

UNIFICATION OF TORT LAW: CAUSATION

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Unification Of Tort Law Causation Principles Of European Tort Law Set

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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

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

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 **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

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

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Unification of Tort Law W. H. van Boom, 2005-01-01 Covers various European countries Israel South Africa and the United States Unification of Tort Law Ulrich Magnus, W. H. van Boom, 2004-01-01 The European Group on Tort Law aims for the formulation of common European principles on tort law Towards that end they have undertaken a comparative examination of tort law in Europe and elsewhere This is the eighth volume to result from their researches concentrating on the issue of contributory negligence The legal principles of contributory negligence **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 **Boekblad** , 2000

Principles of European Tort Law , 2005-05 Unification of Tort Law Francesco Donato Busnelli, 2003 Covers various European countries Israel South Africa and the United States *Causation in European Tort Law* Marta Infantino, Eleni Zervogianni, 2017-12-28 Through a comprehensive analysis of sixteen European legal systems based on an assessment of national answers to a factual questionnaire Causation in European Tort Law sheds light on the operative rules applied in each jurisdiction to factual and legal causation problems It highlights how legal systems features impact on the practical role that causation is called upon to play as well as the arguments of professional lawyers Issues covered include the conditions under which a causal link can be established rules on contribution and apportionment the treatment of supervening alternative and uncertain causes the understanding of loss of a chance cases and the standard and the burden of proving causation This is a book for scholars students and legal professionals alike *Principles of European Tort Law (European Group on Tort Law)* , 2016 *European Tort Law* Cees van Dam, 2013-03-22 The new edition of European Tort Law provides an extensive revision and update of the only English language handbook in this constantly evolving area The coverage in the new edition has been expanded with material on the latest developments in legislation legal literature and the case law of the European Court of Human Rights the Court of Justice of the European Union and the highest courts in France Germany and England The first part of the book Systems of Liability provides chapters on the state of tort law in France Germany and England and the European Union A concluding chapter gives an overall view of the European field linking the variety of rules with cultural diversity examining the consequences for European harmonization and emphasizing the importance of a European policy discourse The second part Requirements for Liability analyses and compares the classic requirements for liability in a comparative and supranational perspective rights and protected interests intention and negligence breach of statutory duty stricter rules of liability causation damage damages and contributory negligence It also discusses the role of tort law in protecting human rights against violations by the state and by multinational corporations The final part Categories of Liability assesses how national and supranational rules are applied in a number of categories such as in liability for motor vehicles defective products and defective premises in liability for children employees and subsidiaries as well as in cases of nuisance environmental liability and liability of public bodies

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