

Zpo Fallrepetitorium Grundlagen Examenswissen Ref

*As civil and commercial contracts between China and other countries increase exponentially, so do the disputes that result from these interactions. Efficient resolution of these ensuing disputes demands cross-border movement of judgments. However, beyond some divorce and bankruptcy matters, to date hardly any foreign judgments have been recognized in China. This harsh reality calls for a full investigation of the relevant Chinese legal environment e an investigation which will enhance availability of legal remedies in China and uncover effective strategies of dispute resolution containing Chinese elements."*

*Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in the Czech Republic covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the Czech Republic will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.*

*Uwe Kischel's comprehensive treatise on comparative law offers a critical introduction to the central tenets of comparative legal scholarship. The first part of the book is dedicated to general aspects of comparative law. The controversial question of methods, in particular, is addressed by explaining and discussing different approaches, and by developing a contextual approach that seeks to engage with real-world issues and takes a practical perspective on contemporary comparative legal scholarship. The second part of the book offers a detailed treatment of the major legal contexts across the globe, including common law, civil law systems (based on Germany and France, and extended to Eastern Europe, Scandinavia, and Latin America, among others), the African context (with an emphasis on customary law), different contexts in Asia, Islamic law and law in Islamic countries (plus a brief treatment of Jewish law and canon law), and transnational contexts (public international law, European Union law, and lex mercatoria). The book offers a coherent treatment of global legal systems that aims not only to describe their varying norms and legal institutions but to propose a better way of seeking to understand how the overall context of legal systems influences legal thinking and legal practice.*

*Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in Poland covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Poland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.*

Cultural Law

**Family and Succession Law in Mexico**

**Contract Law in Israel**

**Contract Law in Slovak Republic**

**Civil Procedure in Israel**

This casebook contains 122 of the most important decisions on the law of delict from The South African Law Reports. The purpose of the book is to provide students who are commencing their study of the law of delict with a general overview of case law on important principles and forms of delict.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Singapore. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Singapore will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Harold Berman's masterwork narrates the interaction of evolution and revolution in the development of Western law. This new volume explores two successive transformations of the Western legal tradition under the impact of the sixteenth-century German Reformation and the seventeenth-century English Revolution, with particular emphasis on Lutheran and Calvinist influences. Berman examines the far-reaching consequences of these apocalyptic political and social upheavals on the systems of legal philosophy, legal science, criminal law, civil and economic law, and social law in Germany and England and throughout Europe as a whole. Berman challenges both conventional approaches to legal history, which have neglected the religious foundations of Western legal systems, and standard social theory, which has paid insufficient attention to the communitarian dimensions of early modern economic law, including corporation law and social welfare. Clearly written and cogently argued, this long-awaited, magisterial work is a major contribution to an understanding of the relationship of law to Western belief systems.

"A unique collection of materials and commentary on cultural law that demonstrates the reality and efficacy of comparative, international, and indigenous law and legal practices in the dynamic context of culture-related issues"--Provided by publisher.

Eastern and Western Perspectives on Surrogacy

Blackstone's Civil Practice 2015

Contract Law in the Czech Republic

**Cross-Border Security over Tangibles**

This book examines the phenomenon of surrogacy from a comparative perspective. Bringing together experts from 21 countries across the world, it provides a comprehensive discussion of the ways in which surrogacy is regulated in both Eastern and Western jurisdictions, and seeks to establish a common ground to move forward in this morally and legally difficult subject area.0.

This thoroughly revised and updated second edition analyses in detail the current development of private international law at European Union level. Peter Stone examines the provisions of, and the case-law on, measures such as the Brussels I Regulation on civil jurisdiction and judgments; the Rome I and II Regulations on the law applicable to contractual and non-contractual obligations; the Brussels IIA Regulation on matrimonial proceedings and parental responsibility; Regulation 4/2009 on maintenance; and Regulation 1346/2000 on insolvency proceedings. The author welcomes, in principle, the movement towards European harmonisation in the sphere of private international law, but has misgivings over various aspects of the current legislation and case-law. Given the considerable development in this area of law since the first edition, law academics, law students, and legal practitioners interested in international litigation in matters governed by private law will warmly welcome this new book.

