

Manuale Di Diritto Privato Torrente Schlesinger

La Nuova Giustizia Civile (02/2014) Justifying Strict Liability The Principles of European Contract Law Principles of European Contract Law : Prepared by the Commission on European Contract Law Chairman Ole Lando Täuschungen in unternehmerischen Vertragsverhandlungen The Italian Legal System Michigan State University-DCL journal of international law Esercitazioni di diritto privato Arizona Journal of International and Comparative Law Business Law Guide to Italy The National Union Catalogs, 1963- Istituzioni di diritto civile National Union Catalog Contratto e impresa Contratto di noleggio National Union Catalog, 1981 La sineddoche Revista de processo Finanziamento agevolato e clausola di destinazione Revista trimestrale di diritto e procedura civile Luca Tantalò Marco Cappelletti Ole Lando Ole Lando Stefanie Jung G. Leroy Certoma Salvatore Di Blasi Maisto & Miscali Alberto Trabucchi Eugenio Spasiano P. G. Monateri Giorgio Collura

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the imposition of strict liability in tort law is controversial and its theoretical foundations are the object of vigorous debate why do or should we impose strict liability on employers for the torts committed by their employees or on a person for the harm caused by their children animals activities or things in responding to this type of questions legal actors rely on a wide variety of justifications justifying strict liability explores in a comparative perspective the most

significant arguments that are put forward to justify the imposition of strict liability in four legal systems two common law england and the united states and two civil law france and italy these justifications include risk accident avoidance the deep pockets argument loss spreading victim protection reduction in administrative costs and individual responsibility by looking at how these arguments are used across the four legal systems this book considers a variety of patterns which characterise the reasoning on strict liability the book also assesses the justificatory weight of the arguments showing that these can assume varying significance in the four jurisdictions and that such variations reflect different views as to the values and goals which inspire strict liability and tort law more generally overall the book seeks to improve our understanding of strict liability to shed light on the justifications for its imposition and to enhance our understanding of the different tort cultures featuring in the four legal systems studied

an arbitrator has to decide a case under a contract to be governed by internationally accepted principles of law a business person is negotiating a contract with a company in another eu state but neither party wishes to apply the law of the other party s country a lawyer is advising parties to contracts involving parties in other states an eu official is drafting a new directive affecting contracts a professor of law wants her students to gain a solid understanding of the way in which contracts are treated by the laws of the different member states and to understand the common principles all these need to know the fundamental principles of contract law shared by the legal systems of the member states and to have a concise comprehensive and workable statement of them the principles of european contract law provides this the principles have been drawn up by an independent body of experts from each member state of the eu under a project supported by the european commission and many other organisations the principles are stated in the form of articles with a detailed commentary explaining the purpose and operation of each article and its relation to the remainder a particularly valuable feature is that each article also has extensive comparative notes surveying the national laws and other international provisions on the topic the principles of european contract law parts i ii covers the core rules of contract formation authority of agents validity interpretation contents performance non performance and remedies the articles previously published in part i 1995 are included in a revised and re ordered form

prepared by the commission on european contract law chairman ole lando

in unternehmerischen verhandlungen sind tauschungen durchaus verbreitet und zielen

darauf ab das verhandlungsergebnis zu beeinflussen gelogen wird dabei vor allem über aspekte wie bessere alternativangebote deadlines die verfügbarkeit eines produkts oder unternehmensinterne vorgaben die verhandlungsliteratur stuft viele dieser lügen ausserhalb des vertragsgegenstands und des preises als akzeptierte geschäftspraxis ein ein erster blick auf 123 abs 1 1 alt bgb anfechtung wegen arglistiger tauschung legt hingegen nahe dass vorsätzliche kausal gewordene tauschungen ausnahmslos als unrechtmässig anzusehen sind eine für das werk durchgeführte studie zeigt allerdings dass z b deutsche richter für einige dieser lügen keine rechtlichen konsequenzen fordern stefanie jung untersucht daher ob das deutsche recht verhandlern im unternehmerischen kontext einen spielraum für bestimmte irreführungen gewährt bzw gewahren sollte auf basis rechtshistorischer rechtsdogmatischer rechtsvergleichender rechtsökonomischer und empirischer argumente arbeitet sie eine differenzierte lösung nach einzelnen tauschungsgegenständen heraus

composed of a full text copy of the licensing scotland act 1976 along with annotations preceded by a narrative account of the act this popular title on licensing law in scotland aims to be an essential update incorporating significant legislative and judicial developments

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