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Winfield and Jolowicz on Tort Winfield and Jolowicz on Tort Winfield and Jolowicz on Tort Winfield and Jolowicz on Tort Winfield and Jolowicz on Tort WINFIELD AND JOLOWICZ ON TORT. International Encyclopedia of Comparative Law Scholars of Tort Law Der Vertragsbruch des Dienstleisters Tort Law Commonwealth Caribbean Tort Law The Europeanisation of English Tort Law Grundzüge eines europäischen Haftungsrechts The Law of Liability Insurance The Law of Duress and Necessity Zivilprozessuale Qualifikationsprobleme im Spannungsfeld von Vertrag und Delikt Die Koordination des Vertrags- und Deliktsrechts in Europa The Law of Private Nuisance Tort Law in Hong Kong Product Liability Comparative Tort Law Tax Avoidance and the Law Climate Change Damage And International Law Proof of Causation in Tort Law Casebook on Tort Law Gain-Based Damages European Tort Law Die Veräußerung streitbefangener Gegenstände Cheshire, Fifoot, and Furmston's Law of Contract European Tort Law International Encyclopedia of Comparative Law Maimonides and Contemporary Tort Theory Ex-post-Gläubigerschutz in der private company limited by shares

European contract law der principles of European law on service contracts und des draft common frame of reference auf dem gebiet des dienstleistungsrechts zu fördern darüber hinaus werden parallele zusammenhänge strukturen und mechanismen im dienstleistungsrecht herausgearbeitet im zentrum der Überlegungen steht der vertragsbruch das werk erschöpft sich aber nicht in dessen erläuterung sondern nimmt im zuge einer zugleich einführenden und vertiefenden entwicklung des jeweiligen pflichtprogramms sowohl die bedürfnisse der wissenschaft als auch der praxis in den blick

Winfield and Jolowicz on Tort

2002

this accessible textbook provides an introductory guide to tort law with a structured explanation of the key concepts and doctrines using a comparative approach the discussion is illustrated with case law and provisions from three key jurisdictions England France and Germany with liberal reference to other codes and cases from around the world the book gives readers a contextual understanding and will appeal to classes with a global outlook

WINFIELD AND JOLOWICZ ON TORT.

2024

tort law is a subject of primary importance in the study and practice of the common law in Caribbean jurisdictions this work is now well established as the leading text on tort law in the region and this fifth edition has been updated throughout to incorporate developments in law and legal thinking including special contributions on medical negligence and the misuse of private information from the Hon Justice Roy Anderson and Dr Vanessa Kodilinye the accessible writing style and integration of up to date material enables students to grasp the salient points and develop a thorough understanding of tort law in the Caribbean although conceived primarily as a text for the LLB degree courses in Caribbean universities Commonwealth Caribbean tort law is also essential reading for students preparing for the Cape Law examinations and the various paralegal courses in the region legal practitioners will find the book useful as a work of ready reference and it will also be of interest to those business executives industrialists insurance agents and journalists who require some knowledge of this most important area of the law

International Encyclopedia of Comparative Law

1983

tort law is often regarded as the clearest example of traditional common law reasoning yet in the past 40 years the common law of England and Wales has been subject to European influences as a result of the introduction of the European Communities Act

1972 and more recently the implementation of the human rights act 1998 in october 2000 eu directives have led to changes to the law relating to product liability health and safety in the workplace and defamation while francovich liability introduces a new tort imposing state liability for breach of eu law the 1998 act has led to developments in privacy law and made the courts reconsider their approach to public authority liability and freedom of expression in defamation law this book explores how english tort law has changed as a result of europeanisation broadly defined as the influence of european union and european human rights law it also analyses how this influence has impacted on traditional common law reasoning has europeanisation led to changes to the common law legal tradition or has the latter proved more resistant to change than might have been expected

Scholars of Tort Law

2019-10-03

das recht der europäischen gemeinschaft kann bei der ausarbeitung eines gemeineuropäischen deliktsrechts wertvolle hilfe bieten wolfgang wurmnest untersucht das haftungsrecht der eg insbesondere die außervertragliche haftung der gemeinschaft gem art 288 ii eg die francovich haftung der mitgliedstaaten sowie das haftungsrechtliche sekundärrecht und vergleicht die gefundenen lösungen mit dem deutschen englischen und französischen deliktsrecht aus dem gemeinschaftsrecht und den untersuchten nationalen rechten leitet er grundzüge eines europäischen haftungsrechts ab und liefert in der diskussion zur schaffung eines gemeineuropäischen deliktsrechts einen beitrag aus der perspektive des gemeinschaftsrechts dabei stehen die wesentlichen haftungselemente rechtswidrigkeit bzw verschulden kausalität schaden und schadensumfang im vordergrund