The Young Property Lawyers Forum (YPLF) is an informal international network with an annual conference that gives researchers the opportunity to present their research to both young and established property law scholars from around the world. This book contains selected contributions from the fourth Young Property Lawyers Forum and Masterclass. The book offers an interesting selection of recent developments in the broad field of property law, including: contributions on constitutional property law (with topics such as expropriation procedures, South African tenure, and expropriation of waterfalls for hydropower development); national private property law (with chapters on the English Land Registration Act 2002 and on virtual property); and European and comparative property law (with contributions about French fiducie versus trust, the global art market, and factory machinery bought under hire-purchase agreements). The wide variety of topics discussed by a young and promising generation of property lawyers will make this book a fascinating read for anyone interested in developments in property law. (Series: lus Commune Europaeum - Vol. 132) [Subject: Property Law]

As cross-border trade and cross-border financing continue to increase while security rights over tangible property are governed by the law of the place where the moveable is situated, comparative knowledge of national secured transactions law is crucial for everyone using security rights over tangibles in a cross-border context. This book provides an in-depth examination of the key issues that arise when security rights are created, perfected and enforced in different European countries. Authored by experts on German, English, Dutch, French, Belgian, Italian and Spanish law, the national reports use practical cases and highlight differences and similarities. A special focus is placed on the way in which national courts deal with security interests created elsewhere. A comprehensive introductory chapter analyzes significant secured transactions issues, summarises the comparative data and compares them with Art. 9 of the Uniform Commercial Code (U.S.) and suggests guiding principles for a European harmonization measure or national reform efforts. The book will assist market participants and their counsel to better understand secured transactions law and relevant private international law rules of their own and other countries and assist those involved in national, EU and global law reform efforts.

Contract Law in Greece

Pan-Africanism and International Law

Property Law Perspectives IIII

Punitive Damages

Nygh's Conflict of Laws in Australia

*Pan-Africanism offers a unique vantage point to study Africa's encounters with international law : first, as a continent whose political entities were excluded from the scope of application of the Eurocentric version of international law that was applied among the self-styled club of "civilized nations"; second, through the emergence of African States as subjects of international law willing to contribute to the reform and further development of the law as a universal interstate normative system; and third, as members of the OAU and the AU acting collectively to generate innovative principles and rules, which, though applicable only in the context of intra-African relations, either go beyond those existing at the universal level or complement them by broadening their scope. This study examines those encounters through the various stages in the evolution of Pan-Africanism from a diaspora-based movement, engaged in the struggle for the emancipation of the peoples of the continent, to groupings of independent States and intergovernmental organizations which continue to promote African unity and influence the development of international law to make it more reflective of diverse legal traditions and values.*

*Derived from the renowned multi-volume "International Encyclopaedia of Laws", this concise exposition and analysis of the essential elements of law with regard to family relations, marital property, and succession to estates in Mexico covers the legal rules and customs pertaining to the intertwined civic status of persons, the family, and property. After an informative general introduction, the book proceeds to an in-depth discussion of the sources and instruments of family and succession law, the authorities that adjudicate and administer the laws, and issues surrounding the person as a legal entity and the legal disposition of property among family members. Such matters as nationality, domicile, and residence; marriage, divorce, and cohabitation; adoption and guardianship; succession and inter vivos arrangements; and the acquisition and administration of estates are all treated to a degree of depth that will prove useful in nearly any situation likely to arise in legal practice.0The book is primarily designed to assist lawyers who find themselves having to apply rules of international private law or otherwise handling cases in which the law of a foreign country is applicable and practitioners as a quick guide and easy-to-use practical resource in the field, and especially to academicians and researchers engaged in comparative studies by providing the necessary, basic material of family and succession law.0*

