

The Act
of 4 December 1993 No. 97 Collection of Laws
on Private International Law and Rules of Procedure
Relating Thereto
as amended by Act No. 158/1969, Act No. 234/1992, Act 264/1992 and Act No. 48/1996
Collection of Laws

The National Assembly of the Slovak Republic has passed the following Act:

INTRODUCTORY PROVISIONS

Section 1

The Purpose of the Act

The purpose of the present Act is to determine which law shall govern civil, family, labour and other similar relations with an international element, to regulate the legal status of aliens, as well as to set up the procedure before Slovak judicial authorities in the regulation of such relations and the decision-making in respect of such relations, and help thereby to facilitate international co-operation.

Section 2

International treaties

The provisions of the present Act shall apply only if an international treaty binding on the Slovak Republic or the implementing legislation thereto do not provide otherwise.

PART I
PROVISIONS CONCERNING CONFLICT OF LAWS
AND THE LEGAL STATUS OF ALIENS

Division I
Conflict of laws

Section 3
Legal capacity

(1) Legal capacity of a person shall be governed by the law of the State of which he is a national, unless the present Act provides otherwise.

(2) If a foreign national makes a legal act in the Slovak Republic, it suffices, unless the present Act provides otherwise, if he has legal capacity to act under Slovak law.

Section 4
Legal acts

Unless provided or, in the interest of reasonable settlement of relations, required otherwise, the validity of the legal act as well as the consequences of its invalidity shall be governed by the same law which governs the effects of such an act; as regards the form of an act, however, it suffices if the law of the place where the will to act was expressed had been observed, unless the law governing a contract should require, as a condition for its validity, the written form for an act.

Rights in rem

Section 5

Rights relating to immovable as well as movable property shall be governed by the law of the place where such property is situated, unless the present Act or special regulations provide otherwise.

Section 6

The establishment and termination of rights relating to movable property shall be governed by the law of the place where the movable property were situated at the time of the fact which establishes or terminates such rights. If movable property which is being transported under a contract is concerned, the establishment and termination of such rights shall be governed by the law of the place from where such property was dispatched.

Section 7

Provisions concerning entries in public records in force in the place where the immovable property is situated shall apply even in cases where the legal ground for the establishment, termination, restriction or transfer of a recorded right is governed by a different law.

Section 8

Adverse possession shall be governed by the law of the place where the property was situated at the beginning of the period of prescription. The person acquiring such property by adverse possession may, however, invoke the law of the State on whose territory such possession was completed, provided that from the moment the property had been removed to the territory of that State all conditions for prescription under the law of that State have been fulfilled.

Contracts and torts

Section 9

Choice of law

(1) Contracting parties may choose the law which shall govern their mutual property relations; they may also do so tacitly, if, with regard to the circumstances, there is no doubt as to their expressed will.

(2) Unless the expressed will of the contracting parties indicates otherwise, the provisions of the chosen law relating to conflict of laws shall not be applied.

Section 10

(1) If the contracting parties do not choose the applicable law, their contractual relations shall be governed by such law whose application is in keeping with the reasonable settlement of the respective relation.

(2) In view thereof, the following principles shall apply as a rule:

(a) sales and performance contracts shall be governed by the law of the place where the seller or performer have their seat (residence) at the time of the conclusion of the contract;

(b) contracts concerning immovable property shall be governed by the law of the place where such property is situated;

(c) transportation contracts (contracts of carriage, forwarding contracts, etc.) shall be governed by the law of the place where the transport operator or forwarding agent had their seat or residence at the time of the conclusion of the contract;

(d) insurance contracts, including contracts concerning insurance of immovable property, shall be governed by the law of the seat (residence) of the insurer at the time of the conclusion of the contract;

(e) commissions and similar contracts shall be governed by the law of the place where the person carrying out the commission had his seat (residence) at the time of the conclusion of the contract;

(f) agency and brokerage contracts shall be governed by the law of the place where the person for whom the agent or broker act had his seat (residence) at the time of the conclusion of the contract;

(g) contracts involving multilateral barter trade shall be governed by the law whose application best corresponds to the regulation of mutual obligations as a whole.

