

Applications for recognition or for refusal of recognition (Article 36(2) and Article 45) are to be submitted to the district (or city district) court in the jurisdiction of which the rulings are enforced or to the district (or city district) court in the jurisdiction of which lies the declared place of residence of the defendant. However, if there is no declared place of residence, applications are submitted to the court in the jurisdiction of which lies the defendant's place of residence or registered address.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

In Latvia, with the regional court (*apgabaltiesa*), through the district (or city district) court that handed down the decision.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Not applicable.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not relevant.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

In Latvia,

the second paragraph of Article 27 of the Law on civil procedure whereby if the defendant's place of residence is unknown, or the defendant has no permanent place of residence in Latvia, an action may be brought in the court of a place where he or she has immovable property, or the court of his or her last known place of residence;

the third paragraph of Article 28 of the same law, whereby an applicant may bring a claim arising from personal injuries based on his or her place of residence or the location in which the injuries were sustained;

the fifth paragraph of Article 28 of the same law, whereby a claim for the recovery of property or compensation for the value thereof may also be brought based on the declared place of residence of the applicant;

the sixth paragraph of the same law, whereby maritime claims may also be brought based on the place where the defendant vessel was seized;

the ninth paragraph of Article 28 of the same law, whereby an applicant may bring a claim arising from employment relationships based on his or her declared place of residence or place of employment.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

According to Article 640 of the Law on civil procedure, a decision to recognise and enforce a ruling of a foreign court or a decision to refuse the application is to be taken by a judge sitting alone on the basis of the submitted application and the documents annexed thereto within ten days of the case being brought without inviting the parties.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

Agreement of 11 November 1992 on legal assistance and legal relations between the Republic of Latvia, the Republic of Estonia and the Republic of Lithuania.

Agreement of 23 February 1994 between the Republic of Latvia and the Republic of Poland on legal assistance and legal relations in civil, family, labour and criminal matters.

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Brussels I Regulation (recast) - Lithuania

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1. How can third-party notice (TPN) be described in general?

Pursuant to the provisions of Articles 46 and 47 of the Lithuanian Code of Civil Procedure (*Lietuvos Respublikos civilinio proceso kodeksas*), third parties may or may not submit independent claims concerning a matter in dispute.

Third parties submitting independent claims concerning the matter in dispute may join the proceedings only on their own initiative. Those third parties are independent participants in the case and are not on the side of the plaintiff or the defendant. Third parties submitting independent claims may join the proceedings right up until the commencement of the summing-up.

Third parties not submitting independent claims concerning the matter in dispute may join the proceedings on the side of the plaintiff or the defendant right up until the commencement of the summing-up if a ruling on the case may affect their rights or obligations. They may also be joined to the proceedings at the reasoned request of the parties or on the initiative of the court.

Third parties are informed about a case that has arisen and invited to join proceedings before a Lithuanian court by means of summonses or notices, including by being sent a copy of the action. Pursuant to Article 133(1) of the Code of Civil Procedure, the parties involved in a case (including third parties) are notified by summonses or notices of the date and place of the court hearing or the individual procedural measures. However, informing third parties about a case is the duty of the court and not the parties; the parties merely indicate in their submissions that other people need to be joined to the proceedings.

Third parties submitting independent claims have all the same rights and obligations as the plaintiff.

Third parties not submitting independent claims have the same procedural rights (including the right to the reimbursement of costs) and obligations as a party, with the exception of the right to alter the grounds and subject matter of the claim, to increase or decrease the claim, to withdraw the claim, to admit the claim or to reach a settlement. They also do not have the right to request enforcement of a court judgment. Third parties not submitting independent claims may not act against the interests of the party on whose side they have been joined to the proceedings.

2. What are the main effects of judgments on persons who were given TPN?

The participation of third parties submitting independent claims makes it possible to rule on several related disputes concerning the same matter in a single case, in which case no further proceedings may be brought against third parties that submitted independent claims (or such third parties may not bring any further proceedings against the same defendant), as the dispute between those parties on that particular matter is deemed to have been resolved. If a person was informed of the possibility of being joined as a third party to an ongoing court case by submitting an independent claim but did not join the proceedings, separate proceedings may be brought against that person in the future in relation to the same matter. However, the first ruling may not affect the rights and obligations of a person who did not join the proceedings as a third party.

When ruling on a case, the court may not, at the same time, also rule on the rights and obligations of a third party not submitting an independent claim vis-à-vis a party with which he or she has a substantive legal relationship. Consequently, a court judgment in a case involving third parties not submitting independent claims does not preclude another case being brought against a third party involved in the initial case who did not submit an independent claim. However, in that case, the first court judgment has the force of a preliminary ruling; that is to say, if there is another case involving the same parties (e.g. an indemnity action), it is not necessary to consider circumstances established by the final judgment in the first case (Article 182(2) of the Code of Civil Procedure).

If a person was not informed of the possibility of being joined as a third party to an ongoing court case, either with or without the submission of independent claims, or if a person was informed but did not join the proceedings and the court judgment ruled on that person's substantive rights and obligations, this may constitute grounds for reopening the case. If a person was not joined to the proceedings, the court ruling in question does not usually have the force of a preliminary ruling for that person.

3. Is there a binding effect with regard to the legal assessment in the main proceedings?

See answer to Question 2.

4. Is there a binding effect with regard to established facts which the third person could not challenge in the main proceedings e.g. because they were uncontested by the parties?

See answer to Question 2.

5. Does TPN produce its effects irrespective of whether the third person joined the main proceedings or not?

No. The court judgment in the first (main) proceedings may not affect the rights and obligations of a person who was informed but did not join the proceedings as a third party. If a person was not informed of the possibility of being joined as a third party to an ongoing court case, either with or without the submission of independent claims, or if a person was informed but did not join the proceedings and the court judgment ruled on that person's substantive rights and obligations, this may constitute grounds for reopening the case.

6. Does TPN affect the relationship between the third person and the opponent of the notifying party?

See answer to Question 2.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

In Lithuania, the Court of Appeal of Lithuania (*Lietuvos apeliacinis teismas*)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

In Lithuania, the Court of Appeal of Lithuania (*Lietuvos apeliacinis teismas*)

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

In Lithuania, appeal in cassation before the Supreme Court of Lithuania (*Lietuvos Aukščiausioji Teisma*)

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

In Lithuania, Articles 783(3), 787 and 789(3) of the Code of Civil Procedure (*Lietuvos Respublikos civilinio proceso kodeksas*)

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

In Lithuania, Articles 46 and 47 of the Lithuanian Code of Civil Procedure (*Lietuvos Respublikos civilinio proceso kodeksas*)

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Agreement on Legal Assistance and Legal Relations between the Republic of Lithuania, the Republic of Estonia and the Republic of Latvia, signed in Tallinn on 11 November 1992,

the Agreement between the Republic of Lithuania and the Republic of Poland on Legal Assistance and Legal Relations in Civil, Family, Labour and Criminal Matters, signed in Warsaw on 26 January 1993.

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Brussels I Regulation (recast) - Luxembourg

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable.

