

UNIFICATION OF TORT LAW: CAUSATION

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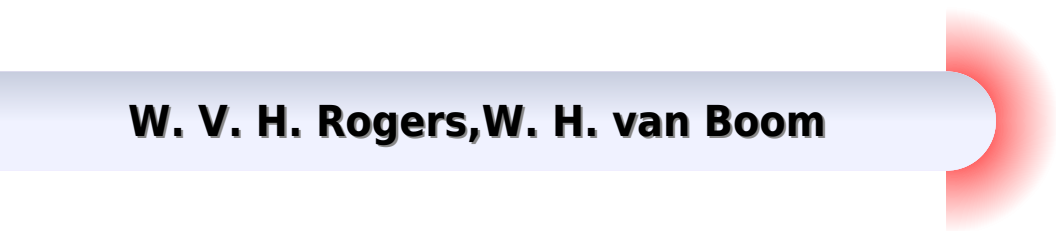
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Unification Of Tort Law Causation Principles Of European Tort Law Set

W. V. H. Rogers, W. H. van Boom



Unification Of Tort Law Causation Principles Of European Tort Law Set:

Perspectives for the Unification and Harmonisation of Family Law in Europe Katharina Boele-Woelki, 2003 Is the unification and harmonisation of international family law in Europe necessary Is it feasible desirable and possible Reading the different contributions to this book may certainly inspire those who would like to find the right answers to these questions

Unification of Tort Law: Damages Francesco Donato Busnelli, 2001-01-17 The foundations of tort law in various European legal systems differ considerably Until now there has not been an attempt to harmonise the entire field of tort law in a consistent manner To rectify this a group of tort lawyers has proposed to address the fundamental questions underlying every tort law system The result is this important series of books which searches for a common law of Europe without the necessity yet to lay these principles down in formal legal texts such as a European civil code Identifying the most relevant factors in establishing liability as wrongfulness causation damage fault and the area of strict liability the authors concentrate on the tort liability factor under discussion in each volume combining theoretical abstract analysis with the discussion of concrete cases Each author gives an overview of the particular tort liability factor under his or her national legal system primarily by working out the concept and its importance in establishing liability and then applies the analysis to actual cases The subsequent conclusions aim at the coordination of the results and other important factors In summary each volume tries to make clear what common ground pertaining to each tort liability factor underlies all the legal systems concerned with respect to the law of tort Each volume also provides the academic and practitioner with the fundamental issues relating to that factor underlying the law of tort in the countries covered

The Europeanisation of English Tort Law Paula Giliker, 2014-12-01 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

Unification of Tort Law W. H. van Boom, 2005-01-01 Covers various European countries Israel South Africa and the United States

Tort Liability of Public Authorities in European Laws Giacinto della Cananea, Roberto Caranta, 2020-12-15 This series argues that there is a common administrative core to European legal systems that can be better understood in comparative terms This volume

examines government liability in tort using case studies to explore different government responses Part I sets the stage for the project and the parameters followed by the scholars involved Part II expands on the legal systems chosen for comparison setting up their general tort procedures Part III presents case studies from Austria the European Union France Germany Hungary Italy Poland Romania Spain Switzerland and the United Kingdom Each case study has a theoretical response detailing what would happen should that case occur within each country's borders Part IV compares and contrasts the information provided in Part III It examines both the commonalities and the distinctive traits of these legal systems with a view to understand the nature of their common core This volume is an essential tool for anyone involved in administrative and constitutional law and government liability in tort Unification of Tort Law W. V. H. Rogers, W. H. van

Boom, 2004-01-01 Covers various European countries Israel South Africa and the United States Research Handbook on Private Enforcement of Competition Law in the EU Barry J. Rodger, Miguel S. Ferro, Francisco Marcos, 2023-02-14 The Research Handbook on Private Enforcement of Competition Law in the EU provides wide ranging coverage of a key aspect of competition law enforcement which is undergoing constant and rapid growth in significance The Handbook examines the private enforcement of competition law across the EU and beyond shedding light on pertinent and underlying issues

