

## Jaffey Introduction To The Conflict Of Laws

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## **Conflict of Laws in Malaysia**

This text presents a collection of articles detailing issues pertinent to the law of international trade, business and investment. Topics include a review of the U.S. export policies, the EEC and international trade, aspects of antitrust law, the effectiveness of the GATT, arbitration in international contracts, legal constraints on multinationals and more.

## **Delict**

Economic sanctions are instruments of foreign policy. However, they can also affect legal relations between private parties – principally in contract. In such cases, the court or arbitration tribunal seized must decide whether to give effect to the economic sanction in question. Private international law functions as a 'filter', transmitting economic sanctions that originate in public law to the realm of private law. The aim of this book is to examine how private international law rules can influence the enforcement of economic sanctions and their related foreign policy objectives. A coherent EU foreign policy position – in addition to promoting legal

certainty and predictability – would presuppose a uniform approach not only concerning the economic sanctions of the EU, but also with regard to the restrictive measures imposed by third countries. However, if we examine in detail the application of economic sanctions by Member States' courts and arbitral tribunals, we find a somewhat different picture. This book argues that this can be explained in part by the divergence of private international law approaches in the Member States.

### **Restitution in Private International Law**

### **Law Books in Print: Subject index A-I**

### **Revista de derecho comercial y de la empresa**

### **Conflict of Laws**

The coming into force of the Brussels Convention on Jurisdiction and Judgements in 1987 and its modifications and extensions have radically altered the English

approach to conflict of laws. This book introduces conflict of laws to newcomers and to those who need to keep up with the changes.

### **The British National Bibliography**

### **Index to Legal Periodicals & Books**

The growth of national economic regulation and the process of globalisation increasingly expose international transactions to an array of regulations from different jurisdictions. These developments often contribute to widespread international contractual failures when parties claim the incompatibility of their contractual obligations with regulatory laws. The author challenges conventional means of dispute resolution and argues for an interdisciplinary approach whereby disciplines such as international economic law, conflict of laws, contract law and economic regulations are functionally united to resolve international and multifaceted regulatory disputes. He identifies the normative foundation of contract law as an important determinant in this process, contending that contract law is essentially neutral and underpinned by the concept of corrective justice, while economic regulations are mainly prompted by distributive justice. Applying this corrective/distributive justice dichotomy to international contracts, the author

critically assesses major conflict of laws approaches such as 'proper law', 'the Rome Convention' and 'governmental interest analysis', which could disregard either public interest or private rights. The author, taking these theories into account, proposes an alternative two-dimensional interest analysis approach. He tests the viability of this approach with reference to arbitral awards and court decisions in various jurisdictions and concludes that it uniquely fits into the structure of international commercial arbitration. In adopting this approach arbitrators would take into account both corrective and distributive justice, and to the extent that corrective justice prevails, would be able to avert a total failure of the contract.

### **Conflict of Laws**

### **Current Issues in International Business Law**

### **International Conflict of Laws**

This practical handbook of the principles & procedures of international commercial arbitration gains in usefulness & prestige each year. Emphasizing the features of

American law that pervade international practice in this field, it is of inestimable value to practitioners both in & outside the United States. Introductory chapters on the international business environment & alternative dispute settlement methods apart from arbitration are followed by a general presentation of common themes in international commercial arbitration. The author then provides an introduction to the American system for the foreign reader. Further chapters cover the arbitration agreement & its enforcement, drafting considerations for the arbitral clause, a survey of arbitral institutions, judicial assistance for arbitration, aspects of arbitral proceedings, & the powers & functions of the arbitral tribunal. Matters relating to the award are also covered, & a final chapter deals with the particular situation of the State as a party to arbitration.

### **International Legal Books in Print, 1990-1991: Author**

"This new work provides a reminder of how extensive is the range of the law of delict? The subject might suggest the image of a large mansion to which many additions have been made over the years in response to changing conditions in society? This book rises to the challenge and offers the fortunate visitor a systematic guide to the edifice." From the Foreword by The Rt Hon. Lord Cullen PC, Lord Justice-Clerk The Scots law of delict encompasses a vast array of legal sources and contradictions ? many elements are modern and highly developed while others remain ancient and obscure. The majority of delictual principles are caselaw driven

and yet, increasingly, legislation plays a part. Further, although the concept of delict is limited to the Scottish jurisdiction, private international law cannot be ignored. Recognising the multi-faceted nature of the subject, the authors of Delict have produced, in one single volume, a truly comprehensive guide to the law. Illustrated throughout with numerous explanatory case studies, and featuring key questions after each chapter which act as a useful aid to comprehension, this is essential reading for all students encountering delict for the first time as well as practitioners who require a ready reference for their practice.