*A fantastic introduction to international trade! Trebilcock does an outstanding job in breaking through the myth that international trade is somehow too hard to learn without years of study. The field is in desperate need of an expertly written yet accessible presentation, and now it has one. This should be everones first book on the subject. - Andrew Guzman, University of California, US Michael Trebilcock is one of the leading scholars in the world on the law and economics of international trade. In this compact volume, he offers a concise and lucid survey of the legal and policy issues associated with this increasingly important body of law. It gives non-specialists an accessible introduction to the major issue areas, and is full of insights that specialists will find useful as well. - Alan O. Sykes, Stanford Law School, US This elegantly written and essential volume fills three important gaps. First, it provides an admirably accessible and precise explanation of international trade law, serving to inform students and neophyte practitioners. Second, it encapsulates Prof. Trebilcocks mastery of the doctrine and economic rationales of trade law, serving to inform scholars and advanced practitioners. Third, it develops a well-informed, nuanced, and wise critique of trade law, pointing the way forward for policy-makers. - Joel P. Trachtman, Tufts University, US Michael Trebilcock is one of the intellectual giants in the law of international trade. This work makes an important contribution to our understanding of trade law and will become a classic in the field. It is mastery! - Jagdish Bhagwati, Columbia University, US This book provides a short, straightforward account of the basic structure and principles of international trade law written by one of the leading authorities in this field. The book covers, in a series of short chapters, all the major issues in international trade law, including dispute settlement; the Most Favoured Nation Principle; preferential trade agreements; the National Treatment Principle; contingent protection laws (anti-dumping, countervailing duties and safeguards); trade and agriculture; trade and services; trade and investment; trade-related intellectual property rights; trade policy and domestic health; safety, environmental and labour regulation; and trade policy and developing countries. Each chapter sets out the basic provisions and relevant GATT/WTO agreements governing the issues in question, the central issues or conflicts that have arisen in the interpretation and application of these provisions, leading GATT/WTO case law generated by the formal dispute settlement procedures of the GATT/WTO, and unresolved issues that remain a matter of controversy.*

*The book examines the drafting of the Egyptian Civil Code of 1949, exposing its unknown sociological strata, under the leadership of Dr. Abd al-Razzq al-Sanhari?, one of the most prominent jurist to emerge to date in the Arab world.*

Contract Law in Poland

EU Private International Law

General Principles of EU Law and European Private Law

**The Impact of the Protestant Reformations on the Western Legal Tradition**

**Wilkinson's Road Traffic Offences**

*This supplement brings the main work up to date to February 1, 2014.*

*Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in New Zealand covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in New Zealand will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.*

*Also available as an e-book Private international law (PIL) problems have existed for centuries when people from various territories and religious and social groups engaged in mutual contacts. Some of the core issues of this discipline have been critically reviewed during the so-called conflicts revolution which took place during the twentieth century in the American academic literature and court practice. However it seems that not much discussion on methodologies of PIL has developed since then. This book, inspired by the Law and Economics approach, introduces the concept of efficiency into PIL, aiming to show new dimensions of traditionally important issues. First, this author challenges the traditional understanding that uniform law is always more desirable than PIL, and raises questions on the rationale and possibility of the unification of PIL. Second, territoriality has been understood to exclude PIL. This book clarifies why such understanding does not hold in the twenty-first century especially in the field of intellectual property, and argues that a one-size-fits-all model would not be appropriate in the context of cross-border insolvency.*

*Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Israel. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules.*

