

No. 30241

MULTILATERAL

Convention on the accession of the Kingdom of Spain and the Portuguese Republic to the Convention on the law applicable to contractual obligations (with annexed convention, protocol and joint declaration). Concluded at Funchal, Portugal, on 18 May 1992

Authentic texts: Spanish, Danish, German, Greek, English, French, Irish, Italian, Dutch and Portuguese.

Authentic texts of the annexed convention, protocol and joint declaration: Spanish and Portuguese.

Registered by the Secretary-General of the Council of the European Communities, acting on behalf of the Parties, on 1 September 1993.

MULTILATÉRAL

Convention relative à l'adhésion du Royaume d'Espagne et de la République portugaise à la Convention sur la loi applicable aux obligations contractuelles (avec convention, protocole et déclaration commune annexés). Conclue à Funchal (Portugal) le 18 mai 1992

Textes authentiques : espagnol, danois, allemand, grec, anglais, français, irlandais, italien, néerlandais et portugais.

Textes authentiques de la convention, du protocole et de la déclaration commune annexés : espagnol et portugais.

Enregistrée par le Secrétaire général du Conseil des Communautés européennes, agissant au nom des Parties, le 1^{er} septembre 1993.

CONVENTION¹ ON THE ACCESSION OF THE KINGDOM OF SPAIN
AND THE PORTUGUESE REPUBLIC TO THE CONVENTION
ON THE LAW APPLICABLE TO CONTRACTUAL OBLIGA-
TIONS, OPENED FOR SIGNATURE IN ROME ON 19 JUNE 1980²

THE HIGH CONTRACTING PARTIES TO THE TREATY ESTABLISHING THE EUROPEAN ECONOMIC
COMMUNITY,

CONSIDERING that the Kingdom of Spain and the Portuguese Republic, in becoming
Members of the Community, undertook to accede to the Convention on the Law
applicable to Contractual Obligations, opened for signature in Rome on
19 June 1980,

HAVE DECIDED to conclude this Convention, and to this end have designated as
their plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Melchior WATHELET,
Deputy Prime Minister, Minister for Justice and Economic Affairs

HER MAJESTY THE QUEEN OF DENMARK:

Michael BENDIK,
Minister for Justice

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Wolfgang HEYDE,
Ministerial Director in the Federal Ministry for Justice

¹ Came into force on 1 September 1993, i.e., the first day of the third month following the date of deposit of the last instrument of ratification by the Kingdom of Spain or the Portuguese Republic and by one State which had ratified the Convention on the law applicable to contractual obligations, in accordance with article 5:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification</i>
Netherlands	11 February 1993
Spain	2 June 1993

² United Nations, *Treaty Series*, vol. 1605, No. I-28023.

THE PRESIDENT OF THE HELLENIC REPUBLIC:

Michalis PAPACONSTANTINOU,
Minister for Justice

HIS MAJESTY THE KING OF SPAIN:

Tomás DE LA QUADRA-SALCEDO Y FERNÁNDEZ DEL CASTILLO,
Minister for Justice

THE PRESIDENT OF THE FRENCH REPUBLIC:

Michel VAUZELLE,
Keeper of the Seals, Minister for Justice

THE PRESIDENT OF IRELAND:

Pádraig FLYNN,
Minister for Justice

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Giovanni BATTISTINI,
Ambassador in Lisbon

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Charles ELSEN,
First Councillor of the Government

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E.M.H. HIRSCH BALLIN,
Minister for Justice

THE PRESIDENT OF THE PORTUGUESE REPUBLIC:

Álvaro José BRILHANTE LABORINHO LÚCIO,
Minister for Justice

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

John Mark TAYLOR,
Parliamentary Under-Secretary of State for the Lord Chancellor's Department

WHO, meeting within the Council, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The Kingdom of Spain and the Portuguese Republic hereby accede to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980.

ARTICLE 2

The Convention on the Law applicable to Contractual Obligations is hereby amended as follows:

- 1) Article 22(2), Article 27 and the second sentence of Article 30(3) shall be deleted.
- 2) The following shall be substituted for Article 31(d):

"(d) communications made in pursuance of Articles 23, 24, 25, 26 and 30;".

ARTICLE 3

The Secretary-General of the Council of the European Communities shall transmit a certified copy of the Convention on the Law applicable to Contractual Obligations in the Danish, Dutch, English, French, German, Greek, Irish and Italian languages to the Governments of the Kingdom of Spain and the Portuguese Republic.

The text of the Convention on the Law applicable to Contractual Obligations in the Portuguese and Spanish languages is set out in Annexes I and II to this Convention. The texts drawn up in the Portuguese and Spanish languages shall be authentic under the same conditions as the other texts of the Convention on the Law applicable to Contractual Obligations.

ARTICLE 4

This Convention shall be ratified by the Signatory States. The instruments of ratification shall be deposited with the Secretary-General of the Council of the European Communities.

ARTICLE 5

This Convention shall enter into force, as between the States which have ratified it, on the first day of the third month following the deposit of the last instrument of ratification by the Kingdom of Spain or the Portuguese Republic and by one State which has ratified the Convention on the Law applicable to Contractual Obligations.

This Convention shall enter into force for each Contracting State which subsequently ratifies it on the first day of the third month following the deposit of its instrument of ratification.

ARTICLE 6

The Secretary-General of the Council of the European Communities shall notify the signatory States of:

- (a) the deposit of each instrument of ratification;
- (b) the dates of entry into force of this Convention for the Contracting States.