



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 April 2009

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JUSTCIV 82

COVER NOTE

from : Mr Kim Darroch, Permanent Representative of the United Kingdom
dated: 8 April 2009
to : Mr Karel Schwarzenberg, President of the Council of the European Union

No. Cion prop. : 5146/09 JUSTCIV 4
5147/09 JUSTCIV 5

Subject : - Proposal for a Council Regulation establishing a procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries concerning sectoral matters and covering jurisdiction, recognition and enforcement of judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations, and applicable law in matters relating to maintenance obligations.
- Proposal for a Regulation of the European Parliament and of the Council establishing a procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations

- Opt-in United Kingdom

Dear Minister,

I refer to two Commission proposals for Regulations establishing a procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries. The first Regulation concerns jurisdiction, recognition and enforcement of judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations, and applicable law in matters relating to maintenance obligations. The second Regulation concerns applicable law in contractual and non-contractual obligations on bilateral agreements above.

The first proposal was made on the basis of Article 61 (c), 65, 67(2) and 67(5) of the Treaty establishing the European Community. The second proposal was made on the basis of Articles 61 (c), 65 and 67(5) of the Treaty establishing the European Community. Under Article 3 of the Protocol to that Treaty governing the position of the United Kingdom and Ireland in relation to measures under Title IV of the Treaty, the United Kingdom, if it is to participate in the adoption of such measures, may notify the President of the Council in writing that it intends to do so within three months of a proposal or initiative being presented to the Council.

The purpose of this letter is to communicate the United Kingdom's formal notification that it intends to participate in the adoption of these proposals.

I am copying this letter to Jonathan Faull at the Commission and Ivan Bizjak in the Council Secretariat.

(complimentary close)

(signed) Kim Darroch
