

General Defences In Torts Law Notes With Case Laws

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cases and materials on the law of restitution is an authoritative and scholarly guide written by leading experts who have shaped and defined the law of restitution and unjust enrichment extensive coverage of cases and academic perspectives provides a rounded view of the subject introductions notes and questions enable readers to

check their understanding of key issues the second edition of this seminal title covers many important new cases and academic publications including birk s absence of basis approach the coverage reflects the continuing debates on questions such as bl what is an enrichment bl was the enrichment at the claimant s expense bl what is the role of tracing bl when will proprietary restitution be granted bl when does change of position operate as a defence bl and does corrective justice underpin this area of the law the book s structure has been updated to reflect the judicial development of the law of restitution providing a map through this complex subject this book is invaluable for undergraduate postgraduate and doctoral students as well as academics working in the area

a global overview of international tax disputes on dtc this book is a unique publication that gives a global overview of international tax disputes on double tax conventions and thereby fills a gap in the area of tax treaty case law it covers the forty one most important tax treaty cases which were decided around the world in 2016 the systematic structure of each chapter allows for the easy and efficient study and comparison of the various methods adopted for applying and interpreting tax treaties in different cases with the continuously increasing importance of tax treaties the proposed book is a valuable reference tool for all tax practitioners multinational enterprises policymakers tax administrators judges and academics who are active in tax treaty case law

this is an open access title available under the terms of a cc by nc nd 4 0 international licence it is free to read at oxford scholarship online and offered as a free pdf download from oup and selected open access locations the european court of justice is one of the most important actors in the process of european integration political science still struggles to understand its significance with recent scholarship emphasizing how closely rulings reflect member states preferences this book argues that the implications of the supremacy and direct effect of the eu treaty have still been overlooked as it constitutionalizes an intergovernmental treaty the european union has a detailed set of policies inscribed into its constitution that are extensively shaped by the court s case law if rulings have constitutional status their impact will be considerable even if the court only occasionally diverts from member states preferences by focusing on the four freedoms of goods services persons and capital as well as citizenship rights the book analyses how the court s development of case law has ascribed a broad meaning to these freedoms the constitutional status of this case law constrains policymaking at the european and member state levels different case studies show how major pieces of eu legislation partly codify case law judicialization is important in the eu it also directly constrains member state policies court rulings oriented towards individual disputes are difficult to translate into general policies but if they have constitutional status they have to go through this process policy options are thereby withdrawn from majoritarian decision making as the court cannot be overruled short of a treaty change its case law casts a long shadow over policymaking in the european union undermining the legitimacy of this political order

all of european union eu labour and employment law from its most fundamental pillars to very recent developments is included contextualised and discussed in this comprehensive resource offered as both a printed book and in an interactive e format presenting an article by article analysis of every relevant instrument in a logical sequence according to the provision s content forty seven authorities on specific areas of labour law each provide detailed commentary on a particular provision s underlying rationale and range of application among the ways the work will prove of exceptional value are the following the provisions applying to any labour or employment situation can be quickly located each provision s commentary discusses its full context including legislative background relevant policy documents

commission implementation reports case law analysis and academic debate extensive internal referencing illuminates the interaction between different legal instruments and provisions the e version is thoroughly searchable with internal hyperlinks facilitating navigation between chapters and sections and external hyperlinks to sources referred to in the individual commentaries the text of each provision is followed by a comprehensive list of relevant eu level case law this comprehensive resource gives practitioners dealing with any aspect of eu labour law an immediately usable structured overview of every relevant provision s context case law relationship with connected provisions and assessment of its implementation in the member states whether used for quick reference in conducting a case or for in depth exploration this work is uniquely suited as a starting point and aid for research study and practice in the field of eu labour law

the essays in this book written in honour of lennart palsson emeritus professor of public and private international law at the university of lund give a valuable insight into nordic perspectives on a number of issues of great current interest and importance the editor has succeeded in putting together a fascinating collection which covers inter alia competition law in the european union the judicial system of the eu in the light of the intergovernmental conference the application of foreign law in swedish courts human rights and university policy aspects of the new nordic law on carriage of goods by sea and comparative law as a yardstick for academic legal education the book will be a valuable addition to the literature of european law containing as it does some new and unconventional ideas

vol 1 is a reprint of 1834 edition

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