

16. Rome I Regulation

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ABI Lead Committees: European

Other interested committees: Financial Regulation and Taxation

Issue: The European Commission's Rome I Regulation has now entered into force.

Status: In October, the Treasury consulted the insurance industry on the Regulations that were required to implement the Rome I Regulation in the UK. The required [Regulations](#) have now been laid in the House of Commons and entered into force on 17 December 2009 and apply to contracts entered into on or after this date. Regulation 4, relating to Article 7(3) of Rome I, allows parties to contracts insuring mass risks greater freedom of choice of law when the risk is situated in the UK.

ABI Action: The Secretariat responded to previous Government consultation encouraging the UK to opt-in to the Rome I Regulation. A draft set of Regulations prepared by HM Treasury was circulated to Members for consideration and comments were provided to the Treasury.

Background: The Rome Convention on the law applicable to contractual obligations lays down the choice of law rules for contractual claims.

Whereas Rome I focuses on the rules applicable to cross-border contracts, Rome II covers disputes arising from non-contractual obligations, e.g. product liability and environmental claims. Rome II provides that the applicable law is that of the country where the harmful act was committed. Rome II entered into force on 11 January 2009.

Useful documents

[Rome I Regulation](#)