

Course Introduction to International Business Law

Lecture 3

Step up to Saxion.



Topics

- Revision lecture 2
 - Questions
- Subjects of today:
 - Introduction to EEX/ Brussels 1
 - Execution of the verdict
 - Arbitration
 - Homework

Introduction to EEX- Regulation

- Gives provisions to determine which court of law has jurisdiction in case of a lawsuit where parties are living in different states.
- All EU-MS (except for Denmark) submit under this Regulation
- Relevant is the place of residence

Introduction to EEX- Regulation 2

- Special provisions for jurisdiction:
 - Art. 23: choice of parties (written)
 - Art .22: immovable property =exclusive jurisdiction
 - Artt.18–21: individual employment contract
 - Artt.15–17: consumer contracts
 - Artt.8–14: insurance matters

Introduction to EEX- Regulation 3

- General provisions of art 2 & 5:
 - Art.2: court of law of the country of the defendant has jurisdiction
 - Combine art. 2 with art. 5 to determine the alternative jurisdiction
 - Art.5 par.1 : matters related to contract
 - Art.5 par.3 : matters related to tort
 - In case of two courts of law being competent, the plaintiff can choose

Execution of the verdict

- Art. 38: if a court of law is competent according to the EEX-Regulation, the verdict can be executed everywhere across the EU.

Arbitration

- Alternative for a lawsuit in court
- Parties in the same line of business
- Third party (expert) decides on the litigating matter
- Place of arbitration is mentioned
- Advantages: experts/less formal/ not open to public/ independent from states
- Disadvantages: expensive/ once chosen for arbitration the way to court is closed



Homework

- Exercise 3 Chapter 3