

Canadian Business Law Journal

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Antidumping Law and Practice - John Howard Jackson 1989

Scholars, economists, lawyers, and government officials debate American trade policy

The Unbounded Level of the Mind - Richard Janda 2015-05-01

Roderick A. Macdonald (1948-2014), internationally renowned for his expertise on access to justice, legal pluralism, and the philosophy of law, was first and foremost a teacher and mentor. He believed in the law as a promise our society makes to itself, and passionately imparted this message to students who went on to become lawyers, judges, and academics. Throughout his career, including participation in several government commissions and tenures as dean of law at McGill University and president of the Law Commission of Canada, he strove to promote ideas that have become woven into our contemporary understanding of unity, reconciliation, accommodation, and social justice. The Unbounded Level of the Mind brings together the fascinating essays developed from presentations made at a symposium, held in February 2014 at McGill's Faculty of Law, in honour of Rod Macdonald. Eminent legal scholars from Canada and beyond explore various aspects of Macdonald's rich scholarship, reflecting on the influence this has had on their own work and its implications for the future. Organized around six cross-cutting themes - kaleidoscopic federalism, producing fairness, pluralizing the subject, the priority of distributive justice, contextualizing governance, and pursuing virtue - this volume is both a tribute to Macdonald's dedication to the law and a call to challenge all assumptions in the quest to better our society.

Canada-United States Law Journal - 1988

Law of Multi-Bank Financing - Agasha Mugasha 1998-01-15

The book includes chapters on what multi-bank financing is and who does it, relevant areas of law (including contract, torts, insolvency, tax, and statutes, such as the Bank Act), the mechanics of arranging loan syndications and loan participations, financial accommodation used (direct loans, bank guarantees, letters of credit, and bankers' acceptances), legal relations between parties in loan syndications and loan participations, rights and duties of the agent bank, securities regulation issues in loan syndications and loan participations, and accounting and tax issues in loan syndications and loan participations. Agasha Mugasha argues that loan syndications, loan participations, and related practices are commercial transactions between sophisticated parties and should be analysed and regulated as such. Sample documents for syndicated facility agreements, participation agreements, sale and participation agreements, and standby letters of credit are provided in appendices. Based on law in Canada, particularly Ontario, The Law of Multi-bank Financing includes discussions of a significant body of United States jurisprudence as well as the most important court decisions in other common-law countries.

The Payment Order of Antiquity and the Middle Ages - Benjamin Geva 2011-11-01

Examining the legal history of the order to pay money initiating a funds transfer, the author tracks basic principles of modern law to those that governed the payment order of Antiquity and the Middle Ages. Exploring the legal nature of the payment order and its underpinning in light of contemporary institutions and payment mechanisms, the book traces the evolution of money, payment mechanisms and the law that governs them, from developments in Ancient Mesopotamia, Ancient Greece, Rome, and Greco-Roman Egypt, through medieval Europe and post-medieval England. Doctrine is examined in Jewish, Islamic, Roman, common and civil laws. Investigating such diverse legal systems and doctrines at the intersection of

laws governing bank deposits, obligations, the assignment of debts, and negotiable instruments, the author identifies the common denominator for the evolving legal principles and speculates on possible reciprocity. At the same time he challenges the idea of 'law merchant' as a mercantile creation. The book provides an account of the evolution of payment law as a distinct cohesive body of legal doctrine applicable to funds transfers. It shows how principles of law developed in tandem with the evolution of banking and in response to changing circumstances and proposes a redefinition of 'law merchant'. The author points to deposit banking and emerging technologies as embodying a great potential for future non-cash payment system growth. However, he recommends caution in predicting both the future of deposit banking and the overall impact of technology. At the same time he expresses confidence in the durability of legal doctrine to continue to evolve and accommodate future payment system developments.

