

No. 7411

**BELGIUM, DENMARK, FINLAND,
FRANCE, SPAIN, etc.**

**Convention on the law applicable to international sales of
goods. Done at The Hague, on 15 June 1955**

Official text: French.

Registered by the Netherlands on 15 September 1964.

**BELGIQUE, DANEMARK, FINLANDE,
FRANCE, ESPAGNE, etc.**

**Convention sur la loi applicable aux ventes à caractère
international d'objets mobiliers corporels. Faite à
La Haye, le 15 juin 1955**

Texte officiel français.

Enregistrée par les Pays-Bas le 15 septembre 1964.

[TRADUCTION — TRANSLATION]

No. 7411. CONVENTION¹ ON THE LAW APPLICABLE TO INTERNATIONAL SALES OF GOODS. DONE AT THE HAGUE, ON 15 JUNE 1955

The States signatory to this Convention;

Desiring to establish common provisions concerning the law applicable to sales of goods;

Have resolved to conclude a Convention for this purpose and have agreed on the following provisions :

Article premier

This Convention shall apply to international sales of goods.

It shall not apply to sales of securities, to sales of ships and of registered boats or aircraft, or to sales upon judicial order or by way of execution. It shall apply to sales based on documents.

For the purposes of this Convention, contracts to deliver goods to be manufactured or produced shall be placed on the same footing as sales, provided the party who assumes delivery is to furnish the necessary raw materials for their manufacture or production.

The mere declaration of the parties, relative to the application of a law or the competence of a judge or arbitrator, shall not be sufficient to confer upon a sale the international character provided for in the first paragraph of this article.

Article 2

A sale shall be governed by the domestic law of the country designated by the Contracting Parties.

¹ In accordance with article 9, the Convention came into force on 1 September 1964, the sixtieth day after the date of deposit of the fifth instrument of ratification. The instruments of ratification of the following States were deposited with the Netherlands Government on the dates indicated :

<i>State</i>	<i>Date of Deposit</i>	<i>Date of entry into force</i>
Italy	17 March 1958	1 September 1964
Belgium	29 October 1962	1 September 1964
France	30 July 1963	1 September 1964
Denmark	3 July 1964	1 September 1964
Finland	3 July 1964	1 September 1964
Norway	3 July 1964	1 September 1964
Sweden	8 July 1964	6 September 1964

Such designation must be contained in an express clause, or unambiguously result from the provisions of the contract.

Conditions affecting the consent of the parties to the law declared applicable shall be determined by such law.

Article 3

In default of a law declared applicable by the parties under the conditions provided in the preceding article, a sale shall be governed by the domestic law of the country in which the vendor has his habitual residence at the time when he receives the order. If the order is received by an establishment of the vendor, the sale shall be governed by the domestic law of the country in which the establishment is situated.

Nevertheless, a sale shall be governed by the domestic law of the country in which the purchaser has his habitual residence, or in which he has the establishment that has given the order, if the order has been received in such country, whether by the vendor or by his representative, agent or commercial traveller.

In case of a sale at an exchange or at a public auction, the sale shall be governed by the domestic law of the country in which the exchange is situated or the auction takes place.

Article 4

In the absence of an express clause to the contrary, the domestic law of the country in which inspection of goods delivered pursuant to a sale is to take place shall apply in respect of the form in which and the periods within which the inspection must take place, the notifications concerning the inspection and the measures to be taken in case of refusal of the goods.

Article 5

This Convention shall not apply to :

1. The capacity of the parties;
2. The form of the contract;
3. The transfer of ownership, provided that the various obligations of the parties, and especially those relating to risks, shall be subject to the law applicable to the sale pursuant to this Convention;
4. The effects of the sale as regards all persons other than the parties.

Article 6

In each of the Contracting States, the application of the law determined by this Convention may be excluded on a ground of public policy.