Article 74 - Description of national rules and procedures concerning enforcement

See the national fact sheet for Luxembourg, [Procedures for enforcing a court judgment – Luxembourg](#), which was published on the e-Justice portal by the European Judicial Network in civil and commercial matters.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

For an application for refusal of enforcement or for recognition or refusal of recognition, jurisdiction lies with the presiding judge of the District Court (*Tribunal d'arrondissement*) sitting in urgent proceedings (*siégeant comme en matière de référé*):

Tribunal d'arrondissement du Luxembourg

Cité judiciaire

L-2080 Luxembourg

Tel.: (+352) 47 59 81-2625

Fax: (+352) 47 59 81-2421

Tribunal d'arrondissement de Diekirch

Palais de Justice

Place Guillaume

L-9237 Diekirch

Tel.: (+352) 80 32 14 -1

Fax: (+352) 80 71 19

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

Court of Appeal (*Cour d'appel*) sitting in urgent proceedings (*siégeant comme en matière de référé*):

Cité judiciaire

L-2080 Luxembourg

Tel.: (+352) 47 59 81-1

Fax: (+352) 47 59 81-2396

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Court of Cassation (*Cour de cassation*):

Cité judiciaire

L-2080 Luxembourg

Tel.: (+352) 47 59 81-2369/2373

Fax: (+352) 47 59 81-2773

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Luxembourg accepts French and German.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- Articles 14 and 15 of the Civil Code.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

The Convention between Luxembourg and Austria on the Recognition and Enforcement of Judgments and Authentic Instruments in Civil and Commercial Matters, signed at Luxembourg on 29 July 1971.

The Treaty between Belgium, the Netherlands and Luxembourg on Jurisdiction, Bankruptcy, and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Brussels on 24 November 1961, in so far as it is in force.

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Brussels I Regulation (recast) - Hungary

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1.) Meaning of third-party notice under Hungarian civil procedural law

A party who has been unsuccessful and wishes to lodge a claim against a third party, or is the subject of a claim lodged by a third party, may send that third party a notice. A third-party notice may be sent not only by an applicant or a defendant, but also by an intervening party or by a notified third party.

2.) Time limits for the third-party notice as a procedural act:

A defendant may file a third-party notice within 30 days following receipt of a claim, and the applicant within 30 days of being notified of a substantive counter-claim. This provision applies by analogy to admitted claim amendments and to counter-claims.

A person who intervenes after the start of the litigation, i.e. the intervening party or the notified third party, may file a third-party notice within 30 days of intervening in the proceedings. In cases regarded as being particularly serious (sums in dispute exceeding HUF 400 million), the time limit for the statements of the notifying party and the notified third party is not 30 days, but 15 days. A statement submitted by the notifying party after the deadline is null and void, in other words it is deemed by the court not to have been made.

3.) Sending a third-party notice:

The notifying party has two obligations when sending a third-party notice. First, the notifying party has to send the notice to the third party concerned in writing, indicating the grounds of the notice and providing a brief overview of the state of the proceedings. Second, the thirdparty notice has to be submitted to the court, in writing or orally at the hearing, mentioning also the grounds of the notice. When submitting the third-party notice to the court, the notifying party has to include documents providing evidence that the notified third party has received the notice and evidence of the date of receipt.

If the notified third party does not send the court, within 30 days of the notification for which the notifying party has provided evidence, a statement on joining the proceedings, the notified third party is regarded as not having accepted the third-party notice. A statement submitted after the deadline is null and void. Where the notified third party accepts the third-party notice, that party may join the notifying party as an intervening party. This can be notified in writing or orally at the hearing.

Otherwise, admitting the intervention of the notified third party and the legal status of the notified third party are subject to the rules governing interventions.

4.) Legal consequences of third-party notices:

Where the notified third party accepts the third-party notice, that party may join the notifying party as an (invited) intervening party. Hungarian civil procedure law provides for two different situations in the case of intervening parties.

- If the legal force of the judgment does not cover the legal relation between the intervening party and the opposing party, the intervening party (initially the notified third party) may independently take any of the legal actions that can be taken by the party supported by that intervening party, excluding settlements, rights recognition and rights waivers. The actions of the intervening party have effect only insofar as the supported party does not take those actions and they do not conflict with the actions of the supported party.

- If, under the legislation in force, the legal force of the judgment also covers the legal relation between the intervening party and the opposing party, the intervening party (initially the notified party) may independently take any of the legal actions that can be taken by the party supported by that intervening party, excluding settlements, rights recognition and rights waivers, and such actions have effect even if they conflict with the actions of the supported party. When examining the case, the court assesses the impact of such contradictory actions taking into account also the other aspects of the case.

However, whether the legal force of a judgment covers the relation between the intervening party and the opposing party is not a matter for judicial discretion, but arises exclusively from legal provisions.

One such legal provision is Section 32(2) of *Act LXII of 2009 on compulsory third-party motor liability insurance*, which provides as follows: 'The scope of any legally binding judgment dismissing the injured party's compensation claim shall also include the policyholder, as well as the operator and the driver in the cases mentioned in Section 35(1), if the court so rules in a lawsuit between the injured party and the insurance company, the claim settlement agent, the

National Bureau or the manager of the Compensation Fund.' (The aforementioned Section 35(1) provides as follows: 'The injured party may file a claim with the manager of the Compensation Fund in order to receive compensation for loss or injury caused within the territory of Hungary by an uninsured motor vehicle in violation of the insurance obligation, by a motor vehicle used by an unidentified operator, or by an unidentified vehicle, or during the suspension period referred to in Section 26, subject to the exceptions set out in Section 36. The manager of the Compensation Fund shall cover claims up to the amount limits specified in Section 13(1). The manager of the Compensation Fund shall also compensate the injured party for any loss caused by a motor vehicle that has not been placed into service or has been removed from service.')

Accepting a third-party notice does not mean that the notified third party acknowledges an obligation towards the notifying party. The legal relation between the notifying party and the notified third party cannot be decided on in the main proceedings (to which the notified third party has been invited).

Article 74 - Description of national rules and procedures concerning enforcement

Please go to the [Procedures for enforcing a judgment](#) form.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

In Hungary, the District Courts (Járásbíróság) situated at the seat of the Regional Court (Törvényszék). In Pest County, the Buda District Court, in Budapest, the Central District Court of Buda.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

In Hungary, the regional courts (Törvényszék). In Budapest, the Budapest-Capital Regional Court (Fővárosi Törvényszék).

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Hungary: the Curia (by means of an application for a review, to the court of first instance, against its decision).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Hungary: Article 57 of Law Decree No 13 of 1979 on international private law,

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

- in Hungary: Sections 58-60 (concerning third-party notice) of Act III of 1952 on the Code of Civil Procedure.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

Agreement between the Hungarian People's Republic and the People's Republic of Bulgaria on legal assistance in civil, family and criminal matters, signed in Sofia on 16 May 1966,

Convention between the Republic of Cyprus and the Hungarian People's Republic on legal assistance in civil and criminal matters, signed in Budapest on 30 November 1981,

Treaty between the Czechoslovak Socialist Republic and the Hungarian People's Republic on legal aid and settlement of legal relations in civil, family and criminal matters, signed in Bratislava on 28 March 1989, still in force in respect of the Czech Republic and the Slovak Republic,

Convention between the Hungarian People's Republic and the French Republic on legal assistance in civil and family law, on the recognition and enforcement of decisions and on legal assistance in criminal matters and on extradition, signed in Budapest on 31 July 1980,

Convention between the Hungarian People's Republic and the Hellenic Republic on legal assistance in civil and criminal matters, signed in Budapest on 8 October 1979,

Treaty between the People's Republic of Hungary and the Socialist Federal Republic of Yugoslavia on Mutual Legal Assistance, signed on 7 March 1968, in respect of the Republic of Croatia and the Republic of Slovenia,

Convention between the People's Republic of Poland and the People's Republic of Hungary on legal assistance in civil, family and criminal matters, signed in Budapest on 6 March 1959, and

Treaty between the People's Republic of Hungary and the People's Republic of Romania on legal assistance in civil, family and criminal cases, signed in Bucharest on 7 October 1958.

