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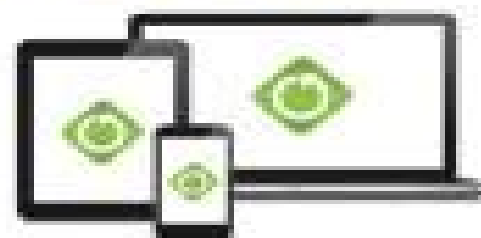
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French Civil Liability in Comparative Perspective Jean-Sébastien Borghetti, Simon Whittaker, 2019-12-26 The French law of torts or of extra contractual liability is widely seen as exceptional For long it was based on a mere five articles of the Civil Code of 1804 but on this foundation the courts and legal scholars have constructed liabilities for fault and strict liability of an extraordinary breadth and significance While the rest of the general law of obligations including contract in the Civil Code was reformed in 2016 by executive ordonnance this area was left aside being the subject in 2017 of a proposal by the French Government for the legislative reform of the law of civil liability a new legislative category to include both contractual and extra contractual liability This work considers important aspects of this developing area of French law in a series of essays by French lawyers and comparative lawyers working in French law and other civil law systems In doing so it provides insight into the doctrinal thinking and judgments of French lawyers as well as the possible directions in which this area of the law may be developed in the future

The Making of the Civil Codes Michele Graziadei, Lihong Zhang, 2022-11-21 The book provides in depth analysis of the new perspectives on codifications and of the related reforms that give recognition to new ideas new needs and new techniques The contributions from several jurisdictions collected in this book provide a much needed evaluation of the current impact of codification on the law and are a first essential reference for assessing the importance of civil law codifications in the contemporary world

Law, Culture and Identity in Central and Eastern Europe Cosmin Cercel, Alexandra Mercescu, Mirosław Michał Sadowski, 2023-12-01 Combining insights from comparative legal theory jurisprudence and legal history this collection examines the legal and constitutional identity of Central and Eastern Europe Although the various countries of Central and Eastern Europe have often compared themselves to the West the failure of these countries to engage with one another has resulted in a whole spectrum of legal identities remaining hidden This book takes up a comparison of such identities within the region of Central and Eastern Europe and following from the prima facie similarity between the region s countries given the experience of communism and legal transfers The book thereby illuminates through comparisons the distinct legal identities of the 16 Central and Eastern European states whilst at the same time arguing for a shared Central and Eastern European legal identity This book will appeal to scholars and students in the area of comparative law as well as lawyers political scientists sociologists and historians with particular interests in Central and Eastern Europe

Cases, Materials and Text on Contract Law Hugh Beale, Bénédicte Fauvarque-Cosson, Jacobien Rutgers, Stefan Vogenauer, 2019-02-28 This is the third edition of the widely acclaimed and successful casebook on contract in the Ius Commune series developed to be used throughout Europe and beyond by anyone who teaches learns or practises law with a comparative or European perspective The book contains leading cases legislation and other materials from English French and German law as the main representatives of the legal traditions within Europe as well as EU legislation and case law and extracts from the Principles of European Contract Law Comparisons are also made to

other international restatements such as the Vienna Sales Convention the UNIDROIT Principles of International Commercial Contracts the Draft Common Frame of Reference and so on Materials are chosen and ordered so as to foster comparative study complemented with annotations and comparative overviews prepared by a multinational team The third edition includes many new developments at the EU level including the ill fated proposal for a Common European Sales Law and further developments linked to the digital single market and in national laws in particular the major reform of the French Code civil in 2016 and 2018 the UK's Consumer Rights Act 2015 and new cases The principal subjects covered in this book include An overview of EU legislation and of soft law principles and their interrelation with national law The distinctions between contract and property tort and restitution Formation and pre contractual liability Validity including duties of disclosure Interpretation and contents performance and non performance Remedies Supervening events Third parties

California. Court of Appeal (1st Appellate District). Records and Briefs California (State)., California. Court of Appeal (2nd Appellate District). Records and Briefs California (State)., **The Rise of Political Advisors in the Westminster System** Yee-Fui Ng, 2018-04-17 Political advisors have risen in significance in Westminster countries and have been increasingly thrust into the limelight by headline scandals and through their characterisation in various television series This increased prominence has led to greater scrutiny of their role and influence This book demonstrates that the introduction of political advisors into the structure of the executive has led to the erosion of the Westminster doctrine of ministerial responsibility Adopting a comparative approach the book analyses the rise in the power and significance of political advisors in the Westminster jurisdictions of the United Kingdom Australia New Zealand and Canada It shows the fundamental shift of the locus of power from the neutral public service to highly political and partisan ministerial advisors Tracing the divergent paths for legal and political regulation of political advisors Yee Fui Ng illuminates the tensions that they pose within the Westminster system in terms of the media politics and faction opposition interfaces Providing insights for those researching or engaged in politics and public administration this work will interest scholars and students of politics and public law policy and administration New Pathways to Civil Justice in Europe Xandra Kramer, Alexandre Biard, Jos Hoevenaars, Erlis Themeli, 2021-09-17 This book focuses on four topical and interconnected innovative pathways to civil justice within the context of securing and improving access to justice the use of Artificial Intelligence and its interactions with judicial systems ADR and ODR tracks in privatising justice systems the effects of increased self representation on access to justice and court specialization and the establishment of commercial courts to counter the trend of vanishing court trials Top academics and experts from Europe the US and Canada address these topics in a critical and multidisciplinary manner combining legal socio legal and empirical insights The book is part of Building EU Civil Justice a five year research project funded by the European Research Council It will be of interest to scholars and policymakers as well as practitioners working in the areas of civil justice alternative dispute resolution court systems and legal tech The chapters Introduction The Future

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Dalhuisen on Transnational and Comparative Commercial, Financial and Trade Law Volume 5 Jan H

Dalhuisen, 2022-06-16 presents a very different case than that of a civilized and cultivated cosmopolitan legal scholar with a keen sense of international commercial and financial practice with an in-depth grounding in both comparative legal history and comparative law combined with the ability to transcend conventional English black letter law description with critical judgment towards institutional wisdom and intellectual fashions International and Comparative Law Quarterly Volume 5 of this new edition uses the insights developed in Volumes 3 and 4 to deal with financial products and financial services the structure and operation of banking and of the capital markets and the role of modern commercial and investment banks Sections on products and services address the blockchain and its potential in the payment system in securitisations in the custodial holdings of investment securities and in the derivative markets The complete set in this magisterial work is made up of 6 volumes Used independently each volume allows the reader to delve into a particular topic Alternatively all volumes can be read together for a comprehensive overview of transnational comparative commercial financial and trade law

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