Canadian Bankruptcy and Insolvency Law - Anthony J. Duggan 2009-07

Religious Institutions and the Law in Canada - M. H. Ogilvie 2017-05-03

This fourth revised edition is the leading Canadian legal text on the law relating to religious institutions. Designed for use by both lawyers and church administrators, this synthesis of legal and religious concerns makes this text an essential resource for all professionals working in the area.

Who's Who in Canadian Business 2001 - Gillian K. Holmes 2001-03-01

Who's Who in Canadian Business, now in its 21st year, is a comprehensive and independent guide to Canada's business elite. Listing over 5,000 corporate and entrepreneurial leaders, each with a detailed biography and contact information, this directory is an excellent resource for anyone needing information on Canada's business world. Biographies include such information as current employment, address, education, career history, publications, favourite charities, and honours. Those listed are included because of the positions they hold in Canadian business and industry, or because of the contributions they have made to business in Canada. The directory is updated annually; new and updated biographies are marked for easy reference. All biographies are indexed by company name. Included in this edition is the PROFIT 100 / Next 100 listing of Canada's fastest-growing companies, as well as a list of professional associations, each with full address, contact names, and a brief description.

Historical Perspectives on Canadian Competition Policy - Institute for Research on Public Policy 1991
This publication includes eight papers which address the following issues: the beginning of Canadian competitions policy, 1888-1900; the administration and enforcement of competitions policy in Canada, 1889 to 1952; Canadian competition law reform, 1919 and 1935; the history of price maintenance legislation in Canada; the evolution of legislation, adjudication and administration; the case of the Competition Act; a comparison of Canada's competitive environment in 1889 and 1989; and 1889-1989 and into the twenty-first century.

Reform of UK Company Law - John De Lacy 2013-03-04

With the completion of the DTI-sponsored Company Law Review, the reform of company law has now become a very important subject of study. This new book is a must for all those interested in the development and reform of UK company law. The book collates the work of leading authorities on company law, including members of the judiciary and the Law Commission, and individuals from the worlds of professional practice and academia. All main areas of company law are covered, including directors' duties;

corporate governance; minority protection; ultra vires; company charges; and human rights and the company, as well as a comprehensive analysis of the work of the Company Law Reform Steering Group. The central purpose of this book is to analyze the current state of play and to note, in particular, the work of the Company Law Review Group. Critical analysis and suggestions on how company law should be reformed are also offered.

Letters of Comfort - Anton P. Trichardt 2011-12-01

This book presents the first thoroughgoing analysis of the contractual effect of letters of comfort as it appears in both common law and civil law systems. The commentary draws on cases from a wide variety of jurisdictions and on the full range of legal scholarship on the subject in several languages. Among the specific issues and topics raised along the way are the following: the typology of letters of comfort; the legal nature of letters of comfort; the use of letters of comfort in corporate group and banking practice; the economic explanation for the use of letters of comfort; the contractual effect of letters of comfort in French law; 'ten commandments' of letters of comfort; Clearly evoking the tension between business needs, the law, and judicial application, the book analyses what happens when the relationship between a lender and a creditor breaks down, or the latter becomes insolvent, and courts or arbitrators are asked to determine the legal status of a comfort letter. This is an area of practice in which lawyers in any field of business activity are inevitably concerned, and in which useful guidance is scarce. For this reason this detailed analysis will be very welcome.

Commercial Law and Practice in the South Pacific - Mohammed L. Ahmadu 2017-09-25

Commerce has become an area of central importance to the South Pacific region. Although the countries are small it is widely acknowledged that their need to promote and develop commercial enterprise is crucial for their future sustainability. This new textbook is the first to examine the main areas of commercial law in the common law jurisdictions of the South Pacific region. These jurisdictions include the Cook Islands, Fiji Islands, Kiribati, Marshall Islands, Niue, Nauru, (Western) Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. The text is divided into six parts each with its own introduction to aid the reader through each particular area. Utilising both a structural and transactional approach it examines: the establishment and termination of commercial organizations the internal and external relations within and between organizations the legal principles applicable to various kinds of commercial dealings eg. insurance, sale of goods, bills of exchange aspects of foreign trade and international commerce relevant to the region. Knowledge of the legal principles that regulate commercial activity within the South Pacific Region is essential for the communities themselves and for those from outside interested in doing business in the area. Students studying commercial law in the region will find this textbook essential reading as will those involved, or seeking to become involved, in commercial activity there

