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Il Regno Unito si avvicina agli strumenti civilistici europei



di Eu Rapid

Prima applicazione, potenza della crisi - Following a Commission Decision of 22 December 2008, published yesterday, the United Kingdom is to take part in the Regulation on the law applicable to contracts (known as "Rome I"). In the field of civil justice, this is the first application of a Treaty provision allowing the UK to decide to take part in a Community instrument only after it had been negotiated and adopted. - [Photo courtesy of dimitri c](#)

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The purpose of the 'Rome I' Regulation, adopted by the European Parliament and the Council on 17 June 2008, is to ensure that courts in all the Member States apply the same law to disputes involving international contracts, thereby facilitating mutual recognition of court rulings in the European Union.

As authorised by the Treaty^[1], the United Kingdom had initially decided not to take part in the 'Rome I' Regulation. Therefore, it did not take part in the qualified majority vote in the Council. However, given the outcome of the negotiations, which it found to be very satisfactory, the UK decided, for the first time in the field of civil justice, to make use of its right to ask to take part in a Community instrument after it had been adopted. The request was accepted by the Commission on 22 December 2008 in accordance with the procedure laid down in Article 11A of the Treaty.

'I am delighted that the United Kingdom, the economy of which occupies an important place in international trade, has confirmed its attachment to our objective of creating a true European area of civil and commercial justice', said Jacques Barrot, Commission Vice-President in charge of Justice, Freedom and Security.

The "Rome I" Regulation, the cornerstone of which is the freedom of parties to choose the national law applicable to their international contract, will be applied by EU courts as from 17 December 2009.

^[1] Pursuant to Articles 1 and 2 of the Protocol on the position of the United Kingdom and Ireland, these two Member States do not participate in the adoption of measures covered by Title IV of the EC Treaty.

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