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Brussels I Regulation (recast) - Malta

Article 74 - Description of national rules and procedures concerning enforcement

The rules on enforcement and prescription are laid down in Chapter 12 of the Laws of Malta - the Code of Organisation and Civil Procedure. You can find details about enforcement [here](#).

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Malta, the First Hall of the Civil Court, the Courts of Malta, Triq ir-Repubblika, Valletta, Malta

- in Gozo, the Magistrates' Court (Gozo) in its superior jurisdiction, Pjazza Katidral, Victoria, Gozo

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Malta and Gozo, the Court of Appeal, the Courts of Malta, Triq ir-Repubblika, Valletta, Malta

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- There is no further appeal, but a review may be possible pursuant to Article 811 *et seq.* of the Code of Organisation and Civil Procedure (Chapter 12 of the Laws of Malta)

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

English

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Malta, Articles 742, 743 and 744 of the Code of Organisation and Civil Procedure (Chapter 12 of the Laws of Malta) and Article 549 of the Commercial Code (Chapter 13 of the Laws of Malta)

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

None

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Brussels I Regulation (recast) - Netherlands

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in the Netherlands, the district court ('Rechtbank')

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in the Netherlands, the court of appeal ('Gerechtshof')

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in the Netherlands, the Supreme Court ('Hoge Raad der Nederlanden')

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

None

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Belgium and the Netherlands on Jurisdiction, Bankruptcy, and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Brussels on 28 March 1925,

the Convention between the Netherlands and Italy on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 17 April 1959,

the Convention between the Netherlands and Germany on the Mutual Recognition and Enforcement of Judgments and Other Enforceable Instruments in Civil and Commercial Matters, signed at The Hague on 30 August 1962,

the Convention between the Netherlands and Austria on the Mutual Recognition and Enforcement of Judgments and Authentic Instruments in Civil and Commercial Matters, signed at The Hague on 6 February 1963,

the Convention between the United Kingdom and the Kingdom of the Netherlands providing for the mutual recognition and enforcement of judgments in civil matters, signed at The Hague on 17 November 1967,

the Treaty between Belgium, the Netherlands and Luxembourg on Jurisdiction, Bankruptcy, and the Validity and Enforcement of Judgments, Arbitration Awards and Authentic Instruments, signed at Brussels on 24 November 1961, in so far as it is in force.

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Brussels I Regulation (recast) - Austria

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1.) How can 'third-party notice (TPN)' be described in general:

'Third-party notice' is a formal notification of a pending or ongoing lawsuit that is given by one of the parties to the proceedings to a third party who has hitherto not been involved in them. The notification may include a request to intervene in the lawsuit. The notifying party submits to the court a corresponding written document, which is then formally served on the third party by the court. The third party is not obliged to intervene as a result of the third-party notice but is legally free to decide whether to join the proceedings and, if so, on behalf of which party. A third party who does join the proceedings does not become a party to the dispute, but is merely an intervener, whose statements and actions must not conflict with those of the main party. An intervener cannot be required to pay any costs. However, if the main party wins the case, the intervener is entitled to have their costs reimbursed by the opposing party.

Anyone given the opportunity through a third-party notice to influence the course of proceedings as an intervener, can, even if they did not intervene in the proceedings, base claims for damages on grounds of poor litigation only on court proceedings prior to their intervention or on substantive issues that they could not prevent even as an intervener or, if they did not intervene, could not have prevented. By supporting the party in respect of whom they intervene, the intervener can contribute to the success of that party's lawsuit and thus avoid recourse proceedings against themselves, or at least improve their position in such a lawsuit.

2.) What are the main effects of judgments on persons given TPN:

The third party notice presupposes that one party in an ongoing lawsuit has reason to fear an unfavourable outcome, but also has reason to expect that if the outcome is unfavourable they will then be able to make a claim against the third party. Thus, the party issuing the third-party notice has an interest in either not losing the initial lawsuit (and here the intervener may be able to assist) or, if they lose this lawsuit, in recovering their losses by winning in subsequent proceedings against the third party.

At the same time, the notifying party, by giving TPN, prevents the notified third party from being able in subsequent proceedings to bring certain damages claims against it on grounds of poor litigation: A third party given TPN and thereby given the opportunity to influence the outcome of a lawsuit may base claims for damages on grounds of poor litigation only on court proceedings prior to their intervention or on substantive issues that, even as an intervener, they could not prevent or could not have prevented. The intervener may enter pleas in law and submit procedural documents, provided that they do nothing that contradicts the main party. In the event of a subsequent lawsuit between the main party and the intervener, the effects of the final judgment in the initial proceedings shall extend to the intervener or to those who despite being invited to do so did not intervene in the proceedings, in so far as these persons as parties to a subsequent lawsuit may not enter any pleas which are in conflict with the key elements of the ruling in the initial lawsuit.

3.) TPN has no binding effect on the decision on points of law in the main lawsuit.

4.) The outcome of the initial lawsuit is not binding if the intervener was prevented from entering pleas in law either by the state of the lawsuit at the time of the intervention or by statements and actions of the main party (for example, because that party did not contend certain facts or claims).

5.) As already stated, the effects of the third-party notice apply irrespective of whether the third party becomes involved in the (main) lawsuit as an intervener or not.

6.) The third-party notice has no effect on the relationship between the third party and the adversary of the party who issues the third-party notice, unless the third party intervenes in support of the adversary.

Article 74 - Description of national rules and procedures concerning enforcement

In this regard, reference is made to the related information provided by Austria in the European e-Justice Portal under the section, 'Bringing an action before a court', 'Enforcement of court decisions', 'Enforcement proceedings' at the following [URL](#).

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Austria, the district court '*Bezirksgericht*', where the enforcement proceedings are pending. In the case of applications for a decision that there are no grounds for non-recognition (Article 36(2)), and in the case of applications for refusal of recognition (Article 45), the competent court is the district court in the area where the party bound by the judgment is registered or established.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Austria, the higher level regional court (*Landesgericht*), via the district court (*Bezirksgericht*), where the enforcement proceedings are pending

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Austria, the supreme court (*Oberste Gerichtshof*) via the district court (*Bezirksgericht*), where the enforcement proceedings are pending.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

German is the only language which is accepted.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Austria: § 99 of the Law on Court Jurisdiction (*Jurisdiktionsnorm*)

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

- in Austria: § 21 of the Code of Civil Procedure (*Zivilprozessordnung*)

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Germany and Austria on the Mutual Recognition and Enforcement of Judgments, Settlements and Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 6 June 1959;

the Agreement between the People's Republic of Bulgaria and the Republic of Austria on Legal Assistance in Civil Matters and Documents, signed at Sofia on 20 October 1967;

the Convention between Belgium and Austria on the Reciprocal Recognition and Enforcement of Judgments, Arbitral Awards and Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 16 June 1959,

the Convention between the United Kingdom and Austria providing for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Vienna on 14 July 1961, with amending Protocol signed at London on 6 March 1970;

the Convention between the Netherlands and Austria on the Mutual Recognition and Enforcement of Judgments and Authentic Instruments in Civil and Commercial Matters, signed at The Hague on 6 February 1963,

the Convention between France and Austria on the Recognition and Enforcement of Judgments and Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 15 July 1966,

the Convention between Luxembourg and Austria on the Recognition and Enforcement of Judgments and Authentic Instruments in Civil and Commercial Matters, signed at Luxembourg on 29 July 1971,

the Convention between Italy and Austria on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, of Judicial Settlements and of Authentic Instruments, signed at Rome on 16 November 1971,

the Convention between Austria and Sweden on the Recognition and Enforcement of Judgments in Civil Matters, signed at Stockholm on 16 September 1982,

the Convention between Austria and Spain on the Recognition and Enforcement of Judgments, Settlements and Enforceable Authentic Instruments in Civil and Commercial Matters, signed at Vienna on 17 February 1984,

the Convention between Finland and Austria on the recognition and enforcement of judgments in civil matters, signed at Vienna on 17 November 1986;

the Treaty between the Federal People's Republic of Yugoslavia and the Republic of Austria on Mutual Judicial Cooperation, signed at Vienna on 16 December 1954;

the Convention between the People's Republic of Poland and the Republic of Austria on Mutual Relations in Civil Matters and on Documents, signed at Vienna on 11 December 1963;

the Convention between the Socialist Republic of Romania and the Republic of Austria on Legal Assistance in Civil and Family law and the Validity and Service of Documents and its annexed Protocol, signed at Vienna on 17 November 1965.