(3) Other contracts shall as a rule be governed by the law of the State in which both parties have their seat (residence); if their seat (residence) is not in the same State and the contract was concluded with both parties present, the contract shall be governed by the law of the place where the contract was concluded; if the contract was concluded between absent parties, it shall be governed by the law of the seat (residence) of the party accepting the offer of the contract.

Section 11

The law determined in application of Sections 9 and 10 shall also apply with respect to the changes, the securing and the consequences of breach of the obligations set forth therein, unless the intent of the parties or the nature of the matter indicate otherwise.

Section 12

With respect to movable property, the law determined in application of Sections 9 to 11 shall govern, as regards relations between the parties, also the following issues:

- (a) the moment from which the right to dispose of an article passes to the acquirer,
- (b) the moment from which the acquirer gains the title to the products and yields of the transferred article,
- (c) the moment from which the risk of damage to the transferred article passes to the acquirer,
- (d) the moment from which the right to compensation for damage which occurred in connection with the transferred article passes to the acquirer,
- (e) the reservation of proprietary rights to the transferred article.

Section 13

(1) Prescription of rights relating to obligations shall be governed by the same law which applies to the obligations.

(2) The setting off of claims shall be governed, unless the concern for a reasonable settlement of the legal relation requires otherwise, by the same law which governs the claim to be set off against.

Section 14

Legal relations arising from unilateral legal acts shall be governed by the law of the State where the debtor has his residence (seat).

Section 15

Tort claims shall be governed by the law of the place where the damage occurred or the place where the harmful event occurred.

Labour law

Section 16

(1) Relations arising out of a contract of employment shall be governed - unless the parties agree otherwise - by the law of the place where the employee performs his work. If the worker, however, works in one State under a contract of employment with an authorisation which has its seat in another State, the law of the seat of the authorisation shall apply, unless the employee has his residence in the State where the work was performed.

(2) The relations of employment of transport workers shall, in the case of rail and road transport, be governed by the law of the seat of the employer, in the case of river and air transport by the law of the place of registration, and in the case of maritime transport by the law of the State under whose flag the transport is carried out.

Succession

Section 17

Succession shall be governed by the law of the State whose national the deceased was at the time of his death.

Section 18

(1) The capacity to make or invalidate a testament, as well as the effects of defects of the will and its manifestation, shall be governed by the law of the State whose national the deceased was at the time he manifested his will. The same law shall apply to the determination which other forms of disposition of property upon death are admissible.

(2) The form of the testament shall be governed by the law of the State whose national the deceased was at the time he made the testament; it suffices, however, if the law of the State on whose territory the testament was made had been observed. The same shall apply to the form of invalidation of the testament.

Family law

Relations between spouses

Section 19

The legal capacity of a person to conclude marriage, as well as the conditions for its validity, shall be governed by the law of the State whose nationality such person has.

Section 20

The form of celebration of a marriage shall be governed by the law of the place where the marriage is concluded.

Section 21

(1) The personal and property relations of spouses shall be governed by the law of the State whose nationals they are. If the spouses are nationals of different States, such relations shall be governed by the Slovak law.

(2) Contract relating to matrimonial property shall be assessed under the law applicable to the property relations of spouses at the time when the contract was concluded.

Section 22

(1) Dissolution of marriage by divorce shall be governed by the law of the State whose nationals the spouses are at the time the divorce proceedings are initiated. If the spouses are nationals of two different States, the Slovak law shall apply.

(2) If, under the provisions of paragraph 1, such foreign law would be applicable which does not permit divorce or does permit it under extremely difficult conditions, and the spouses or at least one of them have been living in the Slovak Republic for a longer period of time, the Slovak law shall apply.

(3) The above provisions shall also apply to the declaration of marriage invalid or to the determination whether a marriage does or does not exist.