### **The Law Librarian**

### **Lloyd's Maritime and Commercial Law Quarterly**

### **Encyclopedia of Legal Information Sources**

### **Recent Acquisitions**

## **International Family Law**

## **Index to Legal Periodicals**

## **International Contracts**

This important new book fills a large gap in legal literature by examining restitution in private international law, including both the jurisdiction and choice of law questions facing restitutionary claims with international elements. The book begins with a brief summary of the English domestic law of restitution and highlights some of the issues which may arise. It goes on to examine classification, or characterisation of restitutionary claims.. Restitution has a theoretical unity which enables the author to treat it essentially as a single issue for characterisation purposes. However, restitutionary claims arise in the context of contracts and wrongs; they may be at law or in equity; they may give rise to personal or proprietary remedies, whilst they may be contingent on tracing. Each of these contexts is analysed separately for the purposes of characterisation. The central part of the book examines the choice of law rule for restitutionary issues, and reviews the different approaches adopted in the US and UK and in other parts of

the common law world. After weighing the merits of the different approaches the author adopts a choice of law rule for restitutionary issues which is the proper law of the unjust factor. Depending on whether the unjust factor is event-based or law-based, the choice of law rule will focus on either the law of the place, or alternatively, the legal system with which the unjust factor has its closest and most real connection. Jurisdiction is an area of increasing importance in private international law and the book provides a thorough analysis of the topic of jurisdiction for restitutionary claims, both under the Brussels Convention as well as the traditional common law rules contained in the Civil Procedure Rules. This is an important and timely new work for all lawyers interested in restitution, private international law and international commercial litigation.

### **Economic Sanctions in EU Private International Law**

### **The Conflict of Laws**

### **Maritime Transport**

## **Law Books in Print**

Over 19,000 live, print, and electronic information sources for 460 legal topics are quickly accessible in this guide to the US legal system. The work is arranged alphabetically by subject, from actions and defences to noteworthy trials, and users can see at a glance what printed materials are available, what organizations are active in that subject, and whether any databases or other electronic information sources are available.

## **Bowker's Law Books and Serials in Print**

## **Recueil des Cours, Collected Courses, Volume 220 (1990-I)**

## **Legal Action**

## **Derecho internacional privado**

## **Current Law Index**

## **A London Bibliography of the Social Sciences**

Introducing conflict of laws, this text considers the problems and the possibilities of conflict adjudication before examining the major areas of conflict law: jurisdiction and the recognition of judgements, the law of obligations, family law and the law of property.

## **National Legal Bibliography**

## **Law Books in Print: Title index**

## **The Comparative and International Law Journal of Southern Africa**

## **International Contracts and National Economic**

## **Regulation:Dispute Resolution Through International Commercial Arbitration**

## **Collected courses of the Hague Academy of International Law**

## **International Legal Books in Print, 1990-1991: Subjects**

This fourth edition covers traditional and new topics taught on international law courses, reflecting the profound changes that the subject has undergone in recent decades. Focusing on key principles in an engaging and approachable style, this text is essential for international law students.

## **Traité de droit international privé**

## **International Business Transactions**

## **Introduction to the Conflict of Laws**

Reproduces from earlier publication 33 articles on maritime economics, transport law, and policy that were deemed critical for a lay reader to gain a broad appreciation of the field. They cover management and operations; competition policy and pricing; vessel finance, the fiscal treatment of shipping and other factors important in choosing a flag of registry; law and policy other than incentives; markets and market structures; and ports. The specific topics include the optimal ship size, shipping costs and the controversy over open registry, hierarchical logic in shipping policy and decision-making, and environmental port management. There is no subject index. Annotation copyrighted by Book News, Inc., Portland, OR

### **International Commercial Arbitration**

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