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Brussels I Regulation (recast) - Poland

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1. How can third-party notice (TPN) be described in general?

In Poland, TPN is governed by Articles 84 and 85 of the Code of Civil Procedure. This concept is referred to in Polish as "przypozwanie". It consists in a party being able to call upon a future opponent to join the proceeding, as a decision which is unfavourable to the party could result in a claim (arising, for instance, from a guarantee agreement) being brought against the party by a third party. To this end, the party submits a pleading, which is served on the third party, which may then state that it is joining the case as an auxiliary intervening party.

2. What are the main effects of judgments on persons who were given TPN?

TPN does not automatically result in making the person who is the subject of the request a party to the pending proceeding. Its entry into the proceeding takes the form of an auxiliary intervention (Articles 76-78 of the Code of Civil Procedure). With the agreement of the parties, the auxiliary intervening party may take the place of the party which it has joined. Otherwise, the judgment has direct effect (but, in the case of TPN, only if it is consistent with the nature of the contested relationship or the relevant legal provision).

3. Is there a binding effect with regard to the legal assessment in the main proceeding?

If, despite being so requested, a third party does not join the proceeding, it forfeits the option of claiming misconduct of the first proceeding in any subsequent proceeding (Article 82 in conjunction with Article 85 of the Code of Civil Procedure).

4. Is there a binding effect with regard to established facts which the third person could not challenge in the main proceeding e.g. because they were uncontested by the parties?

Giving a third party notice and requesting its participation is also in the third party's interest, because it can help achieve a positive outcome which might render any subsequent proceeding superfluous.

5. Does TPN produce its effects irrespective of whether the third person did join in the main proceeding or not?

If, despite being so requested, a third party does not join the proceeding, it forfeits the option of claiming misconduct of the first proceeding in any subsequent proceeding (Article 82 in conjunction with Article 85 of the Code of Civil Procedure).

6. Does TPN affect the relation between the third party and the opponent of the notifying party?

If the person so requested joins the proceeding, it becomes an auxiliary intervening party and may, with the agreement of the parties, take the place of the party which it has joined.

Article 74 - Description of national rules and procedures concerning enforcement

Article 74 - Description of national rules and procedures concerning enforcement can be found in the Information Sheet [Procedury służące wykonaniu orzeczenia](#) (Procedures for enforcing a judgment).

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

The regional court [sąd okręgowy] of the debtor's domicile or registered office or, in the absence of such a court, the regional court in whose region enforcement is pending or being carried out.

In the case of an application for refusal of recognition:

The regional court [sąd okręgowy] with jurisdiction for the case decided by the judgment or in whose region the district court [sąd rejonowy] with jurisdiction is located or, failing that, by Warsaw Regional Court.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

Court of appeal [sąd apelacyjny] via the regional court [sąd okręgowy].

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Supreme Court [Sąd Najwyższy] via the court of appeal [sąd apelacyjny].

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

Article 11037(4) of the Code of Civil Procedure and Article 1110 of the Code of Civil Procedure, insofar as they provide for jurisdiction for the Polish courts exclusively on the basis of one of the following circumstances concerning the applicant: Polish citizenship, domicile, habitual residence or registered office in Poland.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Articles 84 and 85 of the Code of Civil Procedure concerning third-party notice.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between the People's Republic of Poland and the People's Republic of Hungary on Legal Assistance in Civil, Family and Criminal Matters, signed at Budapest on 6 March 1959,

the Convention between the People's Republic of Poland and the Federal People's Republic of Yugoslavia on Legal Assistance in Civil and Criminal Matters, signed at Warsaw on 6 February 1960, currently in force between Poland and Slovenia and between Poland and Croatia,

the Agreement between the People's Republic of Bulgaria and the People's Republic of Poland on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed at Warsaw on 4 December 1961,

the Convention between the People's Republic of Poland and the Republic of Austria on Mutual Relations in Civil Matters and on Documents, signed at Vienna on 11 December 1963,

the Convention between the People's Republic of Poland and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 24 October 1979,

the Treaty between the Czechoslovak Socialist Republic and the People's Republic of Poland on Legal Assistance and Regulation of Legal Relations in Civil, Family, Labour and Criminal Matters, signed at Warsaw on 21 December 1987, still in force in relations between Poland and the Czech Republic and between Poland and Slovakia,

the Convention between the People's Republic of Poland and the Italian Republic on Legal Assistance and the Recognition and Enforcement of Judgments in Civil Matters, signed at Warsaw on 28 April 1989,

the Agreement between the Republic of Poland and the Republic of Lithuania on Legal Assistance and Legal Relations in Civil, Family, Labour and Criminal Matters, signed at Warsaw on 26 January 1993,

the Agreement between the Republic of Latvia and the Republic of Poland on Legal Assistance and Legal Relations in Civil, Family, Labour and Criminal Matters, signed at Riga on 23 February 1994,

the Convention between the Republic of Cyprus and the Republic of Poland on Legal Cooperation in Civil and Criminal Matters, signed at Nicosia on 14 November 1996,

the Agreement between the Republic of Estonia and the Republic of Poland on Legal Assistance and Legal Relations in Civil, Labour and Criminal Matters, signed at Tallinn on 27 November 1998,

the Treaty between Romania and the Republic of Poland on Legal Assistance and Legal Relations in Civil Matters, signed at Bucharest on 15 May 1999.

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Brussels I Regulation (recast) - Portugal

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

An **enforcement action** is a legal action brought by the creditor or party seeking enforcement against the debtor or defendant in which the creditor asks the court to enforce an obligation to which they are entitled. Enforcement actions are based on the assumption that the right in question was previously declared or recognised by means of an **enforceable order**. Such actions aim to ensure coercive fulfilment of the obligation through the authority of the State. An **enforceable order** sets out the legal facts underpinning the request made by the party seeking enforcement and provides the degree of certainty required to apply coercive measures against the defendant. The Code of Civil Procedure (*Código de Processo Civil*) classifies the following as enforceable orders:

a) Convictions: Convictions constitute enforceable orders only after a judgment becomes final, unless an appeal lodged against a conviction is merely devolutive in effect. Rulings by a court of arbitration (*tribunal arbitral*) are enforceable in the same terms as rulings by ordinary courts (Article 47 of Law 63 /2011 of 14 December 2011).

b) Documents drawn up or authenticated by a notary or by any other body or professional with the power to do so, establishing or recognising any obligation: This includes authentic documents (documents drawn up in accordance with legal formalities by public authorities within the limits of their powers or within the field of activity assigned to them by a notary or other public official accredited by the State) and authenticated documents (documents drawn up by private individuals and subsequently attested by them before a notary or other body or professional with equivalent powers).

c) Credit notes, even if unsecured, provided that the facts underpinning the relations are set out in the document or given in the enforcement order: for instance, the letter, the promissory note or the cheque.

d) Documents made enforceable by special provision: for instance, an injunction order to which an enforcement order has been appended (Articles 6-8 of Decree-Law No 32/2003 of 17 February 2003 and Articles 7-21 of Decree-Law No 269/98 of 1 September 1998).