Relations between parents and children

Section 23

(1) Establishment of paternal affiliation (determination or contestation) shall be governed by the law of the State whose nationality the child acquired by birth.

(2) If the child lives in the Slovak Republic, paternal affiliation may be established (determined or contested) under the Slovak law if this is in the child's best interest.

(3) For the validity of the recognition of paternity it suffices if recognition complies with the law of the State where it was done.

Section 24

(1) Relations between parents and children, including personal care and maintenance, shall be governed by the law of the State whose national is the child. If the child lives in the Slovak Republic, such relations may be determined under the Slovak law if this is in the best interests of the child.

(2) Claims for maintenance of parents against their children shall be governed by the law of the State whose national is the parent who claims maintenance.

Section 25

(1) Claims of the single mother towards the child's father shall be governed by the law of the State whose national she was at the time of the child's birth.

(2) If the mother, who is a foreign national, resides in the Slovak Republic and the child's father is a Slovak national, the mother's claims shall be governed by the Slovak law.

Section 26

(1) Adoption shall be governed by the law of the State whose national is the adopter.

(2) If the adopting spouses are nationals of different States, the conditions for adoption specified by the laws of both States must be met.

(3) If under paragraphs 1 and 2 a foreign law would have to be applied which does not permit adoption or does so under extremely difficult conditions, and the adopter or at least one of the adopting spouses have been living in the Slovak Republic for a longer period of time, the Slovak law shall apply.

Section 27

The issue of whether the consent of the child or another persons and authorities is required for adoption or establishment of similar relations shall be assessed under the law of the State whose national is the child.

Guardianship

Section 28

The conditions for the establishment or termination of guardianship over minors shall be governed by the law of the State whose national is the minor child. The guardianship shall, in principle, relate to the person of the minor child and his property irrespective of its location.

Section 29

The obligation to accept and carry out the guardianship over minors shall be governed by the law of the State whose national is the guardian.

Section 30

The legal relations between the guardian and the minor child shall be governed by the law of the State where the guardianship court or authority is situated.

Section 31

The above provisions relating to guardianship over minors shall apply *mutatis mutandis* to similar measures of protection, such as the guardianship over incapable adults.

Division 2

Status of foreign nationals

Section 32

(1) Foreign nationals shall enjoy in the sphere of their personal and property rights equal rights and obligations as Slovak nationals unless the present Act or special regulations provide otherwise.

(2) If another State treats Slovak nationals differently from its own nationals, the Ministry of Foreign Affairs in agreement with the competent Slovak authorities may decide that the provision of paragraph 1 shall not be applied.

(3) The provisions of paragraphs 1 and 2, as regards property relations, shall apply *mutatis mutandis* to legal entities.

Section 33

Dual and uncertain nationality

(1) If a person is, at the decisive moment, a Slovak national and another State also considers such a person to be its national, the Slovak nationality shall be determining.

(2) If a person is, at the decisive moment, national of several foreign States, the nationality acquired as last shall be determining.

(3) A person who, at the decisive moment, has no nationality or whose nationality or last acquired nationality cannot be determined shall be regarded as if he were the national of the State where he had residence at the decisive moment and, if this cannot be established, of the State where he dwelt. If the latter cannot be established either, he shall be treated as a Slovak national.

Division 3

Common provisions

Section 34

Systems of Laws

If law of a State which has several systems of laws is applicable, the law of that State shall determine which particular system of law shall be applied.

Section 35

Renvoi

If under the provisions of the present Act a law is applicable whose provisions refer back to the Slovak law or refer further to the law of a third State, such reference may be accepted if it is in keeping with the reasonable and just settlement of the relation concerned.

Section 36

Ordre public

The legal regulation of a foreign State may not be applied if the effects of such an application were contrary to those principles of the social and governmental system of the Slovak Republic and its legal system the compliance with which must be unconditionally insisted upon.