**Rules, Practice and Strategies**

**The Sanhuri Code, and the Emergence of Modern Arab Civil Law (1932 to 1949)**

**Essays in Honour of Mark Van Hoecke**

**Cases and Materials**

**Property and Trust Law in Spain**

Derived from the renowned multi-volume International Encyclopaedia of Laws, this convenient volume provides comprehensive analysis of the legislation and rules that determine civil procedure and practice in Italy. Lawyers who handle transnational matters will appreciate the book's clear explanation of distinct terminology and application of rules. The structure follows the classical chapters of a handbook on civil procedure: beginning with the judicial organization of the courts, jurisdiction issues, a discussion of the various actions and claims, and then moving to a review of the proceedings as such. These general chapters are followed by a discussion of the incidents during proceedings, the legal aid and legal costs, and the regulation of evidence. There are chapters on seizure for security and enforcement of judgments, and a final section on alternative dispute resolution. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Succinct, scholarly, and practical, this book will prove a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Italy will welcome this very useful guide, and academics and researchers will appreciate its comparative value as a contribution to the study of civil procedure in the international context.

Nygh's Conflict of Laws in Australia provides authoritative and comprehensive coverage of the three main areas of private international law: jurisdiction, choice of law and recognition and enforcement of foreign judgments and arbitral awards. The wide-ranging subject matter includes international commercial dealings and other civil obligations, administration of estates and succession, international child abduction, adoption, proof of foreign law, and the recognition of same-sex marriages. It covers the legislation and civil procedure rules of all Australian jurisdictions as well as important common law developments. The ninth edition has been comprehensively revised and updated. It includes discussion and analysis of many new cases, reflecting the growth of litigation involving international elements, particularly in areas of arbitration, enforcement of foreign judgments and cross border insolvency. Legislative changes include Australia's ratification of the Hague Services Convention in late 2010 and the enactment of the Trans-Tasman Proceedings Act 2010 (Cth) and the Australian Consumer Law. The clear explanations of complex concepts make Nygh's Conflict of Laws in Australia an ideal text for both legal practitioners and students of conflict of laws or private international law.Features: Authoritative, reliable content" Complex concepts clearly explained" Expanded content includes maritime law under international Arbitration Act, the nature of marriage, including polygamous and same-sex marriages and information technology across jurisdictions.Related TitlesMortenson, Garnett and Keyes, Private International Law in Australia, 2011

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in Greece covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Greece will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of property in Spain deals with the issues related to rights and interests in all kinds of property and assets - immovable, movable, and personal property; how property rights are acquired; fiduciary mechanisms; and security considerations. Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology, application, and procedure. An introduction outlining the essential legal, cultural, and historical considerations affecting property is followed by a discussion of the various types of property. Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type. The coverage includes tangible and intangible property, varying degrees of interest, and the various ways in which property is transferred, including the ramifications of appropriation, expropriation, and insolvency. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. The book includes ample references to doctrine and cases, as well as to relevant international treaties and conventions. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for any practitioner faced with a property-related matter. Lawyers representing parties with interests in Spain will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative property law.

Private International Law and Global Governance

Private International Law in Common Law Canada

Efficiency in Private International Law

Unexpected Circumstances in European Contract Law

Contract Law in South Africa

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in Spain covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in Spain will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.

Providing detailed commentary of unrivalled quality on the process of civil litigation, this is the only major civil work to adopt a narrative approach based on the chronology of a claim. Written by a team of expert practitioners and academics, it provides authoritative analysis on the process of civil litigation from commencement of a claim to enforcement of judgments, addressing civil procedure in the county court, the High Court, the Court of Appeal, and the Supreme Court. The book also considers more specialist areas such as insolvency proceedings, sale of goods, and human rights, providing expert analysis on a comprehensive level. Commentary is combined with the text of the Civil Procedure Rules (CPR), Practice Directions (PD), and Pre-Action Protocols and Procedural Checklists, all fully cross-referenced to the text to ensure ease of use for the busy practitioner. As well as a detailed and user-friendly index the quick-reference guide inside the front cover provides an alternative point of access for those more familiar with the CPR. Also available, Blackstone's Civil Practice 2015: The Commentary is a concise version of this book, providing the unique commentary independently from the CPR, PD and other appendix materials. Electronic versions of the Procedural Checklists in Blackstone's Civil Practice 2015 are available from IRIS Laserform.

