# Table of legislation

## European

<table>
<thead>
<tr>
<th>Charter of Fundamental Rights</th>
<th>Commission Remedies Notice 2001:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art 21 ........................................... 358</td>
<td>Commission Notice on remedies acceptable under Council</td>
</tr>
<tr>
<td>Art 28 ........................................... 338</td>
<td>Regulation (EEC) No 4064/89 and</td>
</tr>
<tr>
<td>Art 47 ........................................... 348</td>
<td>under Commission Regulation</td>
</tr>
<tr>
<td>Art 51(1) ...................................... 358</td>
<td>(EC) No 447/98, OJ C 68,</td>
</tr>
<tr>
<td>Commission Banking Communication (2013): Communication from the</td>
<td>02.03.2001, p. 3 ........... 262, 266</td>
</tr>
<tr>
<td>Commission on the application, from 1 August 2013, of State aid</td>
<td></td>
</tr>
<tr>
<td>rules to support measures in favour of banks in the context of the</td>
<td>Commission Remedies Notice:</td>
</tr>
<tr>
<td>financial crisis (2013/C 216/01) ................................. 268</td>
<td>Commission notice on remedies</td>
</tr>
<tr>
<td>Commission Best Practice Guidelines 2013: The Commission’s Model</td>
<td>acceptable under Council</td>
</tr>
<tr>
<td>Texts for Divestiture</td>
<td>Regulation (EC) No 139/2004 and</td>
</tr>
<tr>
<td>Commitments and the Trustee</td>
<td>under Commission Regulation</td>
</tr>
<tr>
<td>Mandate under the EC Merger</td>
<td>(EC) No 802/2004, OJ C 267,</td>
</tr>
<tr>
<td>Regulation, 5.12.2013 .... 262, 266</td>
<td>22.10.2008, pp. 1–27 .... 262, 267,</td>
</tr>
<tr>
<td>Commission Guidelines on the</td>
<td>273, 275, 278, 279</td>
</tr>
<tr>
<td>application of Art 81(3) [now Art</td>
<td>Directive 77/249/EEC lawyers –</td>
</tr>
<tr>
<td>101(3) TFEU] of the Treaty [2004]</td>
<td>freedom to provide services</td>
</tr>
<tr>
<td>Commission, Guidelines on Horizontal</td>
<td>Directive 84/450/EEC Misleading</td>
</tr>
<tr>
<td>OJ C11 .......................... 140, 153, 157, 158</td>
<td>........................................... 68</td>
</tr>
<tr>
<td>Vertical Restraints, OJ C 130,</td>
<td>Liability, OJ L 210, 7.8.1985,</td>
</tr>
<tr>
<td>19.05.2010, p. 1 .......................... 339, 340</td>
<td>p. 29</td>
</tr>
<tr>
<td>Commission Notice on best practices for the conduct of proceedings</td>
<td>Art 6(1) .......................... 355</td>
</tr>
<tr>
<td>concerning Articles 101 and 102</td>
<td>Directive 89/106/EEC Construction</td>
</tr>
<tr>
<td>pp. 6–32 ................................. 267</td>
<td>Art 7/2 .......................... 159</td>
</tr>
<tr>
<td>Commission Notice on Immunity from</td>
<td>Directive 93/13/EEC Unfair terms in</td>
</tr>
<tr>
<td>fines and reduction of fines in</td>
<td>consumer contracts, OJ L 95,</td>
</tr>
<tr>
<td>p. 1, as amended .......................... 327</td>
<td>Art 3(1) .......................... 353</td>
</tr>
<tr>
<td>Art 3(1) ........................................ 353</td>
<td>Art 4(2) .......................... 354</td>
</tr>
<tr>
<td>Directive 95/46/EEC Data Protection</td>
<td>rec 49 .......................... 263</td>
</tr>
<tr>
<td>rec 49 .......................... 263</td>
<td></td>
</tr>
</tbody>
</table>
Directive 98/5/EC practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained [1998] OJ L77/36 .......... 143, 150
Art 2(1) ................................. 357
Art 2(2)(d) ............................. 68
Directive 2000/31/EC E-commerce ... 4
Art 3/3 .................................... 150
Art 11 .................................. 150
Art 12 .................................. 150
Art 26 .................................. 335
Art 14 .................................. 250
Art 2(f) .................................. 161
Art 2(g) .................................. 161
Art 6(2)(b) .......... 68, 90, 117, 161
Art 10 .................................. 161
rec 114 .................. 151
Art 3/7 .................. 150
Art 3/9 .................. 150
Art 10 .................. 150
Art 37/1 .................. 150
rec 45 .................. 353
Art 6(4) .................. 264
Art 21(2) .................. 264, 277
Art 21(3) .................. 272
Art 21(6) .................. 277, 278
Art 21(10) .................. 272
Art 21(11) .................. 272
rec 43 .................. 353
Art 7(4) .................. 264
Art 21(2) .................. 264
Annex 1, s 1 .................. 353
Art 46 .................. 264, 272
Directive 2010/13/EU Audiovisual media services [2010] OJ L95/1
Art. 9/2 .................. 150
Directive 2011/83/EU Consumer rights .................. 4
rec 3 .................. 356
rec 4 .................. 356
rec 31 .................. 357
Art 18 .................. 356
Table of legislation  xvii