In order for an obligation to be enforced, it must be **certain** (i.e. of determined nature – *an debeatur*), **due** (i.e. the due date has passed or the obligation is due automatically upon the debtor receiving the demand) and **net** (i.e. of determined amount – *quantum debeatur*).

Different **forms of procedure** apply according to the **purpose of enforcement** (payment of a specific sum, delivery of a specific item, performance or non-performance of a specific act). Wherever the law provides for a form of **special enforcement procedure** (e.g. the enforcement procedure for maintenance obligations), this form applies. In all cases where the special form of procedure does not apply, the **general form** is used. The **general enforcement procedure** may be **summary** or **ordinary**, depending on the purpose of enforcement and the type of enforcement order.

The **competent authorities for enforcement** are the enforcement agents and the courts (judge and court registry). The **enforcement agent** carries out all enforcement activities which are not assigned to the court registry or which fall under the remit of the judge, such as summonses, notifications, publications, database searches, attachments and registration thereof, settlements and payments. It is for the **judge** to carry out any procedural acts subject to the principle of the judge's prerogative or which conflict with the fundamental rights of the parties or of third parties. The **court registry** handles administrative aspects and ensures that enforcement procedures are conducted properly.

As regards **restrictions on enforcement on the grounds of debtor protection**, it should be noted that the usual enforcement act in respect of payment of a specific amount is **attachment**. This consists of the legal seizure of assets belonging to the party against whom enforcement is sought, with a view to selling said assets and using the proceeds of the sale to satisfy the obligation being enforced. In principle, all attachable assets belonging to the debtor which are liable for the outstanding debt under substantive law may be subject to enforcement. However, the law excludes from the debtor's assets, in whole or in part, certain attachable assets or rights, by means of **absolute** or **relative immunity from attachment** or **total** or **partial immunity from attachment**. In addition, attachment must be limited to the assets necessary to pay the enforced debt and cover any foreseeable enforcement-related costs.

The Code of Civil Procedure lays down **restrictions on enforcement on the grounds of expiry and limitation**. These restrictions serve as grounds for opposing enforcement by means of a procedural step known as 'opposition to enforcement by attachment', but only if the expiry or limitation post-dates closure of the discussion in the declaratory act.

As a general rule, any alienable rights or rights which the law does not declare exempt are **subject to limitation** if they are not exercised within the period of time laid down by law.

The courts may not invoke limitation *ex officio*. It must therefore be invoked by the person whom it benefits, their representative or the Public Prosecutor's Office (*Ministério Público*).

Once the limitation period has elapsed, the beneficiary (i.e. the debtor) may refuse to comply with the obligation or object in any way to exercise of the time-barred right.

The **ordinary limitation period** is 20 years, but there is provision for shorter periods. **Limitation periods may be interrupted or suspended**. The difference is that suspension occurs by force of law and independently of the will of the creditor, while an interruption depends on action taken by the creditor to that end.

As regards the **duration of the interruption of the limitation period**, if interruption is the result of a summons, notification or equivalent act or of an arbitration agreement, the new limitation period begins only once the decision closing the procedure becomes final.

Once the limitation period has elapsed, the beneficiary may refuse to comply with the obligation or object in any way to exercise of the time-barred right.

However, if a debtor performs an act of their own volition in respect of a time-barred obligation, they may not subsequently claim restitution, even if they were unaware of the limitation.

As regards **invoking limitation**, this can be done only by creditors and third parties with a legitimate interest in limitation being declared, even if the debtor has waived it. If limitation is waived, it can be invoked by the creditors only if the conditions laid down in civil law for avoidance action (*actio pauliana*) are met. If, in the event of charges being brought, the debtor does not invoke limitation periods and is convicted, the final decision does not affect the recognised right of their creditors.

As regards **expiry**, when by law or will of the parties a right must be exercised within a certain period, the rules on expiry apply, unless the law expressly refers to limitation. Expiry may be prevented only by performing whatever act the law or contract lends preventive effect within the legal or contractual deadline.

Bringing a declaratory or enforcement action prevents expiry, without the need to serve notice on the debtor. The expiry period may be suspended or interrupted only in cases where the law so provides and, if the law sets no other specific date, the expiry period begins at the moment in which the rights may lawfully be exercised. Expiry is assessed by the court *ex officio* and may be invoked at any stage of proceedings in the case of inalienable rights. Where enforcement is initiated on the basis of alienable rights, expiry must be invoked by the person whom it benefits (in principle, the debtor/party against whom enforcement is sought).

For further and more detailed information, please consult [Procedures for enforcing a judgment – Portugal](#).

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

The courts with jurisdiction to hear and rule on the applications referred to in Articles 36(2), 45(4) and 47(1) are:

- the Central Civil Division (*Juizo Central Cível*) of the competent District Court, if one exists; or
- the Local Civil Division (*Juizo Local Cível*), or if none exists, the Local General Division (*Juizo Local de Competência Genérica*) of the competent District Court.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

Appeals against decisions on applications for refusal of enforcement, pursuant to Article 49(2), must be lodged with the **Court of Appeal** (*Tribunal da Relação*).

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Any subsequent appeals must be lodged with the **Supreme Court of Justice** (*Supremo Tribunal de Justiça*).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable. Only Portuguese is accepted.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

The rules of national jurisdiction referred to in Articles 5(2) and 6(2) are:

- **Article 63(1) of the Code of Civil Procedure** (*Código de Processo Civil*), which provides for the extraterritorial jurisdiction of courts, in particular the court at the seat of the branch, agency, office, delegation or representation (if located in Portugal), in cases where application is made for service on the head office (if located abroad); and

- **Article 10 of the Code of Labour Procedure** (*Código de Processo do Trabalho*), which provides for the extraterritorial jurisdiction of courts, in particular the court of the place of residence of the applicant in proceedings relating to employment contracts brought by an employee against the employer.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable.

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

Convention between the Czechoslovak Republic and Portugal on the recognition and enforcement of judgments, signed in Lisbon on 23 November 1927.

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Brussels I Regulation (recast) - Romania

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

Enforcement in civil and commercial cases

Forms of direct enforcement are those that relate to the object of an obligation as established by the enforcement order, i.e. the seizure of movable/immovable assets and the enforcement of an obligation (not) to act. In the case of enforcement of obligations to act, the law distinguishes between an obligation that can also be fulfilled by a person/entity other than the debtor and an *intuitu personae* obligation.

Indirect enforcement refers to the means of obtaining a sum of money that is the subject of an enforcement order through the forced sale of assets of the debtor (attachment of sums of money or seizure followed by sale of assets).

Obligations subject to enforcement are monetary obligations, the handing over of an asset or the handing over of its use, the demolition of a building/abandonment of a plantation/discontinuation of works, etc.

Authorities competent for enforcement

Court judgments and other enforceable titles are executed by a judicial enforcement officer serving the appeal court in whose area of jurisdiction the immovable asset is located (in the case of seizure of immovable assets) or (in the case of seizure of movable assets) the debtor is domiciled or the assets are located.

Attachment is carried out, on the basis of the creditor's application, by a judicial enforcement officer whose office is located in the area of jurisdiction of the court of appeal covering the domicile of the debtor/third party subject to attachment or, in the case of attachment of bank accounts, covering the registered office of the credit institution concerned.