Competition Law of Canada - Calvin S. Goldman 2013-12-01

Written by leading members of the Competition Practice Groups of Davies Ward Phillips & Vineberg LLP and Blake Cassels & Graydon LLP, *Competition Law of Canada* is the definitive work on the subject and is recognized by the Canadian legal Expert Directory 2002 as most frequently cited as the leading loose leaf service on Canadian competition law. Organized in a logical, easily accessible format, this work provides comprehensive analysis, historical perspective and practical examination of Canadian competition law. All the major areas of competition law are examined in individual detailed chapters.

Business Law and Economics for Civil Law Systems - Rousseau, StŽphane 2021-11-19

Business Law and Economics for Civil Law Systems highlights the relevance of economic analysis of business law from a civilian perspective. It integrates a comparative approach (common law and civil law) to economic analysis using tools and illustrations to assist in conducting critical economic analysis of rules in the field of business law. This book is a valuable contribution to the reflection on the place and meaning of value creation and accountability as goals for business law. It will be of great value to academics interested in business law, competition law, comparative law and legal theory, students studying law, business and economics, and to policy makers and regulators.

Foreign Direct Investment and the Multinational Enterprise - Cynthia Day Wallace 1988-01-01

[The Harmonization of International Commercial Law](#) - Silvia Fazio 2007-01-01

Preface. 1. The World Scenario and the Approximation of Law. 2. Vehicles for the Harmonisation of Law. 3. Regionalisation and Standardisation of Law. 4. Regional Corporate Law Harmonisation: The EU and the Mercosur. 5. The Infrastructure of Capital. 6. The Phenomenon of Development: International and Regional Approaches to Banking and Financial Law. 7. Theories of the Company. 8. Corporate Governance. 9. International Legal Standards and the Inclusion of Emerging Countries in the Globalised Order: The Case Study of Brazil. 10. Conclusion: Legal Pluralism and the Creation of Standards within the Process of Globalisation. Analytical Summary and Theoretical and Practical Implications. Bibliography.

Comparative Consumer Insolvency Regimes - Jacob Ziegel 2003-09

This study compares the insolvency regimes currently in place or likely to be adopted in the foreseeable future in various countries worldwide.

Intelligence, Espionage and Related Topics - James D. Calder 1999

Calder provides an annotated bibliography of scholarly journal material on intelligence, espionage, and related topics selected from vetted articles in fields such as history, criminal justice, political science, military and intelligence studies, humanities, law, and physics from 1844 onward. It contains more than 10,000 citations organized by author, with an extensive key word or term index and an index of coauthors.

Research Handbook on Unjust Enrichment and Restitution - Elise Bant 2020-07-31

This comprehensive yet accessible Research Handbook offers an expert guide to the key concepts, principles and debates in the modern law of unjust enrichment and restitution.

Corporate Law and Sustainability from the Next Generation of Lawyers - Carol Liao 2022-09-15

Millennials have come of age in an era when environmental and social crises have defined much of their adult lives, as has the recurrent message that time is of the essence. Future generations will bear the greatest burden created by climate change, pandemics, and inequality, but often they are not in positions of power to make impactful decisions about it. This book gives voice to young lawyers offering new critical perspectives in the burgeoning field of corporate law and sustainability. Climate change is an intergenerational crisis, and the solutions and path forward must include intergenerational voices. Millennials are coming of age at a critical juncture in our climate and corporate history, and their perspectives stand apart from those who have been trained into myopic views of what constitutes change. These essays challenge the status quo across a number of pressing topics, including executive compensation, board diversity, decolonization, crowdfunding, social media risk, corporate lobbying, shareholder activism, tax avoidance, global supply chain management, and human rights, written with a level of thoughtfulness and urgency that demands attention from policymakers and scholars alike. Edited by Carol Liao, a leading expert in the field, and with a foreword by author and filmmaker of *The Corporation* and *The New Corporation* Joel Bakan, this book offers timeless research from a diverse group of young lawyers calling for bona fide corporate accountability within legal and regulatory frameworks, including innovative ideas for reform.

