

PRIVATE INTERNATIONAL LAW ACT
OF THE REPUBLIC OF NORTH MACEDONIA
(Official Gazette of the Republic of North Macedonia, no. 32/2020)

CHAPTER III
PROCEDURE FOR THE RECOGNITION OF FOREIGN JUDGMENTS

Initiation of proceedings

Article 165

- 1) The procedure for the recognition of a foreign judgment shall be initiated upon application.
- 2) The court, to which an application for recognition of a foreign judgment is submitted, shall only consider whether the conditions laid down in Articles 159 to 163 of this Law have been met.
- 3) Recognition of a foreign judgment on matters relating to personal status may be requested by anyone having a legal interest.

Competent court

Article 166

- 1) The single judge of the basic court shall decide on the recognition of foreign judgments.
- 2) Any court having subject-matter jurisdiction shall have territorial jurisdiction for the recognition of a foreign judgment.

Recognition of the foreign judgment as a preliminary issue in the proceedings

Article 167

If no separate decision has been rendered on the recognition of a foreign judgment, each court may decide on the recognition of that judgment as if on a preliminary question in proceedings, but only with effect to such proceedings.

Course of proceedings

Article 168

- 1) If the court, to which the application for recognition of the foreign judgment is submitted, determines that there are no obstacles for the recognition, it will render a decision recognizing the foreign judgment.
- 2) The court shall serve the decision for recognition of the foreign judgment to the applicant and to the respondent and notify them that an objection against the decision for recognition is allowed within thirty (30) days from the day of receiving the decision.
- 3) Notwithstanding the provisions of paragraph 2 of this Article, the court shall not serve a decision recognizing a foreign judgment on divorce to the other party if the party seeking recognition is a national of the Republic of North Macedonia, and the other party has no domicile or habitual residence in the Republic of North Macedonia.

Proceeding on the objection against the decision for recognition of a foreign judgment

Article 169

Pursuant to the objection against the decision for recognition of a foreign judgment from Article 168 of this Law, the court that rendered the decision for recognition, consisting of three (3) judges, shall decide on the case. The court shall decide on the objection after a hearing.

Appeal

Article 170

The court decision rejecting the application for the recognition of a foreign judgment and the court decision on the objection referred to in Article 169 of this Law may be appealed before the competent court of appeals within fifteen (15) days after the decision was served.

Costs of proceedings

Article 171

The court shall decide on the costs of the proceedings for the recognition of a foreign judgment in accordance with the rules applicable if the court or other authority of the Republic of North Macedonia would decide on the same matter.

Application of rules on non-contentious procedure

Article 172

In the absence of specific provisions in this chapter, the provisions on non-contentious procedure shall apply accordingly to the procedure for the recognition of foreign judgments.

Enforcement of foreign judgments

Article 173

A foreign judgment that has been recognized by the court of the Republic of North Macedonia in the procedure provided in Articles 165 to 171 of this Law shall be enforced in accordance with the laws of the Republic of North Macedonia governing the enforcement.

Application of the rules on the procedure to the recognition of foreign arbitral awards

Article 174

The provisions of articles 165 to 171 of this Law shall also apply to the procedure for the recognition of foreign arbitral awards.