PART II

INTERNATIONAL PROCEDURAL LAW

Division I

Jurisdiction of Slovak judicial authorities

Section 37

Jurisdiction in property matters

(1) Slovak courts shall have international jurisdiction in property disputes if they have jurisdiction under the internal Slovak law.

(2) International jurisdiction of Slovak courts in property disputes may also be established by written agreement of the parties concerned. Such agreement may, however, not alter the subject-matter jurisdiction of Slovak courts.

(3) A Slovak legal entity may also agree in writing with submitting itself to the jurisdiction of a foreign court for disputes relating to property issues.

Jurisdiction in family matters

Section 38

(1) Slovak courts shall have jurisdiction in matrimonial matters (divorce, declaration of a marriage invalid or determination whether a marriage does or does not exist) if at least one of the spouses is a Slovak national.

(2) If none of the spouses is a Slovak national, Slovak courts shall have jurisdiction:

(a) if at least one of the spouses resides in this country and the decision is recognisable in the national States of both spouses, or

(b) if at least one of the spouses has dwelt in the Slovak Republic for a prolonged period of time, or

(c) if invalidity of marriage is concerned which shall be declared under the Slovak law even without a motion to this effect, provided both spouses live here.

Section 39

(1) Slovak courts shall have jurisdiction in matters concerning personal care and maintenance and other matters concerning minors if they are Slovak nationals, even if they live abroad. Slovak courts shall also have jurisdiction in proceedings concerning a maintenance claim of a minor foreign national residing abroad against a Slovak national and in proceedings initiated by a Slovak national against a minor foreign national residing abroad for annulment or change of a decision rendered by a Slovak court.

(2) Charge of a minor Slovak national who is living abroad and is not cared for by his parents may also be taken over by a Slovak consular authority exercising the court's powers, if such powers are recognised by the State where the minor lives. Appeals against decisions rendered by consular authorities shall be decided upon by the Ministry of Foreign Affairs.

(3) In matters concerning minor foreign nationals living on the territory of the Slovak Republic the Slovak court shall only take measures necessary for the protection of their person and property and shall notify thereof an authority of their national State. If the authority of the national State should fail to regulate the situation of the minor in reasonable time, the Slovak court shall do so.

(4) In the decision on the divorce of the parents of a minor foreign national living on the territory of the Slovak Republic the court shall regulate the rights and responsibilities of the parents in respect of their child for the time following the divorce, if the minor will continue to live in this country and as long as the authorities of his home State do not take other measures.

Section 40

A motion for establishment (determination or contestation) of paternal affiliation may be filed with the plaintiff's court of general jurisdiction in the Slovak Republic, if the defendant has no court of general jurisdiction in the Slovak Republic. If the plaintiff has no court of general jurisdiction in the Slovak Republic either, but one of the parents or the child are Slovak nationals, the motion may be filed with a court nominated by the Supreme Court.

Section 41

(1) The Slovak court shall have jurisdiction in matters of adoption, if the adopter is a Slovak national. If the adopters are spouses, it suffices if one of them is a Slovak national and resides in the Slovak Republic.

(2) If the adopter or both adopting spouses are not Slovak nationals, the Slovak court shall have jurisdiction:

(a) if the adopter or at least one of the adopting spouses reside here and if the court decision is recognisable in the national State of the adopter or the adopting spouses, or

(b) if the adopter or at least one of the adopting spouses have dwelt in the Slovak Republic for a prolonged period of time.

Section 41 bis

Adoption of a child who is a Slovak national and resides permanently on the territory of the Slovak Republic may be decided upon exclusively by the Slovak court.

Section 42

Jurisdiction in matters of legal capacity and guardianship

(1) In matters of restriction or deprivation of legal capacity as well as guardianship the Slovak courts shall have jurisdiction in respect of Slovak nationals even if they live abroad. The Slovak court shall, however, abstain from instituting proceedings if the measures taken abroad are sufficient for the protection of the rights and interests of the Slovak national concerned.