Art 31 ........................................ 264
Art 54 ........................................ 264
Art 11 ........................................ 327
Art 8(4) ........................................ 264
European Convention on Human Rights .................................... 152
Guidelines on State aid to airports and airlines (2014), 2014/ C 99/03 .................................... 268
para 30 ........................................ 267
Art 9 ........................................ 267
Art 27(4) .................................... 268
rec 30 ..................................... 266
Art 6.2 .................................... 266
Art 6 ........................................ 342
Regulation (EC) No 593/2008 Law applicable to contractual obligations (Rome I) OJ L 177, 4.7.2008, p. 6
Art 6(1) ................................. 343
Art 6(2) ................................. 343
Art 8(1) ................................. 343
Art 8(2) ................................. 343
Art 21 ...................................... 342
Annex I ..................................... 278
Art 2(2) .................................... 339
Art 2(4) .................................... 339
Art 3 ..................................... 339
Art 4 ..................................... 339
Art 19(3) .................................... 268
rec 97 ................................ 279
Section 4 .................................. 262, 263
Art 9 ...................................... 270
Art 10 .................................. 270
Art 37...........................................263  
Art 37(1) ......................................270  
Art 37(5)...............................263, 275  
Art 38 ...................................263, 274  
Art 38(3) ......................................279  
Art 38(5) ......................................279  
Art 38(6) ......................................279  
Art 39 ........................................263, 274  
Art 99 ...........................................271  
Treaty on European Union (TEU)  
Art 19...........................................348  
Treaty on the Functioning of the  
European Union ..............................153  
Art 101 .............148, 154, 162, 163, 339,  
340, 341, 361, 362  
Art 101/1 ..................154, 361  
Art 101/2 ..................161, 164  
Art 102 ......................148, 154, 155  
Art 106 ......................155  
National Legislation  
Australia  
Franchising Code of Conduct ...........209  
Germany  
Civil Code .................................113  
Federal Data Protection Act 2003, as  
amended .......................................271  
§ 4f(1) ........................................271  
§ 4f(2) ........................................276  
§ 4f(3) ........................................280  
§ 43(3) .......................................271  
Penal Code  
s 13................................................280  
Italy  
Legislative Decree no 231 of 8 June 2001 ......................265  
Poland  
Act on the Protection of Personal Data  
1997 .............................................270  
Art 36a(5).....................................275  
Art 36a(7).....................................279  
Art 36a(8).....................................279  
Art 36b.........................................271  
Criminal Code  
Art 296 § 1 .....................................281  
Netherlands  
Civil Code (BW)  
Art. 6:213 lid 2 .........................242  
Art 6:253(4) ....................................74  
Art 6: 265 .......................................242  
Art 6:279 .......................................242  
Art 7A:1670 ....................................250  
Copyright Act  
Art 11 ...........................................12  
Financial Supervision Act  
art 4:34 ..........................................69  
Judiciary Organization Act (RO) ......78  
Art 79 ...........................................78, 79  
Wet kwaliteit, klachten en geschillen  
zorg (Staatsblad 2015/407, in  
force as of 1 January 2016)  
Art 3 .....................................246  
Spain  
Criminal Code ..............................265  
United Kingdom  
Contracts (Rights of Third Parties) Act  
1999 ..................173, 178, 191, 193  
Sale of Goods Act 1979  
S 14 .................................314  
Statute of Frauds 1677 ......................210  
Unfair Terms in Consumer Contracts  
Regulations 1999, SI 1999/2083  
Sch 2, para 1(i) .........................341  
United States of America  
Sarbanes-Oxley Act  
s 402 ...........................................101  
s 406 ...........................................101  
Restatement (Second) of Contracts  
s. 90 ...........................................113  
§302(1) (1981) .........................319  
§304 (1981) .........................319
Table of legislation