Principles of European Tort Law, 2000 **Il contratto** Pasquale Fava, 2012 **Direito e economia em dois mundos: doutrina jurídica e pesquisa empírica** Patricia Regina Pinheiro Sampaio, Antônio José M. Porto, 2013-08-20 Os dois mundos pesquisa empírica e doutrina jurídica não podem continuar de costas voltadas e fugir do diálogo absolutamente necessário A solução passa por uma profunda simbiose que simultaneamente melhora e orienta a pesquisa empírica e permita doutrina jurídica aproximar-se mais da realidade Essa fundamentalmente a tese do texto do professor Thomas S Ulen originalmente publicado em inglês pela Illinois Law Review Este livro organizado pelos professores Antônio Maristrello Porto e Patricia Sampaio um passo importante na construção de um novo olhar sobre o direito baseado no conhecimento empírico como forma de entender a realidade e fundamentar o desenvolvimento de doutrinas jurídicas para o século XXI Esta obra foi produzida pelo Centro de Pesquisa em Direito e Economia da DIREITO RIO **Civil Liability for Bunker Oil Pollution**

Damage Dan Malika Gunasekera, 2010 This book deals with the liability conventions brought into existence by the International Maritime Organization and concentrates on the newly adopted instrument dealing with bunker oil pollution as an area of great concern for every stakeholder involved in shipping business The work covers a wide spectrum ranging from the Convention itself to its scope of application liable and aggrieved parties jurisdiction requirements of liability and admissibility of claims defences and exoneration from liability It addresses many areas of interest and of importance to international and national legal advisors lawyers law students and anyone interested in the relevant field such as shipowners charterers shipbrokers ship personnel and associated contractors and sub contractors *New Directions in Comparative Law* Antonina Bakardjieva Engelbrekt, Joakim Nergelius, 2009 This in depth book explores the changing role of comparative

law in an era of Europeanisation and globalisation It explains how national law coexists and interacts with supranational and international law and how legal rules are produced by a variety of institutions alongside and beyond the nation state The book combines both theoretical and practically oriented contributions in the areas of law and development comparative constitutional law as well as comparative private and economic law It offers a plurality of perspectives on the theory and methods of comparative law as a legal discipline but also on comparative law when concretely applied in projects of legal aid harmonisation of law and legal reform Offering a multi disciplinary perspective this book will appeal to researchers and policymakers in international organisations It will also serve as a valuable resource for advanced level courses on comparative law and on law reform and legal aid

European Intermediary Liability in Copyright: A Tort-Based Analysis Christina Angelopoulos, 2016-09-15 In step with its rapid progress to the centre of modern social political and economic life the internet has proven a convenient vehicle for the commission of unprecedented levels of copyright infringement Given the virtually insurmountable obstacles to successful pursuit of actual perpetrators it has become common for intermediaries providers of internet related infrastructure and services to face liability as accessories Despite advances in policy at the European level the law in this area remains far from consistently applicable This is the first book to locate and clarify the substantive rules of European intermediary accessory liability in copyright and to formulate harmonised European norms to govern this complicated topic With a detailed comparative analysis of relevant regimes in three major Member State jurisdictions England France and Germany the author elucidates the relationship between these rules and the demands of EU law on fundamental rights and the principles of European tort law She clearly presents the interrelations between such areas as the following accessory liability in tort joint tortfeasance European fault based liability fault causation defences negligence negligence balancing rights based or utility based Germany's disturbance liability Störerhaftung fair balance in human rights end users fundamental rights The European Commission's 2015 Communication on a Digital Single Market Strategy for Europe The E Commerce Directive and other relevant provisions Safe harbours mere conduit caching hosting Intermediary actions monitoring filtering blocking removal of infringing content and application of remedies damages and injunctions The strong points of each national system are highlighted as are the commonalities between them and the author uses these to build a proposed harmonised European framework for intermediary liability for copyright infringement She concludes with suggestions for the future possible integration of the proposed framework into EU law The issue of the liability of internet intermediaries for third party copyright infringement has entered into the political agenda across the globe giving rise to one of the most complex contentious and fascinating debates in modern copyright law This book offers an opportunity for a re conceptualisation and rationalisation of the applicable law in a way which additionally better accounts for the cross border nature of the internet It will be of inestimable value to many interested parties lawyers internet intermediaries NGOs policymakers universities libraries researchers lobbyists in matters regarding the information society