(2) If the person involved is a foreign national living in the Slovak Republic, the Slovak court shall limit itself to measures necessary for the protection of his rights and shall notify thereof an authority of the national State. If the authority of national State fails to regulate his situation in reasonable time, the Slovak court shall do so in accordance with the provisions of Slovak substantive law.

Section 43

Jurisdiction in matters of declaration of death

(1) The Slovak court shall have exclusive jurisdiction to declare a missing Slovak national dead.

(2) The Slovak court may declare a missing foreign national dead in accordance with Slovak substantive law with legal effects limited to persons permanently resident in the Slovak Republic and to the property situated here.

Jurisdiction in succession

Section 44

The Slovak court shall have jurisdiction in matters of succession always when the deceased was a Slovak national at the time of his death. In respect of the property situated abroad, however, the Slovak court shall settle the inheritance only if such property is able to be released to Slovak authorities or if the foreign State recognises the legal effects of such decisions taken by Slovak judicial authorities.

Section 45

(1) The Slovak court shall settle the inheritance, situated in the Slovak Republic, of a foreign national

(a) if the State whose national the deceased was neither releases the inheritance of Slovak nationals to Slovak courts nor recognises the legal effects of their decisions, or if the foreign State refuses to settle the estate or fails to express its opinion, or

(b) if the deceased had his residence here and a heir staying here so requests.

(c) and always if immovable property situated on the territory of the Slovak Republic is concerned.

(2) In all other cases the Slovak court shall only take measures necessary for the securing of the foreign national's estate.

Section 46

Jurisdiction in matters of invalidation of documents

The Slovak court shall have jurisdiction for invalidation of documents issued abroad only if, depending on the nature of the matter, their invalidation may have legal effects in the Slovak Republic.

Section 47

Exemption from the jurisdiction of Slovak courts

(1) Foreign States and persons who under international treaties or other rules of international law or specific Slovak legal regulations enjoy immunity in the Slovak Republic shall not be subject to the jurisdiction of Slovak courts.

(2) The provision of paragraph 1 shall also apply to the service of documents, to summons of the aforesaid persons as witnesses, to enforcement of decisions as well as to other procedural acts.

(3) Slovak courts, however, shall have jurisdiction if

(a) the object of the proceedings is the immovable property, situated in the Slovak Republic, of the States or persons specified in paragraph 1 or their rights relating to such immovable property owned by other persons, as well as their rights arising from the tenancy of such immovable property, unless the object of the proceedings is the payment of rent,

(b) the object of the proceedings is the inheritance in which the persons specified in paragraph 1 appear outside their official duties,

(c) the object of the proceedings relates to the employment or commercial activity which the persons specified in paragraph 1 carry out outside their official duties,

(d) the foreign State or the persons specified in paragraph 1 voluntarily submit to their jurisdiction.

(4) Service in the cases specified in paragraph 3 shall be carried out by the Ministry of Foreign Affairs. If service cannot thus be performed, the court shall appoint a guardian for the service of documents or, as the case may be, for the protection of the rights.

Division 2

Provisions concerning procedure

Section 48

In proceedings, the Slovak courts shall apply Slovak procedural rules and all parties shall have equal status in the assertion of their rights.

Status of aliens in proceedings

Section 49

The capacity of a foreign national to sue and be sued shall be governed by the law of the State whose national he is. It shall be, however, sufficient if he has such capacity under the Slovak law.

Section 50

Foreign nationals shall be entitled to exemption from court fees and deposits and to the appointment, free of charge, of a representative for the protection of their interests provided reciprocity is guaranteed.

Section 51

(1) If the defendant so moves, the court shall order a foreign national, who seeks a decision on a property claim, to put up a bond for the payment of the costs of procedure with the proviso that

should he fail to put up such a bond within the stipulated period of time, the court would not continue the proceedings against the will of the defendant and would terminate them.