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2018-02-14

this book provides an authoritative and comprehensive review of all aspects of the law that relate to liability insurance contracts taking an international comparative perspective the law of liability insurance covers all the major types of liability insurance not just professional indemnity insurance presenting the issues according to the general principles of contract law the book begins by concentrating on the fundamentals of the liability insurance contract before moving on to cover conditions defence exclusions and finally claims against and non payment by the insurer this book will be an invaluable reference tool for practitioners and professionals working in the commercial liability insurance industry including those who operate globally as well as being a source for academics and post graduate students

Der Vertragsbruch des Dienstleisters

2010-12-23

the language of duress and necessity is found in crime tort and contract this book explores those pleas in both case law and theory across the subject boundaries and across jurisdictions in doing so it seeks to identify the lessons which each area of law can learn from the others and to tease out common themes while demarcating important differences the overall outcome is a law more coherent and understood in sharper detail this book considers the law of england and wales australia new zealand hong kong and canada as well as the american tortious defence of necessity

Tort Law

2022-09-06

die qualifikation von ansprüchen wird üblicherweise als problem des internationalen privatrechts wahrgenommen stellt sich aber auch im rahmen der zivilprozessordnung wenn die gerichtsstände des erfüllungsorts und des delikts 29 32 zpo in rede stehen der autor untersucht zunächst wie sich die ansprüche im grenzbereich von vertrag und delikt namentlich die culpa in contrahendo die leistungskondiktion und die eingriffskondiktion nach deutschem sachrecht und deutschem internationalen privatrecht darstellen wobei auch rechtsvergleichende betrachtungen angestellt werden danach erörtert er die qualifikation der genannten ansprüche in der eugvvo und in den neuen rom i ii verordnungen und geht auch auf das problem der zuständigkeit kraft sachzusammenhangs ein im anschluss werden die herkömmlichen qualifikationen in der zivilprozessordnung den im europäischen rahmen gefundenen ergebnissen gegenübergestellt und geprüft ob eine angleichung der nationalen qualifikationen angezeigt ist im zuge seiner erörterungen würdigt der verfasser den grundsatz der materiellrechtsfreundlichen auslegung des zivilprozessrechts ebenso wie den systemgedanken als maßstab der rechtsangleichung im ergebnis werden auf grundlage der lehre von der funktionellen qualifikation einige der im europäischen rahmen gefundenen qualifikationsentscheidungen auch im rahmen der zivilprozessordnung befürwortet

Commonwealth Caribbean Tort Law

2014-08-13

derzeit wird eine eu verordnung zum internationalen deliktsrechts und langfristig auch ein europäisches zivilgesetzbuch vorbereitet nadja hoffmann befasst sich zunächst mit der koordination des vertrags und deliktsrechts in sechs europäischen rechtsordnungen eine künftige eu verordnung zum internationalen deliktsrecht muss mit dem bereits vereinheitlichten internationalen vertragsrecht abgestimmt werden die autorin plädiert dafür die rechtswahl für deliktsrechtliche sachverhalte zuzulassen und die akzessorische anknüpfung deliktsrechtlicher sachverhalte an das vertragskollisionsrechts europaweit einzuführen im anschluss an die bestimmung des anwendbaren rechts könnte alternativ eine materiell rechtliche anpassung eines vertragsrechts aus einem land an das deliktsrecht aus einem anderen land durchgeführt werden abschließend untersucht die autorin wie das un kaufrechts mit dem internationalen deliktsrecht zu koordinieren ist

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1991

it is said that a nuisance is an interference with the use and enjoyment of land this definition is typically unhelpful while a nuisance must fit this account it is plain that not all such interferences are legal nuisances thus analysis of this area of the law begins with a definition far too broad for its subject matter forcing the analyst to find more or less arbitrary ways of cutting back on potential liability tort law is plagued by this kind of approach in the law of nuisance today s preferred method of cutting back is to employ the notion of reasonableness no one seems to know quite what reasonableness means in this context however this is because in fact it does not mean anything the notion is no more than the immediately recognisable symptom of our inadequate comprehension of the law this book expounds a new understanding of the law of nuisance an understanding that presents the law in a coherent and systematic fashion it advances a single central suggestion that the law of nuisance is the method that the common law utilises for prioritising property rights so that conflicts between uses of property can be resolved

The Europeanisation of English Tort Law

2014-12-01

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Grundzüge eines europäischen Haftungsrechts

