

ANNEX VII

COMMENTS BY PROFESSOR ANDRÉ TUNC, THE REPRESENTATIVE OF FRANCE, ON
MR. S. ROGNLIEN'S REPORT ON ARTICLES 5 AND 7 OF ULIS

I am very favourable to your Alternative A with the following wording for Art. 5, para. 2:

"The present Law shall not affect the application of any mandatory provision of national law for the protection of a party to a contract which contemplates the purchase of goods by that party for personal, family or household purposes".

Such provision would as far as I can see, give satisfaction to the purposes pursued by the Working Group as well as the drafters of the present Art. 5.2. It appears to me broad enough without being excessive. I hope that the definition of consumer sales which it contains will prove to be precise enough.