Commission Implementing Regulation (EU) 2015/228 of 17 February 2015 replacing Annexes I to VII to Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations

COMMISSION IMPLEMENTING REGULATION (EU) 2015/228

of 17 February 2015

replacing Annexes I to VII to Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations[(1)], and in particular Article 72 thereof,

Whereas:

(1) Annexes I to VII to Regulation (EC) No 4/2009 were amended by Council Regulation (EU) No 517/2013[(2)] to take account of the accession of Croatia to the European Union. Regulation (EU) No 517/2013 also took account of the change of currency in Estonia.

(2) Latvia and Lithuania changed currency on 1 January 2014 and 1 January 2015 respectively. Annexes I to IV and VII should be amended accordingly.

(3) In accordance with Article 4 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, the United Kingdom has informed the Commission of its wish to take part in the application of Regulation (EC) No 4/2009. References to the United Kingdom must therefore be included in Annexes II and IV to VII.

(4) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, Denmark did not take part in the adoption of Regulation (EC) No 4/2009 and is not taking part in the adoption of this Regulation; it is not bound by Regulation (EC) No 4/2009 or by this Regulation, nor is it subject to their application.

(5) In accordance with Article 3(2) of the agreement of 19 October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters[(3)], Denmark has, however, notified[(4)] the Commission of its decision to partly implement the content of Regulation (EC) No 4/2009 in so far as that Regulation amends Council Regulation (EC) No 44/2001[(5)], the subject of the abovementioned agreement of 19 October 2005. References to Denmark must therefore be included in Annexes II and IV.

(6) Lastly, it is necessary to amend certain sections of Annexes VI and VII to facilitate their application.

(7) The measures provided for in this Regulation are in accordance with the opinion of the committee established under Article 70 of Council Regulation (EC) No 2201/2003[6].

(8) For reasons of clarity, therefore, Annexes I to VII of Regulation (EC) No 4/2009 must be replaced,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I to VII to Regulation (EC) No 4/2009 are replaced by the text in the annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following 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.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/228. (See end of Document for details)*

ANNEX

ANNEX I

EXTRACT FROM A DECISION/COURT SETTLEMENT IN MATTERS RELATING TO MAINTENANCE OBLIGATIONS NOT SUBJECT TO PROCEEDINGS FOR RECOGNITION OR A DECLARATION OF ENFORCEABILITY

(Articles 20 and 48 of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations[7])
IMPORTANT

To be issued by the court of origin

To be issued only if the decision or court settlement is enforceable in the Member State of origin

Mention only information which is given in the decision or court settlement or of which the court of origin has been made aware

1. NATURE OF THE DOCUMENT

#	Decision	#	Court settlement

Date and reference number: …

The decision/court settlement is recognised and enforceable in another Member State without any possibility of opposing its recognition and without the need for a declaration of enforceability (Articles 17 and 48 of Regulation (EC) No 4/2009).

2. COURT OF ORIGIN

2.1. Name: …

2.2. Address:

2.2.1. Street and number/PO box: …

2.2.2. Place and postal code: …

2.2.3. Member State

Belgium # Bulgaria # Czech Republic # Germany # Estonia # Ireland # Greece # Spain # France # Croatia # Italy # Cyprus # Latvia # Lithuania # Luxembourg # Hungary # Malta # Netherlands # Austria # Poland # Portugal # Romania # Slovenia # Slovakia # Finland # Sweden

2.3. Telephone/Fax/E-mail: …

3. CLAIMANT(S)[8][9]

3.1. **Person A**

3.1.1. Surname and given name(s): …

3.1.2. Date (dd/mm/yyyy) and place of birth: …

3.1.3. Identity number or social security number: …

3.1.4. Address:

3.1.4.1. Street and number/PO box: …

3.1.4.2. Place and postal code: …

3.1.4.3. Country: …

3.1.5. Has benefited from

3.1.5.1. legal aid:

#	Yes	#	No

3.1.5.2. exemption from costs and expenses:

#	Yes	#	No

3.1.5.3. free proceedings before an administrative authority listed in Annex X to Regulation (EC) No 4/2009:

#	Yes	#	No

3.2. **Person B**

3.2.1. Surname and given name(s): …

3.2.2. Date (dd/mm/yyyy) and place of birth: …

3.2.3. Identity number or social security number: …

3.2.4. Address:

3.2.4.1. Street and number/PO box: …

3.2.4.2. Place and postal code: …

3.2.4.3. Country: …

3.2.5. Has benefited from

3.2.5.1. legal aid:

#	Yes	#	No

3.2.5.2. exemption from costs and expenses:

#	Yes	#	No

3.2.5.3. free proceedings before an administrative authority listed in Annex X to Regulation (EC) No 4/2009:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/228. (See end of Document for details)*

#	Yes	#	No

3.3. **Person C**

3.3.1. Surname and given name(s): …

3.3.2. Date (dd/mm/yyyy) and place of birth: …

3.3.3. Identity number or social security number: …

3.3.4. Address:

3.3.4.1. Street and number/PO box: …

3.3.4.2. Place and postal code: …

3.3.4.3. Country: …

3.3.5. Has benefited from

3.3.5.1. legal aid:

#	Yes	#	No

3.3.5.2. exemption from costs and expenses:

#	Yes	#	No

3.3.5.3. free proceedings before an administrative authority listed in Annex X to Regulation (EC) No 4/2009:

#	Yes	#	No

4. DEFENDANT(S)[10][11]

4.1. **Person A**

4.1.1. Surname and given name(s): …

4.1.2. Date (dd/mm/yyyy) and place of birth: …

4.1.3. Identity number or social security number: …

4.1.4. Address:

4.1.4.1. Street and number/PO box: …

4.1.4.2. Place and postal code: …

4.1.4.3. Country: …

4.1.5. Has benefited from

4.1.5.1. legal aid: