

Regulation (EU) 2020/1783 of the European Parliament and of the Council of 25 November 2020 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence) (recast)

CHAPTER I

GENERAL PROVISIONS

Article 1	Scope
Article 2	Definitions
Article 3	Direct transmission between courts
Article 4	Central body

CHAPTER II

TRANSMISSION AND EXECUTION OF REQUESTS

SECTION 1

Transmission of requests

Article 5	Form and content of requests
Article 6	Language
Article 7	Transmission of requests and other communications
Article 8	Legal effects of electronic documents

SECTION 2

Receipt of requests

Article 9	Receipt of requests
Article 10	Incomplete requests
Article 11	Completion of the request

SECTION 3

Taking of evidence by the requested court

Article 12	General provisions on the execution of a request
Article 13	Taking of evidence with the presence and participation of the parties
Article 14	Taking of evidence with the presence and participation of representatives of the requesting court
Article 15	Coercive measures
Article 16	Refusals to execute requests
Article 17	Notification of delay
Article 18	Procedure after the execution of the request

SECTION 4

Direct taking of evidence by the requesting court and
taking of evidence by diplomatic agents or consular officers

- Article 19 Direct taking of evidence by the requesting court
- Article 20 Direct taking of evidence by videoconferencing or other distance communications technology
- Article 21 Taking of evidence by diplomatic agents or consular officers

SECTION 5

Costs

- Article 22 Costs

CHAPTER III

FINAL PROVISIONS

- Article 23 Manual and amendment of Annex I
- Article 24 Exercise of delegation
- Article 25 Adoption of implementing acts by the Commission
- Article 26 Committee procedure
- Article 27 Reference implementation software
- Article 28 Costs of the decentralised IT system
- Article 29 Relationship with agreements or arrangements between Member States
- Article 30 Protection of information transmitted
- Article 31 Communication
- Article 32 Monitoring
- Article 33 Evaluation
- Article 34 Repeal
- Article 35 Entry into force and application
- Signature

ANNEX I

FORM A

1. Reference No of the requesting court:
2. Requesting court:
3. Requested court:
4. In the case brought by the claimant/petitioner(s)
5. Representatives of the claimant/petitioner
6. Against the defendant/respondent(s)
7. Representatives of defendant/respondent
8. Presence and participation of the parties
9. Presence and participation of the representatives of the requesting court:...
10. Nature and subject-matter of the case and a brief statement...

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2020/1783 of the European Parliament and of the Council. (See end of Document for details)

11. Taking of evidence to be carried out
12. Please execute the request
13. Reasons for not transmitting through the decentralised IT system (Article...

FORM B

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Name of the requesting court:
4. Requested court
5. The request was received on ... (date of receipt) by...
6. The request cannot be dealt with because:

FORM C

1. Reference No of the requesting court:
2. Name of the requesting court:
3. Reference No of the requested court:
4. The request for the taking of evidence does not fall...

FORM D

1. Reference No of the requested court:
2. Reference No of the requesting court:
3. Name of the requested court:
4. Name of the requesting court:
5. The request for the taking of evidence cannot be executed...
6. The request for the taking of evidence cannot be executed...

FORM E

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Name of the requesting court:
4. Name of the requested court:
5. The deposit or advance was received on ... (date of...

FORM F

THE FOLLOWING REQUEST FOR THE TAKING OF EVIDENCE WAS SENT...

1. Reference No of the requesting court:
2. Reference No of the requested court/central body/competent authority (if available):...
3. Name of the requesting court:
4. Name of the requested court/central body/competent authority:
5. The original request for the taking of evidence (form A)...

FORM G

1. Reference No of the requesting court:
2. Reference No of the requested court/central body/competent authority (if available):...
3. Name of the requesting court:
4. Name of the requested court/central body/competent authority:
5. THE DELAY WAS DUE TO:
6. It is estimated that the request will be executed by...

FORM H

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2020/1783 of the European Parliament and of the Council. (See end of Document for details)

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Name of the requesting court:
4. Name of the requested court:
5. The call for execution of the request for the taking...
6. The call for execution of the request for the taking...

FORM I

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Requesting court
4. Requested court
5. Date and time of the taking of evidence:
6. Place of the taking of evidence, if different from that...
7. Where appropriate, conditions under which the parties and their representatives,...
8. Where appropriate, conditions under which the representatives of the requesting...

FORM J

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Name of the requesting court:
4. Name of the requested court:
5. The request for the taking of evidence cannot be executed...
6. It is estimated that the request will be executed by...

FORM K

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Name of the requesting court:
4. Name of the requested court:
5. The request for the taking of evidence has been executed...
6. Execution of the request for the taking of evidence has...
7. Other reasons for non-execution:

FORM L

1. Reference No of the requesting court:
2. Reference No of the central body/competent authority:
3. Requesting court:
4. Central body/competent authority of the requested State
5. In the case brought by the claimant/petitioner(s)
6. Representatives of the claimant/petitioner
7. Against the defendant/respondent(s)
8. Representatives of defendant/respondent
9. The evidence will be taken by:
10. Nature and subject matter of the case and a brief...
11. Taking of evidence to be carried out
12. The requesting court asks that evidence be taken directly by...

FORM M

1. Reference No of the requesting court:
2. Reference No of the central body/competent authority:

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2020/1783 of the European Parliament and of the Council. (See end of Document for details)

3. Name of the requesting court:
4. Central body/competent authority
5. Information from the central body/competent authority
6. The following court was assigned to provide practical assistance in...

FORM N

1. Reference No of the requesting court:
2. Reference No of the requested court:
3. Name of the requesting court:
4. Name of the requested court:
5. Technical data of the requesting court:
6. Preferred form of connection (in case of more options filled...
7. Preferred date(s) and time(s) of connection:
8. Preferred date(s) and time(s) for the test connection:
9. Information on interpretation:
10. Information on whether a recording of the taking of evidence...
11. Other: ...

ANNEX II

REPEALED REGULATION WITH LIST OF THE SUCCESSIVE AMENDMENTS THERETO

ANNEX III

CORRELATION TABLE

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2020/1783 of the European Parliament and of the Council. (See end of Document for details)

- (1) [OJ C 62, 15.2.2019, p. 56.](#)
- (2) Position of the European Parliament of 13 February 2019 (not yet published in the Official Journal) and position of the Council at first reading of 4 November 2020 (not yet published in the Official Journal). Position of the European Parliament of 23 November 2020 (not yet published in the Official Journal).
- (3) 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 ([OJ L 174, 27.6.2001, p. 1](#)).
- (4) Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction ([OJ L 178, 2.7.2019, p. 1](#)).
- (5) 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](#)).
- (6) 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 ([OJ L 201, 27.7.2012, p. 107](#)).
- (7) Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC ([OJ L 257, 28.8.2014, p. 73](#)).
- (8) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ([OJ L 295, 21.11.2018, p. 39](#)).
- (9) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) ([OJ L 119, 4.5.2016, p. 1](#)).
- (10) 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](#)).
- (11) [OJ L 123, 12.5.2016, p. 1.](#)
- (12) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ([OJ L 55, 28.2.2011, p. 13](#)).
- (13) Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) ([OJ L 201, 31.7.2002, p. 37](#)).
- (14) [OJ C 370, 31.10.2019, p. 24.](#)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2020/1783 of the European Parliament and of the Council.