



*Parlamentul României*  
*Senat*

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Bucharest, 15 December, 2010

Courtesy translation

**OPINION**

**of the ROMANIAN SENATE, on the**

**GREEN PAPER FROM THE COMMISSION**  
**on policy options for progress towards a European Contract Law for consumers**  
**and businesses**  
COM (2010)348 final

**The Senate of Romania** has analyzed which approach is the best for a common European Contract Law which could be applied and interpreted uniformly in all the Member States.

Taking into account the report of our permanent Juridical Committee on Nominations, Discipline, Immunities and Validations, **the Plenum of the Senate**, during its session of the 8-th of December 2010, decided:

1. Regarding to the **legal nature** of the instrument of European Contract Law was agreed the option for a Regulation that could replace the diversity of national laws with a uniform European set of rules. This solution would remove legal fragmentation in the field of contract law and lead to uniform application and interpretation of the Regulation's provisions.
2. Regarding to **the scope of application of the instrument** was agreed the option that the instrument should cover both cross-border and domestic contracts. The instrument could represent a further incentive for businesses to expand across borders, as they would be able to use one single set of terms and one single economic policy.
3. Regarding to **the material scope of the instrument** was considered the best option to a narrow interpretation of its scope limited to rules on: definition of contract, pre-contractual duties, formation, right of withdrawal, representation, grounds of invalidity, interpretation, contents and effects of contracts, performance, remedies for non-performance, plurality of debtors and creditors, change of parties, set-off and merger, and prescription.

President  
Mircea Dan GEOANĂ