

## CONFLICT ABOUT A MINOR CHILD ON THE EXIT OF THE TERRITORY.

The parental authority being shared with the two parents, **one could not deprive the other about his rights of access, accommodation and education of the child.**

Thus, moving out or even leave France with the child, without authorization of the other parent is an infringement for which it's possible to make a report.

When a parent fears his child is carried abroad by the other parent, he is able to resort to an **opposition procedure (OST)** or a **ban for not going abroad (IST)**.

### What's the opposition for exit of the territory?

The opposition for exit of the territory (OST) on a purely conservatory basis, allows the parent to be **opposed without delay to the way out of France for the child.**

OST is requested **in case of disagreement between the holders of the parental authority exercise** to avoid a child being in France to leave the territory.

Can be **requested by somebody exercising the parental authority**: the father, the mother or anyone else having a legal delegation.

The **prefect makes the OST decision** after examining the file. He checks out if the request is indeed, justified.

If OST is pronounced, **the child is registered in the file for wanted people (FPR) and is the object of a description in the Schengen information system (SIS).**

The prefect who delivered OST seize the services of the Public Prosecutor for whom he decides or not to seize the judge with family matters or the judge with children to see the followings to be given to this situation.

OST measure is made on a purely conservatory basis, it is **valid 15 days maximum and it is not possible to get more time.**

### What's the ban for exit of the territory?

The ban for exit of the territory allows one of the parents to **avoid all way out of the territory for the child without its authorization.**

**The judge with family matters** makes the decision about IST after examining the file.

This request may be made in the frame of another procedure such as divorce or parents separation.

If IST is pronounced, **the child cannot leave France without the two parent agreement or, according to the case, the one from the judge.**

Contrary to OST, **the duration of this interdiction is fixed by the judge** and can be removed temporarily.

The judgement cannot give an accurate duration maintaining the interdiction until the child majority.

**The judge with children may also pronounce an IST, 2 years limited.**

The **modification or suppression of IST** can only be obtained after the judge referral had pronounced prohibition.

## OPPOSITION PROCEDURE TO THE EXIT OF THE TERRITORY

### OPPOSITION REQUEST TO THE EXIT OF THE TERRITORY

The request must be made by **the one exercising the parental authority** (or one granted by her), **near the sub-prefecture or the prefecture or the gendarmerie** in case of emergency, in person:

**Form** <https://www.service-public.fr/particuliers/vosdroits/R37013>

For residents, out of St-Laurent-du-Maroni area

**PRÉFECTURE DE GUYANE**  
Bureau de l'Immigration et de l'Intégration  
rue Fiedmond - BP 7008  
97307 Cayenne Cedex.

For St-Laurent-du-Maroni residents:  
Awala-Yalimapo, Mana, Saint-Laurent-du-Maroni, Grand-Santi, Papaïchton, Maripa-Soula et Saül.

**SOUS-PRÉFECTURE DE SAINT-LAURENT-DU-MARONI**  
Bureau de l'Immigration et des titres  
4 Bld Charles de Gaulle - BP 244  
97393 Saint-Laurent-du-Maroni Cedex

## DOCUMENTS REQUIRED FOR OST

- A form filled and signed on the spot
- Proof of exercising the parental authority (child birth certificate mentioning the filiation...)
- An ID card (copy of the national ID or resident paper still valid...)
- Proof of the child identity (copy of the national ID card...)
- Any relevant document allowing the service to study the request and make a decision (the divorce judgement, copy of the flight ticket...)

## INTERDICTION PROCEDURE TO THE EXIT OF THE TERRITORY

### INTERDICTION REQUEST TO THE EXIT OF THE TERRITORY

The request must be sent to the judge with family matters, whether in summary procedure (if urgent), or by request:

**Form:** Cerfa n°11530\*05 in

[https://www.formulaires.modernisation.gouv.fr/gf/cerfa\\_11530.do](https://www.formulaires.modernisation.gouv.fr/gf/cerfa_11530.do)

For residents, out of St-Laurent-du-Maroni area

**Tribunal de Grande Instance de Cayenne**  
**Service des Affaires familiales**  
**9 Av. du Général de Gaulle**  
**97300 Cayenne**

For St-Laurent-du-Maroni residents:  
Awala-Yalimapo, Mana, Saint-Laurent-du-Maroni, Grand-Santi, Papaïchton, Maripa-Soula et Saül.

**Chambre détachée du Tribunal de Grande Instance à Saint Laurent du Maroni**  
**Avenue du Colonel Chandon**  
**973.. Saint Laurent du Maroni**

### REQUESTED DOCUMENTS FOR IST

- Proof of exercising the parental authority (child birth certificate mentioning the filiation...)
- An ID card (copy of the national ID card or resident paper still valid...)
- Proof of the child identity (copy of the national identity card...)
- Any relevant document allowing the service to study the request and make a decision (the divorce judgement, copy of the flight ticket...)