Awareness of the need to deepen the method and methodology of legal research is only recent. The same is true for comparative law, by nature a more adventurous branch of legal research, which is often something researchers simply do, whenever they look at foreign legal systems to answer one or more of a range of questions about law, whether these questions are doctrinal, economic, sociological, etc. Given the diversity of comparative research projects, the precise contours of the methods employed, or the epistemological issues raised by them, are to a great extent a function of the nature of the research questions asked. As a result, the search for a one, size-fits-all comparative law methodology is unlikely to be fruitful. That however does not make reflection on the method and culture of comparative law meaningless. Mark Van Hoecke has, throughout his career, been interested in many topics, but legal theory, comparative law and methodology of law stand out. Building upon his work, this book brings together a group of leading authors working at the crossroads of these themes: the method and culture of comparative law. With contributions by: Maurice Adams, John Bell, Jorraman Bengoetxea, Roger Brownsword, Se á n Patrick Donlan, Rob van Gestel and Hans Micklitz, Patrick Glenn, Jaap Hage, Dirk Heirbaut, Jaakko Oksi, Souchirou Kozuka and Luke Nottage, Martin L Öhnicg, Susan Millns, Toon Moonen, Francois Ost, Heikki Pihlajam ä ki, Geoffrey Samuel, Mathias Siems, J ø r n Øyrehagen Sunde, Catherine Valcke and Matthew Grellette, Alain Wijffels.

Offering a unique conceptual approach to the Law of Treaties this insightful Research Handbook not only sets out the foundational issues, but identifies tensions within the field, including formalism vs flexibility, integrity vs flexibility, and unfair

Civil Procedure in Hellas

Contract Law in Spain

The Method and Culture of Comparative Law

Contract Law in New Zealand

Comparative Law

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of property in Finland deals with the issues related to rights and interests in all kinds of property and assets - immovable, movable, and personal property; how property rights are acquired; fiduciary mechanisms; and security considerations. Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology, application, and procedure. An introduction outlining the essential legal, cultural, and historical considerations affecting property is followed by a discussion of the various types of property. Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type. The coverage includes tangible and intangible property, varying degrees of interest, and the various ways in which property is transferred, including the ramifications of appropriation, expropriation, and insolvency. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. The book includes ample references to doctrine and cases, as well as to relevant international treaties and conventions. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for any practitioner faced with a property-related matter. Lawyers representing parties with interests in Finland will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative property law.

The Rome I Regulation applies to all EU Member States (except Denmark) in relation to 'contractual obligations in civil and commercial matters' in 'situations involving a conflict of laws' that arise out of contracts concluded from 17 December 2009. The Rome I Regulation has been described by the European Commission as 'a central element of the Community acquis in the area of civil justice'. This book is the most comprehensive work on the development of the Rome I Regulation that studies in detail the historical background, the legislative development and the teleological purpose of the Regulation. Beginning with the work that led up to the 1972 Draft Convention and the much neglected original French rapporteur's commentary, the author traces developments in the text through the 1990 Convention, highlights the legislative developments that began with the 2003 Green Paper, the Commission's 2005 Proposal and the subsequent negotiations that took place in the European Council and European Parliament that led to the final text of the Rome I Regulation itself. Particular emphasis is placed on highlighting the legislative intent reflected in the changes to the text of the draft Regulation that were made by the Civil Law Committee (Rome I) of the Council. The book marks out the borderline between the Rome I and Rome II Regulations, and considers in detail the application of the conflict-of-law rules in the Rome I Regulation to the specifically protected contracts such as consumer, insurance, carriage of passengers and individual employment contracts. It provides a primary source of reference for all readers involved in the practical interpretation of the Rome I Regulation, or who are interested in choice of law issues arising in international commercial contractual disputes.

