

SCHEDULES

SCHEDULE 1

THE ROME CONVENTION

TITLE I

SCOPE OF THE CONVENTION

Article 1

Scope of the Convention

- 1 The rules of this Convention shall apply to contractual obligations in any situation involving a choice between the laws of different countries.
- 2 They shall not apply to:
 - (a) questions involving the status or legal capacity of natural persons, without prejudice to Article 11;
 - (b) contractual obligations relating to:
 - wills and succession,
 - rights in property arising out of a matrimonial relationship,
 - rights and duties arising out of a family relationship, parentage, marriage or affinity, including maintenance obligations in respect of children who are not legitimate;
 - (c) obligations arising under bills of exchange, cheques and promissory notes and other negotiable instruments to the extent that the obligations under such other negotiable instruments arise out of their negotiable character;
 - (d) arbitration agreements and agreements on the choice of court;
 - (e) questions governed by the law of companies and other bodies corporate or unincorporate such as the creation, by registration or otherwise, legal capacity, internal organisation or winding up of companies and other bodies corporate or unincorporate and the personal liability of officers and members as such for the obligations of the company or body;
 - (f) the question whether an agent is able to bind a principal, or an organ to bind a company or body corporate or unincorporate, to a third party;
 - (g) the constitution of trusts and the relationship between settlors, trustees and beneficiaries;
 - (h) evidence and procedure, without prejudice to Article 14.
- 3 The rules of this Convention do not apply to contracts of insurance which cover risks situated in the territories of the Member States of the European Economic Community. In order to determine whether a risk is situated in these territories the court shall apply its internal law.
- 4 The preceding paragraph does not apply to contracts of re-insurance.

Status: This is the original version (as it was originally enacted).

Article 2

Application of law of non-contracting States

Any law specified by this Convention shall be applied whether or not it is the law of a Contracting State.