Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession

CHAPTER I

SCOPE AND DEFINITIONS

- Article 1 Scope
- Article 2 Competence in matters of succession within the Member States
- Article 3 Definitions

CHAPTER II

JURISDICTION

- Article 5 Choice-of-court agreement
- Article 6 Declining of jurisdiction in the event of a choice of law
- Article 7 Jurisdiction in the event of a choice of law
- Article 8 Closing of own-motion proceedings in the event of a choice of law
- Article 9 Jurisdiction based on appearance
- Article 10 Subsidiary jurisdiction
- Article 11 Forum necessitatis
- Article 12 Limitation of proceedings
- Article 13 Acceptance or waiver of the succession, of a legacy or of a reserved share
- Article 14 Seising of a court
- Article 15 Examination as to jurisdiction
- Article 16 Examination as to admissibility
- Article 17 Lis pendens
- Article 18 Related actions
- Article 19 Provisional, including protective, measures

CHAPTER III

APPLICABLE LAW

Article 20	Universal application
------------	-----------------------

- Article 21 General rule
- Article 22 Choice of law
- Article 23 The scope of the applicable law
- Article 24 Dispositions of property upon death other than agreements as to succession
- Article 25 Agreements as to succession
- Article 26 Substantive validity of dispositions of property upon death

Article 27	Formal validity of dispositions of property upon death made in writing
Article 28	Validity as to form of a declaration concerning acceptance or waiver
Article 29	Special rules on the appointment and powers of an administrator of the estate in certain situations
Article 30	Special rules imposing restrictions concerning or affecting the succession in respect of certain assets
Article 31	Adaptation of rights in rem
Article 32	Commorientes
Article 33	Estate without a claimant
Article 34	Renvoi
Article 35	Public policy (ordre public)
Article 36	States with more than one legal system – territorial conflicts of laws
Article 37	States with more than one legal system – inter-personal conflicts of laws
Article 38	Non-application of this Regulation to internal conflicts of laws

CHAPTER IV

RECOGNITION, ENFORCEABILITY AND ENFORCEMENT OF DECISIONS

- Article 39 Recognition
- Article 40 Grounds of non-recognition
- Article 41 No review as to the substance
- Article 42 Staying of recognition proceedings
- Article 43 Enforceability
- Article 44 Determination of domicile
- Article 45 Jurisdiction of local courts
- Article 46 Procedure
- Article 47 Non-production of the attestation
- Article 48 Declaration of enforceability
- Article 49 Notice of the decision on the application for a declaration of enforceability
- Article 50 Appeal against the decision on the application for a declaration of enforceability
- Article 51 Procedure to contest the decision given on appeal
- Article 52 Refusal or revocation of a declaration of enforceability
- Article 53 Staying of proceedings
- Article 54 Provisional, including protective, measures
- Article 55 Partial enforceability
- Article 56 Legal aid
- Article 57 No security, bond or deposit
- Article 58 No charge, duty or fee

CHAPTER V

AUTHENTIC INSTRUMENTS AND COURT SETTLEMENTS

- Article 59 Acceptance of authentic instruments
- Article 60 Enforceability of authentic instruments
- Article 61 Enforceability of court settlements

CHAPTER VI

EUROPEAN CERTIFICATE OF SUCCESSION

- Article 62 Creation of a European Certificate of Succession
- Article 63 Purpose of the Certificate
- Article 64 Competence to issue the Certificate
- Article 65 Application for a Certificate
- Article 66 Examination of the application
- Article 67 Issue of the Certificate
- Article 68 Contents of the Certificate
- Article 69 Effects of the Certificate
- Article 70 Certified copies of the Certificate
- Article 71 Rectification, modification or withdrawal of the Certificate
- Article 72 Redress procedures
- Article 73 Suspension of the effects of the Certificate

CHAPTER VII

GENERAL AND FINAL PROVISIONS

- Article 74 Legalisation and other similar formalities
- Article 75 Relationship with existing international conventions
- Article 76 Relationship with Council Regulation (EC) No 1346/2000
- Article 77 Information made available to the public
- Article 78 Information on contact details and procedures
- Article 79 Establishment and subsequent amendment of the list containing the information referred to in Article 3(2)
- Article 80 Establishment and subsequent amendment of the attestations and forms referred to in Articles 46, 59, 60, 61, 65 and 67
- Article 81 Committee procedure
- Article 82 Review
- Article 83 Transitional provisions
- Article 84 Entry into force
 - Signature

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 650/2012 of the European Parliament and of the Council. (See end of Document for details)

- (**1**) OJ C 44, 11.2.2011, p. 148.
- (2) Position of the European Parliament of 13 March 2012 (not yet published in the Official Journal) and decision of the Council of 7 June 2012.
- **(3)** OJ C 12, 15.1.2001, p. 1.
- (4) OJ C 53, 3.3.2005, p. 1.
- (5) OJ C 115, 4.5.2010, p. 1.
- (6) OJ L 174, 27.6.2001, p. 25.
- (7) OJ L 124, 8.6.1971, p. 1.
- (8) OJ L 55, 28.2.2011, p. 13.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) No 650/2012 of the European Parliament and of the Council.