

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 HIGH CONTRACTING PARTIES TO THE TREATY ESTABLISHING THE
EUROPEAN COMMUNITY,

BEARING IN MIND the Act concerning the conditions of 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 and the adjustments to the Treaties on which the European Union is founded, and in particular Article 5(2) thereof,

RECALLING that by becoming Members of the European Union, the new Member States undertook to accede 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 as modified by the Convention signed in Luxembourg on 10 April 1984, on the accession of the Hellenic Republic, the Convention signed in Funchal on 18 May 1992 on the accession of the Kingdom of Spain and the Portuguese Republic, and the Convention signed in Brussels on 29 November 1996 on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden,

HAVE AGREED AS FOLLOWS:

TITLE I

GENERAL PROVISIONS

ARTICLE 1

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 hereby accede to:

- (a) the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980, hereinafter referred to as "the Convention of 1980", as it stands following incorporation of the adjustments and amendments made thereto by:
 - the Convention signed in Luxembourg on 10 April 1984, hereinafter referred to as "the Convention of 1984", on the accession of the Hellenic Republic to the Convention on the Law applicable to Contractual Obligations,
 - the Convention signed in Funchal on 18 May 1992, hereinafter referred to as "the Convention of 1992", on the accession of the Kingdom of Spain and the Portuguese Republic to the Convention on the Law applicable to Contractual Obligations,

- the Convention signed in Brussels on 29 November 1996, hereinafter referred to as "the Convention of 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;

- (b) the First Protocol, signed on 19 December 1988, hereinafter referred to as "the First Protocol of 1988" on the interpretation by the Court of Justice of the European Communities of the Convention on the Law applicable to Contractual Obligations, as it stands following incorporation of the adjustments and amendments made thereto by the Convention of 1992 and the Convention of 1996;

- (c) the Second Protocol, signed on 19 December 1988, hereinafter referred to as "the Second Protocol of 1988", conferring on the Court of Justice of the European Communities certain powers to interpret the Convention on the Law applicable to Contractual Obligations.

TITLE II

ADJUSTMENTS TO THE FIRST PROTOCOL OF 1988

ARTICLE 2

The following indents shall be inserted in Article 2(a):

(a) between the first and the second indents:

– in the Czech Republic:

Nejvyšší soud České republiky

Nejvyšší správní soud

(b) between the third and the fourth indents:

– in Estonia:

Riigikohus

(c) between the eighth and the ninth indents:

– in Cyprus:

Ανώτατο Δικαστήριο

– in Latvia:

Augstākās Tiesas Senāts

– in Lithuania:

Lietuvos Aukščiausiasis Teismas

Lietuvos vyriausiasis administracinis teismas

(d) between the ninth and the tenth indents:

– in Hungary:

Legfelsőbb Bíróság

– in Malta:

Qorti ta' l-Appell

(e) between the eleventh and the twelfth indents:

– in Poland:

Sąd Najwyższy

Naczelny Sąd Administracyjny

(f) between the twelfth and the thirteenth indents:

– in Slovenia:

Ustavno sodišče Republike Slovenije

Vrhovno sodišče Republike Slovenije

– in Slovakia:

Najvyšší súd Slovenskej republiky

TITLE III

FINAL PROVISIONS

ARTICLE 3

1. The Secretary-General of the Council of the European Union shall transmit a certified copy of the Convention of 1980, the Convention of 1984, the First Protocol of 1988, the Second Protocol of 1988, the Convention of 1992 and the Convention of 1996 in the Danish, Dutch, English, Finnish, French, German, Greek, Irish, Italian, Portuguese, Spanish and Swedish languages to the Governments 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.

2. The text of the Convention of 1980, the Convention of 1984, the First Protocol of 1988, the Second Protocol of 1988, the Convention of 1992 and the Convention of 1996 in the Czech, Estonian, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovakian and Slovenian languages shall be authentic under the same conditions as the other texts of the Convention of 1980, the Convention of 1984, the First Protocol of 1988, the Second Protocol of 1988, the Convention of 1992 and the Convention of 1996.

ARTICLE 4

This Convention shall be ratified by the signatory States. The instruments of ratification shall be deposited with the Secretary-General of the Council of the European Union.

ARTICLE 5

1. This Convention shall enter into force between the States which have ratified it, on the first day of the third month following the deposit of the second instrument of ratification.
2. Thereafter, this Convention shall enter into force, for each signatory State which subsequently ratifies it, on the first day of the third month following the deposit of its instrument of ratification.

ARTICLE 6

The Secretary-General of the Council of the European Union shall notify the signatory States of:

- (a) the deposit of each instrument of ratification;
- (b) the dates of entry into force of this Convention for the Contracting States.

ARTICLE 7

This Convention, drawn up in a single original in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovakian, Slovenian, Spanish and Swedish languages, all 21 texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union. The Secretary-General shall transmit a certified copy to the Government of each signatory state.