

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

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

- 1 This Regulation shall apply in civil or commercial matters where the court of a Member State, in accordance with the provisions of the law of that State, requests:
 - a the competent court of another Member State to take evidence; or
 - b to take evidence directly in another Member State.
- 2 A request shall not be made to obtain evidence which is not intended for use in judicial proceedings, commenced or contemplated.
- 3 In this Regulation, the term ‘Member State’ shall mean Member States with the exception of Denmark.

Article 2

Direct transmission between the courts

- 1 Requests pursuant to Article 1(1)(a), hereinafter referred to as ‘requests’, shall be transmitted by the court before which the proceedings are commenced or contemplated, hereinafter referred to as the ‘requesting court’, directly to the competent court of another Member State, hereinafter referred to as the ‘requested court’, for the performance of the taking of evidence.
- 2 Each Member State shall draw up a list of the courts competent for the performance of taking of evidence according to this Regulation. The list shall also indicate the territorial and, where appropriate, the special jurisdiction of those courts.

Article 3

Central body

- 1 Each Member State shall designate a central body responsible for:
 - a supplying information to the courts;
 - b seeking solutions to any difficulties which may arise in respect of a request;
 - c forwarding, in exceptional cases, at the request of a requesting court, a request to the competent court.
- 2 A federal State, a State in which several legal systems apply or a State with autonomous territorial entities shall be free to designate more than one central body.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EC) No 1206/2001. 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](#)

3 Each Member State shall also designate the central body referred to in paragraph 1 or one or several competent authority(ies) to be responsible for taking decisions on requests pursuant to Article 17.

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Changes and effects yet to be applied to :

- Regulation partial repeal by [EUR 2020/1783](#) Regulation
- Regulation repeal by [EUR 2020/1783](#) Regulation
- Regulation revoked by [S.I. 2018/1257](#) reg. 12