Law applicable to contractual obligations: accession of Bulgaria and Romania to the Convention

2007/0077(CNS) - 08/11/2007 - Final act

PURPOSE: to enable Bulgaria and Romania to accede to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980.

LEGISLATIVE ACT: Council Decision 2007/856/EC concerning the accession of the Republic of Bulgaria and of Romania to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980.

CONTENT: the Convention on the Law applicable to Contractual Obligations ("the Convention of 1980") was opened for signature in Rome on 19 June 1980 and entered into force on 1 April 1991. It was supplemented by the First and Second Protocols of 19 December 1988 on its interpretation by the Court of Justice of the European Communities ("First and Second Protocols of 1988").

New Member States since 1984 acceded to the Convention of 1980 by separate Conventions at the time of their accession.

Article 3(3) of the Act of Accession of 2005 provides that Bulgaria and Romania accede to the conventions and protocols listed in Annex I of the Decision, as amended by Council Decision 2007/857 /EC, which comprises, inter alia, the Convention of 1980 and the First and Second Protocols of 1988 together with the Conventions on accession of 1984, 1992, 1996 and 2005. They are to enter into force in relation to Bulgaria and Romania on the date determined by the Council. The Council is to make all adjustments required by reason of the accession of Bulgaria and Romania to those conventions and protocols.

This Decision provides that the Convention of 1980 and the First and Second Protocols of 1988, together with the Conventions of 1984, 1992 and 1996, as amended by this Decision, shall enter into force between Bulgaria, Romania and the other Member States on 15 January 2008.

The Convention of 2005 shall enter into force between Bulgaria, Romania and the Member States for which it entered into force before the 15 January 2008 on that date.

The Convention of 2005 shall enter into force between Bulgaria, Romania and the Member States for which it has not yet entered into force on the date laid down in Article 5(2) of that Convention.

DATE OF EFFECT: 30/12/2007.