International, National and Corporate Codes and Instruments

Advertising Code (Netherlands) ..... 43, 69
British Franchise Association, Code of Ethics .......................... 209
Charter of core principles of the European legal profession ..... 152
Chiquita, International Banana Purchase Agreement ..... 296, 300, 303, 305
Code of Conduct for Energy Suppliers (Netherlands) ... 43
Code of Conduct for European lawyers [2008] CCBE ..... 138, 143, 144, 161
Art 1.3.1 .................................. 138, 144
Art 3.1.3 ................................... 152
Code of Conduct for Pharmaceutical Advertising (Netherlands) ..... 87
Code on Consumer Credit (Netherlands) ................ 69
Common Frame of Reference (CFR) .................... 3
Draft Common Frame of Reference (DCFR) .................. 3, 57, 162, 208
Art I.-1:103–1:104 .................................. 163
Art II.-1:101 .................................. 63
Art II.-1:101(1) .................................. 52
Art II.-1:104 ................................ 163
Art II.-4:102................................. 64
Arts II.-7:301–302 ......................... 71
Art II.-9:301 .................................... 317
Art II.-9:301(1) .................................. 62
Arts II.-9:403–408 ......................... 88
Draft United Nations Code of Conduct on Transnational Corporations,
EPI Code of Conduct ....................... 149
ESTI Statutes
Art 8 ........................................ 147
European Code of Ethics for Franchising ..... 45, 73, 76–78, 81, 82
Art 4.3 ........................................ 76
European Codes of Conduct for Direct Selling (2011), European Direct Selling Association (Seldia) ..... 43
EU Framework for Online Behavioural Advertising, IAB Europe ........... 43
Fair Labor Association, FLA Workplace Code of Conduct and Compliance Benchmarks (2011) ..... 145, 284, 289
FIFA Players’ Agents Regulations (2008) (Fédération Internationale de Football Association) ...... 155, 166
Code of Professional Conduct (Annexe 1) ................... 142
Standard agency contract (Annexe 3) .................. 142
GLOBALGAP Integrated Farm Assurance module for Fruits and Vegetables .................. 310
Intellectual Property Rights (IPR) Policy, ETSI (European Telecommunications Standards Institute) ........ 146, 158
Art 6.1 ...................................... 147
Art 14 ........................................ 147
Model Trustee Mandate ........ 273, 275, 278, 280
Netherlands Home shopping association, Rules ............. 69
New York Stock Exchange Listed Company Manual s. 303A.10 .................. 101
OECD Guidelines for Multinational Enterprises 1976 (last update 2011) .................. 103, 114
Principles of European Contract Law (PECL) .................. 57, 208
art 2.102 ........................................ 64
art 4.110 .................................. 88
### Contract and regulation

<table>
<thead>
<tr>
<th>Art</th>
<th>Page(s)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>6:110</td>
<td>317</td>
<td>Art 6:110</td>
</tr>
<tr>
<td>6:110(1)</td>
<td>62</td>
<td>Art 6:110(1)</td>
</tr>
<tr>
<td>Art 1</td>
<td>74</td>
<td>Rules concerning trade on the options exchange (RHO) (Netherlands)</td>
</tr>
<tr>
<td>Art 2(1)</td>
<td>62</td>
<td>Unilever, General Terms and Conditions for the Purchase of Products and Services (Version 1 November 2015) ... 297, 298, 299, 302, 306, 308</td>
</tr>
<tr>
<td>Art 2</td>
<td>74</td>
<td>Unilever, Responsible Sourcing Policy ... 298, 299, 306, 307, 308</td>
</tr>
<tr>
<td>Art 5.2.1</td>
<td>317</td>
<td>Volkswagen Group, code of conduct</td>
</tr>
<tr>
<td>Art 23</td>
<td>142</td>
<td>Volkswagen Group, code of conduct (WADC) ... 141, 142</td>
</tr>
<tr>
<td>UNIDROIT Principles of International Commercial Contracts</td>
<td>208</td>
<td>UNIDROIT Principles of International Commercial Contracts</td>
</tr>
<tr>
<td>Art 2(1)</td>
<td>62</td>
<td>World Anti-Doping Code (WADC) ... 141, 142</td>
</tr>
<tr>
<td>Volkswagen Group Code of conduct</td>
<td>208</td>
<td>Volkswagen Group Code of conduct (WADC) ... 141, 142</td>
</tr>
<tr>
<td>Wal-Mart Code of conduct (Standards for Suppliers)</td>
<td>318</td>
<td>Wal-Mart Code of conduct (Standards for Suppliers) ... 318</td>
</tr>
<tr>
<td>Art 23</td>
<td>142</td>
<td>Art 23</td>
</tr>
</tbody>
</table>