# THE PARLIAMENT OF THE CZECH REPUBLIC
## SENATE

**8th TERM**

# 46th

# Resolution of the Senate

delivered on the 2nd meeting held on 9th December 2010

**on Green Paper from the Commission on policy options for progress towards a European Contract Law for consumers and businesses**

**Senate**

**I.**

**Became acquainted**
with the content of the Green Paper and the particular options for further progress in the area of contract law on the European level;

**II.**

1. **Considers**
the setting up of an official tool-box based on interinstitutional agreement, that would serve as a guideline for European institutions for future legislative activities in the area of contract law on the European level, as the currently most suitable option for further progress;

2. **Is of the opinion**
that contract law could be subject to unification or complex harmonization on the Union level only with great difficulty, due to the different legal traditions from which stem the civil codes of the Member States;

3. **Does not consider**
creation of an optional instrument to be a viable alternative solution, as there exist norms of international private law and also European legislation in the area of consumer protection that provides for the minimal harmonization of consumer law in the EU;

4. **States**
that the possible setting up of the optional instrument is problematic mainly with regard to peremptory norms of national legal orders that still have to be applied;

**III.**

1. **Requests**
the Government to inform the Senate about the way this position was taken into account and about further initiatives following this Green Paper;

2. **Authorises**
   the President of the Senate to forward this resolution to the European Commission, the Council, the Government of the Czech Republic, the Chamber of Deputies of the Parliament of the Czech Republic and the European Parliament**.**

Milan Štěch
sign manual
President of the Senate

Miluše Horská
sign manual
Senate Verifier