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NON-CONTENTIOUS PROCEDURE FOR ISSUING A EUROPEAN CERTIFICATE OF SUCCESSION WITH REVIEW OF THE PRACTICE OF THE COURT OF THE EUROPEAN UNION

Summary: *The purpose of the paper is to analyse the non-contentious procedure for issuing the European Certificate of Succession, taking into account the practice of the Court of Justice of the European Union and Croatian implementing regulations. In this sense, the nature of the procedure and the legal rules that are applied in the procedure for issuing the Certificate in the Croatian context, who are the parties to the procedure, the evidentiary procedure and the application of the inquisitorial principle, and the delivery of certified copies of the Certificate are discussed. The question of the validity period of certified copies of the Certificate and its value for the registration of rights acquired on the basis of succession in the appropriate register are analysed in particular.*

The author concludes that it is necessary for the practice to determine the application of the general provisions of the Act on Non-contentious Procedure in the procedure for issuing the Certificate. In addition, the author raises the question of the implementation-practical reach of the provisions on the Certificate as an autonomous European instrument, starting from the EU Court's understanding of the temporal validity of certified copies of the Certificate, the necessity of requiring new copies of the Certificate, and the circumstances that it, as the only submitted document, is not valid as a basis for registration of ownership rights if the issuing authority did not take into account the formalities of the member state of the register.

Keywords: *European Certificate of Succession, court, notary public, non-contentious procedure, Regulation (EU) no. 650/2012, Act on the Implementation of the Regulation*