PRIVATE LAW IN THE EXTERNAL RELATIONS OF THE EU

Edited by Marise Cremona and Hans-W. Micklitz



PRIVATE LAW IN THE EXTERNAL RELATIONS OF THE EU

Private Law in the External Relations of the EU

Edited by
MARISE CREMONA
HANS-W. MICKLITZ





Great Clarendon Street, Oxford, OX2 6DP, United Kingdom

Oxford University Press is a department of the University of Oxford. It furthers the University's objective of excellence in research, scholarship, and education by publishing worldwide. Oxford is a registered trade mark of Oxford University Press in the UK and in certain other countries

© The Several Contributors 2016

The moral rights of the authors have been asserted

First Edition Published in 2016

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Oxford University Press, or as expressly permitted by law, by licence or under terms agreed with the appropriate reprographics rights organization. Enquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Oxford University Press, at the address above

You must not circulate this work in any other form and you must impose this same condition on any acquirer

Crown copyright material is reproduced under Class Licence Number C01P0000148 with the permission of OPSI and the Queen's Printer for Scotland

Published in the United States of America by Oxford University Press 198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data
Data available

Library of Congress Control Number: 2015959804

ISBN 978-0-19-874456-6

Printed and bound by CPI Group (UK) Ltd, Croydon, CR0 4YY

Links to third party websites are provided by Oxford in good faith and for information only. Oxford disclaims any responsibility for the materials contained in any third party website referenced in this work.

Contents

Ta	ble of Cases–Alphabetical List	xi
Ta	ble of Cases (European)–Chronological List	XV
Ta	ble of Instruments	xix
Ta	ble of Instruments (Other)	xxxi
Li.	st of Abbreviations	XXXV
Li.	st of Contributors	xxxix
	Introduction	1
	Marise Cremona and Hans-W. Micklitz	
	1. The Purpose of the Book: Bringing Two Fields Together	1
	2. Private Law and EU External Competence	3
	3. Extending Traditional Private Law Beyond the Boundaries of	
	the Internal Market	4
	4. The Making of International Private Regulation and	
	the Role of the EU	5
	DARTI DRIVATE LAW	
	PART I. PRIVATE LAW	
	AND EU EXTERNAL COMPETENCE	
1.	The Internal versus the External Dimension of European Private	
	Law: A Conceptual Design and a Research Agenda	9
	Hans-W. Micklitz	
	1. Clarifications	9
	A. Traditional and regulatory private law	9
	B. The internal and the external dimension	12
	2. Four Observations on the External European Private Law	15
	A. Legal rules versus legal practice	16
	B. Experimentalist governance versus formal regulation	20
2.	A Triple Braid: Interactions between International Law, EU Law,	
	and Private Law	33
	Marise Cremona	
	1. An Evolution in Competence and in Practice	33
	2. The Interaction between Legal Norms	39
	A. EU internal law and EU international obligations	39
	B. EU international agreements and Member State international action	42
	C. Member States' international obligations and internal EU law	44
	3. Conclusion	54

vi Contents

PART II. EXTENDING EU LAW BEYOND THE BOUNDARIES OF THE INTERNAL MARKET

3.	The Specificity of Private Law in EU External Relations: The Area of Freedom, Security and Justice	59
	Christiaan Timmermans	
	 Some Preliminary Observations Is There Anything Special About Private Law when Applying EU 	59
	External Relations Law?	61
	A. The phenomenon of connection clauses	62
	B. A fundamental rights specificity?	68
4.	The External Dimension of Rome I and Rome II: Neutrality or Schizophrenia?	71
	Stéphanie Francq	
	1. Regulation Rome I and II: An External Dimension without Policy or the 'Swiss Policy'	72
	A. A universal scope	73
	B. Neutral and universal conflict rules	79
	C. Taking the external dimension into account?	84
	D. Conclusion: Part 1	90
	2. EU Substantive Law: Balanced Unilateralism	90
	A. Secondary law: Projecting EU policies on the international scene	92
	B. CJEU: Translating silent unilateralism	94 98
	C. Conclusion: Part 2 3. Lessons from Schizophrenia?	98
	A. The weight of tradition in private international law	98
	B. Efficiency in substantive law	100
	C. European conflict of laws as a tool for external policy?	102
5.	The External Dimension of Private International Family Law	107
	Etienne Pataut	
	1. The EU's External Competence in the Field of Family Law	108
	A. Treaty-making power	108
	B. Forcing ratification: The 1996 Child Convention	109
	C. Expanding the external competence: The 2007 Maintenance Convention	111
	D. Authorizing the accession of third states: The 1980 Convention	114
	2. EU Family Law Instruments and Third States: The Example	111
	of Jurisdiction	116
	A. EU or Extra-EU private international law	116
	B. Semi-universal rules: The Brussels II <i>bis</i> approach	119
	C. Universal rules: The maintenance and succession regulations approach	120
	D. Exorbitant grounds of jurisdiction	121
	E. Do we need exorbitant grounds of jurisdiction?	122

	•••
Contents	V11

6.	The External Reach of EU Private Law in the Light of L'Oréal versus eBay and Google and Google Spain	125
	Niilo Jääskinen and Angela Ward	12)
	1. Introduction	125
	2. The Territories in Which EU Law Applies as Prescribed by	12)
	the Treaties	129
	3. EU Public Law and Conduct Taking Place Outside of the EU	129
	4. The Rules on the Jurisdiction of Member State Courts	
	over Conduct Taking Place Outside of the EU	133
	5. L'Oréal v. eBay and Google	138 138
	A. L'Oréal v. eBay B. Google	140
	6. Analysis	143
	7. Conclusion	145
7.	Do EU Contract and Company Law have Global Reach?	147
	Stefan Grundmann	
	1. The Topic	147
	2. The Conflict of Laws Framework	148
	A. Differing starting points in contract and in company law	
	and one core parallel	148
	B. A fully fledged conflict of laws framework in contract law	151
	C. A company conflict of laws regime with segmented reach3. Substantive Law Measures—Designed for a Global Scope?	157 158
	A. EU 'codifications' as global models? The Cases of the European	170
	company and of CESL	159
	B. The EU engaging globally in regulatory regimes ('Importation'):	
	The Case of IAS/IFRS	163
	C. The EU enforcing its regulatory regimes globally ('Exportation'):	1//
	The effect principle further developed 4. Conclusion	166 168
	4. Conclusion	108
	PART III. THE MAKING OF INTERNATIONAL PRI Regulation and the role of the Eu	VATE
8.	International Banking Standards, Private Law, and	171
	the European Union Jan Wouters and Jed Odermatt	171
	1. Introduction	171
	2. Why Financial Regulation is Unique	172
	3. EU Engagement with International Banking	
	Standard-Setting Processes	175
	A. Agenda-setting bodies	175

viii Contents

	B. International organizations	180
	C. International standard-setting and other bodies	183
	D. The diverse world of financial governance	189
	4. The Impact of International Financial Standards	
	on EU Law- and Policy-Making	190
	A. 'Too-big-to-fail' institutions	190
	B. Bank recovery and resolution	192
	C. Capital requirements	193
	D. Proprietary trading	194
	E. Credit rating agencies	195
	F. Hedge funds	196
	G. Money laundering	197
	5. Conclusion	198
9.	The EU in the Transnational Financial Regulatory Arena:	
	The Case of IOSCO	201
	Antonio Marcacci	
	1. The Legal Grounds for the EU to be an International Player	
	in Financial Markets Law	201
	A. Are there any explicit powers for an EU external action	
	on financial services?	201
	B. The doctrine of implied external powers	203
	C and its application to the EU law of financial services	205
	2. The Transnational Financial Regulatory Arena: The Internation	al
	Organization of Securities Commission	207
	A. IOSCO: Origin, mission, and membership	207
	B. The distribution of competences within the organization	210
	C. The IOSCO decision-making procedure	213
	3. The Legally 'Soft' Involvement of the EU in	
	the Transnational Financial Regulatory Arena and	
	its Growing Informal Influence	215
	4. Penetration of IOSCO Normative Production into EU Law:	
	The MiFID as a Case Study	219
	5. Conclusion	225
10.	The External Dimension of EU Consumer Law	227
	Jules Stuyck and Mateja Durovic	
	1. Introduction	227
	2. The External Competence of the EU in the Field	
	of Consumer Law	228
	A. Introduction	228
	B. The treaty system of powers	229
	3. The Impact of EU Consumer Law on Other Countries	233
	A. The reasons behind the impact	233
	B. Three different degrees of impact	234

Contents	X
----------	---

C. Consequences of the particularities of EU consumer law on	
its impact on third countries	235
D. Introduction of EU consumer law in countries as part of the EU	
enlargement process and countries party to the EEA Agreement	236
E. Consumer law in the countries that are party to the European	
Neighbourhood Policy	240
F. EU consumer law in third countries	244
4. Conclusion	248
11. EU Regulatory Private Law in the Energy Community:	
The Synergy between the CEER and the ECRB in Facilitating	
Customer Protection	249
Anna-Alexandra Marhold	
1. Introduction	249
	249
2. The EU's Engagement in Energy Regulation at Union Level and	250
Beyond: The Case of The Council of European Energy Regulators	250
A. Inside the IEM: The fundamentals	250
B. The Council of European Energy Regulators	254 255
C. CEER rule-making and convergence into EU Law	259 259
D. CEER's involvement on the international level: A regulatory triangle	2))
3. The Synergy between the CEER and the ECRB in Facilitating	261
Customer Protection in the Energy Community	261
A. Exporting the IEM model to the European neighbourhood:	261
The Energy Community Treaty	201
B. The synergy between the CEER and the ECRB in facilitating customer protection: Introducing the regulatory triangle	265
C. The ECRB and EU regulatory private law in the Energy	20)
Community: Outcomes for the treatment of vulnerable customers	
and customer contracts	267
4. Conclusion	272
T. Conclusion	2/2
12. Non-Measurable Negotiations: The EU between Transnational	
Regulation of Pharmaceuticals and Private Law	273
Marco Rizzi	-, 5
	272
1. Transnational Regulation and Private Law: Two Stems Apart	273
2. The Framework and the Argument	273
3. EU Internal Regulatory Framework	275
4. An International Conference or a Pure Negotiating Platform?	279
5. The Transnational Way: Negotiation over Deliberation	283
6. What Kind of Governance and What Role for the EU?	286
7. Transnational Regulation and Product Liability:	
Prospective Thoughts	290
8. Conclusion	295
To Los	207
Index	297