An Inconvenient Deliberation Miriam Haritz, 2011-01-01 This vitally important book asks Can the precautionary principle make uncertainty judiciable in the context of liability for the consequences of climate change and if so to what extent Drawing on the full range of pertinent existing literature and case law the author examines the precautionary principle both in terms of its content and application and in the context of liability law She analyses the indirect means offered by existing legislation being used by environmental groups and affected individuals before the courts to challenge both companies and regulators as responsible agents of climate change damage Page 4 of cover Comparative Tort Law Mauro Bussani, 2021-02-26 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 *Essential Cases on Damage* Benedict Winiger, Helmut Koziol, Bernhard A. Koch, Reinhard Zimmermann, 2011-11-30 The increasing Europeanisation of the law of delict torts has produced textbooks casebooks monographs and also sets of model rules of a genuinely European character A major gap still existing today relates to the experiences gathered in the national legal systems over the past decades The present work attempts to fill this gap for one key element of tort law the notion of damage It thus does what the previous volume in the Digest of European Tort Law series did for another key element ie natural causation Once again the publication contains a selection of the most important cases decided in 26 states across Europe as well as by the European Court of Justice For each case the facts and the relevant court decision are presented and the decision is analysed within the wider context of the development of the respective legal system In addition the editors provide comparative analyses of the case law reported in this volume concerning all the specific problems raised under the heading of damage The publication also looks into how key cases would be resolved under the European model rules drafted in the field of tort law and it also highlights cases from earlier periods of legal history The editors believe that the material gathered here may provide guidance for an organic convergence of the national legal systems in Europe It constitutes the basis of an *acquis commun* that is infinitely richer though also much more complex than the rather bland and abstract concepts contained in national codifications European legislation and the modern model rules **Symposium**, 2009

Climate Change Remedies Jaap Spier, Ulrich Magnus, 2014-07-01 Climate change poses very serious risks to mankind Adaptation and damages are emphasised more and more Although adaptation is important priority should be given to prevention mitigation The contributions in this volume emanate from an international research project that deals with a legal kaleidoscope of legal issues and focuses primarily on preventive remedies The contributions of Spier and Magnus tackle injunctive relief and discuss the myriad of legal questions courts have to answer if they are willing to grant injunctive relief

This part of the book addresses procedural private international and substantive law Kemp s contribution discusses the role criminal law could play to come to grips with the threats of climate change So far the greater part of the debate is about the United States Europe and increasingly Asia Ruppel fills this gap by painting an African perspective **Research Handbook on the Law of Artificial Intelligence** Woodrow Barfield,Ugo Pagallo,2025-06-09 This second edition provides a broad range of perspectives on the legal implications of artificial intelligence AI across different global jurisdictions Contributors identify the potential threats that AI poses to the protection of rights and human wellbeing anticipating future developments in technological and legal infrastructures *Regional Private Laws and Codification in Europe* Hector L. MacQueen,Antoni Vaquer,Santiago Espiau Espiau,2003-10-16 Regions within European Union member states such as Scotland in the UK and Catalonia in Spain have their own legal systems how will the process of Europeanization affect them This volume examines the phenomenon of regional private law in the European Union considering jurisdictions and laws below those of the member states and drawing comparisons with other such jurisdictions elsewhere in the world such as Louisiana and Quebec The whole is considered in relation to the development of European private law and the use of codification in that process This volume will be of interest to academic lawyers worldwide advanced law students and European policy makers

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