

## TABLE OF CONTENTS

<b>Preface to the Second Edition (2015)</b>	ix
<b>Preface to the First Edition (2011)</b>	xi
<b>List of Authors</b>	xiii
<b>List of Abbreviations</b>	xvii
Introduction	1
<b>Part One      The Rome I Regulation</b> REGULATION (EC) No 593/2008	25
<b>Chapter I      Scope</b>	47
<b>Article 1</b> Material Scope	47
<b>Article 2</b> Universal Application	73
<b>Chapter II     Uniform Rules</b>	76
<b>Article 3</b> Freedom of Choice	76
<b>Article 4</b> Applicable Law in the Absence of Choice	109
<b>Article 5</b> Contracts of Carriage	127
<b>Article 6</b> Consumer Contracts	154
<b>Article 7</b> Insurance Contracts	194
<b>Article 8</b> Individual Employment Contracts	218
<b>Article 9</b> Overriding Mandatory Provisions	242
<b>Article 10</b> Consent and Material Validity	262
<b>Article 11</b> Formal Validity	275
<b>Article 12</b> Scope of the Law Applicable	307
<b>Article 13</b> Incapacity	321
<b>Article 14</b> Voluntary Assignment and Contractual Subrogation	339
<b>Article 15</b> Legal Subrogation	360
<b>Article 16</b> Multiple Liability	364
<b>Article 17</b> Set-Off	369
<b>Article 18</b> Burden of Proof	374

<b>Chapter III</b>	<b>Other Provisions</b>	382
<b>Article 19</b>	Habitual Residence	382
<b>Article 20</b>	Exclusion of <i>Renvoi</i>	391
<b>Article 21</b>	Public Policy of the Forum	395
<b>Article 22</b>	States with More than One Legal System	412
<b>Article 23</b>	Relationship with Other Provisions of Community Law	416
<b>Article 24</b>	Relationship with the Rome Convention	428
<b>Article 25</b>	Relationship with Existing International Conventions	431
<b>Article 26</b>	List of Conventions	435
<b>Article 27</b>	Review Clause	437
<b>Article 28</b>	Application in Time	438
<b>Chapter IV</b>	<b>Final Provisions</b>	439
<b>Article 29</b>	Entry into Force and Application	439
<b>Part Two</b>	<b>The Rome II Regulation</b> REGULATION (EC) No 864/2007	443
<b>Chapter I</b>	<b>Scope</b>	461
<b>Article 1</b>	Scope	461
<b>Article 2</b>	Non-contractual Obligations	487
<b>Article 3</b>	Universal Application	490
<b>Chapter II</b>	<b>Torts/Delicts</b>	495
<b>Article 4</b>	General Rule	495
<b>Article 5</b>	Product Liability	535
<b>Article 6</b>	Unfair Competition and Acts Restricting Free Competition	569
<b>Article 7</b>	Environmental Damage	603
<b>Article 8</b>	Infringement of Intellectual Property Rights	626
<b>Article 9</b>	Industrial Action	643
<b>Chapter III</b>	<b>Unjust Enrichment, Negotiorum Gestio and Culpa in Contrahendo</b>	658
<b>Article 10</b>	Unjust Enrichment	658
<b>Article 11</b>	<i>Negotiorum Gestio</i>	675
<b>Article 12</b>	<i>Culpa In Contrahendo</i>	685
<b>Article 13</b>	Applicability of Article 8	697

<b>Chapter IV</b>	<b>Freedom of Choice</b>	699
<b>Article 14</b>	Freedom of Choice	699
<b>Chapter V</b>	<b>Common Rules</b>	722
<b>Article 15</b>	Scope of the Law Applicable	722
<b>Article 16</b>	Overriding Mandatory Provisions	729
<b>Article 17</b>	Rules of Safety and Conduct	741
<b>Article 18</b>	Direct Action against the Insurer of the Person Liable	760
<b>Article 19</b>	Subrogation	770
<b>Article 20</b>	Multiple Liability	774
<b>Article 21</b>	Formal Validity	779
<b>Article 22</b>	Burden of Proof	781
<b>Chapter VI</b>	<b>Other Provisions</b>	785
<b>Article 23</b>	Habitual Residence	785
<b>Article 24</b>	Exclusion of <i>Renvoi</i>	793
<b>Article 25</b>	States with More than One Legal System	796
<b>Article 26</b>	Public Policy of the Forum	800
<b>Article 27</b>	Relationship with Other Provisions of Community Law	814
<b>Article 28</b>	Relationship with Existing International Conventions	823
<b>Chapter VII</b>	<b>Final Provisions</b>	831
<b>Article 29</b>	List of Conventions	831
<b>Article 30</b>	Review Clause	833
<b>Article 31</b>	Application in Time	837
<b>Article 32</b>	Date of Application	838
<b>Part Three</b>	<b>The Rome III Regulation</b>	
	REGULATION (EU) No 1259/2010	843
<b>Chapter I</b>	<b>Scope, Relation with Regulation (EC) No 2201/2003, Definitions and Universal Application</b>	857
<b>Article 1</b>	Scope	857
<b>Article 2</b>	Relation with Regulation (EC) No 2201/2003	864
<b>Article 3</b>	Definitions	865
<b>Article 4</b>	Universal Application	867

<b>Chapter II</b>	<b>Uniform Rules on the Law Applicable to Divorce and Legal Separation</b>	868
<b>Article 5</b>	Choice of Applicable Law by the Parties	868
<b>Article 6</b>	Consent and Material Validity	883
<b>Article 7</b>	Formal Validity	886
<b>Article 8</b>	Applicable Law in the Absence of a Choice by the Parties	890
<b>Article 9</b>	Conversion of Legal Separation into Divorce	909
<b>Article 10</b>	Application of the Law to the Forum	916
<b>Article 11</b>	Exclusions of <i>Renvoi</i>	926
<b>Article 12</b>	Public Policy	930
<b>Article 13</b>	Differences in National Law	945
<b>Article 14</b>	States with Two or More Legal Systems – Territorial Conflicts of Law	950
<b>Article 15</b>	States with Two or More Legal Systems – Inter-personal Conflicts of Law	953
<b>Article 16</b>	Non-application of this Regulation to Internal Conflicts of Laws	954
<b>Chapter III</b>	<b>Other Provisions</b>	955
<b>Article 17</b>	Information to Be Provided by Participating Member States	955
<b>Article 18</b>	Transitional Provisions	958
<b>Article 19</b>	Relationship with Existing International Conventions	962
<b>Article 20</b>	Review Clause	964
<b>Chapter IV</b>	<b>Final Provisions</b>	965
<b>Article 21</b>	Entry into Force and Date of Application	965
	Table of Cases	967
	Index	975