Table of Cases–Alphabetical List

EUROPEAN COURT OF JUSTICE (ECJ)/COURT OF JUSTICE OF THE EUROPEAN UNION (CJEU)

AAS Gjensidige Baltic Case C-475/14 not yet decided
Abed El Karem El Kott Case C-364/11 judgment of 19 December 2012
Agegate Case 3/87 [1989] ECR 4459
Air Transport Association of America and Others Case C-366/10 [2011]
ECR I-13755
Akerberg Fransson Case C-617/10 judgment of 7 May 2013
Apostolides v. Orams Case C-420/07 [2009] ECR I-3571
Arblade Joined Cases C-369/96 and C-376/96 [1999] ECR I-8453
Akzo Nobel and Others v. Commission Case C-97/08 [2009] ECR I-8237
Allianz SpA and Generali Assicurazioni Generali SpA v. West Tankers Inc. Case C-185/07
[2009] ECR I-663
Ansul Case C-40/01 [2003] ECR I-243953
Bank Saderat Iran v. Council Case T-494/10 judgment of 5 February 2013 130, 132-3
Besix Case C-256/00 [2002] ECR I-1699
Bogiatzi v. Deutscher Luftpool and Others Case C-301/08 [2009] ECR I-10185 2, 42, 44,
45, 46, 52
Bolbol Case C-31/09 [2010] ECR I-5539
Brenner and Noller Case C-318/93 [1994] ECR I-4275
Cartesio Case C-210/06 [2008] ECR I-9641
Centros Case C-212/97 [1999] ECR I-1459
ČEZ Case C-343/04 [2006] ECR I-4557
Commission v. Austria Case C-475/98 [2002] ECR I-9797
Commission v. Austria (BITS) Case C-205/06 [2009] ECR I-1301
Commission v. Belgium Case C-170/98 [1999] ECR I-5493
Commission v. Belgium Case C-471/98 [2002] ECR I-9681
Commission v. Council (AETR/ERTA) Case 22/70 [1971] ECR 263108, 155, 203-4, 232
Commission v. Council Case C-28/12 judgment of 28 April 2015
Commission v. Council Case C-114/12 judgment of 4 September 2014, not yet published 43
Commission v. Council Case C-137/12 judgment of 22 October 2013
Commission v. Denmark Case C-467/98 [2002] ECR I-9519
Commission v. Finland Case C-469/98 [2002] ECR I-9627205
Commission v. Finland (BITS) Case C-118/07 [2009] ECR I-10889
Commission v. France Case C-239/03 [2004] ECR I-9325
Commission v. Germany Case C-61/94 [1996] ECR I-3989
Commission v. Germany Case C-476/98 [2002] ECR I-9855
Commission v. Government of Gibraltar and United Kingdom Joined Cases C-106/09 P and
C-107/09 P [2011] ECR I-11113
Commission v. Greece Case C-45/07 [2009] I-701
Commission v. Ireland Case C-13/00 [2002] ECR I-2943
Commission v. Italy Case 10/61 [1962] ECR 1 (English Special Edition)
Commission v. Spain Case C-70/03 [2004] ECR I-7999
Commission v. Luxembourg Case C-472/98 [2002] ECR I-9741
Commission v. Portugal Case C-62/98 [2000] ECR I-5171
Commission v. Portugal Case C-84/98 [2000] ECR I-5215

Commission v. Stichting Administratiekantoor Portielje Case C-440/11 P judgment of	
11 July 2013	
Commission v. Sweden Case C-468/98 [2002] ECR I-9575	
Commission v. Sweden (BITS) Case C-249/06 [2009] ECR I-1335	
Commission v. Sweden Case C-246/07 [2010] ECR I-3317.	
Commission v. United Kingdom Case 231/78 [1979] ECR 1447	36
Commission v. United Kingdom (Open Skies) Joined Cases C-466/98 et al. [2002] ECR I-9427	_7
Commune de Mesquer v. Total Case C-188/07 [2008] ECR I-4501	
Cornelis Kramer and Other Cases 3, 4, and 6/76 [1976] ECR 1279	
Coty Germany Case C-360/12 judgment of 5 June 2014	
Council v. Bank Mellat Case C-176/13 P Opinion of Advocate General Sharpston of	
26 February 2015	30
Council v. Bank Saderat Iran and Commission Case C-200/13 P, not yet decided	
Daiichi Sankyo Co. Ltd and Sanofi-Aventis Deutschland GmbH v. DEMO Anonymos	, ,
Viomichaniki kai Emporiki Etairia Farmakon Case C-414/11 judgment of	
18 July 2013	43
Deo Antoine Case C-412/10 [2011] ECR I-11603	
Donner Case C-5/11 judgment of 21 June 2012	
eDate Advertising and Others Joined Cases C-509/09 and C-161/10 [2011]	
ECR I-10269	44
ERGO Insurance Case C-359/14 not yet decided.	16
European Parliament v. Council Joined Cases C-317/04 and C-318/04 [2006] ECR I-47214	
Florin Lazar Case C-350/14 not yet decided	
France v. Commission Case C-327/91 [1994] ECR I-3641	
France v. Commission Case C-233/02 [2002] ECR I-2759	
Football Dataco Case C-173/11 judgment of 18 October 2012	39
Gazprom OAO Lietuvos Respublika Case C-536/13 judgment of 13 May 2015	
Germany v. Council Case C-122/95 [1998] ECR I-973	40
Germany v. Council Case C-399/12 judgment of 7 October 2014	49
Germany v. Parliament and Council Case C-376/98 [2000] ECR I-8419	31
Germany v. Parliament Case C-380/03 [2006] ECR I-1157378, 23	31
GIE Groupe Concorde and Others Case C-440/97 [1999] ECR I-6307	
Google Spain and Google Inc. v. AEPD and Mario Costeja González Case C-131/12	
judgment of 13 May 2014	1 5
Gottardo v. INPS Case C-55/00 [2002] ECR I-413	
Group Josi Reinsurance Case C-412/98 [2000] ECR I-5925	52
Haasová Case C-22/12 judgment of 24 October 2013.	16
Haeger & Schmidt Case C-305/13 judgment of 23 October 2014.	16
Hi Hotel HCF Case C-387/12 judgment of 3 April 2014	
ICI (Dyestuffs) v. the Commission Case C-48/69 [1972] ECR 619128, 14	1 4
Ingmar GB Ltd v. Eaton Leonard Technologies Inc. Case C-381/98 [2000]	
ECR I-9305	
Inspire Art Case C-167/01 [2003] ECR I-10155	
Intercontainer Case C-133/08 [2009] ECR I-9687	
International Fruit Company Cases 22–24/72 [1972] ECR 1219	
Intertanko Case C-308/06 [2008] ECR I-4057	
IPI Case C-473/12 judgment of 7 November 2013	
KA Finanz AG Case C-483/14 not yet decided	
Kainz Case C-45/13 judgment of 16 January 2014	
KappAhl Case C-233/97 [1998] ECR I-8069.	36
Klein Case C-73/04 [2005] ECR I-8667	
Koelzsch Case C-29/10 [2011] ECR I-1595	16

L'Oréal SA and Others v. eBay International AG and Others Case C-324/09 [2011] ECR
I-6011
Opinion of Advocate General Jääskinen144
Lesoochranárske Zoskupenie VLK v. Ministerstvo Životného Prostredia Slovenskej
Republiky Case C-240/09 [2011] ECR I-1255
Libor Cipra et Vlastimil Kvasnicka v. Bezirkshauptmannschaft Mistelbach Case C-439/01
[2003] ECR I-745
Lutz Case C-557/13 judgment of 16 April 2015
Maximilian Schrems v. Data Protection Commissioner Case C-362/14 Opinion of Advocate
General Yves Bot of 23 September 2015
Mazzoleni Case C-165/98 [2001] ECR I-2189
Merck Genéricos v. Merck & Co. Inc. and Merck Sharp & Dohme Lda Case C-431/05
[2007] ECR I-7001
Meryem Demirel v. Stadt Schwäbisch Gmünd Case 12/86 [1987] ECR 3719
Möllendorf and Others Case C-117/06 [2007] ECR I-8361
Mühlleitner Case C-190/11 judgment of 6 September 2012
Nederlandse Spoorwegen Case 38/75 [1975] ECR 1439
Netherlands v. Council Case C-377/98 [2001] ECR I-7079
Novo Nordisk Pharma GMbH v. S. Case 310/13 judgment of 20 November 2014
N.S. and M.E. and others Joined Cases C-411/10 and C-493/10 [2011] ECR I-13905
NV Algemene Transport-en Expeditie Onderneming van Gend & Loos v. Netherlands
Inland Revenue Administration Case 26/62 [1963] ECR 1 (English Special Edition) 45
Opinion 1/75, OECD, [1975] ECR 1355
Opinion 1/76, [1977] ECR 741
Opinion 2/91, International Labour Organization, [1993] ECR I-01061 155, 230, 232
Opinion 1/94, WTO Agreement, [1994] ECR I-5267
Opinion 1/03, Lugano Convention, [2006] ECR I-1145
155, 204, 229, 232
Opinion 1/13 of 14 October 2014
Qurbani Case C-481/13 judgment of 17 July 2014
Owens v. Bracco Case C-129/92 [1994] ECR I-117
Owusu v. Jackson Case C-281/02 [2005] ECR I-1383
Pammer and Hotel Alpenhof Joined Cases C-585/08 and C-144/09 [2010]
ECR I-12527
Peskeloglou Case 77/82 [1983] ECR 1085
Pinckney Case C-170/12 judgment of 3 October 2013
Piraiki-Patraiki and Others v. Commission Case 11/82 [1985] ECR 207
PPU, J. McB.v. L. E Case C-400/10 [2010] ECRI-8965
PPU, Zarraga Case C-491/10 [2010] ECR I-14247
Prüller Case C-240/14 judgment of 9 September 2015
Prunus Case C-384/09 [2011] ECR I-3319, Opinion of Advocate General Cruz Villalón
The Queen v. Secretary of State for Health Case C-491/01 [2002] ECR I-11453
R v. Department of Transport ex parte IATA Case C-344/04 [2006] ECR I-403 27, 40, 41, 59
R & V Haegeman v. Belgian State Case 181/73 [1974] ECR 449
Rechnungshof v. Österreichischer Rundfunk and Others Cases C-465/00, C-138/01 and
C-139/01 [2003] ECR I-4989
C-159/01 [2005] ECR 1-4989/8, 145 Reichert and Kockler Case C-261/90 [1992] ECR I-2149
Rijkeboer, [2009] ECR I-3889
Sähköalojen Case C-396/13 judgment 12 February 2015
Saint-Gobain ZN Case C-307/97 [1999] ECR I-6161
Sanders Case 73/77 [1977] ECR 2383
Schlecker Case C-64/12 judgment of 12 September 2013
SEVIC Systems AG Case C-411/03 [2005] ECR I-10805

Simutenkov Case C-265/03 [2005] ECR I-2579	43
Soysal Case C-228/06 [2009] ECR I-01031	43
Sundelind Lopez Case C-68/07 [2007] ECR I-10403	119
TNT Express Nederland BV v. AXA Versicherung AG Case C-533/08 [2010]	
ECR I-4107	65, 67
Opinion of AG Kokott	1,53–4
Trade Agency Case C-619/10 judgment of 6 September 2012	68
Überseering Case C-208/00 [2002] ECR I-9919	149
Unamar Case C-184/12 judgment of 17 October 2013	
United Kingdom v. Council Case C-209/13 judgment of 30 April 2014	174
United Kingdom v. Parliament and Council Case C-270/12 judgment of 22 January 2014	
Vaepenik Case C-508/12 judgment of 5 December 2013	
Vale Case C-378/10 judgment of 12 July 2012	
Vodafone Case C-58/08 [2010] ECR I-4999	
Voogsgeerd Case C-384/10 [2011] ECR I-13275	
Weber Case C-438/12 judgment of 3 April 2014, not yet published	
Woodpulp Joint Cases (A. Ahlström Osakeyhtid v. Commission) 89, 104, 114, 116, 117, and 125–129/85 [1988] ECR 5193	44, 153
X and TBG Joined Cases C-24/12 and C-27/12 of 16 January 2014 Opinion of Advocate General Jääskinen	129
Yassin Abdullah Kadi and Al Barakaat International Foundation Joined Cases C-402/05 P and C-415/05 P [2008] ECR I-6351	
EUROPEAN FREE TRADE ASSOCIATION (EFTA)	
EFTA Surveillance Authority v. Iceland Case E-16/13 judgment of 6 December 2013	240
THE GENERAL COURT OF THE EUROPEAN UNION ('THE GENERAL COURT')	
Bank Saderat Iran v. Council Case T-494/10 judgment of 5 February 2013	132–3
UNITED STATES (US)	
Asahi Metal Industry Co. Ltd. v. Superior Court, 480 US 102 (107 S.Ct. 1026 (1987)) In re Harrods (Buenos Aires) Ltd [1992] Ch. 72 CA International Shoe v. Washington, 326 US 310 (1945) Kiobel v. Royal Dutch Petroleum Co., 133 S.Ct. 1659 (2013) World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286 (1980) Wyeth v. Levine, 555 U.S. 555, 129 S. Ct. 1187, 173 U. Ed. 2d 51 (2009).	135 156 99 156
Wyeth v Levine 222 U.S. 222 179.8 C.f. 1187 173.1. Ed. 7d.21 (7009)	791

Table of Cases (European)—Chronological List

Case 10/61, Commission v. Italy, [1962] ECR 1 (English Special Edition)	45
Case 26/62, NV Algemene Transport-en Expeditie Onderneming van Gend &	Loos
v. Netherlands Inland Revenue Administration, [1963] ECR 1 (English	
Special Edition)	45
Case C-48/69, ICI (Dyestuffs) v. the Commission, [1972] ECR 619	
Case 22/70, Commission v. Council (AETR/ERTA), [1971] ECR 263	
Cases 22–24/72, International Fruit Company, [1972] ECR 1219	
Case 181/73, R & V Haegeman v. Belgian State, [1974] ECR 449	
Case 38/75, Nederlandse Spoorwegen, [1975] ECR 1439	44
Cases 3, 4, and 6/76, Cornelis Kramer and Other, [1976] ECR 1279	204
Case 73/77, Sanders, [1977] ECR 2383	
Case 231/78, Commission v. United Kingdom, [1979] ECR 1447	136
Case 11/82, Piraiki-Patraiki and Others v. Commission, [1985] ECR 207	
Case 77/82, Peskeloglou, [1983] ECR 1085	
Joined Cases 89/85 et al., Woodpulp, [1988] ECR 5193	130 132 1/4 153
Opinion of Advocate General Darmon	1//
Case 12/86, Meryem Demirel v. Stadt Schwäbisch Gmünd, [1987] ECR 3719	220
Case 3/87, Agegate, [1989] ECR 4459.	
Case C-261/90, Reichert and Kockler, [1992] ECR I-2149.	127
Case C-201/90, Retclieft and Rockief, [1992] ECR 1-2149	20 206
Case C-129/92, Owens v. Bracco, [1994] ECR I-3041	
Case C-318/93, Brenner and Noller, [1994] ECR I-117	120 127
Case C-516/94, Commission v. Germany, [1994] ECR I-42/3	
Case C-122/95, Germany v. Council, [1998] ECR I-973 Joined Cases C-369/96 and C-376/96, Arblade, [1999] ECR I-8453	
Case C-212/97, Centros, [1999] ECR I-1459	
Case C-233/97, KappAhl, [1998] ECR I-8069	
Case C-307/97, Saint-Gobain ZN, [1999] ECR I-6161	
Case C-440/97, GIE Groupe Concorde and Others, [1999] ECR I-6307	
Case C-62/98, Commission v. Portugal, [2000] ECR I-5171	
Case C-84/98, Commission v. Portugal, [2000] ECR I-5215	
Case C-165/98, Mazzoleni, [2001] ECR I-2189	
Case C-170/98, Commission v. Belgium, [1999] ECR I-5493	
Case C-376/98, Germany v. Parliament and Council, [2000] ECR I-8419	
Case C-377/98, Netherlands v. Council, [2001] ECR I-7079	
Case C-381/98, Ingmar GB Ltd v. Eaton Leonard Technologies Inc., [2000]	
ECR I-9305.	
Case C-412/98, Group Josi Reinsurance, [2000] ECR I-5925	
Joined Cases C-466/98 et al., Commission v. United Kingdom (Open Skies), [2	
ECR I-9427	
Case C-467/98, Commission v. Denmark, [2002] ECR I-9519	
Case C-468/98, Commission v. Sweden, [2002] ECR I-9575	205
Case C-469/98, Commission v. Finland, [2002] ECR I-9627	205
Case C-471/98, Commission v. Belgium, [2002] ECR I-9681	
Case C-472/98, Commission v. Luxembourg, [2002] ECR I-9741	205
Case C-475/98, Commission v. Austria, [2002] ECR I-9797	205
Case C-476/98, Commission v. Germany, [2002] ECR I-9855	
Case C-13/00 Commission v. Ireland. [2002] FCR I-2943	43

Case C-55/00, Gottardo v. INPS, [2002] ECR I-413	46
Case C-208/00, Überseering, [2002] ECR I-9919	149
Case C-256/00, Besix, [2002] ECR I-1699	135
Cases C-465/00, C-138/01 and C-139/01, Rechnungshof v. Österreichischer Rundfunk	
and Others, [2003] ECR I-4989	78, 143
Case C-40/01, Ansul, [2003] ECR I-2439	
Case C-167/01, Inspire Art, [2003] ECR I-10155	
Case C-439/01, Libor Cipra et Vlastimil Kvasnicka v. Bezirkshauptmannschaft Mistelbacl [2003] ECR I-745	
Case C-491/01, The Queen v. Secretary of State for Health, [2002] ECR I-11453	78 95
Case C-233/02, France v. Commission, [2002] ECR I-2759	
Case C-281/02, Owusu v. Jackson, [2005] ECR I-1383	
Case C-70/03, Commission v. Spain, [2004] ECR I-7999	
Case C-239/03, Commission v. France, [2004] ECR I-9325	
Case C-265/03, Simutenkov, [2005] ECR I-2579	
Case C-380/03, Germany v. Parliament, [2006] ECR I-11573	
Case C-411/03, SEVIC Systems AG, [2005] ECR I-10805	
Case C-73/04, Klein, [2005] ECR I-8667	
Joined Cases C-317/04 and C-318/04, Parliament v. Council, [2006] ECR I-4721	
Case C-343/04, ČEZ, [2006] ECR I-4557	
Case C-344/04, R v. Department of Transport ex parte IATA, [2006] ECR I-403 27,	
Joined Cases C-402/05 P and C-415/05 P, Yassin Abdullah Kadi and Al Barakaat	10, 11,))
International Foundation, [2008] ECR I-6351	40 45 68
Case C-431/05, Merck Genéricos v. Merck & Co. Inc. and Merck Sharp & Dohme Lda,	10, 19, 00
[2007] ECR I-7001	43
Case C-117/06, Möllendorf and Others, [2007] ECR I-8361.	
Case C-205/06, Commission v. Austria (BITS), [2009] ECR I-1301	
Case C-210/06, Cartesio, [2008] ECR I-9641	
Case C-228/06, Soysal, [2009] ECR I-01031	
Case C-249/06, Commission v. Sweden (BITS), [2009] ECR I-1335	
Case C-308/06, Intertanko, [2008] ECR I-4057	
Case C-45/07, Commission v. Greece, [2009] I-701	
Case C-68/07, Sundelind Lopez, [2007] ECR I-10403	
Case C-118/07, Commission v. Finland (BITS), [2009] ECR I-10889	
Case C-185/07, Allianz SpA and Generali Assicurazioni Generali SpA v. West Tankers Inc	
[2009] ECR I-663	
Case C-188/07, Commune de Mesquer v. Total [2008] ECR I-4501	
Case C-246/07, Commission v. Sweden, [2010] ECR I-3317	
Case C-420/07, Apostolides v. Orams, [2009] ECR I-3571	
Case C-553/07, Rijkeboer, [2009] ECR I-3889	143
Case C-58/08, Vodafone, [2010] ECR I-4999	
Case C-97/08, Akzo Nobel and Others v. Commission, [2009] ECR I-8237	
Case C-133/08, Intercontainer, [2009] ECR I-9687	16
Case C-301/08, Bogiatzi v. Deutscher Luftpool and Others, [2009] ECR I-10185	
f, t, t, t	45, 46, 52
Case C-533/08, TNT Express Nederland BV v. AXA Versicherung AG, [2010]	-2,, 2-
ECR I-4107	3-4, 65, 67
Opinion of AG Kokott	
Joined Cases C-585/08 and C-144/09, Pammer and Hotel Alpenhof, Pammer, [2010]	,
ECR I-12527	5, 128, 139
Case C-31/09, Bolbol, [2010] ECR I-5539	
Joined Cases C-106/09 P and C-107/09 P, Commission v. Government of Gibraltar and	
United Kingdom [2011] FCR I-11113	133

Case C-240/09, Lesoochranárske Zoskupenie VLK v. Ministerstvo Životného Prostredia	
Slovenskej Republiky [2011] ECR I-1255	41, 43
Case C-324/09, L'Oréal SA and Others v. eBay International AG and Others, [2011]	
ECR I-6011	, 143, 145
Opinion of Advocate General Jääskinen	144
Case C-384/09, Prunus, [2011] ECR I-3319, Opinion of Advocate General Cruz Villalón	
Joined Cases C-509/09 and C-161/10, eDate Advertising and Others, [2011]	
ECR I-10269	.134, 144
Case C-29/10, Koelzsch, [2011] ECR I-1595	
Case C-366/10, The Air Transport Association of America and Others, [2011]	
ECR I-13755	4, 45, 131
Case C-378/10, Vale, judgment of 12 July 2012	150
Case C-384/10, Voogsgeerd, [2011] ECR I-13275	
Case C-400/10 PPU, J. McB.v. L. E, [2010] ECR I-8965	
Joined Cases C-411/10 and C-493/10, N.S. and M.E. and others, [2011] ECR I-13905	
Case C-412/10, Deo Antoine, [2011] ECR I-11603	
Case C-491/10, PPU, Zarraga, [2010] ECR I-14247	
Case T-494/10, Bank Saderat Iran v. Council, judgment of 5 February 2013	
Case C-617/10, Akerberg Fransson, judgment of 7 May 2013	
Case C-619/10, Trade Agency, judgment of 6 September 2012	
Case C-5/11, Donner, judgment of 21 June 2012	
Case C-173/11, Football Dataco, judgment of 18 October 2012	
Case C-190/11, Mühlleitner, judgment of 6 September 2012	
Case C-364/11, Abed El Karem El Kott, judgment of 19 December 2012	
Case C-414/11, Daiichi Sankyo Co. Ltd and Sanofi-Aventis Deutschland GmbH v. DEM	
Anonymos Viomichaniki kai Emporiki Etairia Farmakon, judgment of 18 July 2013.	
Case C-440/11 P, Commission v. Stichting Administratiekantoor Portielje, judgment of	
11 July 2013	128
Case C-22/12, Haasová, judgment of 24 October 2013	
Joined Cases C-24/12 and C-27/12, X and TBG, Opinion of Advocate General Jääskinen	
16 January 2014	
Case C-28/12, Commission v. Council, judgment of 28 April 2015	
Case C-64/12, Schlecker, judgment of 12 September 2013	
Case C-114/12, Commission v. Council, judgment of 4 September 2014	
Case C-131/12, Google Spain and Google Inc. v. AEPD and Mario Costeja González,	
judgment of 13 May 2014	, 143, 145
Case C-137/12, Commission v. Council, judgment of 22 October 2013,	
not yet published	37, 47, 48
Case C-170/12, Pinckney, judgment of 3 October 2013	
Case C-184/12, Unamar, judgment of 17 October 2013	
Case C-270/12, United Kingdom v. Parliament and Council, judgment of 22 January 201	
Case C-360/12, Coty Germany, judgment of 5 June 2014	144
Case C-387/12, Hi Hotel HCF, judgment of 3 April 2014	128
Case C-399/12, Germany v. Council, judgment of 7 October 2014	
Case C-438/12, Weber, judgment of 3 April 2014	
Case C-473/12, IPI, judgment of 7 November 2013	
Case C-508/12, Vaepenik, judgment of 5 December 2013	
Case C-45/13, Kainz, judgment of 16 January 2014	
Case C-176/13 P, Council v. Bank Mellat, Opinion of Advocate General Sharpston of	
26 February 2015	130
Case C-200/13 P, Council v. Bank Saderat Iran and Commission, not yet decided	
Case C-209/13, United Kingdom v. Council, judgment of 30 April 2014	
Case C-305/13 Hagger & Schmidt judgment of 23 October 2014	

Table of Cases (European)–Chronological List

xviii

Case 310/13, Novo Nordisk Pharma GMbH v. S., judgment of of 20 November 2014	293
Case C-396/13, Sähköalojen, judgment 12 February 2015	16
Case C-481/13, Qurbani, judgment of 17 July 2014	63
Case C-536/13, Gazprom OAO Lietuvos Respublika, judgment of 13 May 2015	17, 47
Case C-557/13, Lutz, judgment of 16 April 2015	16
Case C-240/14, Prüller, judgment of 9 September 2015	16
Case C-350/14, Florin Lazar, not yet decided	16
Case C-359/14, ERGO Insurance, not yet decided	16
Case C-362/14, Maximilian Schrems v. Data Protection Commissioner, Opinion of	
Advocate General Yves Bot of 23 September 2015	
Case C-475/14, AAS Gjensidige Baltic, not yet decided	16
Case C-483/14, KA Finanz AG, not yet decided	

Table of Instruments

INSTRUMENTS AND ACTS OF LEGISLATION OR REGULATION	Council Regulation 40/94/EC of 20 December 1993 on the Community trade mark, OJ 1994 L 11/1
Belgium	Art 9(1) (a)
Regulation (Loi du 30 décembre 2009	Art 13
portant des dispositions diverses	Art 93(5)
en matière de justice (Law of 30	Council Regulation 2027/97/EC of 9
December 2009) [2010] Moniteur	October 1997 on air carrier liability
belge 1889)	in the event of accidents, OJ 1997
Art 98(1)	L 285/1
	Council Regulation 1346/2000 of
Canada – Quebec	29 May 2000 on insolvency
Quebec Act (1774)	proceedings, OJ 2000 L 160/1
Art 8	Art 44(1)
Préambule de la Loi concernant	Art 44(2) 65
l'Organisation Internationale	Council Regulation 1347/2000 of 29
des Commissions de Valeurs,	May 2000 on jurisdiction and
1er Décembre 1987, Assemblée	the recognition and enforcement
Nationale du Québec, 33e	of judgments in matrimonial
législature, 1re session, 1987,	matters and in matters of parental
chapitre 143, Loi n° 243, Bulletin de l'Assemblée Nationale du	responsibility for children of both spouses, OJ 2000 L 160/19 10, 127
Québec, 1987, 2453– 2456 207–8	Art 3
Art 1	Art 39(1)
Aut 1 20/	Council Regulation 1348/2000 of 29 May
European Union	2000 on the service in the Member
Acts	States of judicial and extrajudicial
Act of Accession of Cyprus to the	documents in civil or commercial
European Union	matters, OJ 2000 L 160/37
Protocol No.10, Art 1(1) 136	Art 20(1)
	Art 20(2) 64, 65, 67
Regulations (chronological order)	Art 21(1)
Council Regulation 2829/77/EEC	Council Regulation 44/2001 of 22
of 12 December 1977 on the	December 2000 on jurisdiction and
bringing into force of the European	the recognition and enforcement of
Agreement concerning the work	judgments in civil and commercial
of crews of vehicles engaged	matters (Brussels I), OJ 2001
in international road transport	L 12/1 3, 5, 10, 14–18, 26–7,
(AETR), OJ 1977 L 334/11	35, 46–7, 61, 66, 127–9,
Art 1	133–4, 140, 143, 145–6
Council Regulation 2309/93/EEC of 22	Ch III
July 1993 laying down Community	Art 2(1)
procedures for the authorisation and	Art 3
supervision of medicinal products	Art 4
for human and veterinary use, and establishing a European Agency	Art 4(1)
for the Evaluation of Medicinal	Art 5(3)
Products, OJ 1993 L 214/1277–8	Art 15
110ddcu, 0j 1//3 L 21 1/1	

Art 15(1)(c)	Regulation 725/2004/EC of the
Art 16	European Parliament and of the
Art 22(1)	Council of 31 March 2004 on
Art 23	enhancing ship and port facility
Art 33	security, OJ 2004 L 129/6 49
Art 36	
	Council Regulation 726/2004/EC of the
Art 69	European Parliament and of the
Art 71 54	Council of 31 March 2004 laying
Art 71(1)	down Community procedures for
Art 72 64	the authorization and supervision
Council Regulation 1206/2001/EC	of medicinal products for human
of 28 May 2001 on cooperation	and veterinary use and establishing
between the courts of the Member	a European Medicines Agency, OJ
States in the taking of evidence	2004 L 136/1 277–8, 288
in civil or commercial matters,	Regulation 805/2004/EC of the
OJ 2001 L 174/1	European Parliament and of the
Art 1	Council of 21 April 2004 creating
Art 21(1)	a European Enforcement Order for
Art 21(2) 64, 65, 67	uncontested claims, OJ 2004 L 143/15
Council Regulation 2157/2001 of 8	Art 1
October 2001 on the Statute for a	Regulation 561/2006/EC of the
European Company (SE), OJ 2001	European Parliament and of the
L 294/1 149, 159–62	Council of 15 March 2006 on
Annex I	the harmonisation of certain
Art 2	social legislation relating to road
Art 9	transport, OJ 2006 L 102/1 49
Art 15	Regulation 864/2007/EC of the
Regulation 1606/2002/EC of the	European Parliament and of the
European Parliament and of the	Council of 11 July 2007 on the
Council on the application of	law applicable to non-contractual
international accounting standards,	obligations (Rome II), OJ 2007 L
OJ 2002 L 243/1 187	199/4010, 14–17, 27, 35, 66, 127, 150
Council Regulation 2201/2003 of	Recital 23 87–8
27 November 2003 concerning	Recital 24
jurisdiction and the recognition	Recital 25
and enforcement of judgments	Recital 39
in matrimonial matters and the	Recital 40
matters of parental responsibility,	Art 2
OJ 2003 L 338/13, 35, 38, 53, 127	Art 3
Art 11 50, 63	Art 4
Art 18(3)	Art 4(1)
Art 21	Art 4(2)
Art 59(1)	Art 4(3)
Art 60	Art 6
	Art 6(3)
Art 62	
Art 63	Art 6(3)(a)
	Art 6(3)(b)
Regulation 261/2004/EC of the European	Art 7 87–90, 99
Parliament and of the Council of 11	Art 9
February 2004 establishing common	Art 14
rules on compensation and assistance	Art 16
to passengers in the event of denied	Art 26
boarding and of cancellation or long	Art 27
delay of flights, OJ 2004 L 46/1 27, 41–2	Art 28
Art 6	Art 28(1)

Art 28(2)	Art 25
of 22 October 2007 establishing	Commission Regulation 1126/
a common organization of	2008/EC of 3 November 2008
agricultural markets and on	adopting certain international
specific provisions for certain	accounting standards in
	e
agricultural products (Single CMO Regulation), OJ 2007 L 299/1	accordance with Regulation (EC) No 1606/2002 of the European
Art 120f	Parliament and of the Council,
Regulation 1393/2007/EC of the	OJ 2008 L 320/1
European Parliament and of the Council of 13 November 2007	Art 3
on the service in the Member	Art 4
States of judicial and extrajudicial	Art 5
documents in civil or commercial	Council Regulation 4/2009/EC of 18
matters (service of documents),	December 2008 on jurisdiction,
OJ 2007 L 423/79	applicable law, recognition and
Art 1	enforcement of decisions, and
Regulation 593/2008/EC of the	cooperation in matters relating to
European Parliament and of the	maintenance obligations,
Council of 17 June 2008 on the	OJ 2009 L 7/1 1, 35, 63, 120–2,
law applicable to contractual	127, 134
obligations (Rome I) OJ 2008 L	Preamble
177/65, 10, 27, 35, 66, 148,	Art 2
151–2, 166	Art 3 121
Protocol 21	Art 4
Protocol 22	Art 5
Recital 44	Art 6
Recital 45	Art 7
Recital 46	Art 69(1)
Recital 58	Art 69(3)
Art 1(2)(d)	Art 76
Art 1(2)(e)	Council Regulation 207/2009/EC
Art 2 81, 117, 151	of 26 February 2009 on the
Art 3 82, 93, 151, 152, 155, 157, 160	Community trade mark, OJ
Art 3(3)	2009 L 78/1
Art 3(4) 85, 86, 90, 99–100, 151	Regulation 392/2009/EC of the
Art 4 81, 93, 162	European Parliament and the
Art 4(3)	Council of 23 April 2009 on the
Art 4(e)	liability of carriers of passengers by
Art 4(f) 86–7	sea in the event of accidents, OJ
Art 5 154	2009 L 131/24
Articles 5 <i>et seq.</i> 166	Art 2 93
Art 6 82, 86, 93, 154	Regulation 662/2009/EC of the
Art 6(3)	European Parliament and of
Art 7	the Council of 13 July 2009
Art 7(1)	establishing a procedure for the
Art 8 82, 154	negotiation and conclusion of
Art 9 92–3, 150, 152–4	agreements between Member
Art 9(1)	States and third countries on
Art 9(2)	particular matters concerning
Art 9(3) 83, 153	the law applicable to contractual
Art 21 83	and non-contractual obligations,
Art 23	OI 2009 OI I. 200/25

Council Regulation 664/2009/EC of	Regulation 1095/2010/EU of the
7 July 2009 on the negotiation	European Parliament and of the
and conclusion of agreements	Council of 24 November 2010
between Member States and third	establishing a European Supervisory
countries concerning jurisdiction,	Authority (European Securities and
recognition, and enforcement	Markets Authority), OJ 2010 L
of judgments and decisions in	331/84
matrimonial matters, OJ 2009	Regulation 1259/2010 of the European
L 200/46 43, 61, 64	Parliament and of the Council of
Regulation 713/2009/EC of the	20 December 2010 implementing
European Parliament and of	enhanced cooperation in the area
the Council of 13 July 2009	of the law applicable to divorce
establishing an Agency for the	and legal separation (Rome III),
Cooperation of Energy Regulators	OJ 2010 L 343/10
(ACER), OJ 2009 L 211/1	Art 4
Regulation 714/2009/EC of the	Art 6
European Parliament and of the Council of 14 July 2009 on	Art 7
conditions for access to the network	Art 14
for cross-border exchanges in	Art 19(1)
electricity, OJ 2009 L 211/15 254	Art 19(2)
Regulation 715/2009/EC of the	Regulation 236/2012/EU of the
European Parliament and of	European Parliament and of the
the Council of 14 July 2009 on	Council of 14 March 2012 on
conditions for access to the natural	short selling and certain aspects
gas transmission, OJ 2009	of credit default swaps,
L 211/36	OJ 2012 L 86/1
Regulation 662/2009/EC of the	Art 1
European Parliament and of the	Arts
Council of 13 July 2009 establishing	Regulation 648/2012/EU of the
a procedure for the negotiation and	European Parliament and of the
conclusion of agreements between	Council of 4 July 2012 on OTC
Member States and third countries	derivatives, central counterparties
on particular matters concerning	and trade repositories, OJ 2012
the law applicable to contractual	L 201/1 192–3, 219
and non-contractual obligations, OJ	Regulation 650/2012/EU of the
2009 L 200/25	European Parliament and of the
Art 4(1)(a)	Council of 4 July on jurisdiction,
Art 4(1)(c)	applicable law, recognition and
Regulation 1092/2010/EU of the	enforcement of decisions and
European Parliament and of the	acceptance and enforcement of
Council of 24 November 2010 on	authentic instruments in matters of
European Union Macro-Prudential	succession and on the creation of a
Oversight of the Financial System	European Certificate of Succession,
and Establishing a European Systemic Risk Board,	OJ 2012 L 201/107 120–2, 127 Chapter II (Articles 4 <i>et seq.</i>) 121
OJ 2010 L 331/53	Art 4
Preamble	Art 5
Regulation 1093/2010/EU of the	Art 6
European Parliament and of the	Art 9
Council of 24 November 2010	Art 10
establishing a European Supervisory	Art 11
Authority (European Banking	Art 20 117, 127
Authority), OJ 2010 L 331/12 192	Art 27
Art 33	Art 75(1) 63 64 65

Art 75(2)	tasks on the European Central Bank
Art 75(3)	concerning policies relating to the
Regulation 1215/2012/EU of the	prudential supervision of credit
European Parliament and of	institutions (SSM), OJ 2013 L 287/63
the Council of 12 December	Art 8
2012 on jurisdiction and the	Commission Regulation 1375/2013/EU
recognition and enforcement of	of 19 December 2013 amending
judgments in civil and commercial	Regulation (EC) No 1126/2008
matters (Brussels II), OJ 2012	adopting certain international
L 351/1 35, 61, 127, 134	accounting standards in accordance
Art 2(1)	with Regulation (EC) No 1606/
Art 3	2002 of the European Parliament
Art 6	and of the Council as regards
Art 6(1)	International Accounting Standard
Art 7	39, OJ 2013 L 346/42
Art 10	Regulation 231/2014/EU of the European
Art 11	Parliament and of the Council
Art 28(4)	of 11 March 2014 establishing
Art 33 52, 134	an Instrument for Pre-accession
Art 69	Assistance (IPA II), OJ 2014 L 77/11237
Art 71 35, 51–2, 65	Commission Delegated Regulation
Art 71(1)	285/2014/EU of 13 February 2014
Art 73	supplementing Regulation (EU)
Art 73(3)	No. 648/2012 of the European
Art 76	Parliament and of the Council
Regulation 1219/2012/EU of the	with regard to regulatory technical
European Parliament and of	standards on direct, substantial, and
the Council of 12 December	foreseeable effect of contracts within
2012 establishing transitional	the Union and to prevent the evasion
arrangements for bilateral	of rules and obligations, OJ 2014 L 85/1
investment agreements between	Art 2
Member States and third countries,	Regulation 600/2014/EU of the
OJ 2012 L 351/40 43	European Parliament and of the
Regulation 462/2013/EU of the European	Council of 15 May 2014 on
Parliament and of the Council of	markets in financial instruments,
21 May 2013 amending Regulation	OJ 2014 L 173/84 223
(EC) 1060/2009 on credit rating	Commission Regulation 634/2014/EU
agencies, OJ 2013 L 146/1 195–6	of 13 June 2014 amending
Recital 3	Regulation (EC) No 1126/2008
Recital 4	adopting certain international
Art 5(b)	accounting standards in accordance
Regulation 524/2013/EU of the	with Regulation (EC) No 1606/
European Parliament and of the	2002 of the European Parliament
Council of 21 May 2013 on online	and of the Council as regards
dispute resolution for consumer	Interpretation 21 of the International
disputes (Regulation on consumer	Financial Reporting Interpretations
ODR), OJ 2013 L 165/1	Committee, OJ 2014 L 175/9 187
Regulation 575/2013/EU of the	•
European Parliament and of	Directives (chronological order)
the Council of 26 June 2013	Council Directive 65/65/EEC of 26
on prudential requirements	January 1965 on the approximation
for credit institutions and	of provisions laid down by Law,
investment firms, OJ 2013 L 176/1 193	Regulation or Administrative Action
Council Regulation 1024/2013/EU of	relating to proprietary medicinal
15 October 2013 conferring specific	products, OI 1965 L 22/369

First Council Directive 73/239/EEC of	Council Directive 85/374/EEC of 25
24 July 1973 on the coordination	July 1985 on the approximation
of laws, regulations and	of the laws and administrative
administrative provisions relating	provisions of the Member States
to the taking-up and pursuit of	concerning liability for defective
the business of direct insurance	products, OJ 1985 L 210/29 34,
other than life assurance, OJ 1973	276, 292–4
L 228/3 Art 5(d) 87	Art 7(d)
Second Council Directive 75/319/	Art 13
EEC of 20 May 1975 on the	Council Directive 85/577/EEC of 20
approximation of provisions laid	December 1985 to protect the
down by Law, Regulation or	consumer in respect of contracts
Administrative Action relating to	negotiated away from business
proprietary medicinal products, OJ	premises, OJ 1985 L 372/31 92, 149
1975 L 147/13	Council Directive 85/611/EEC of
	20 December 1985 on the
Council Directive 75/442/EEC of 15 July	
1975 on waste, OJ 1975 L 194/3951	coordination of laws, regulations
Second Council Directive 77/91/ EEC of 13 December 1976	and administrative provisions
	relating to undertakings
on coordination of safeguards	for collective investment in
which, for the protection of the	transferable securities (UCITS), OJ
interests of members and others,	1985 L 375/3
are required by Member States of	Council Directive 86/653/EEC of
companies within the meaning of	18 December 1986 on the
the second paragraph of Article	coordination of the laws of the
58 of the Treaty, in respect of the	Member States relating to self-
formation of public limited liability	employed commercial agents, OJ
companies and the maintenance	1986 L 382/17 17, 94–5
and alteration of their capital, with	Art 5
a view to making such safeguards	Arts 17–19
equivalent, OJ 1976 L 26/1 192	Art 19
Council Directive 78/420/EEC of 2	Council Directive 87/22/EEC of
May 1978 on the approximation	22 December 1986 on the
of provisions laid down by law,	approximation of national
regulation or administrative action	measures relating to the placing
relating to proprietary medicinal	on the market of high-technology
products, OJ 1978 L 123/26 276	medicinal products, particularly
Fourth Council Directive 78/660/EEC	those derived from biotechnology,
of 25 July 1978 based on Article	OJ 1987 L 15/38 278
54 (3) (g) of the Treaty on the	Council Directive 87/102/EEC of
annual accounts of certain types of	22 December 1986 for the
companies, OJ 1978 L 222/11 163	approximation of the laws,
Sixth Council Directive 82/891/EEC	regulations and administrative
of 17 December 1982 based on	provisions of the Member States
Article 54 (3) (g) of the Treaty,	concerning consumer credit, OJ
concerning the division of public	1987 L 42/48
limited liability companies, OJ	First Council Directive 89/104/EEC of
1982 L 378/47	21 December 1988 to approximate
Seventh Council Directive 83/349/	the laws of the Member States
EEC of 13 June 1983 based on the	relating to trade marks, OJ 1989 L
Article 54 (3) (g) of the Treaty on	140/1 52–3, 127–8, 139–40
consolidated accounts, OJ 1983	Preamble
L 193/1	Art 5(1)(a)
س د را د د د د د د د د د د د د د د د د د	

Council Directive 90/314/EEC of	integrated pollution prevention and
13 June 1990 on package travel,	control, OJ 2003 L 275/32 132
package holidays and package tours,	Directive 96/92/EC of the European
OJ 1990 L 158/59	Parliament and of the Council of 19
Council Directive 90/547/EEC of 29	December 1996 concerning common
October 1990 on the transit of	rules for the internal market in
electricity through transmission	electricity, OJ 1996 L 27/20251
grids, OJ 1990 L 313/30 251	Directive 97/7/EC of the European
Council Directive 91/296/EEC of 3	Parliament and of the Council of
1 May 1991 on the transit of	20 May 1997 on the protection of
natural gas through grids, OJ 1991	consumers in respect of distance
L 147/37	contracts, OJ L 1997 144/19 92, 149
Council Directive 93/6/EEC of 15	Directive 98/30/EC of the European
March 1993 on the capital	Parliament and of the Council of
adequacy of investments firms	22 June 1998 concerning common
and credit institutions, OJ 1993	rules for the internal market in
L 141/1	natural gas, OJ 1998 L 204/1 251
Council Directive 93/13/EEC of 5 April	Directive 98/84/EC of the European
1993 on unfair terms in consumer	Parliament and of the Council of
contracts, OJ 1993 L 95/29 34, 92,	20 November 1998 on the legal
149, 235	protection of services based on, or
Art 6(2)	consisting of, conditional access,
Council Directive 93/22/EEC of 10	OJ 1998 L 320/54
May 1993 on investment services	Directive 1999/44/EC of the European
in the securities field, OJ 1993 L	Parliament and of the Council of
141/27 167, 221	25 May 1999 on certain aspects
Directive 95/46/EC of the European	of the sale of consumer goods and
Parliament and of the Council of	associated guarantees, OJ 1999 L
24 October 1995 on the protection	171/12
of individuals with regard to the	Art 4
processing of personal data and on	Directive 2000/12/EC of the European
the free movement of such data, OJ	Parliament and of the Council
1995 L 281/3178, 95–8, 105,	of 20 March 2000 relating to
126–9, 141–5	the taking up and pursuit of the
Art 1(1)	business of credit institutions, OJ
Art 4	2000 L 126/1
Art 4(1)	Directive 2000/31/EC of the European
Art 4(1)(a)	Parliament and of the Council of 8
Art 25(1)	June 2000 on certain legal aspects
Ch IV	of information society services, in
Preamble	particular electronic commerce, in
Recital 2	the Internal Market, OJ 2000
Recital 8 97	L 178/1 133–4, 144
Recital 9 97	Directive 2001/20/EC of the European
Recital 10	Parliament and of the Council of 4
Directive 96/9/EC of the European	April 2001 on the approximation
Parliament and of the Council	of the laws, regulations, and
of 11 March 1996 on the legal	administrative provisions of the
protection of databases, OJ 1996	Member States relating to the
L 77/20	implementation of good clinical
Art 7	practice in the conduct of clinical
Council Directive 96/61/EC of 24	trials on medicinal products for
September 1996 concerning	human use, OJ 2001 L 121/34281–2
ocpicinoci 1770 concenning	numan use, Oj 2001 L 121/JT201–2

Directive 2001/24/EC of the European	Dealing and Market Manipulation
Parliament and of the Council of	(Market Abuse), OJ 2003 L 96/16 Art 10
4 April 2001 on the reorganisation and winding up of credit	Directive 2003/41/EC of the European
institutions, OJ 2001 L 125/15 192	Parliament and of the Council
Directive 2001/29/EC of the European	of 3 June 2003 on the activities
Parliament and of the Council of	and supervision of institutions for
22 May 2001 on the harmonization	occupational retirement provision,
of certain aspects of copyright and	OJ 2003 L 235/10 196
related rights in the information	Directive 2003/54/EC of the European
society, OJ 2001 L 167/10 144	Parliament and of the Council of
Directive 2001/34/EC of the European	26 June 2003 concerning common
Parliament and of the Council of	rules for the internal market in
28 May 2001 on the admission of	electricity, OJ 2003 L 176/37251-2,
securities to official stock exchange	263, 268–71
listing and on information to be	Annex I
published on those securities, OJ	Recital 2
2003 L 345/64	Recital 24
Directive 2001/83/EC of the	Art 3 263–4, 268
European Parliament and of	Art 3(5)
the Council of 6 November	Directive 2003/55/EC of the European
2001 on the Community code	Parliament and of the Council of
relating to medicinal products for	26 June 2003 concerning common
human use, OJ 2001 L 311/67273,	rules for the internal market in
277–9, 291 Art 25	natural gas, OJ 2003 L 176/57251–2, 263, 268–71
Art 28	Annex I
Art 28(a)	Recital 2
Preamble	Art 3
Council Directive 2001/86/EC of 8	Art 3(3)
October 2001 supplementing the	Directive 2003/71/EC of the European
Statute for a European company	Parliament and of the Council of 4
with regard to the involvement of	November 2003 on the Prospectus
employees, OJ 2001 L 294/22 149	to be published when securities are
Council Directive 2002/8 of 27 January	offered to the public or admitted to
2003 to improve access to justice	trading, OJ 2003 L 345/64
in cross-border disputes by	Art 21(2)
establishing minimum common	Directive 2003/87/EC of the European
rules relating to legal aid for such	Parliament and of the Council of
disputes, OJ 2003 L 26/41	13 October 2003 establishing a
Art 20	scheme for greenhouse gas emission
Directive 2002/47/EC of the European	allowance trading within the
Parliament and of the Council of	Community, OJ 2003 L 275/32 131–2
6 June 2002 on financial collateral	Directive 2004/25/EC of the European
arrangements, OJ 2002 L 168/43 192 Directive 2002/87/EC of the European	Parliament and of the Council of
Parliament and of the Council	21 April 2004 on takeover bids, OJ 2004 L 142/12192
of 16 December 2002 on the	Art 4
supplementary supervision of credit	Directive 2004/27/EC of the European
institutions, insurance undertakings	Parliament and of the Council of
and investment firms in a financial	31 March 2004 amending Directive
conglomerate, OJ 2002 L 35/1 193	2001/83/EC on the Community
Directive 2003/6/EC of the European	code relating to medicinal
Parliament and of the Council	products for human use, OJ 2004
of 28 January 2003 on Insider	L 136/34 278

Directive 2004/35/EC of the European	Directive 2006/48/EC of the European
Parliament and of the Council on	Parliament and of the Council of 14
environmental liability with regard	June 2006 relating to the taking up
to the prevention and remedying of	and pursuit of the business of credit
environmental damage, OJ 2004	institutions, OJ 2006 L 177/1 193
L 143/56	Directive 2006/49/EC of the European
Art 4(2)	Parliament and of the Council of 14
Directive 2004/39/EC of the European	June 2006 on the capital adequacy
Parliament and of the Council	of investment firms and credit
of 21 April 2004 on markets in	institutions, OJ 2006 L 177/261 193
financial instruments (MiFID I),	Directive 2007/36/EC of the European
OJ 2004 L 145/1 and 2005	Parliament and of the Council of
L 45/1 23, 28, 219–25	11 July 2007 on the exercise of
Art 13 167	certain rights of shareholders in
Art 18	listed companies, OJ 2007
Art 19	L 184/17 192
Art 19(6)	Directive 2008/10/EC of the European
Art 21 222	Parliament and of the Council
Art 25 224	of 11 March 2008 amending
Art 38 224	Directive 2004/39/EC on markets
Art 48(2)	in financial instruments, as regards
Art 50	the implementing powers conferred
Art 51 223	on the Commission (MiFID II),
Commission Directive 2005/28/	OJ 2008 L 76/33 28, 219–25
EC laying down principles and	Art 25 224
detailed guidelines for good clinical	Directive 2008/48/EC of the European
practice as regards investigational	Parliament and of the Council
medicinal products for human	of 23 April 2008 on credit
use, as well as the requirements for	agreements for consumers,
authorization of the manufacturing	OJ 2008 L 133/66 149, 166
or importation of such products,	Art 28(4)
OJ 2005 L 91/13 285	Recital 26
Directive 2005/29/EC of the European	Directive 2008/95/EC of the European
Parliament and of the Council of	Parliament and of the Council of
11 May 2005 concerning unfair	22 October 2008 to approximate
business-to-consumer commercial	the laws of the Member States
practices in the internal market, OJ	relating to trade marks, OJ 2008
2005 L 149/22	L 299/25
Art 1	Directive 2008/101/EC of the European
Directive 2005/35 of the European	Parliament and of the Council
Parliament and of the Council of	of 19 November 2008 amending
7 September 2005 on ship-source	Directive 2003/87/EC so as to
pollution and on the introduction	include aviation activities in the
of penalties for infringements, OJ	scheme for greenhouse gas emission
2005 L 255/1150	allowance trading within the
Directive 2005/56/EC of the European	Community, OJ 2009 L 8/3 42
Parliament and of the Council	Directive 2008/122/EC of the European
of 26 October 2005 on cross-	Parliament and of the Council of
border mergers of limited liability	14 January 2009 on the protection
companies, OJ 2005 L 310/1 149, 192	of consumers in respect of certain
Directive 2006/32/EC of the European	aspects of timeshare, long-term
Parliament and of the Council of	holiday product, resale and exchange
5 April 2006 on energy end-use	contracts, OJ 2009 L 33/10
efficiency and energy services, OJ	Art 12
2007 1 11/17/	A 12(2)

Directive 2009/65/EC of the European	Directive 2012/30/EU of the European
Parliament and of the Council of	Parliament and of the Council of
13 July 2009 on the coordination	25 October 2012 on coordination
of laws, regulations and	of safeguards which, for the
administrative provisions relating	protection of the interests of
to undertakings for collective	members and others, are required
investment in transferable securities	by Member States of companies
(UCITS), OJ 2009 L 302/32 196	within the meaning of the second
Directive 2009/72/EC of the European	paragraph of Article 54 of the
Parliament and of the Council of	Treaty on the Functioning of
13 July 2009 concerning common	the European Union, in respect
rules for the internal market in	of the formation of public
electricity, OJ 2009 L 211/55 252–3	limited liability companies and
Art 3(7)	the maintenance and alteration
Art 3(8)	of their capital, with a view to
Art 9	making such safeguards equivalent,
Directive 2009/73/EC of the European	OJ 2012 L 315/74 192
Parliament and of the Council of	Directive of 2013/11/EU of the European
13 July 2009 concerning common	Parliament and of the Council of
rules for the internal market in	21 May 2013 on alternative dispute
natural gas, OJ 2009 L 211/94 252–3	resolution for consumer disputes
Art 3(3)	(Directive on consumer ADR), OJ
Art 3(4)	2013 L 165/63
Directive 2009/138 of the European	Directive 2013/36/EU of the European
•	Parliament and of the Council
Parliament and the Council of 25 November 2009 on the taking-	
up and pursuit of the business	of 26 June 2013 on Access to the Activity of Credit Institutions
of Insurance and Reinsurance	and the Prudential Supervision of
(Solvency II), OJ 2009 L 335/1	Credit Institutions and Investment
Art 2	Firms, OJ 2013 L 176/338 192–3
Art 13(27)	Arts 47–48
Directive 2011/35/EU of the European	Art 55
Parliament and of the Council of 5	Council Directive 2013/59/EURATOM
April 2011 concerning mergers of	laying down basic safety standards
public limited liability companies,	for protection against the dangers
OJ 2011 L 110/1	arising from exposure to ionising
Directive 2011/61/EU of the European	radiation, OJ 2014 L13/1
Parliament and of the Council	Directive 2014/59/EU of the European
of 8 June 2011 on Alternative	Parliament and of the Council
Investment Fund Managers, OJ	of 15 May 2014 establishing a
2011 L 174/1 196–7	framework for the recovery and
Art 66	resolution of credit institutions and
Directive 2011/83/EU of the European	investment firms, OJ 2014
Parliament and the Council of 25	L 173/190 192–3
October 2011 on consumer rights,	Legislative Proposals
OJ 2011 L 304/64 34, 92, 149	
Art 1	Proposal for a Directive of the European
Art 25	Parliament and of the Council on
Directive 2012/26/EU of the European	the harmonization of the laws,
Parliament and of the Council	regulations and administrative
of 25 October 2012 amending	provisions of the Member States
Directive 2001/83/EC as regards	concerning credit for consumers,
pharmacovigilance, OJ 2012	COM (2002) 443 final 166
L 299/1 277	Arts 8–9

on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations of 15 December 2005, COM (2005) 649 final Arts 12 et seq	Proposal for a Council Regulation	commitments thereunder, OJ 2002
recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations of 15 December 2005, COM (2005) 649 final Arts 12 et seq	on jurisdiction, applicable law,	L 130/1
matters relating to maintenance obligations of 15 December 2005, COM (2005) (649 final Arts 12 et seq		Council Decision 2003/93/EC of 19
obligations of 15 December 2005, COM (2005) 649 final Arts 12 et seq	of decisions and cooperation in	December 2002 authorising the
obligations of 15 December 2005, COM (2005) 649 final Arts 12 et seq	matters relating to maintenance	Member States, in the interest
Arts 12 et seq		of the Community, to sign the
Arts 12 et seq	COM (2005) 649 final	1996 Hague Convention on
Proposal for a Regulation on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, COM (2010) 748 final	Arts 12 et seq	
and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, COM (2010) 748 final	Proposal for a Regulation on Jurisdiction	
Enforcement of Judgments in Civil and Commercial Matters, COM (2010) 748 final		
and Commercial Matters, COM (2010) 748 final	Enforcement of Judgments in Civil	
Proposal for a Regulation of the European Parliament and of the Council on a Common European Sales Law of 11 October 2011, COM (2011) 635 final	and Commercial Matters, COM	
European Parliament and of the Council on a Common European Sales Law of 11 October 2011, COM (2011) 635 final	(2010) 748 final 118	2003 L 48/1
the Council on a Common European Sales Law of 11 October 2011, COM (2011) 635 final	Proposal for a Regulation of the	Recital 4
European Sales Law of 11 October 2011, COM (2011) 635 final	European Parliament and of	Recital 5
October 2011, COM (2011) 635 final	the Council on a Common	Council Decision 2004/246/EC of
635 final	European Sales Law of 11	2 March 2004 authorizing the
Art 4		Member States to sign, ratify
Proposal for a Regulation of the European Parliament and of the Council on information accompanying transfers of funds, COM (2013) 44 final, Explanatory Memorandum	635 final	or accede to, in the interest
European Parliament and of the Council on information accompanying transfers of funds, COM (2013) 44 final, Explanatory Memorandum	Art 4	of the European Community,
the Council on information accompanying transfers of funds, COM (2013) 44 final, Explanatory Memorandum	Proposal for a Regulation of the	the Protocol of 2003 to the
accompanying transfers of funds, COM (2013) 44 final, Explanatory Memorandum		International Convention on the
COM (2013) 44 final, Explanatory Memorandum		Establishment of an International
Proposal for a Regulation of the European Parliament and of the Council on structural measures improving the resilience of EU credit institutions, COM (2014) 43 final, 3rd Recital		*
Proposal for a Regulation of the European Parliament and of the Council on structural measures improving the resilience of EU credit institutions, COM (2014) 43 final, 3rd Recital		
European Parliament and of the Council on structural measures improving the resilience of EU credit institutions, COM (2014) 43 final, 3rd Recital 194–5 Proposal for a Directive of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
Council on structural measures improving the resilience of EU credit institutions, COM (2014) 43 final, 3rd Recital		
improving the resilience of EU credit institutions, COM (2014) 43 final, 3rd Recital		
credit institutions, COM (2014) 43 final, 3rd Recital		
final, 3rd Recital	1 0	- · · · · · · · · · · · · · · · · · · ·
Proposal for a Directive of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum	<u> </u>	, 6
for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		-
credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum	·	
Directives 77/91/EEC and 82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
82/891/EC, Directives 2001/24/ EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		, .
EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
2005/56/EC, 2007/36/EC, and 2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
2011/35/EC and Regulation (EU) 1093/2010, Explanatory Memorandum		
(EU) 1093/2010, Explanatory Memorandum		
Memorandum		
Decisions the European Community, the 1996 Hague Convention on 1996 Hague Convention on Jurisdiction, Applicable Law, 25 April 2002 concerning the Approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change the European Community, the 1996 Hague Convention on Survival Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, OJ 2008 Convention on Climate Change L 151/36	* * * * * * * * * * * * * * * * * * *	•
Decisions 1996 Hague Convention on Council Decision 2002/358/EC of Jurisdiction, Applicable Law, 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, OJ 2008 L 151/36 36, 61–2, 64	Weinorandum	
Council Decision 2002/358/EC of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change Gurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, OJ 2008 L 151/36 36, 61–2, 64	Decisions	,
25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, OJ 2008 L 151/36	Council Decision 2002/358/FC of	
approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, OJ 2008 L 151/36		
Community, of the Kyoto Protocol Responsibility and Measures for the to the United Nations Framework Protection of Children, OJ 2008 Convention on Climate Change L 151/36		
to the United Nations Framework Convention on Climate Change Protection of Children, OJ 2008 L 151/36		
Convention on Climate Change L 151/36	· · · · · · · · · · · · · · · · · · ·	
<u> </u>		
	and the joint fulfilment of	Preamble 60

Council Decision 2008/976/JHA	of 30 June 2005 on Choice of
of 16 December 2008 on the	Court Agreements, OJ 2014
European Judicial Network, OJ	L 353/5
2008 L 348/130 67	_
Commission Decision 2009/26/EC of	France
22 December 2008 on the request	Code Civil (1804)
from the United Kingdom to accept	Art 14 119
Regulation (EC) No 593/2008 of	
the European Parliament and the	Germany
Council on the law applicable to	Civil Code
contractual obligations (Rome I),	s 826
OJ 2009 L 10/2274	Commercial Code
Council Decision 2009/397/EC of	s 292a
26 February 2009 on the signing	Limited Liability Companies Act
on behalf of the European	(GmbHG) (1892)
Community of the Convention on	s 4a(2)
Choice of Court Agreements, OJ	Limited Liability Companies'
2009 L 133/1 2, 60	Modernization Act (2008) 162
Council Decision 2009/941/EC of 30	Securities Trading Act (WpHG) (1998)
November 2009 on the conclusion	s 38, 39 I-III
by the European Community of the	Stock Corporation Act (AktG) (2010)
Hague Protocol of 23 November	s 5(2)
2007 on the Law Applicable to	Switzerland
Maintenance Obligations, OJ 2009	Swiss Civil Code
L 331/17 61 Council Decision 2011/220 of 31 March	Art 60
2011 on the signing, on behalf of	Alt 00 1/9
the European Union, of the Hague	Turkey
Convention of 23 November 2007	Civil Code
on the International Recovery of	consumer protection law, No. 4077
Child Support and Other Forms of	(1995)
Family Maintenance, OJ 2011	consumer protection law, No. 6502
L 93/9	(2014)
Council Decision of 9 June 2011 on	(====) ====
the approval, on behalf of the	United States
European Union, of the Hague	Anti-Terrorism Alien Tort Statute 156
Convention of 23 November 2007	Dodd-Frank Wall Street Reform and
on the International Recovery of	Consumer Protection Act
Child Support and Other Forms of	s 619
Family Maintenance, OJ 2011	Food Drugs and Cosmetics Act (FDCA)
L 192/39	(1938)
Preamble	Freedom Act (2015)
Council Decision 2013/52/EU of 22	Patriot Act (2001)
January 2013 authorising enhanced	s 215
cooperation in the area of financial	Restament (Second) on conflict of laws
transaction tax, OJ 2013 L 22/11 174	s 6
Council Decision 2014/887/EU on the	Securities Exchange Act (1934)
approval, on behalf of the European	s 30A(d)
Union, of the Hague Convention	Sherman Antitrust Act (1890) 88

Table of Instruments (Other)

MULTILATERAL	Comprehensive Economic Trade
TREATIES AND	Agreement between the EU and
INTERNATIONAL	Canada (CETA) 245
AGREEMENTS	Art X7
MGREEMENTO	Convention on the Association of the
Accord Européen sur les Transports	Kingdom of Denmark, Ireland
Routiers (AETR) 1970 49, 52	and the United Kingdom of Great
Agreement Establishing the World Trade	Britain and Northern Ireland to the
Organization 1994 31, 41, 182	Convention on Jurisdiction and the
Agreement between the European	Enforcement of Judgments in Civil
Community and the Kingdom	and Commercial Matters and to the
of Denmark on Jurisdiction and	Protocol on its Interpretation by
the Recognition and Enforcement	the Court of Justice 1978 135
of Judgments in Civil and	Convention on the Contract for the
Commercial Matters 2009 74	International Carriage of Goods by
Agreement on Technical Cooperation	Road (CMR) 1956
between ISO and CEN 1991 22	Convention on Choice of Court
Agreement on Technical Barriers to	Agreements 2005
Trade (TBT) 1994	Preamble
Association Agreement between EU and	Art 26(6)
Chile 2002	Convention on Customs Nomenclature
Art 29	1950
Association Agreement between EU and	Convention on International Civil
Egypt 2004	Aviation ('Chicago Convention')
Art 61	
Association Agreement between EU and	1994
	Convention on the Law Applicable to
Georgia 2015	Contractual Obligations 1980 5, 10,
Art 345	14–18, 34–5, 71, 75–7, 80, 85–6,
Art 346	99, 117, 133–5, 148, 151–2, 162
Association Agreement between EU and	Art 4
Moldova 2014	Art 9
Art 38	Art 13 137–8
Art 39 243	Art 14 137–8
Association Agreement between EU and	Art 16
Ukraine 2014	Art 16(1)(a)
Art 24(2)	Convention on the Legal Protection of
Art 415	Services Based on, or Consisting of,
Art 416	Conditional Access 2001
Brussels Convention on Jurisdiction	Art 11(4)
and the Enforcement of Judgments	Convention on Jurisdiction, Applicable
in Civil and Commercial Matters	Law, Recognition, Enforcement
1968	and Co-operation in Respect
Charter of the Financial Stability Board 2012	of Parental Responsibility and
Art 2(1)(h)	Measures for the Protection of
Art 6	Children 1996 109–11
Chicago Convention see Convention on	Convention on Jurisdiction and the
International Civil Aviation	Recognition and Enforcement
	•

of Judgments in Civil and	General Agreement on Trade in Services
Commercial Matters ('Lugano	(GATS) 1994 182, 202, 204
Convention') 200734, 36, 60–2,	Art 1(2)
69, 108, 127, 204, 229, 232	Annex on Financial Services, Art 2(a) 182
Convention on Jurisdiction and the	Free Trade Agreement between the
Recognition and Enforcement of	European Union and Colombia
Judgments in Matrimonial Matters	and Peru 2012
and Protocol on its Interpretation	Art 163(1)(d)
by the Court of Justice ('Brussels II	Art 166
Convention') 1998 109–10	Art 210(1)(b)
Convention on Laundering, Search,	Art 256(2)(d)
Seizure and Confiscation of the	Art 256(2)(e)
Proceeds from Crime and on the	Free Trade Agreement between the
Financing of Terrorism 2005 47–8	European Union and South Korea
Art 52(4)	2011
Convention for the Protection of	Art 7.22(1)
Industrial Property ('Paris	Art 7.49(1)(d)
Convention') 1960 52–3, 85	Art 10.21
Convention Providing a Uniform	Hague Convention on the Civil Aspects
Law For Bills of Exchange and	of International Child Abduction
Promissory Notes 1930 85	19803, 35, 37–9, 43, 50,
Convention Providing a Uniform Law	53, 60, 114–17
For Cheques 1931 85	Art 37 115
Convention on the Recognition and	Art 38 115
Enforcement of Foreign Arbitral	Hague Convention on Conflict of Laws
Awards ('New York Convention')	Regarding Forms of Testaments 196163
195885	Hague Convention on the International
Art II(3)	Recovery of Child Support
Convention relating to the Status of	and Other Forms of Family
Refugees 1951 63	Maintenance 2007 61, 63, 111–14
Convention for the Unification	Preamble 60
of Certain Rules Relating to	Hague Convention on Jurisdiction,
International Carriage by Air	Applicable Law, Recognition,
('Warsaw Convention') 1929 44	Enforcement and Cooperation in
Art 29 46	respect of Parental Responsibility
Convention for the Unification of	and Measures for the Protection of
Certain Rules for International	Children 1996 62, 110
Carriage by Air ('Montreal	preamble 60
Convention') 1999 27, 41–2	Hague Convention on the law applicable
Declaration of Helsinki 1964 283	to maintenance obligations towards
EEA Agreement 1994	children 1956
Annex XIX	Art 1
Protocol 1	Art 6
Art 72	Hague Protocol on the Law Applicable
Art 78	to Maintenance Obligations
European Convention on Human	2007
Rights and Fundamental	Art 2
	Art 15
Freedoms (ECHR) 1950 62–3, 132–3	Arts 17 et seq
Art 1	
Art 34	Art 23
General Agreement on Tariffs and	Arts 23 et seq
Trade (GATT) 1947130–1, 44,	Art 25
45, 177	Art 25(1)

Art 293	Art 114(1)
Art 299(1)	Art 115
Art 299(2)	Art 153
Arts 299(3)–(6)	Art 165(3)
Art 300	Art 166(3)
Art 300(7)	Art 167(3)
Art 307	Art 168(3)
Treaty on the Functioning of the	Art 194
European Union 2009	Art 194(1)(b)
Title V Art I	Art 194(1)(d)
Art 3 201, 204–5, 229–30	Art 207 3, 37, 157, 202, 229, 230, 244
Art 3(2)	Art 207 3, 37, 137, 202, 223, 230, 244 Art 207(5)
Art 3(3)	Art 209
Art 4	Art 212
Art 4(2)(j)	Art 215
Art 4(3)	Art 216 155, 205, 261
Art 4(4)	Art 216(1)
Art 5(2)	Art 216(2) 39–40, 42–3
Art 6	Art 217 36, 230
Art 26	Art 218
Art 26(1)	Art 218(6)
Art 26(2)	Art 218(9)
Art 31	Art 218(11)
Art 49	Art 263 41
Art 50	Art 267 52, 134, 136, 138–9
Art 53	Art 290
Art 62	Art 291
Art 63	Art 349
Art 64	Art 351 45, 46, 65–6
Art 64(3)	Art 351(1)
Art 65(2)	Art 351(2)
Art 65(4)	Art 352
Art 67	Art 352(1)
Art 78	Art 355
Art 81 36, 69, 78, 107, 108, 115, 151	Art 355(1)
Art 81(3)	Art 355(2)
(2)	
Art 82	Art 355(3)
Art 101 87, 88, 130–1	Treaty of Lisbon 2009
Art 102	68–9, 77–8, 198, 202–3, 205, 216,
Art 113	219, 229–30, 261–2
Art 114 3, 95, 97, 100, 161, 202–3	Treaty of Maastricht 1992 216

List of Abbreviations

AB Appellate Body

ACER Agency for the Cooperation of Energy Regulators

ADR Alternative Dispute Resolution

AETR Accord Européen sur les Transports Routiers AFSJ Area of Freedom, Security and Justice

AIFM Directive on Alternative Investment Funds Managers

AMCC Affiliate Members Consultative Committee APG Asia/Pacific Group on Money Laundering

ARC Accounting Regulatory Committee

BCBS Basel Committee on Banking Supervision

BCS Banking Supervision Committee
BIS Bank for International Settlements
BRRD Bank Recovery and Resolution Directive

CCP Common Commercial Policy

CEER Council of European Energy Regulators

CEIOPS Committee of European Insurance and Occupational Pension Supervisors

CEN European Committee for Standardization

CENELEC European Committee for Electrotechnical Standardization

CESL Common European Sales Law

CESR Committee of European Securities Regulators
CETA Comprehensive Economic and Trade Agreement
CGFS Committee on the Global Financial System

CHMP Committee for Medicinal Products for Human Use

CIS Collective Investment Scheme

CJEU Court of Justice of the European Union

CMDh Coordination Group for Mutual Recognition and Decentralised

Procedure-Human

CMR Convention on the Contract for the International Carriage of Goods

by Road

CPMP Committee for Proprietary Medicinal Products
CPSS Committee on Payment and Settlement Systems

CRA Credit Rating Agency

CSR corporate social responsibility

DCFTA Deep and Comprehensive Free Trade Agreement

DSB Dispute Settlement Body
DSO Distribution System Operator

EBA European Banking Authority
EC European Community
ECB European Central Bank