Basic information

2007/0077(CNS) CNS - Consultation procedure Decision	Procedure completed
Law applicable to contractual obligations: accession of Bulgaria and Romania to the Convention **Subject** 7.40.02 Judicial cooperation in civil and commercial matters	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	DUMITRESCU Cristian (PSE)	25/06/2007
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Justice and Home Affairs (JHA)	2827	2007-11-08
European Commission	**Commission DG**	**Commissioner**	
	Justice and Consumers	FRATTINI Franco	

Key events

Date	Event	Reference	Summary
25/04/2007	Legislative proposal published	COM(2007)0217	Summary
19/06/2007	Committee referral announced in Parliament		
11/09/2007	Vote in committee		Summary
14/09/2007	Committee report tabled for plenary, 1st reading/single reading	A6-0319/2007	
11/10/2007	Decision by Parliament	T6-0425/2007	Summary
11/10/2007	Results of vote in Parliament		
08/11/2007	Act adopted by Council after consultation of Parliament		
08/11/2007	End of procedure in Parliament		
29/12/2007	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0077(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/49160

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE392.013	23/07/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0319/2007	14/09/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0425/2007	11/10/2007	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2007)0217	25/04/2007	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2007/0856
OJ L 347 29.12.2007, p. 0001 Summary

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

2007/0077(CNS) - 25/04/2007 - Legislative proposal

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.

PROPOSED ACT: Council Decision.

CONTENT: the 2005 Act of accession of Bulgaria and Romaniahas introduced a simplified system for the accession of Bulgaria and Romania to the conventions (and protocols) concluded by the Member States on the basis of Art. 34 TEU (previously Art. K.3 TEU) or Art. 293 EC. It is no longer necessary, as in the past, to negotiate and conclude specific accession protocols to these conventions (which would have implied ratification by 27 States): Article 3(3) of the Act provides simply that Bulgaria and Romania accede to these conventions and protocols by virtue of the Act of Accession.

Article 3(3) and 3(4) of the Act of Accession provide that, to that effect, the Council shall adopt a decision in order to determine the date on which these conventions shall enter into force for Bulgaria and Romania and to make all the necessary adjustments to these conventions required by reason of the accession of the two new Member States (which would include, in any event, the adoption of the conventions in the Bulgarian and Romanian languages, so that these versions can be "equally authentic"). The Council shall act on a recommendation of the Commission, after consulting the European Parliament.

Annex I to the Act of Accession gives the list of the 7 conventions and protocols concerned in the Justice and Home Affairs area.

The list includes in particular:

- the Convention of 19 June 1980 on the law applicable to contractual obligations opened for signature in Rome on 19 June 1980,
- the Convention of 10 April 1984 on the accession of the Hellenic Republic to the Convention on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980,
- the first Protocol of 19 December 1988 on the interpretation by the Court of Justice of the European Communities of the Convention on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980,
- the second Protocol of 19 December 1988 conferring on the Court of Justice of the European Communities certain powers to interpret the Convention on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980,
- the Convention of 18 May 1992 on the accession of the Kingdom of Spain and the Portuguese Republic to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980,
- the Convention of 29 November 1996 on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980, and to the First and Second Protocols on its interpretation by the Court of Justice.

In line with Article 3(6) the Commission has prepared a proposal to add to the list the Convention on the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the Convention on the law applicable to contractual obligations opened for signature in Rome on 19 June 1980, and to the First and Second Protocols on its interpretation by the Court of Justice of the European Communities.

The present draft Commission Recommendation is intended to make the adjustments required by reason of the accession of Bulgaria and Romania to the aforementioned Conventions and Protocols, in accordance with Article 3(4) of the Act of Accession.

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.

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

2007/0077(CNS) - 11/10/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Cristian **DUMITRESCU** (PES, RO), and approved the Council recommendation concerning the accession of Bulgaria and Romania to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980.