

Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000

### CHAPTER III

## RECOGNITION AND ENFORCEMENT

### SECTION 3

#### Provisions common to Sections 1 and 2

#### *Article 37*

#### **Documents**

1 A party seeking or contesting recognition or applying for a declaration of enforceability shall produce:

- a a copy of the judgment which satisfies the conditions necessary to establish its authenticity;
- and
- b the certificate referred to in Article 39.

2 In addition, in the case of a judgment given in default, the party seeking recognition or applying for a declaration of enforceability shall produce:

- a the original or certified true copy of the document which establishes that the defaulting party was served with the document instituting the proceedings or with an equivalent document;
- or
- b any document indicating that the defendant has accepted the judgment unequivocally.

#### *Article 38*

#### **Absence of documents**

1 If the documents specified in Article 37(1)(b) or (2) are not produced, the court may specify a time for their production, accept equivalent documents or, if it considers that it has sufficient information before it, dispense with their production.

2 If the court so requires, a translation of such documents shall be furnished. The translation shall be certified by a person qualified to do so in one of the Member States.

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**Changes to legislation:** There are outstanding changes not yet made to Council Regulation (EC) No 2201/2003. 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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### *Article 39*

#### **Certificate concerning judgments in matrimonial matters and certificate concerning judgments on parental responsibility**

The competent court or authority of a Member State of origin shall, at the request of any interested party, issue a certificate using the standard form set out in Annex I (judgments in matrimonial matters) or in Annex II (judgments on parental responsibility).

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

- [Regulations revoked by S.S.I. 2019/104 reg. 3](#)
- [Regulation revoked by S.I. 2019/519 reg. 3](#)