



869-2 – LUG 2/14

Notification to the Parties of the Convention on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, concluded at Lugano on 30 October 2007

I. Modifications of Annexes I to IV of the Convention

On 7 March 2014, the European Union informed the Depositary, pursuant to Article 77(1) of the Convention, about the following amendments and additions to the lists set out in Annexes I to IV of the Convention:

«[Annex I

The rules of jurisdiction referred to in Article 3(2) and 4(2) of the Convention are the following:]

- in Croatia: Article 54 of the Act on the Resolution of Conflicts of Laws with the Regulations of Other Countries in Specific Relations,
- in Poland: Article 1103⁷, point 4, and Article 1110 of the Code of Civil Procedure (*Kodeks postępowania cywilnego*) in so far as the latter establish jurisdiction exclusively on the basis of one of the following circumstances: the applicant is a Polish citizen or has their habitual residence, domicile or registered office in Poland,

[Annex II

The courts or competent authorities to which the application referred to in Article 39 of the Convention may be submitted are the following:]

- in Croatia: the "*općinski sudovi*" in civil matters, the "*Općinski građanski sud u Zagrebu*" and the "*trgovački sudovi*" in commercial matters,
- in the United Kingdom:
 - (a) in England and Wales, the High Court of Justice, or in the case of a maintenance judgment, the Magistrates' Court on transmission by the Secretary of State;
 - (b) in Scotland, the Court of Session, or in the case of a maintenance judgment, the Sheriff Court on transmission by the Scottish Ministers;
 - (c) in Northern Ireland, the High Court of Justice, or in the case of a maintenance judgment, the Magistrates' Court on transmission by the Department of Justice;
 - (d) in Gibraltar, the Supreme Court of Gibraltar, or in the case of a maintenance judgment, the Magistrates' Court on transmission by the Attorney General of Gibraltar.

[Annex III

The courts with which appeals referred to in Article 43(2) of the Convention may be lodged are the following:]

- in Croatia: "*županijski sud*" through "*općinski sud*" in civil matters and "*Visoki trgovački sud Republike Hrvatske*" through "*trgovački sud*" in commercial matters,

[Annex IV

The appeals which may be lodged pursuant to Article 44 of the Convention are the following:]

- in Croatia: an appeal to the "Vrhovni sud Republike Hrvatske",
- in Latvia: an appeal in cassation to the "Augstākās tiesas Senāta", via the "Apgabaltiesa",
- in Lithuania: an appeal in cassation to the "Lietuvos Aukščiausiasis Teismas",»

The European Union informed that the amendments and additions relating to its Member States were made necessary following Commission Regulation (EU) No 566/2013 of 18 June 2013, entered into force on 20 June 2013, Commission Regulation (EU) No 156/2012 of 22 February 2012, entered into force on 14 March 2012, and Council Regulation (EU) No 517/2013 of 13 May 2013, entered into force on 1 July 2013.

According to Article 77(1) of the Convention, the Standing Committee, pursuant to Article 4 of Protocol 2, was consulted and, by a written procedure which lasted until 30 April 2014 (see notification LUG 1/14 of 19 March 2014), accepted the proposed adaptations, which were not subject to any opposition within the deadline.

Pursuant to Article 77(1) *in fine*, the Contracting Parties shall provide a translation of the adaptations into their languages. The Depositary wishes to receive these translations **whenever possible until 1 September 2014 at the latest**, to its E-mail staver@eda.admin.ch, to be able, without further notification, to adapt the Annexes concerned in all languages of the Convention.

II. Correction of the signed texts

The attention of the Depositary has been drawn to the following errors in the authentic texts of the Convention, as concluded at Lugano on 30 October 2007:

Swedish:

1. Article 23, paragraph 1, first sentence *in fine*, of the Convention
instead of:

(...) *i den **medlemsstaten** ha behörighet.*

it should read:

(...) *i den **konventionsstaten** ha behörighet.*

2. Article 27, paragraph 1 *in initio*, of the Convention
instead of:

1. *Om talan väcks vid domstolar i olika **medlemsstater** rörande (...)*

it should read:

1. *Om talan väcks vid domstolar i olika **konventionsstater** rörande (...)*

3. Article 37, paragraph 2 *in fine*, of the Convention
instead of:

(...) *i **ursprungsmedlemsstaten** på grund av att ändring i domen har sökts.*

it should read:

(...) *i **ursprungsstaten** på grund av att ändring i domen har sökts.*

4. Article 57, paragraph 1, first sentence *in medio*, of the Convention
instead of:

(...) *i en **medlemsstat** skall på ansökan förklaras vara verkställbar i en annan **medlemsstat** i enlighet (...)*

it should read:

(...) *i en **konventionsstat** skall på ansökan förklaras vara verkställbar i en annan **konventionsstat** i enlighet (...)*

5. Article 63, paragraph 1 *in fine*, of the Convention
instead of:

*(...) efter konventionens ikraftträdande och, när det gäller förfaranden för erkännande och verkställighet av en dom eller officiella handlingar, **endast i den medlemsstat** där erkännande eller verkställighet begärs.*

it should read:

*(...) efter konventionens ikraftträdande **i ursprungsstaten** och, när det gäller förfaranden för erkännande och verkställighet av en dom eller officiella handlingar, **i den stat** där erkännande eller verkställighet begärs.*

Latvian (error contained in the final version the Annexes as amended upon request of the EU, as notified on 21 October 2011)

6. Annex IX, indication for Hungary
instead of:

— *Ungārijā: Civilprocesa kodeksa (Kodeks postępowania cywilnego) 58. līdz 60. pants attiecībā uz trešo personu paziņojumiem,*

it should read:

— *Ungārijā: Civilprocesa kodeksa (Polgári perrendtartás) 58. līdz 60. pants attiecībā uz trešo personu paziņojumiem,*

Dutch (errors contained in the final version of the Annexes as amended upon request of the EU, as notified on 21 October 2011)

7. Annex IX, indication for Germany
instead of:

— **Germany:** (...)

it should read:

— **Duitsland:** (...)

8. Annex IX, indication for Hungary
instead of:

— *Hongarije: de artikelen 58, **58** en 60 (...)*

it should read:

— *Hongarije: de artikelen 58, **59** en 60 (...)*

If no Party deposits an objection **until 1 September 2014**, the Depositary will perform these corrections in the original and deliver a procès-verbal of rectification. The corrections would also apply to the certified true copies of the texts of the Convention, the availability of which has been communicated with notification of 29 February 2008 (LUG 1/08).

The Swiss Federal Council makes the present notification in its capacity as Depositary (www.eda.admin.ch/depositary) and according to article 78 of the Convention.

Bern, 12 June 2014

