

Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation

CHAPTER III

OTHER PROVISIONS

Article 17

Information to be provided by participating Member States

- 1 By 21 September 2011 the participating Member States shall communicate to the Commission their national provisions, if any, concerning:
- a the formal requirements applicable to agreements on the choice of applicable law pursuant to Article 7(2) to (4); and
 - b the possibility of designating the applicable law in accordance with Article 5(3).

The participating Member States shall inform the Commission of any subsequent changes to these provisions.

- 2 The Commission shall make all information communicated in accordance with paragraph 1 publicly available through appropriate means, in particular through the website of the European Judicial Network in civil and commercial matters.

Article 18

Transitional provisions

- 1 This Regulation shall apply only to legal proceedings instituted and to agreements of the kind referred to in Article 5 concluded as from 21 June 2012.

However, effect shall also be given to an agreement on the choice of the applicable law concluded before 21 June 2012, provided that it complies with Articles 6 and 7.

- 2 This Regulation shall be without prejudice to agreements on the choice of applicable law concluded in accordance with the law of a participating Member State whose court is seized before 21 June 2012.

Article 19

Relationship with existing international conventions

- 1 Without prejudice to the obligations of the participating Member States pursuant to Article 351 of the Treaty on the Functioning of the European Union, this Regulation shall not affect the application of international conventions to which one or more participating Member States are party at the time when this Regulation is adopted or when the decision pursuant to the second or third subparagraph of Article 331(1) of the Treaty on the Functioning of the European Union is adopted and which lay down conflict-of-laws rules relating to divorce or separation.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EU) No 1259/2010, CHAPTER III. (See end of Document for details)

2 However, this Regulation shall, as between participating Member States, take precedence over conventions concluded exclusively between two or more of them in so far as such conventions concern matters governed by this Regulation.

Article 20

Review clause

1 By 31 December 2015, and every 5 years thereafter, the Commission shall present to the European Parliament, the Council and the European Economic and Social Committee a report on the application of this Regulation. The report shall be accompanied, where appropriate, by proposals to adapt this Regulation.

2 To that end, the participating Member States shall communicate to the Commission the relevant information on the application of this Regulation by their courts.

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EU) No 1259/2010, CHAPTER III.