

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

AGREEMENT

between the European Union and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters

According to Article 4 of the Agreement of 19 October 2005 between the European Union and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ⁽¹⁾ (hereinafter ‘the Agreement’), concluded by Council Decision 2006/325/EC ⁽²⁾, whenever implementing measures are adopted pursuant to Article 74(2) of Council Regulation (EC) No 44/2001 ⁽³⁾, Denmark’s decision on whether or not to implement the content of such measures shall be notified to the Commission.

In accordance with Article 3(2) of the Agreement, Denmark has, by letter of 14 January 2009, notified the Commission of its decision to implement the content of Council Regulation (EC) No 4/2009 ⁽⁴⁾ to the extent that it amends Regulation (EC) No 44/2001 (‘the Brussels I Regulation’) ⁽⁵⁾.

Regulation (EC) No 44/2001 was repealed and replaced by Regulation (EU) No 1215/2012 of the European Parliament and of the Council ⁽⁶⁾. In accordance with Article 3(2) of the Agreement, Denmark has, by letter of 20 December 2012, notified the Commission of its decision to implement the contents of Regulation (EU) No 1215/2012 ⁽⁷⁾.

Commission Implementing Regulation (EU) 2015/228 ⁽⁸⁾ was adopted on 17 February 2015. In accordance with Article 3(2) of the Agreement, Denmark has, by letter of 22 April 2015, notified the Commission of its decision to implement the contents of Implementing Regulation (EU) 2015/228.

In accordance with Article 4(4) of the Agreement, the Danish notification creates mutual obligations between Denmark and the European Union. Thus, Implementing Regulation (EU) 2015/228 constitutes an amendment to the Agreement to the extent that it amends Regulation (EC) No 44/2001 (replaced by Regulation (EU) No 1215/2012), as amended by Regulation (EC) No 4/2009, and is considered annexed thereto.

With reference to Article 4(3) of the Agreement, implementation of Implementing Regulation (EU) 2015/228 in Denmark can take place administratively under Section 9(a)(1) of the Danish Law No 1563 of 20 December 2006 on the Brussels I Regulation. The necessary administrative measures entered into force on 22 April 2015.

⁽¹⁾ Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 299, 16.11.2005, p. 62).

⁽²⁾ Council Decision 2006/325/EC of 27 April 2006 concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 120, 5.5.2006, p. 22).

⁽³⁾ Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 12, 16.1.2001, p. 1).

⁽⁴⁾ 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 (OJ L 7, 10.1.2009, p. 1).

⁽⁵⁾ OJ L 149, 12.6.2009, p. 80.

⁽⁶⁾ 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 (OJ L 351, 20.12.2012, p. 1).

⁽⁷⁾ OJ L 79, 21.3.2013, p. 4.

⁽⁸⁾ 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 (OJ L 49, 20.2.2015, p. 1).