

## **Joint CNF and CCBE Conference on the proposed Common European Sales Law**

**Rome , 11 April 2012**

### ***The proposed Common European Sales Law – the lawyers’ view***

The proposal from the European Commission for a Regulation on a Common European Sales Law (CESL) has raised divergent reactions from various parties across Europe. In order to contribute actively to this discussion from the lawyers’ point of view, the conference aims to promote a debate and exchange of views among legal practitioners regarding the main legal issues of the CESL. General questions such as ‘Do we need a CESL?’, ‘Can the CESL achieve what it sets out to do?’ and ‘The relationship with Rome I and the Vienna Convention’ will be addressed, as well as some specific provisions of the proposal. The conference will gather representatives from the European Commission and the European Parliament, and also lawyers from different jurisdictions across Europe known for their expertise in this field.

Simultaneous interpretation will be provided in English, French and Italian

**Venue: Consiglio Nazionale Forense (CNF)**

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### ***Programme***

**Moderators:**

*Prof. Ubaldo Perfetti , Vice-President of the CNF*

**08:30 – Registration**

**09:00 – Opening addresses**

*Marcella Prunbauer-Glaser, President of the Council of Bars and Law Societies of Europe (CCBE)*

*Prof. Ubaldo Perfetti, Vice-President of the CNF*

**09:30 – Introduction of the CESL**

*Presentation by Dirk Staudenmayer, Head of Unit – Contract law, European Commission*

**10:00 – A perspective from the European Parliament**

*Presentation by Luigi Berlinguer, MEP, Vice-Chair of the Legal Affairs Committee and Co-Rapporteur on the CESL*

**10:30 – Questions**

**10:45 – Coffee break**

**11:15 – PANEL DISCUSSION I**

A General perspective on the CESL – Chair: Friedrich Graf von Westphalen, Chair of the CCBE European Private Law Committee

- Do we need a CESL?
- Legal basis and scope
- The optional nature
- Can the CESL achieve what it sets out to do?

*Panel: Prof. Giuseppe Conte (Italy), Fergus Randolph QC (United Kingdom), Georg Maier-Reimer (Germany)*

**12:45 – Lunch**

**14:15 – PANEL DISCUSSION II**

The CESL and existing provisions – Chair: Friedrich Graf von Westphalen, Chair of the CCBE European Private Law Committee

- Aspects of conflict of laws
- When does the CESL apply?
- The relationship with Rome I and the Vienna Sales Convention

*Panel: Prof. Ubaldo Perfetti (Italy), James Wolffe QC (United Kingdom)*

**PRESENTATIONS: SOME THOUGHTS ON SOME PROVISIONS OF THE CESL**

**15:00 – Making a binding contract and assessing what is in the contract**

*Friedrich Graf von Westphalen, Chair of the CCBE European Private Law Committee*

**15:20 – Discussion**

**15:30 – Coffee break**

**16:00 – Requiring and withholding performance, termination and price reduction: the CESL in comparison with the Vienna Sales Convention**

*Enrica Senini (Italy)*

**16:20 – Discussion**

**16:30 – What is the CESL’s contribution in terms of damages and interest**

*Louis-Bernard Buchman (France)*

**16:50 – Discussion**

**17:00 – Conclusions**

*Prof. Ubaldo Perfetti, Vice-President of the CNF*

**17:30 – End of the conference**

**20:30 – Dinner at the Palazzo Massimo di Pirro, Corso Vittorio Emanuele II, 145 in Rome** (at walking distance from the conference venue)

For background documentation about the Commission’s proposal, you may find it useful to consult this page: [http://ec.europa.eu/justice/newsroom/news/20111011\\_en.htm](http://ec.europa.eu/justice/newsroom/news/20111011_en.htm)