COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMISSION OPINION

on the request from the United Kingdom to accept Regulation (EC) No 593/2008 of the European Parliament and the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)

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1. INTRODUCTION

1. On 17 June 2008, the European Parliament and the Council adopted Regulation (EC) No 593/2008 on the law applicable to contractual obligations (Rome I) (hereafter referred to as Regulation 593/2008)[1]. Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland, the United Kingdom did not participate in the adoption of the said Regulation.

2. However, by virtue of Article 4 of the said Protocol, the United Kingdom "may at any time after the adoption of a measure by the Council pursuant to Title IV of the Treaty establishing the European Community notify its intention to the Council and to the Commission that it wishes to accept that measure. In that case, the procedure provided for in Article 11(3) of the Treaty establishing the European Community shall apply *mutatis mutandis*."

3. By letter of 24 July 2008, received by the Commission on 30 July 2008, the United Kingdom notified the Commission that it wishes to accept Regulation 593/2008.

4. In accordance with Article 11A of the Treaty establishing the European Community regarding enhanced cooperation, which also applies *mutatis mutandi*, the following procedure applies: "Any Member State that wishes to participate in enhanced cooperation established in accordance with Article 11 shall notify its intention to the Council and the Commission, which shall give an opinion to the Council within three months of the date of receipt of that notification. Within four months of the date of receipt of that notification, the Commission shall take a decision on it, and on such specific arrangements as it may deem necessary."

5. In accordance with the terms of the said Article, the Commission gives the following opinion to the Council.

2. OPINION

The Commission welcomes the request from the United Kingdom to accept Regulation 593/2008 which is a central element of the Community acquis in the area of civil justice. It therefore gives a positive opinion on the said participation.

The Regulation should enter into force for the United Kingdom on the day of the notification to the United Kingdom of the Commission's decision on its request. As in the case of the other Member States, it should apply from 17 December 2009, except for Article 26 which should apply from 17 June 2009.

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[1] OJ L 177 of 4 July 2008, p. 6.