

Thursday 18 January 2007

P6_TA(2007)0006

Law applicable to non-contractual obligations ('ROME II') ***II

European Parliament legislative resolution on the Council common position with a view to the adoption of a regulation of the European Parliament and of the Council on the law applicable to non-contractual obligations ('ROME II') (9751/7/2006 — C6-0317/2006 — 2003/0168(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (9751/7/2006 — C6-0317/2006) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2003)0427) ⁽³⁾,
- having regard to the amended Commission proposal (COM(2006)0083) ⁽³⁾,
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 62 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on Legal Affairs (A6-0481/2006),

1. Approves the common position as amended;
2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 289 E, 28.11.2006, p. 68.

⁽²⁾ OJ C 157 E, 6.7.2006, p. 370.

⁽³⁾ Not yet published in OJ.

P6_TC2-COD(2003)0168

Position of the European Parliament adopted at second reading on 18 January 2007 with a view to the adoption of Regulation (EC) No .../2007 of the European Parliament and of the Council on the law applicable to non-contractual obligations ('ROME II')

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 61(c) and 67 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽²⁾,

Whereas:

- (1) The Community has set itself the objective of maintaining and developing an area of freedom, security and justice. For the progressive establishment of such an area, the Community is to adopt measures relating to judicial cooperation in civil matters with a cross-border impact to the extent necessary for the proper functioning of the internal market.

⁽¹⁾ OJ C 241, 28.9.2004, p. 1.

⁽²⁾ Position of the European Parliament of 6 July 2005 (OJ C 157 E, 6.7.2006, p. 371), Council Common Position of 25 September 2006 (OJ C 289 E, 28.11.2006, p. 68) and Position of the European Parliament of 18 January 2007.