

Regulation (EC) No 864/2007 of the European Parliament and of the Council
of 11 July 2007 on the law applicable to non-contractual obligations (Rome II)

CHAPTER II

TORTS/DELICTS

Article 4

General rule

1 Unless otherwise provided for in this Regulation, the law applicable to a non-contractual obligation arising out of a tort/delict shall be the law of the country in which the damage occurs irrespective of the country in which the event giving rise to the damage occurred and irrespective of the country or countries in which the indirect consequences of that event occur.

2 However, where the person claimed to be liable and the person sustaining damage both have their habitual residence in the same country at the time when the damage occurs, the law of that country shall apply.

3 Where it is clear from all the circumstances of the case that the tort/delict is manifestly more closely connected with a country other than that indicated in paragraphs 1 or 2, the law of that other country shall apply. A manifestly closer connection with another country might be based in particular on a pre-existing relationship between the parties, such as a contract, that is closely connected with the tort/delict in question.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 864/2007 of the European Parliament and of the Council, Article 4.