Basic information

2002/0824(CNS) CNS - Consultation procedure Regulation	Procedure lapsed or withdrawn
Judgements in civil and commercial matters: contrats of employment **Subject** 7.40.02 Judicial cooperation in civil and commercial matters	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	WALLIS Diana (ELDR)	20/02/2003

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Justice and Consumers	FRATTINI Franco

Key events

Date	Event	Reference	Summary
19/11/2002	Legislative proposal published	14363/2002	Summary
16/12/2002	Committee referral announced in Parliament		
08/07/2003	Vote in committee		Summary
08/07/2003	Committee report tabled for plenary, 1st reading/single reading	A5-0253/2003	
02/09/2003	Decision by Parliament	T5-0353/2003	Summary

Technical information

Procedure reference	2002/0824(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 067-p1 EC Treaty (after Amsterdam) EC 061
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	JURI/5/19002

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0253/2003	08/07/2003	
Text adopted by Parliament, 1st reading/single reading		T5-0353/2003 OJ C 076 25.03.2004, p. 0037-0085 E	02/09/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	14363/2002 OJ C 311 14.12.2002, p. 0016	19/11/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Judgements in civil and commercial matters: contrats of employment

2002/0824(CNS) - 02/09/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament, adopting a resolution drafted by Diana WALLIS (ELDR, UK) rejected the Dutch proposal. (Please see the summary dated 08/07/03.)

Judgements in civil and commercial matters: contrats of employment

2002/0824(CNS) - 19/11/2002 - Legislative proposal

PURPOSE : to present an initiative of the Kingdom of the Netherlands with a view to the adoption of a Council Regulation amending Regulation 44/2001/EC on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters. CONTENT : within the objective of the Community to establish progressively an area of freedom, security and justice in which the free movement of persons is ensured, Regulation 44/2001/EC was adopted on 22 December 2000 and has entered into force on 1 Mmarch 2002. This Regulation provides for rules on jurisdiction in matters relating to individual contracts of employment. In particular, Article 20 of that Regulation provides for a rule jurisdiction for proceedings brought by the employer. Judgements issued in accordance with Article 20 will be recognised and enforced under that Regulation in all Member States. Due to difficulties that have arisen in trans-border labour relationships, it has become necessary to amend Article 20 of Regulation 44/2001/EC. According to the labour law of some Member States, as regards the termination of an employment contract, employers have the option to petition for judicial annulment instead of a dismissal, and in some cases, judicial annulment is mandatory. Judicial annulments offer advantages for both the employee and the employer. This proposal aims to amend regulaiton 44/2001/EC in order to improve the conditions for judicial annulments. It stipulates that the employer is given the option to bring proceedings in the courts for the place where the employee habitually carries out his work. More specifically, it

states that proceedings brought by an employer to terminate a contract of employment may also be brought in the courts for the place where the employee habitually carries out his work or, if the employee does not habitually carry out his work in any one country, in the courts for the place where the business which engaged the employee is situated.