

Private International Law of Contractual and Non-Contractual Obligations

Program of Part II:

- § 8 Protective Contracts – Insurance, Employment and Consumers
- I. Structure of Articles 10-15, 17-19, 20-23 Brussels I *bis* Regulation
 - II. Common features of the different types of contracts
 1. Favorable and protective heads of jurisdiction
 2. Limitations on Choice of court agreements
 3. Refusal of recognition as a consequence of the violation of certain rules on jurisdiction (Article 45)
 - III. Favorable and protective heads of jurisdiction
 1. Sphere of application (Artt. 10, 17, 20)
 2. Third state defendants
 3. Structure of Artt. 11, 14; 18; 21, 22 Brussels I *bis* Regulation having regard to the different roles of the parties
 4. Limitations on Choice of court agreements: Artt. 15, 19, 23 Brussels I *bis* Regulation
 - IV. Cross border actions directly brought against the insurer
 1. By the injured person
 2. By a social security institution, acting as statutory assignee of the rights of the directly injured party
 - V. Consumer contracts
 1. Personal scope of Article 17
 2. Contracts falling within Art 17 (1)
 - a) Contracts according to Art. 17 (1) (a) and (b)
 - b) Art. 17 (1) (c): “pursues” or “directs such activities”
 3. Existence of a causal link required between the means employed to direct the commercial or professional activity and the conclusion of the contract?
 4. Problems arising from the relationship with and the interpretation of Regulation Rome I