



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 November 2013

16982/13

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NOTE

from:	Presidency
to:	Council
No Cion prop.:	12974/13 JUSTCIV 178 CODEC 1889 PI 113
No prev.doc.:	16133/13 JUSTCIV 267 PI 167 CODEC 2630
Subject:	Proposal for a Regulation of the European Parliament and of the Council on amending Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Recast) [First reading] - General approach

1. By letter of 26 July 2013, the Commission transmitted to the Council a proposal for a Regulation amending Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Recast). The proposal is based on Article 81(2) of the Treaty on the Functioning of the European Union and is thus subject to the ordinary legislative procedure.
2. The proposal has been examined by the Working Party on Civil Law Matters (Brussels I) at three meetings during the second half of 2013.

3. In the light of that examination the Presidency submitted a compromise text to Coreper on 27 November 2013. Coreper endorsed the Presidency text, subject to a slight amendment, and decided to submit it to the JHA Council for adoption as the Council's general approach with a view to trying to reach a first reading agreement with the European Parliament.
4. In accordance with Article 3 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 to the Treaty on the Functioning of the European Union, the United Kingdom and Ireland have notified their wish to take part in the adoption and application of the proposed Regulation.
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 is not taking part in the adoption of the proposed Regulation and is not bound by it or subject to its application. This is without prejudice to the possibility for Denmark of applying the amendments to Regulation (EU) No 1215/2012 laid down in the proposed Regulation pursuant to Article 3 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 matters¹.
6. The Council is invited to approve the text set out in addendum 1 to this note as the Council's general approach with a view to trying to reach a first reading agreement with the European Parliament.

¹ OJ L 299, 16.11.2005, p. 62.