Contemporary debates about the changing nature of law engage theories of legal pluralism, political economy, social systems, international relations (or regime theory), global constitutionalism, and public international law. Such debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority. However, private international law tends to stand aloof, claiming process-based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond than those of the nation-state. As a result, the discipline is paradoxically ill-equipped to deal with the most significant cross-border legal difficulties - from immigration to private financial regulation - which might have been expected to fall within its remit. Contributing little to the governance of transnational non-state power, it is largely complicit in its unhampered expansion. This is all the more a paradox given that the new thinking from other fields which seek to fill the void - theories of legal pluralism, peer networks, transnational substantive rules, privatized dispute resolution, and regime collision - have long been part of the daily fare of the conflict of laws. The crucial issue now is whether private international law can, or indeed should, survive as a discipline. This volume lays the foundations for a critical approach to private international law in the global era. While the governance of global issues such as health, climate, and finance clearly implicates the law, and particularly international law, its private law dimension is generally invisible. This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields. It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state. To do so, it must shed a number of assumptions entrenched in the culture of the nation-state, but this will permit the discipline to expand its potential to confront major issues in global governance.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in the Slovak Republic covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to

**categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in the Slovak Republic will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.**

**The Civil Remedy in American Law, Lessons and Caveats for Continental Europe**

**Understanding Trade Law**

**Case Book on the Law of Delict**

**Contracts**

**Civil Procedure in Singapore**

The recent financial crisis has questioned whether existing contracts may be adapted, terminated or renegotiated as a result of unexpected circumstances. The question is not a new one. In medieval times the notion of *clausula rebus sic stantibus* was developed to cope with such situations, and Germany introduced the theory of *Wegfall der Geschäftsgrundlage*. In England, the Coronation cases provided one possible answer. This comparative study explores the possibility of classifying jurisdictions as 'open' or 'closed' in this regard.

This book reflects the continuous relevance and the need to re-examine the effects and the status of General Principles of EU law, which have been dealt with already twice before (in 1999 and 2007) by the group that has compiled the present volume, the Swedish Network for European Legal Studies. The discussion that emerges is, here as before, of immense significance both for theoretical legal studies and for legal practice. The eighteen essays here printed are all final author-edited versions of papers first presented at the Network's conference in Stockholm in November 2012. The authors include both eminent, well-known experts, and representatives of a new generation of younger scholars in the field. For the many parties involved in the violation of the European project from a legal perspective, this book will serve as a watershed, a thorough inspection of the foundations as they are perceived and understood at the present moment. It is sure to be consulted and cited often in the years to come. — Publisher.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in South Africa covers every aspect of the subject-definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance. The second part of the book, recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it, describes the nature of agency, sale, lease, building contracts, and other types of contract. Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable time-saving tool for business and legal professionals alike. Lawyers representing parties with interests in South Africa will welcome this very useful guide, and academics and researchers will appreciate its value in the study of comparative contract law.

Derived from the renowned multi-volume International Encyclopaedia of Laws, this practical analysis of the law of contracts in Israel covers every aspect of the subject - definition and classification of contracts, contractual liability, relation to the law of property, good faith, burden of proof, defects, penalty clauses, arbitration clauses, remedies in case of non-performance, damages, power of attorney, and much more. Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology, application, and procedure from one legal system to another, as well as the international aspects of contract law. Throughout the book, the treatment emphasizes drafting considerations. An introduction in which contracts are defined and contrasted to torts, quasi-contracts, and property is followed by a discussion of the concepts of 'consideration' or 'cause' and other underlying principles of the formation of contract. Subsequent chapters cover the doctrines of 'relative effect', termination of contract, and remedies for non-performance.

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Civil Procedure in Italy

Property and Trust Law in Finland

Recognition and Enforcement of Foreign Judgments in China

International, Comparative, and Indigenous

Cases, Text, and Materials