

United Nations (Vienna) Convention on Contracts for the International Sale of Goods 1980

In May 1992, the Commission published a Report on the [United Nations \(Vienna\) Convention on Contracts for the International Sale of Goods 1980 \(LRC 42-1992\)](#), under the First Programme of Law Reform.

By establishing a substantive uniform law to be applied to international contracts of sale between traders who have their places of business in different states, the Vienna Convention aspires to remove many of the complexities associated with the application of foreign law, and to sidestep disparities between domestic legal systems, thereby creating a climate which is more favourable to international trade. In this report, the Commission examines the question of whether Ireland should accede to the Convention. The Report sets out the present position as to the Irish law on international sales of goods and the relevant provisions of the Convention. It concludes with an assessment of the benefits to Ireland of accession to the Convention, and sets out proposals for the future.

The Report makes the following 6 recommendations:

- (i) Ireland should accede to the *United National (Vienna) Convention on Contracts for the International Sale of Goods 1980*. Legislation should be enacted to give effect to the provisions of the Convention.
- (ii) Ireland should not avail itself of the option (under Article 92) to make a declaration excluding the application of either Part II (on formation of contract) or Part III (on sale of goods).
- (iii) Ireland should not avail itself of the option (under Article 94) of excluding the application of the Convention in respect of contracts of sale or their formation where the parties have their places of business in Ireland and another specific country with the same or closely related legal rules.
- (iv) Ireland should not avail itself of the option of making a declaration (under Article 95) excluding the application for the Convention where such application would be based solely on the ground that the rules of private international law lead to the application of the law of a contracting state.
- (v) Ireland should not avail itself of the option of making a declaration (under Article 96) preserving domestic requirements as to writing or form.
- (vi) The existing sale of goods legislation should be amended so as to give effect to the entry into force for Ireland of the Convention.

Draft Legislation in Report

Not applicable.

Information on Implementation

Recommendations of the Commission were approved in the Report of Sales Law Review Group (2011). The Department of Jobs, Enterprise and Innovation published a draft Scheme of

Consumer Rights Bill (May 2015). In the Government Legislation Programme Autumn 2015 (Section C), it noted that a Consumer Rights Bill was to be published.