The court of enforcement is the district court in whose area of jurisdiction the domicile of the debtor is located. The court of enforcement will deal with applications for a declaration of enforceability, applications opposing enforcement, etc.

Conditions under which an enforcement order or enforceable judgment may be issued

Enforcement may take place only pursuant to a court judgment (final judgments, provisionally enforceable decisions) or other written act (notarial authentic deed, debt security, arbitration award, etc.)

After receiving an application for enforcement filed by a creditor, the judicial enforcement officer registers it and may issue a decision concerning a declaration of enforceability, without summoning the parties. The decision is served upon the creditor. In the case of refusal, the creditor may lodge a complaint, within 15 days of the date of service, with the court of enforcement.

Subsequently, the enforcement officer will apply for a declaration of enforceability by the court, to which he or she will submit the creditor's request, the enforceable title, the decision and proof of payment of fees. A ruling on the application will be handed down in closed session, without the parties being summoned. The court may refuse the application if: it falls within the jurisdiction of a different body; the judgment is not an enforceable title; the document does not meet all the formal requirements; the claim is not certain, of a fixed amount and due; the debtor enjoys immunity from enforcement; the instrument contains provisions that cannot be enforced, etc. A court ruling granting a request is not open to appeal, but it may be reviewed if the enforcement itself is contested. A ruling rejecting a request may be appealed against by the creditor within 15 days of its service.

The National Association of Judicial Enforcement officers (*Uniunea Națională a Executorilor Judecătorești*) establishes and updates, subject to the approval of the Minister for Justice, the minimum fees for the services provided.

Any procedure can be initiated if the debtor is summoned.

Object and nature of enforcement measures

A debtor's income, amounts in bank accounts, movable and immovable assets, etc. may be subject to enforcement.

After movable assets have been identified, they are seized. If the amount due is not paid, the judicial enforcement officer will sell the seized goods at a public auction, or by direct sale, etc.

Any sums of money owed to the debtor by a third party may be subject to attachment. Any and all attached sums of money and assets are frozen from the date when the attachment injunction has been sent to the third party subject to attachment. From the time of freezing until full payment of obligations, the third party subject to attachment will not make any other payment. Otherwise, the matter may be referred to the court of enforcement with a view to having

the attachment validated. The final validation decision has the effect of an assignment of claim and constitutes an enforcement order against the third party subject to attachment. After the attachment has been validated, the third party subject to attachment must make a deposit or payment within the limits of the amount concerned. Failure to do so will result in enforcement being initiated.

As regards enforcement against immovable property, if the debtor does not pay his/her debt, the judicial enforcement officer initiates the selling procedure after the declaration of enforceability has been served and has been entered in the land register.

The time-limit applicable is six months if the creditor has let this period elapse since the date of compliance with any enforcement action without having undertaken any other recovery actions. The limitation period is three years.

Possibility of appeal against the decision granting such a measure

An appeal may be lodged against actual enforcement. If enforcement is carried out in accordance with a court judgment, the debtor cannot contest it by invoking reasons in fact/in law that he/she could have brought at the proceedings before the court of first instance or before a court of appeal.

The competent court is the court of enforcement.

The appeal may be lodged within 15 days from the date on which: the appellant was made aware of the enforcement instrument; the party concerned was notified of the imposition of the attachment; the debtor was served the summons or the date on which he or she was made aware of the first enforcement instrument.

If it upholds the appeal against enforcement, the court will annul the enforcement order appealed against and will order the termination of enforcement or of execution of the enforcement order. If the appeal is rejected, the appellant may be obliged to pay compensation for the damages caused by delayed enforcement.

Pending the outcome of the objection to enforcement or of another application concerning enforcement, at the request of the party concerned and only on reasonable grounds, the competent court may suspend enforcement. Suspension may be requested at the same time as the objection to enforcement or by separate application.

The decision on the objection may be contested only by means of an appeal.

Limitations on enforcement, in particular related to debtor protection or time limits.

Certain assets and property are exempt. Exempt movable assets are: essential goods for personal use/household items, religious items; items indispensable for disabled persons or intended for care of the sick; a three-month food supply; a three-month winter fuel supply; personal letters, photographs, paintings, etc.

The debtor's salary/pension is subject to seizure of up to half of such net monthly income in the case of maintenance obligations, and up to one third for other types of obligation.

If such income falls short of the national net minimum wage, seizure may be effected only on the amount by which it exceeds half the minimum wage.

Income excluded from enforcement is: State benefits and child allowances, payments for the care of a sick child, maternity benefits, death benefits, State study grants, daily subsistence allowances, etc.

Relevant links

<https://www.executori.ro>

<https://www.just.ro>

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

Applications for refusal of recognition, applications for a decision that there are no grounds for refusal of recognition, and applications for refusal of a declaration of enforceability are within the jurisdiction of Tribunals^[1] (Article 1 of Article I/4 of Government Emergency Order No 119/2006 on measures necessary to implement certain Community Regulations from the date of Romania's accession to the EU, approved by Law No 191/2007, as amended, and Article 95(1) of Law No 134/2010 on the Code of Civil Procedure, republished, as amended).

[1]pursuant to Article 2 of Article I/4 of Government Emergency Order No 119/2006 on measures necessary to implement certain Community Regulations from the date of Romania's accession to the EU, approved by Law No 191/2007, as amended, applications based on Article 54 of Regulation (EU) No 1215/2012 which refer to adapting a measure or an order laid down in a judgment, a settlement which has been approved or concluded, or authentic instruments officially drawn up or registered in another Member State of the EU, may be lodged in cases where the subject matter is a refusal of recognition, a decision that there are no grounds for refusal of recognition, or a refusal of enforcement, or separately. Applications for adaptation of a measure or an order which are lodged separately are within the jurisdiction of Tribunals.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Romania, the court of appeal ('Curtea de apel')

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Romania, the High Court of Cassation and Justice ('Înalta Curte de Casație și Justiție')

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Romania: Articles 1066-1082 under Title I 'International jurisdiction of Romanian courts' in Book VII 'International civil procedure' of Law No 134/2010 on the Code of Civil Procedure.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Treaty between the People's Republic of Bulgaria and the Romanian People's Republic on Legal Assistance in Civil, Family and Criminal Matters, signed at Sofia on 3 December 1958,

the Treaty between the Czech Republic and Romania on Legal Assistance in Civil Matters, signed at Bucharest on 11 July 1994,

the Convention between the Socialist Republic of Romania and the Kingdom of Greece on Legal Assistance in Civil and Criminal Matters, signed at Bucharest on 19 October 1972,

the Convention between the Socialist Republic of Romania and the Italian Republic on Legal Assistance in Civil and Criminal Matters, signed at Bucharest on 19 November 1972,

the Convention between the Socialist Republic of Romania and the French Republic on Legal Assistance in Civil and Commercial Matters, signed at Paris 5 November 1974,

the Treaty between Romania and the Republic of Poland on Legal Assistance and Legal Relations in Civil Matters, signed at Bucharest on 15 May 1999,

the Treaty between the Romanian People's Republic and the Federal People's Republic of Yugoslavia (applicable pursuant to the declaration of succession concluded with Slovenia and Croatia) on Legal Assistance, signed at Belgrade on 18 October 1960,
the Treaty between the Romanian People's Republic and the Socialist Republic of Czechoslovakia (applicable pursuant to the declaration of succession concluded with Slovakia) on Legal Assistance in Civil, Family and Criminal Matters, signed at Prague on 25 October 1958,
the Convention between Romania and the Kingdom of Spain on Jurisdiction, Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bucharest on 17 November 1997,
the Treaty between the Romanian People's Republic and the People's Republic of Hungary on Legal Assistance in Civil, Family and Criminal Matters, signed at Bucharest on 7 October 1958,
the Convention between the Socialist Republic of Romania and the Republic of Austria on Legal Assistance in Civil and Family law and the Validity and Service of Documents and its annexed Protocol, signed at Vienna on 17 November 1965.

