



*European Economic and Social Committee*

**Single Market Observatory (SMO) Hearing  
Brussels, 6 January 2010**

# **THE 28<sup>th</sup> REGIME**

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# **BASIC DIFFERENT APPROACHES TO EU LEGISLATIVE INTEGRATION**

- A) MUTUAL RECOGNITION,
- B) MINIMUM HARMONIZATION,
- C) TOTAL HARMONIZATION,
- D) TARGETED FULL HARMONIZATION.



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# THE MAIN PURPOSE OF THE EESC OPINION

- A) IS THE 28th REGIME A **BETTER ALTERNATIVE**?
- B) BETTER REGULATION/LESS REGULATION?
- C) TRUE TOTAL HARMONIZATION?
- D) BETTER CONSUMER PROTECTION?



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# MAIN CHARACTERISTICS

- A) OPTIONAL – CHOICE OF THE PARTIES,
- B) SECTORS TO BE CHOSEN AT EU LEVEL,
- C) LEAVES NATIONAL SYSTEMS UNTOUCHED  
(2<sup>nd</sup> REGIME),
- D) DEFINED IN A EU REGULATION  
(ROME I, REC 14),
- E) APPLIES TRANSBORDER AND DOMESTIC,
- F) PROVIDES A COMPLETE SET OF RULES,
- G) IF ADOPTED IS BINDING AS A WHOLE.



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# **MAIN DOMAINS OF APPLICATION**

- A) THE INTERNAL MARKET IN GENERAL,
- B) IN PARTICULAR FINANCIAL SERVICES,
- C) GENERAL CONTRACT LAW (COMMON FRAME OF REFERENCE, CFR),
- D) CIVIL AND COMMERCIAL PROCEDURE RULES,
- E) MARRIAGE/DIVORCE/SUCCESSIONS (WILLS),
- F) OTHER PRIVATE ACTS.



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# MAIN ISSUES

- A) DEFINITION AND LEGAL BASIS,
- B) FEASIBILITY,
- C) USEFULNESS,
- D) DIFFICULTIES AND CONSTRAINTS,
- E) DOMAINS OF APPLICATION,
- F) TIMELINESS.



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# **THE 28<sup>th</sup> REGIME...**

IS NEITHER ABOUT FINDING OUT  
THE SEX OF ANGELS

NOR

IS IT A TROJAN HORSE!



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I WOULD LIKE TO THANK YOU ALL FOR KINDLY  
ACCEPTING OUR INVITATION.

I WOULD LIKE TO THANK THOSE WHO COULD NOT  
BE PRESENT FOR THEIR CONTRIBUTIONS AND  
SUGGESTIONS.

I WOULD LIKE TO THANK YOU IN ADVANCE FOR  
YOUR COMMENTS AND OBSERVATIONS...

**...NOW THE FLOOR IS YOURS!**