(2) The deposition of a bond may not be ordered if

(a) the motion for the deposition was filed only after the defendant had already acted in the case or had made a procedural move although he knew that the plaintiff was not a Slovak national or that he had lost his Slovak nationality;

(b) in the State whose nationality the plaintiff has a bond would not be required in similar cases from a Slovak national;

(c) the plaintiff owns immovable property in the Slovak Republic whose value is sufficient to cover the costs to be incurred by the defendant in the proceedings;

(d) the motion to initiate proceedings is dealt with by an order to pay;

(e) the plaintiff is exempt from the payment of court fees and deposits.

Section 52

Documents issued by foreign courts and authorities considered as public documents in the place of their issue shall have the probative force of public documents in the Slovak Republic as well, if they have been duly authenticated.

Determination of foreign law and reciprocity

Section 53

(1) The judicial authority shall take all necessary measures to determine the content of the foreign law; if the content of the foreign law is not known to such an authority, it may request information to this effect from the Ministry of Justice.

(2) If in the adjudication of matters specified in paragraph 1 doubts arise, the judicial authorities may ask the Ministry of Justice for an opinion.

Section 54

A declaration by the Ministry of Justice on reciprocity in respect of another State, issued in consultation with the Ministry of Foreign Affairs and other Ministries concerned, shall be binding on the courts and other authorities.

Legal assistance in relation to abroad

Article 55

Unless otherwise provided, judicial authorities shall contact foreign authorities through the Ministry of Justice.

Article 56

Slovak judicial authorities shall provide, upon a request, legal assistance to foreign judicial authorities, provided reciprocity is guaranteed. Legal assistance may be denied if

(a) the performance of the requested assistance does not fall within the jurisdiction of the requested Slovak judicial authority; if, however, such assistance falls within the jurisdiction of another judicial authority or within the jurisdiction of other Slovak authorities, the request shall be forwarded to the competent authority for handling;

(b) the requested assistance is contrary to the Slovak *ordre public*.

Article 57

(1) The requested legal assistance shall be provided under the Slovak legal provisions; upon a request by the foreign authority, foreign procedural rules may be applied if the requested procedure is not contrary to the Slovak *ordre public*.

(2) If the foreign authority so requests, the witnesses, expert witnesses and parties may be examined under oath. The same shall apply if it is necessary to submit abroad a sworn affidavit on facts determining for the assertion or preservation of claims.

(3) The oath for witnesses and parties shall read as follows: „I swear on my honour that I shall say the truth and nothing but the truth about everything I am questioned by the court and shall withhold nothing.“

(4) The oath for expert witnesses shall read as follows: „ I swear on my honour that I shall submit my expertise in accordance with my best knowledge and conscience.“

(5) In the case of an oath submitted afterwards, the wording shall be altered accordingly.

Article 58

If no authenticated Czech or Slovak translation is attached to a foreign document, it shall be served on the addressee if he accepts it voluntarily; the addressee shall be advised that he has to be aware of the legal consequences of his refusal to accept the document.

Article 59

(l) Upon a request of a Slovak judicial authority , the Slovak diplomatic or consular authority shall

(a) effect the service on persons in the State where it is active, if such function is admissible under international treaties or other rules of international law, or if it is not contrary to the regulations of the State where the service is to be effected;

(b) effect the service on Slovak nationals who enjoy diplomatic privileges and immunities in the State where the service is to be effected, and examine such persons as witnesses, expert witnesses or parties;

(c) upon an authorisation by the Ministry of Foreign Affairs, examine witnesses, expert witnesses and parties as well as carry out other procedural acts if such persons appear voluntarily and if this is not contrary to the regulations in force in the State where the assistance shall be carried out.

(2) The Slovak diplomatic or consular authorities shall act in accordance to regulations applicable to the requesting judicial authority and the acts it has carried out shall have the same effect as if they had been carried out by the judicial authority itself.

Article 60

Service effected upon the request of a Slovak judicial authority by a foreign authority as well as evidence taken by the latter shall have legal effect, even if they are not in keeping with the provisions of the foreign law as long as they are in keeping with Slovak regulations.

