

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 IV

FREEDOM OF CHOICE

Article 14

Freedom of choice

- 1 The parties may agree to submit non-contractual obligations to the law of their choice:
 - a by an agreement entered into after the event giving rise to the damage occurred;
 - or
 - b where all the parties are pursuing a commercial activity, also by an agreement freely negotiated before the event giving rise to the damage occurred.

The choice shall be expressed or demonstrated with reasonable certainty by the circumstances of the case and shall not prejudice the rights of third parties.

- 2 Where all the elements relevant to the situation at the time when the event giving rise to the damage occurs are located in a country other than the country whose law has been chosen, the choice of the parties shall not prejudice the application of provisions of the law of that other country which cannot be derogated from by agreement.

- 3 Where all the elements relevant to the situation at the time when the event giving rise to the damage occurs are located in one or more of the Member States, the parties' choice of the law applicable other than that of a Member State shall not prejudice the application of provisions of Community law, where appropriate as implemented in the Member State of the forum, which cannot be derogated from by agreement.

Status:

Point in time view as at 31/01/2020.

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, CHAPTER IV.