2003

this is one in a series of introductory books providing readers with an overview of the more frequently encountered legal principles this book focuses on the common law tort principles that apply in the territory as a basic introduction this book is intended to be user friendly the text is kept short and easy to read chinese translations of most legal terms used in the text are provided an extensive endnote section provides readers with additional information and in depth explanations thoroughly revised and reorganized this second edition of tort law in hong kong will appeal to students of legal subjects professionals whose work involves interaction with legal matters and the general public

The Law of Liability Insurance

2013-07-24

product liability is a recognised authority in the field and covers the product liability laws through which manufacturers

retailers and others may be held liable to compensate persons who are injured or who incur financial loss when the products which they manufacture or sell are defective or not fit for their purpose product defects may originate in the production process be one of design or be grounded in a failure to issue an adequate warning or directions for safe use and practitioners advising business clients or claimants will find this book provides all the necessary information for practitioners to manage a product liability claim this new edition has been fully updated to take account of 10 years of development in case law and regulation and the increasing impact of cross border and transnational sale of goods the court of justice of the european union handed down major rulings concerning the product liability directive which affect the application of the directive and national arrangements and fairgrieve and goldberg examines this in detail for any legal practitioner operating in areas which require knowledge of european product liability law an understanding of the impact of recent developments is essential and this work is an essential resource for practitioners working on product liability sale of goods personal injury and negligence the work provides comprehensive coverage of the law of negligence as it applies to product liability of the strict liability provisions of the consumer protection act 1987 and of the eu s product liability directive on which the act is based although the majority of cases involve pharmaceuticals and medical devices in recent english cases the allegedly defective products have been as diverse as a child s buggy an all terrain vehicle and even a coffee cup many cases are brought as group actions and the book examines the rights of those who are injured by defective products as well as considering the perspective of the law as it has developed in the uk this edition contains detailed discussion of case law from other jurisdictions including the usa australia new zealand canada france and germany the coverage in the work is complemented by a full analysis of issues which arise in transnational litigation involving problems of jurisdiction and the choice of laws

The Law of Duress and Necessity

2017-09-07

this revised second edition of comparative tort law global perspectives offers an updated and enriched framework for analysing and understanding the current state of tort law around the world using a critical comparative methodology it covers not only the common tort law issues but also many jurisdictions often overlooked in the mainstream literature contributions explore illuminating case studies from tort systems in europe the us latin america asia and sub saharan africa including new chapters specifically discussing tort law in brazil india and russia

Zivilprozessuale Qualifikationsprobleme im Spannungsfeld von Vertrag und Delikt

2010

tax avoidance and the law is a helpful guide for undergraduate and postgraduate students who want a thorough understanding of this dynamic area of law the book is written in a way which is easy to follow and conveniently summarises complex case law on tax avoidance tax avoidance and the law explores the evolution of the uk s general anti abuse rule it provides a useful comparison with other western jurisdictions anti avoidance legislation including the united states of america australia new

zealand south africa canada and the eu the underlying theme of the book rests on the notion that the taxpayer s subjective motives intentions or purposes are irrelevant when assessing tax liability the book enables students to gain a good grasp of the fundamental issues in tax avoidance in a clear manner

Die Koordination des Vertrags- und Deliktsrechts in Europa

2006

this book is the first comprehensive assessment of the legal duties of states with regard to human induced climate change damage by discussing the current state of climate science in the context of binding international law it convincingly argues that compensation for such damage could indeed be recoverable the author analyses legal duties requiring states to prevent climate change damage and discusses to what extent a breach of these duties will give rise to state responsibility international liability the analysis includes the un framework convention on climate change and the kyoto protocol but also various nature biodiversity protection and law of the sea instruments as well as the no harm rule as a key provision of customary international law the challenge in applying the different aspects of the law on state responsibility including causation and standard of proof are discussed in three case studies and the questions raised by multiple polluters explored in depth against this background the author advocates an internationally negotiated solution to the issue of climate change damage

The Law of Private Nuisance

2014-07-18

a clear critical analysis of proof of causation in the law of tort in england france and germany



1984

all the leading cases illuminated by horsey rackley s trademark clear and lively commentary the essential companion for undergraduate tort law students providing a comprehensive portable library of leading tort cases horsey rackley bring together a range of carefully edited extracts combined with insightful commentary and annotated cases to help students identify and analyse the key elements key features the only text of its kind to provide a comprehensive collection of the leading tort law cases for undergraduates simple to navigate pulling all key case law together into one easy to use volume which students can work through systematically or use to reference specific cases cases are accompanied by succinct author commentary highlighting the key elements of each case annotated cases help students understand and analyse material new to this edition the seventeenth edition has been thoroughly revised to reflect recent developments in the law including fearn and others v the board of trustees of the

tate gallery 2023 uksc 4 on private nuisance riley v murray court of appeal 2022 ewca civ 1146 on defamation and paul v royal wolverhampton nhs trust polmear v royal cornwall hospital nhs trust purchase v ahmed 2022 ewca civ 12 on psychiatric harm

