



Procedure file

Basic information	
INL - Legislative initiative procedure	2006/2014(INL)
Procedure completed	
The limitation periods in cross-border disputes involving injuries and fatal accidents	
Subject	
2.50.05 Insurance, pension funds	
4.60.06 Consumers' economic and legal interests	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs		12/12/2005
		ALDE WALLIS Diana	
European Commission	Commission DG	Commissioner	
	Justice and Consumers	FRATTINI Franco	

Key events			
19/01/2006	Committee referral announced in Parliament		
21/11/2006	Vote in committee		Summary
23/11/2006	Committee report tabled for plenary	A6-0405/2006	
31/01/2007	Debate in Parliament		
01/02/2007	Results of vote in Parliament		
01/02/2007	Decision by Parliament	T6-0020/2007	Summary
01/02/2007	End of procedure in Parliament		

Technical information	
Procedure reference	2006/2014(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
Legal basis	Rules of Procedure EP 47
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/33025

Documentation gateway					
Committee draft report		PE367.972	11/05/2006	EP	
Amendments tabled in committee		PE376.375	28/06/2006	EP	
Amendments tabled in committee		PE380.856	09/11/2006	EP	
Committee report tabled for plenary, single reading		A6-0405/2006	23/11/2006	EP	
Text adopted by Parliament, single reading		T6-0020/2007	01/02/2007	EP	Summary
Commission response to text adopted in plenary		SP(2007)1016/2	27/02/2007	EC	
Commission response to text adopted in plenary		SP(2007)1426/2	23/04/2007	EC	

The limitation periods in cross-border disputes involving injuries and fatal accidents

The committee adopted the own-initiative report by Diana WALLIS (ALDE, UK) containing recommendations to the Commission on limitation periods in cross-border disputes involving injuries and fatal accidents. The committee wanted the Commission to carry out a study into the effects of the existence of differing limitation periods on the internal market, and particularly on citizens exercising their freedoms under the Treaty. In the light of this study, the Commission should then draft legislation harmonising national rules in this area. MEPs pointed out that the current differences in national laws regarding limitation periods, and particularly the starting date, the possibility of interrupting or stopping the running of time for limitation purposes and the date of expiry, may have undesirable consequences for accident victims in cross-border litigation. The report was adopted under a special procedure provided for in Article 192 of the EC Treaty allowing Parliament to make a formal request to the Commission to come forward with a legislative proposal.

The report set out a number of detailed recommendations:

- the proposed legislation should lay down the principles governing limitation periods for cross-border damages claims: arising from or resulting from personal injury; brought by the victim's heirs; brought by another person where the victim suffered personal injuries or had a fatal accident;
- there should be a general limitation period of four years, except where the proper law of the claim provides for a longer period. The committee also proposed a limitation period of ten years for enforcing a damages claim established by a final judgment or arbitral award;
- no limitation should apply to damages arising out of terrorist acts, torture or slavery.

The recommendations also dealt with the computation, starting date, suspension and interruption of the limitation period. Lastly, MEPs said that Member States should be required to set up national information centres for keeping a register of all criminal investigations or pending proceedings involving foreign victims and for providing written answers to requests made by or on behalf of victims.

The limitation periods in cross-border disputes involving injuries and fatal accidents

The European Parliament adopted a resolution based on the own-initiative report drawn up by Diana WALLIS (ALDE, UK) containing recommendations to the Commission on limitation periods in cross-border disputes involving injuries and fatal accidents. (Please see the summary of 21/11/2006.)