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**Changes to legislation:** There are outstanding changes not yet made to Regulation (EC) No 1103/2008 of the European Parliament and of the Council. 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

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## ANNEX

1. Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters<sup>(1)</sup>

As regards Regulation (EC) No 44/2001, the Commission should be empowered to update or make technical adjustments to the forms set out in the Annexes to that Regulation. Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 44/2001, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Regulation (EC) No 44/2001 is hereby amended as follows:

1. Article 74(2) shall be replaced by the following:
  2. The updating or technical adjustments of the forms, specimens of which appear in Annexes V and VI, shall be adopted by the Commission. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 75(2).;
2. Article 75 shall be replaced by the following:

*Article 75*

  - 1 The Commission shall be assisted by a committee.
  - 2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
2. Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters<sup>(2)</sup>

As regards Regulation (EC) No 1206/2001, the Commission should be empowered to update or make technical amendments to the standard forms set out in the Annex to that Regulation. Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 1206/2001, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Regulation (EC) No 1206/2001 is hereby amended as follows:

1. Article 19(2) shall be replaced by the following:
  2. The updating or making of technical amendments to the standard forms set out in the Annex shall be carried out by the Commission. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 20(2).
2. Article 20 shall be replaced by the following:

*Article 20*

  - 1 The Commission shall be assisted by a committee.
  - 2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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3. Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national<sup>(3)</sup>

As regards Regulation (EC) No 343/2003, the Commission should be empowered to adopt the conditions and procedures for the implementing of the humanitarian clause and to adopt the criteria necessary for carrying out transfers. Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 343/2003 by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Regulation (EC) No 343/2003 is hereby amended as follows:

1. Article 15(5) shall be replaced by the following:
  5. The conditions and procedures for implementing this Article, including, where appropriate, conciliation mechanisms for settling differences between Member States concerning the need to unite the persons in question, or the place where this should be done, shall be adopted by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(3).;
2. Article 19(5) shall be replaced by the following:
  5. The Commission may adopt supplementary rules on carrying out transfers. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(3).;
3. Article 20(4) shall be replaced by the following:
  4. The Commission may adopt supplementary rules on carrying out transfers. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(3).;
4. Article 27(3) shall be replaced by the following:
  3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
4. Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims<sup>(4)</sup>

As regards Regulation (EC) No 805/2004, the Commission should be empowered to amend the standard forms set out in the Annexes to that Regulation. Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 805/2004, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Articles 31 and 32 of Regulation (EC) No 805/2004 shall be replaced by the following:

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### *Article 31*

#### **Amendments to the Annexes**

The Commission shall amend the standard forms set out in the Annexes. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 32(2).

### *Article 32*

#### **Committee**

1 The Commission shall be assisted by the committee referred to in Article 75 of Regulation (EC) No 44/2001.

2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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- (1) [OJ L 12, 16.1.2001, p. 1.](#)
- (2) [OJ L 174, 27.6.2001, p. 1.](#)
- (3) [OJ L 50, 25.2.2003, p. 1.](#)
- (4) [OJ L 143, 30.4.2004, p. 15.](#)

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**Changes and effects yet to be applied to :**

- Regulation partial repeal by [EUR 2012/1215](#) Regulation

**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Annex para. 4(7) omitted by [S.I. 2018/1311](#) reg. 11