Commission Delegated Regulation (EU) 2015/281 of 26 November 2014 replacing Annexes I and II of Regulation (EU) No 1215/2012 of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

COMMISSION DELEGATED REGULATION (EU) 2015/281

of 26 November 2014

replacing Annexes I and II of Regulation (EU) No 1215/2012 of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters[(1)], and in particular Article 77 thereof,

Whereas:

(1) Regulation (EU) No 1215/2012 provides for the circulation of judgments, authentic instruments and court settlements in the Union. It will start to apply on 10 January 2015.

(2) Regulation (EU) No 1215/2012 established, in Annexes I and II, a form of the certificate concerning a judgment in civil and commercial matters and a form of the certificate concerning an authentic instrument/court settlement in civil and commercial matters.

(3) Latvia adopted the euro as from 1 January 2014. Therefore, all the references to the former currency of Latvia should be deleted from the forms. Lithuania will adopt the euro as from 1 January 2015. Therefore, all the references to the currency of Lithuania should be deleted from the forms.

(4) Croatia joined the Union as from 1 July 2013. Therefore, the references to Croatia and its currency should be included in the forms.

(5) In accordance with Articles 1 and 2 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark did not take part in the adoption of Regulation (EU) No 1215/2012 and it is not bound by it or subject to its application.

(6) However, in accordance with Article 3(2) of the Agreement between the European Union and Denmark, Denmark has, by letter of 20 December 2012, notified[(2)] the Commission of its decision to implement the contents of Regulation (EU) No 1215/2012. Therefore the references to Denmark and its currency should be included in the forms.

(7) For reasons of clarity it is appropriate to replace Annexes I and II.

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2015/281. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(8) Regulation (EU) No 1215/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EU) No 1215/2012 are replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following the date of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 26 November 2014.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

ANNEX I

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2015/281. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

4. THE JUDGMENT

4.1. Date (dd/mm/yyyy) of the judgment:

4.2. Reference number of the judgment:

4.3. The judgment was given in default of appearance:

4.3.1. ☐ No

4.3.2. ☐ Yes (please indicate the date (dd/mm/yyyy) on which the document instituting the proceedings or an equivalent document was served on the defendant):

4.4. The judgment is enforceable in the Member State of origin without any further conditions having to be met:

4.4.1. ☐ Yes (please indicate the date (dd/mm/yyyy) on which the judgment was declared enforceable, if applicable):

4.4.2. ☐ Yes, but only against the following person(s) (please specify):

4.4.3. ☐ Yes, but limited to part(s) of the judgment (please specify):

4.4.4. ☐ The judgment does not contain an enforceable obligation

4.5. As of the date of issue of the certificate, the judgment has been served on the defendant(s):

4.5.1. ☐ Yes (please indicate the date of service (dd/mm/yyyy) if known):

4.5.1.1. The judgment was served in the following language(s):

BG ☐ ES ☐ CS ☐ DK ☐ DE ☐ ET ☐ EL ☐ EN ☐ FR ☐ HR ☐ GA ☐ IT ☐ LV ☐ LT ☐ HU ☐ MT ☐ NL ☐ PL ☐ PT ☐ RO ☐ SK ☐ SL ☐ FI ☐ SV ☐ Other (please specify (ISO-code)) ☐

4.5.2. ☐ Not to the knowledge of the court

4.6. Terms of the judgment and interest:

4.6.1. Judgment on a monetary claim ([3])

4.6.1.1. Short description of the subject-matter of the case:

4.6.1.2. The court has ordered:

..... (surname and given name(s)/name of company or organisation) ([4])

to make a payment to:

..... (surname and given name(s)/name of company or organisation)

4.6.1.2.1. If more than one person has been held liable for one and the same claim, the whole amount may be collected from any one of them:

4.6.1.2.1.1. ☐ Yes

4.6.1.2.1.2. ☐ No

4.6.1.3. Currency:

☐ euro (EUR) ☐ Bulgarian lev (BGN) ☐ Czech koruna (CZK) ☐ Danish krone (DKK) ☐ kuna (HRK) ☐ Hungarian forint (HUF) ☐ Polish zloty (PLN) ☐ pound sterling (GBP) ☐ Romanian leu (RON) ☐ Swedish krona (SEK) ☐ other (please specify (ISO code)):

4.6.1.4. Principal amount:

4.6.1.4.1. ☐ Amount to be paid in one sum

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4.6.1.4.2. ☐ Amount to be paid in instalments ([5])

Due date (dd/mm/yyyy)	Amount

4.6.1.4.3. ☐ Amount to be paid regularly

4.6.1.4.3.1. ☐ per day

4.6.1.4.3.2. ☐ per week

4.6.1.4.3.3. ☐ other (state frequency):

4.6.1.4.3.4. From date (dd/mm/yyyy) or event:

4.6.1.4.3.5. If applicable, until (date (dd/mm/yyyy) or event):

4.6.1.5. Interest, if applicable:

4.6.1.5.1. Interest:

4.6.1.5.1.1. ☐ Not specified in the judgment

4.6.1.5.1.2. ☐ Yes, specified in the judgment as follows:

4.6.1.5.1.2.1. Amount:

or:

4.6.1.5.1.2.2. Rate … %

4.6.1.5.1.2.3. Interest due from ..... (date (dd/mm/yyyy) or event) to ..... (date (dd/mm/yyyy) or event) ([6])

4.6.1.5.2. ☐ Statutory interest (if applicable) to be calculated in accordance with (please specify relevant statute):

4.6.1.5.2.1. Interest due from ..... (date (dd/mm/yyyy) or event) to ..... (date (dd/mm/yyyy) or event) ([6])

4.6.1.5.3. ☐ Capitalisation of interest (if applicable, please specify):

4.6.2. Judgment ordering a provisional, including a protective, measure:

4.6.2.1. Short description of the subject matter of the case and the measure ordered:

4.6.2.2. The measure was ordered by a court having jurisdiction as to the substance of the matter:

4.6.2.2.1. ☐ Yes

4.6.3. Other type of judgment:

4.6.3.1. Short description of the subject-matter of the case and the ruling by the court:

4.7. Costs ([7]):

4.7.1. Currency:

☐ euro (EUR) ☐ Bulgarian lev (BGN) ☐ Czech koruna (CZK) ☐ Danish krone (DKK) ☐ kuna (HRK) ☐ Hungarian forint (HUF) ☐ Polish zloty (PLN) ☐ pound sterling (GBP) ☐ Romanian leu (RON) ☐ Swedish krona (SEK) ☐ other (please specify (ISO code)):

4.7.2. The following person(s) against whom enforcement is sought has/have been ordered to bear the costs:

4.7.2.1. Surname and given name(s)/name of company or organisation: ([8])

4.7.2.2. If more than one person has been ordered to bear the costs, the whole amount may be collected from any one of them: