

Consumer affairs

CROSS-BORDER CONTRACTS

Regulation (EC) No [593/2008](#) of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I).

Objective

The so-called "Rome I" Regulation intends to incorporate into EU law the main provisions of the Rome Convention of 19 June 1980 on the law applicable to contractual obligations.

Relevance for the hospitality industry

The Rome I Regulation is of fundamental importance for the hospitality industry, as it defines which law is applicable in a dispute arising from a contract concluded between a consumer residing in a country A and an hospitality business established in a country B.

State of progress

The Rome I Regulation was adopted on 17 June 2008 and entered into force on 24 July 2008.

Content

The Regulation provides that for consumer contracts, the applicable law is that of the country of residence of the consumer, provided that this is also the country where the professional carries out his/her activities or to which his/her activities are directed. The parties may also, based on freedom of choice, apply another law, as long as it provides the same level of protection to the consumer as that of his/her country of residence.

However, there is a specific exemption for the hospitality industry: for services supplied to the consumer in a country other than the one in which he has his residence, the law of the country where the service is provided applies.

A summary of the content of the Regulation is also available on the [SCADPlus](#) website (European Commission).

HOTREC position

HOTREC welcomes the adoption of the Rome I Regulation and particularly the exemption provided to the hospitality industry (services supplied to the consumer in a country other than the one in which he has his residence).

Official references

Regulation (EC) No [593/2008](#) of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I), O.J. L 177 of 4.7.2008.

See also:

Proposal for a Regulation of the European Parliament and the Council on the law applicable to contractual obligations (Rome I), [COM\(2005\) 650](#) final of 15.12.2005.

Communication from the Commission to the European Parliament and the Council – “European Contract Law and the revision of the acquis: the way forward”, [COM\(2004\) 651](#) final of 11.10.2004

Call for Expression of Interest – A network of stakeholder experts on the Common Frame of Reference (CFR-net), O.J. S 148 of 31.07.2004

Communication from the Commission to the European Parliament and the Council – A more coherent European Contract Law – Action Plan, Brussels, [COM\(2003\) 68](#) final of 12.02.2003

Green Paper on the conversion of the Rome Convention of 1980 on the law applicable to contractual obligations into a Community instrument and its modernisation, Brussels, [COM\(2002\) 654](#) final of 14.01.2002

Convention on the law applicable to contractual obligations (consolidated version) - First Protocol on the interpretation of the 1980 Convention by the Court of Justice (consolidated version) – Second Protocol conferring on the Court of Justice powers to interpret the 1980 Convention (consolidated version), [O.J. C 27](#) of 26.01.98

Letter by NET to IFTO (International Federation of Tour Operators) on the ECTAA-HOTREC Code of Conduct, Ref: 960050/95221 of 22 January 1996