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Brussels I Regulation (recast) - Slovenia

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

1.) How can third-party notice (TPN) be described in general:

TPN ('litis denunciatio') is a formal notification of a third person of a pending lawsuit. It can be combined with the invitation to this person to join the proceedings. The aim of this notice is to guarantee the rights and effects recognised under civil law for the plaintiff or defendant. The notifying party (a party to the lawsuit) transmits the notification to the court, which then serves it on the third person, who is free to decide whether to join in or not. Under Slovenian law, the court does not rule on whether a party's request for formal notification of a third person is justified. Even if the third person joins in they will not be a litigant and their relation to either party to the main proceedings cannot be decided upon in this litigation. The third person can support any party to the main proceedings. If the conditions are met, that person may join the proceedings as an intervener. By doing so they can contribute to winning the lawsuit and thus help to avoid subsequent (recourse) litigation against them or improve their position in such subsequent lawsuit. The third person may not submit a request for the termination of a lawsuit that has been instituted, for extension of time limits or for the postponement of a hearing.

2.) What are the main effects of judgments on persons who were given TPN:

TPN protects the notifying party from certain damage claims they might otherwise expect from the third person. A (third) person who was by way of TPN given the opportunity to influence the outcome of a lawsuit can, in principle, no longer raise damage claims based on deficient litigation of the notifying party. In addition, if subsequently recourse proceedings arise between the notifying party and a person who was notified of the main proceedings this person cannot hold out to the notifying party arguments or facts which are in contradiction with the substantial (factual) elements of the decision in the main proceeding.

3.) There is, however, no binding effect with regard to the legal assessment in the main proceedings.

4.) There is also no binding effect with regard to established facts which the third person was not able to challenge in the main proceedings e.g. because they were uncontested by the parties.

5.) TPN produces its effects irrespective of whether the third person did join in in the main proceedings or not.

6.) TPN does not affect the relation between the third person and the opponent of the notifying party except for the situation that the third person decided to join in on the side of his opponent.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Slovenia: District Court

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Slovenia: District Court

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Slovenia: Supreme Court of the Republic of Slovenia

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

- in Slovenia: at the following courts, one of the languages of the national minorities is also accepted as an official language in addition to Slovenian:

Koper District Court: Italian;

Koper Local Court: Italian;

Piran Local Court: Italian;

Lendava Local Court: Hungarian.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Slovenia: Article 58 of the Private International Law and Procedure Act (*Zakon o mednarodnem zasebnem pravu in postopku*)

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

- in Slovenia: Article 204 of the Civil Procedure Act (*Zakon o pravnem postopku*), which governs third-party notice

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Treaty between the Federative People's Republic of Yugoslavia and the Republic of Austria on Mutual Judicial Cooperation, signed at Vienna on 16 December 1954,

the Convention between the Federative People's Republic of Yugoslavia and the Republic of Italy on Mutual Judicial Cooperation in Civil and Administrative Matters, signed at Rome on 3 December 1960,

the Convention between the Federative People's Republic of Yugoslavia and the Kingdom of Greece on Mutual Recognition and Enforcement of Judgments, signed at Athens on 18 June 1959;

the Convention between the Federative People's Republic of Yugoslavia and the People's Republic of Poland on Legal Assistance in Civil and Criminal Matters, signed at Warsaw on 6 February 1960,

the Treaty between the Socialist Federative Republic of Yugoslavia and the Czechoslovak Socialist Republic on Regulation of Legal Relations in Civil, Family and Criminal Matters, signed at Belgrade on 20 January 1964,

the Treaty between the Socialist Federative Republic of Yugoslavia and the Republic of Cyprus on Legal Assistance in Civil and Criminal Matters, signed at Nicosia on 19 September 1984,

the Agreement between the Federative People's Republic of Yugoslavia and the People's Republic of Bulgaria on Mutual Legal Assistance, signed at Sofia on 23 March 1956,
the Treaty between the Federative People's Republic of Yugoslavia and the Romanian People's Republic on Legal Assistance, signed at Belgrade on 18 October 1960 and its Protocol,
the Treaty between the Socialist Federative Republic of Yugoslavia and the Hungarian People's Republic on Mutual Legal Assistance, signed at Belgrade on 7 March 1968,
the Treaty between the Republic of Slovenia and the Republic of Croatia on Legal Assistance in Civil and Criminal Matters, signed at Zagreb on 7 February 1994,
the Convention between the Government of the Socialist Federative Republic of Yugoslavia and the Government of the Republic of France on the Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Paris on 18 May 1971.

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Brussels I Regulation (recast) - Slovakia

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

Please go to [Procedures for enforcing a judgment](#)

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

District courts (*Okresné súdy*), Bratislava III Municipal Court (*Mestský súd Bratislava III*), Bratislava IV Municipal Court (*Mestský súd Bratislava IV*), Košice Municipal Court (*Mestský súd Košice*)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

The regional court, via the district court whose decision is being appealed against.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Appellate review (*dovolanie*) before the Supreme Court of the Slovak Republic (*Najvyšší súd Slovenskej republiky*). Applications for appellate review must be lodged via the district court (*okresný súd*) whose decision is being appealed against.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

In Slovakia the languages accepted for translations of the forms as referred to in Article 57(2) are Slovak and Czech.

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

Articles 37 to 37e and 47a of Act No 97/1963 on international private and procedural law

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Agreement between the Czechoslovak Socialist Republic and the People's Republic of Bulgaria on Legal Assistance and Regulation of Relations in Civil, Family and Criminal Matters, signed at Sofia on 25 November 1976,
the Treaty between the Czechoslovak Socialist Republic and the Republic of Cyprus on Legal Assistance in Civil and Criminal Matters, signed at Nicosia on 23 April 1982,
the Treaty between the Slovak Republic and the Czech Republic on Legal Assistance provided by Judicial Authorities and on Regulation of Certain Legal Relations in Civil and Criminal Matters, signed at Prague on 29 October 1992,
the Treaty between the Government of the Czechoslovak Socialist Republic and the Government of the Republic of France on Legal Assistance and the Recognition and Enforcement of Judgments in Civil, Family and Commercial Matters, signed at Paris on 10 May 1984,
the Treaty between the Czechoslovak Socialist Republic and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 22 October 1980,
the Treaty between the Czechoslovak Socialist Republic and the Socialist Federal Republic of Yugoslavia on Regulation of Legal Relations in Civil, Family and Criminal Matters, signed at Belgrade on 20 January 1964,
the Treaty between the Czechoslovak Socialist Republic and the People's Republic of Hungary on Legal Assistance and Regulation of Legal Relations in Civil, Family and Criminal Matters, signed at Bratislava on 28 March 1989,
the Treaty between the Czechoslovak Socialist Republic and the People's Republic of Poland on Legal Assistance and Regulation of Legal Relations in Civil, Family, Labour and Criminal Matters, signed at Warsaw on 21 December 1987,
the Treaty between the Romanian People's Republic and the Socialist Republic of Czechoslovakia on Legal Assistance in Civil, Family and Criminal Matters, signed at Prague on 25 October 1958,
the Treaty between the Czechoslovak Socialist Republic and the Kingdom of Spain on Legal Assistance, Recognition and Enforcement of Court Judgments in Civil Matters, signed at Madrid on 4 May 1987,
the Treaty between the Czechoslovak Socialist Republic and the Italian Republic on Legal Assistance in Civil and Criminal Matters, signed at Prague on 6 December 1985.

