

Perlingieri Manuale Di Diritto Civile Ultima Edizione

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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

comparative analysis of vindictio possessory remedies and trespass across sixteen european jurisdictions based on twelve straightforward factual cases

eminent lawyers from academia international judiciary and legal practice join up to honour professor mads andenas kc hon contributions form a cutting edge volume across legal disciplines led by an advisory editorial committee including prof guido alpa prof carl boudenbacher prof eirik bjorge prof giuseppe conte and prof duncan fairgrieve the general private law of tort and delict is subject to a transformation where the traditional national framework is becoming gradually less relevant much of the modernisation of private law takes place not at the domestic level but at a european or international level such as in international commercial conventions or eu consumer protection legislation remedies in regulatory law are becoming ever more important the role of the european court of justice in developing general principles of contract and tort is ever increasing tort liability is an important subject of international conventions with the caselaw of the international court of justice developing general principles of tort liability in public international law

this book deals with foundation law in various european countries it sums up contributions from the most outstanding experts in foundation law in fourteen countries these are either civil law or common law and their socio economical situation is considerably different despite the outstanding differences in each country foundations have been growing in number and importance all over europe in the last decades political economical and social changes occurred in various european countries increased foundations role the need to focus on foundations laws and regulations arose in many states for different reasons the contributions in this book focus in particular on the recent development of foundation law on the evolution foundations have undergone in recent years and on trends in law

gifts a study in comparative law is the first broad based study of the law governing the giving and revocation of gifts ever attempted gift giving is everywhere governed by social and customary norms before it encounters the law and the giving of gifts takes place largely outside of the marketplace as a result of these two characteristics the law of gifts provides an optimal lens through which to examine how different legal systems engage with social practice the law of gifts is well developed both in the civil and the common laws richard hyland s study provides an excellent view of the ways in which different civil and common law jurisdictions confront common issues the legal systems discussed include principally in the common law those of great britain the united states and india and in the civil law the private law systems of belgium and france germany italy and spain professor hyland also serves a critique of the dominant method in the field which is a form of functionalism based on what is called the praesumptio similitudinis namely the axiom that once legal doctrine is stripped away developed legal systems tend to reach similar practical results his study demonstrates to the contrary that legal systems actually differ not only in their approach and conceptual structure but just as much in the results

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