Section 61

Certificate of Slovak law

The Ministry of Justice shall issue to anyone who needs it for asserting his rights abroad a certificate of the law in force in the Slovak Republic. Such certificate shall not interpret the law or describe how the law should be applied to a particular legal matter.

Section 62

Legalisation of documents

Documents issued by judicial authorities or documents authenticated by them or signed before them, which are intended to be used abroad, shall be legalised upon the party's request by the Ministry of Justice.

Division 3

Recognition and enforcement of foreign decisions

Section 63

Decisions of judicial authorities of another State in matters specified in Section 1 as well as foreign court settlements and foreign notarial documents in such matters (further referred to as „foreign decisions“) shall have legal effect in the Slovak Republic if, according to a certificate of the competent foreign authority they have become final and if they have been recognised by the Slovak authorities.

Section 64

A foreign decision cannot be recognised or enforced if

(a) its recognition is prevented by the exclusive jurisdiction of Slovak authorities or if, should provisions on the jurisdiction of the Slovak courts be applied in consideration of the jurisdiction of a foreign authority, the proceedings could not be carried out by any authority of another State,

(b) a Slovak authority has issued a final decision or a final decision issued by an authority of a third State was recognised in the Slovak Republic in respect of the same legal relation,

(c) the party against whom the recognition of the decision is sought has been deprived by the procedure of the foreign authority of the possibility to participate properly in the proceedings, in particular, if the summons or the motion for the institution of the proceedings had not been served into his own hands or if the motion for the institution of the proceedings had not been served upon the defendant into his own hands,

(d) the recognition would be contrary to Slovak *ordre public*,

(e) reciprocity is not guaranteed; reciprocity is not required if the foreign decision is not directed against a Slovak national or legal entity, or if the Slovak legal entity has agreed to submit itself to the jurisdiction of a foreign court in conformity with Section 37 par. 3 of this Act.

Section 65

Recognition of a foreign decision in matters of property shall not be pronounced in a separate finding. The foreign decision shall be recognised in such a way that a Slovak authority takes account thereof as if it were a decision of a Slovak authority.

Section 66

Under the conditions specified in Sections 63 and 64, a foreign decision on property claims may be enforced in the Slovak Republic if the enforcement is ordered by a Slovak court. The writ of execution shall always state the grounds.

Section 67

(1) Final foreign decisions in matrimonial matters and in matters involving establishment (determination or contestation) of paternity where at least one of the parties is a Slovak national and final foreign decisions on adoption of a child who is a Slovak national shall be recognised in the Slovak Republic, unless precluded by the provisions of Sections 63 and 64 (b),(c),(d), solely by a specific decision.

(2) Only the Supreme Court of the Slovak Republic may, after hearing the opinion of the Prosecutor General of the Slovak Republic, declare a decision specified in paragraph 1 recognised. The motion may be filed, besides the parties, by any person who proves a legal interest and, in the public interest, also by the Prosecutor General of the Slovak Republic. The Supreme Court of the Slovak Republic shall decide by a judgement; it need not order a hearing.

(3) Decisions specified in paragraph 1 may be recognised only if the facts of the case have been ascertained in a manner which, in principle, complies with the applicable provisions of the Slovak law.

Section 68

(1) If all the parties were at the decisive moment nationals of the State whose decision is concerned, the decisions specified in Section 67, par. 1 shall have, without further procedure, the same legal effects in the Slovak Republic as final Slovak decisions, unless this would be contrary to *ordre public*.

(2) The same shall apply to decisions rendered by the authorities of other foreign States if such decisions are recognisable in the national States of all the parties.

FINAL PROVISIONS

Section 69

The Act No. 41/1948 Collection of Laws on private international and interregional law and the legal status of aliens in the sphere of private law is hereby repealed.

Section 70

The present Act shall enter into force on 1 April 1964.