

Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure

CHAPTER I

**SUBJECT MATTER AND SCOPE**

*Article 3*

**Cross-border cases**

1 For the purposes of this Regulation, a cross-border case is one in which at least one of the parties is domiciled or habitually resident in a Member State other than the Member State of the court or tribunal seised.

[<sup>F12</sup> Domicile shall be determined in accordance with Articles 62 and 63 of Regulation (EU) No 1215/2012 of the European Parliament and of the Council<sup>(1)</sup>.

3 The relevant moment for determining whether a case is a cross-border case is the date on which the claim form is received by the court or tribunal with jurisdiction.]

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**Textual Amendments**

- F1** Substituted by [Regulation \(EU\) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation \(EC\) No 861/2007 establishing a European Small Claims Procedure and Regulation \(EC\) No 1896/2006 creating a European order for payment procedure.](#)

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**Status:** Point in time view as at 14/07/2017. This version of this provision has been superseded.  
**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 861/2007 of the European Parliament and of the Council, Article 3. (See end of Document for details)

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- (1) [<sup>F1</sup>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).]

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