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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of measures and cooperation in matters relating to the protection of adults - CZ and SK joint room document on article 7a

Delegations will find in the Annex the joint room document on article 7a, from CZ and SK, that was circulated during the Working Party on Protection of Adults of April 3rd, 2025.

Drafting suggestion of CZ and SK on Article 7a of ST 7444/1/25 REV 1 (changes in comparison with ST 7444/1/25 REV 1 are in bold and underlined):

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Article 7a

Incidental questions

1. If the outcome of succession proceedings before a court of a Member State depends on the determination of an incidental question relating to representation of the adult, a court in that Member State may determine that question for the purposes of those proceedings even if that Member State does not have jurisdiction under this Regulation.

2. The determination of an incidental question pursuant to paragraph 1 shall produce effects only in the proceedings for which that determination was made.

3. If the validity of a legal act undertaken or to be undertaken on behalf of an adult in succession proceedings before a court of a Member State requires permission or approval by a court, a court in that Member State may decide whether to permit or approve such a legal act even if it does not have jurisdiction under this Regulation.

4. The court exercising jurisdiction under paragraph 1 shall notify the courts of the Member State of habitual residence of the adult or any court of a Member State exercising jurisdiction under this Regulation, using the form set out in Annex [VIII]. This notification may be done directly or through the Central Authority of that Member State, designated pursuant to Article 18.