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Brussels I Regulation (recast) - Finland

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Finland, a district court ('Käräjäoikeus'/Tingsrätt) situated in the region of operation of the regional enforcement authority handling the enforcement of the judgment. If the case is not handled by the regional enforcement authority, the district court in whose jurisdiction the defendant is domiciled or is habitually resident is competent. If the defendant is not domiciled or habitually resident in Finland, the competent court is the Helsinki district court.

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Finland, the court of appeal ('Hovioikeus'/Hovrätt). The appeal document lodged with the court of appeal must be submitted to the registry of the district court that issued the decision.

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Finland, appeal to the Supreme Court ('Korkein oikeus'/Högsta domstolen). The appeal document lodged with the Supreme Court must be submitted to the registry of the appeal court that issued the decision.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

- in Finland, English

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Finland, Subparagraphs 1 and 2 of Section 18(1) of Chapter 10 of the Code of Judicial Procedure

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Denmark, Finland, Iceland, Norway and Sweden on the Recognition and Enforcement of Judgments in Civil Matters, signed at Copenhagen on 11 October 1977,

the Convention between Finland and Austria on the Recognition and Enforcement of Judgments in Civil Matters, signed at Vienna on 17 November 1986.

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Brussels I Regulation (recast) - Sweden

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Sweden, the district court ('Tingsrätt')

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Sweden, the court of appeal ('Hovrätt')

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Sweden, the Supreme Court ('Högsta domstolen')

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

- in Sweden, Danish and English

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- in Sweden, Chapter 10, Section 3, first sentence of the Code of Judicial Procedure

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between Denmark, Finland, Iceland, Norway and Sweden on the Recognition and Enforcement of Judgments in Civil Matters, signed at Copenhagen on 11 October 1977,

the Convention between Austria and Sweden on the Recognition and Enforcement of Judgments in Civil Matters, signed at Stockholm on 16 September 1982.

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Brussels I Regulation (recast) - England and Wales

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in England and Wales, the High Court of Justice (Enforcement Section, Queen's Bench Division)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in England and Wales, the High Court of Justice (Enforcement Section, Queen's Bench Division)

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in England and Wales, the Court of Appeal (Civil Division, Royal Courts of Justice) or the Supreme Court (in accordance with national law providing for appeals to sometimes go directly from the High Court of Justice to the Supreme Court). The particular provisions for a 'leapfrog' appeal are set out in Part 2 of the Administration of Justice Act 1969. Sections 12 to 15 of Part 2 apply to England and Wales, and Section 16 provides for how Sections 12 to 15 apply to Northern Ireland.

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

(a) the document instituting the proceedings having been served on the defendant during his temporary presence in the United Kingdom; or

(b) the presence within the United Kingdom of property belonging to the defendant; or

(c) the seizure by the plaintiff of property situated in the United Kingdom.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between the United Kingdom and the French Republic providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Paris on 18 January 1934,

the Convention between the United Kingdom and the Kingdom of Belgium providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Brussels on 2 May 1934,

the Convention between the United Kingdom and the Federal Republic of Germany for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bonn on 14 July 1960,

the Convention between the United Kingdom and Austria providing for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Vienna on 14 July 1961, with amending Protocol signed at London on 6 March 1970,

the Convention between the United Kingdom and the Republic of Italy for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 7 February 1964, with amending Protocol signed at Rome on 14 July 1970,

the Convention between the United Kingdom and the Kingdom of the Netherlands providing for the Mutual Recognition and Enforcement of Judgments in Civil Matters, signed at The Hague on 17 November 1967.

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Brussels I Regulation (recast) - Northern Ireland

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Northern Ireland, the High Court of Justice (The Royal Courts of Justice)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Northern Ireland, the High Court of Justice

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Northern Ireland - the Court of Appeal (The Royal Courts of Justice) or the Supreme Court (in accordance with national law providing for appeals to sometimes go directly from the High Court of Justice to the Supreme Court)

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

(a) the document instituting the proceedings having been served on the defendant during his temporary presence in the United Kingdom; or

(b) the presence within the United Kingdom of property belonging to the defendant; or

(c) the seizure by the plaintiff of property situated in the United Kingdom.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between the United Kingdom and the French Republic providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Paris on 18 January 1934,

the Convention between the United Kingdom and the Kingdom of Belgium providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Brussels on 2 May 1934,

the Convention between the United Kingdom and the Federal Republic of Germany for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bonn on 14 July 1960,

the Convention between the United Kingdom and Austria providing for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Vienna on 14 July 1961, with amending Protocol signed at London on 6 March 1970,

the Convention between the United Kingdom and the Republic of Italy for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 7 February 1964, with amending Protocol signed at Rome on 14 July 1970,

the Convention between the United Kingdom and the Kingdom of the Netherlands providing for the Mutual Recognition and Enforcement of Judgments in Civil Matters, signed at The Hague on 17 November 1967.

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Brussels I Regulation (recast) - Scotland

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Scotland, the court of session (Deputy Principal Clerk of Session, Court of Session)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Scotland, the Court of Session (Deputy Principal Clerk of Session, Court of Session)

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Scotland, the UK Supreme Court

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- (a) the document instituting the proceedings having been served on the defendant during his temporary presence in the United Kingdom; or
- (b) the presence within the United Kingdom of property belonging to the defendant; or
- (c) the seizure by the plaintiff of property situated in the United Kingdom.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between the United Kingdom and the French Republic providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Paris on 18 January 1934,

the Convention between the United Kingdom and the Kingdom of Belgium providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Brussels on 2 May 1934,

the Convention between the United Kingdom and the Federal Republic of Germany for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bonn on 14 July 1960,

the Convention between the United Kingdom and Austria providing for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Vienna on 14 July 1961, with amending Protocol signed at London on 6 March 1970,

the Convention between the United Kingdom and the Republic of Italy for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 7 February 1964, with amending Protocol signed at Rome on 14 July 1970,

the Convention between the United Kingdom and the Kingdom of the Netherlands providing for the Mutual Recognition and Enforcement of Judgments in Civil Matters, signed at The Hague on 17 November 1967.

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Brussels I Regulation (recast) - Gibraltar**Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation**

Not applicable

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

- in Gibraltar, the Supreme Court of Gibraltar

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Gibraltar, the Court of Appeal for Gibraltar

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

- in Gibraltar, a further appeal is not permitted

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

- (a) the document instituting the proceedings having been served on the defendant during his temporary presence in the United Kingdom; or
- (b) the presence within the United Kingdom of property belonging to the defendant; or
- (c) the seizure by the plaintiff of property situated in the United Kingdom.

The same principles apply in Gibraltar.

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

the Convention between the United Kingdom and the French Republic providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Paris on 18 January 1934,

the Convention between the United Kingdom and the Kingdom of Belgium providing for the Mutual Enforcement of Judgments in Civil and Commercial Matters, with Protocol, signed at Brussels on 2 May 1934,

the Convention between the United Kingdom and the Federal Republic of Germany for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Bonn on 14 July 1960,

the Convention between the United Kingdom and Austria providing for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Vienna on 14 July 1961, with amending Protocol signed at London on 6 March 1970,

the Convention between the United Kingdom and the Republic of Italy for the Mutual Recognition and Enforcement of Judgments in Civil and Commercial Matters, signed at Rome on 7 February 1964, with amending Protocol signed at Rome on 14 July 1970,

the Convention between the United Kingdom and the Kingdom of the Netherlands providing for the Mutual Recognition and Enforcement of Judgments in Civil Matters, signed at The Hague on 17 November 1967.

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