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1999-10

on july 27 2000 the house of lords delivered a decision where for the first time in english law it explicitly recognised that damages for civil wrongs can be assessed by reference to a defendant wrongdoer s gain rather than a claimant s loss the circumstances in which such gain based damages might be available were left for development incrementally this book considers the nature of gain based damages and explains when they have historically been available and why and provides a framework for appreciating the operation of such damages awards the first part of the book justifies the existence of these damages which focus upon a defendant wrongdoer s gain made as a result of a civil wrong explaining the nature and need for such a remedy and the scope of civil wrongs the core thesis of the book is that two different forms of such gain based damages exist the first is concerned with restitution of a defendant s gains wrongfully transferred from a claimant the second is concerned only with stripping profits from the defendant s hands once these two gain based damages awards are separated they can be shown to be based upon different rationales and the basis for their availability can be easily understood the second part of the book considers and applies this approach demonstrating its operation throughout the cases of civil wrongs the operation of the two forms of gain based damages is demonstrated in cases in the area of tort chapter 4 contract chapter 5 equitable wrongs chapter 6 and intellectual property wrongs chapter 7 it is shown that these gain based damages awards have long been available in these areas and their operation has conformed to clear principle the difficulty that has obscured the principle is the nomenclature which has hidden the true gain based nature of many of these damages awards

Tort Law in Hong Kong

2015-07-10

this textbook provides insight into the differences commonalities and mutual influence of the tort law systems of various european jurisdictions bringing together national tort law comparative law eu law and human rights law

Product Liability

2020-05-20

die abtretung rechtshangiger forderungen ist nicht ungewohnlich dennoch stellt sie das recht vor herausforderungen ist die klage abzuweisen bindet ein urteil gegen den zedenten auch den zessionar das auf eine 140 jahrige tradition zuruckblickende deutsche

recht schliesst den zessionar als erwerber eines streitbefangenen gegenstands weitgehend aus dem verfahren aus bindet ihn aber an die rechtskraft eines urteils gegen den verausserer alexander ruckteschler unterzieht das konzept des geltenden rechts einer historisch vergleichenden würdigung durch aufdeckung der historischen hintergrunde entwickelt er neue antworten auf alte streitfragen auf grundlage rechtsvergleichender erkenntnisse aus england frankreich und der schweiz entwirft er darüber hinaus einen normvorschlag um den interessen der beteiligten künftig besser gerecht zu werden die arbeit wurde von der max planck gesellschaft mit der otto hahn medaille 2021 ausgezeichnet

Comparative Tort Law

2021-02-26

this book provides an account of the principles of the law of contract with analysis and insights each topic is clearly signposted with summaries introductory text and sub headings for ease of navigation throughout the book numerous references to additional primary and secondary sources take the reader even further into the subject

Tax Avoidance and the Law

2022-05-30

this publication deals with central aspects of european tort law most of the contributions are written from a comparative perspective and with a view towards the unification of european tort law much debated developments in important areas e g psychological lesion product liability the compensation of non pecuniary loss and problems known under the headings wrongful birth wrongful life are discussed taking into account recent court decisions both on the national and european levels two contributions dealing with comparative institutional analysis and economic analysis of the law represent modern approaches to the evaluation and future development of tort law in general this truly european orchestra on tort law is completed by an analysis of eastern european sources which shed light onto the dogmatic foundations and the desirability of general presumptions of fault and the experience of a mixed jurisdiction south africa

Climate Change Damage And International Law

2005-01-01

presents maimonides complete tort theory and how it compares with other tort theories both in the jewish world and beyond

Proof of Causation in Tort Law

2015-09-11

Casebook on Tort Law

2024-02-02

Gain-Based Damages

2002-04-19

European Tort Law

2013-03-21

Die Veräußerung streitbefangener Gegenstände

2021-07-13

Cheshire, Fifoot, and Furmston's Law of Contract

2017

European Tort Law

2000

International Encyclopedia of Comparative Law

1975

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1991

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2001

Maimonides and Contemporary Tort Theory

2020-08-06

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2012

Ex-post-Gläubigerschutz in der private company limited by shares

2009

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