International and Comparative Secured Transactions Law - Spyridon V Bazinas 2017-10-19

The law of secured transactions has seen dramatic changes in the last decade. International organisations, particularly the United Nations Commission on International Trade Law (UNCITRAL), have been working towards the creation of international legal standards aimed at the modernisation and harmonisation of secured financing laws (eg, the United Nations Convention on the Assignment of Receivables in International Trade, the UNCITRAL Legislative Guide on Secured Transactions and its Intellectual Property Supplement, the UNCITRAL Guide on the Implementation of a Security Rights Registry and the UNCITRAL Model Law on Secured Transactions). The overall theme of this book is international (or cross-border) secured transactions law. It assembles contributions from some of the most authoritative academic voices on secured financing law. This publication will be of interest to those involved in secured transactions around the world, including policy-makers, practitioners, judges, arbitrators and academics.

The Welfare State in Canada - Allan Moscovitch 1983-11-16

The first major reference work of its kind in the social welfare field in Canada, this volume is a selected bibliography of works on Canadian social welfare policy. The entries in Part One treat general aspects of the origins, development, organization, and administration of the welfare state in Canada; included is a section covering basic statistical sources. The entries in Part Two treat particular areas of policy such as

unemployment, disabled persons, prisons, child and family welfare, health care, and day care. Also included are an introductory essay reviewing the literature on social welfare policy in Canada, a "User's Guide," several appendices on archival materials, and an extensive chronology of Canadian social welfare legislation both federal and provincial. The volume will increase the accessibility of literature on the welfare state and stimulate increased awareness and further research. It should be of wide interest to students, researchers, librarians, social welfare policy analysts and administrators, and social work practitioners.

Law and Practice of Investment Treaties - Andrew Paul Newcombe 2009-01-01

The book focuses on the substantive protections accorded to investors and investments and on the variations among jurisdictions. Among the many specific issues and topics that arise in the course of the discussion are the following: - problems of transparency and conflict of interest; - the recent growth in IIAs between and among developing nations; - the effect of new model bilateral investment treaties (BITs); - the ability of non-disputing parties to participate in investor-state arbitration; - theories of the interaction of foreign direct investment (FDI) and BITs; - investor-state arbitration as an evasion of public regulatory authority; - the role of investment funds in international investment; - 'fork in the road' provisions; and - institutional versus ad hoc arbitration. International business and other investors will greatly appreciate the in-depth information and insightful guidance in this solidly useful book. It will also be welcomed by jurists and students as a significant milestone in the development of principles in a quickly growing field of practice that is still plagued with inconsistencies.

Apex Courts and the Common Law - Paul Daly 2019-04-26

For centuries, courts across the common law world have developed systems of law by building bodies of judicial decisions. In deciding individual cases, common law courts settle litigation and move the law in new directions. By virtue of their place at the top of the judicial hierarchy, courts at the apex of common law systems are unique in that their decisions and, in particular, the language used in those decisions, resonate through the legal system. Although both the common law and apex courts have been studied extensively, scholars have paid less attention to the relationship between the two. By analyzing apex courts and the common law from multiple angles, this book offers an entry point for scholars in disciplines related to law - such as political science, history, and sociology - who are seeking a deeper understanding and new insights as to how the common law applies to and is relevant within their own disciplines.

Bankruptcy and Insolvency Law in Canada - Stephanie Ben-Ishai 2019-08-12

Authored by leading experts from across the country, *Bankruptcy and Insolvency Law in Canada: Cases, Materials, and Problems* reimagines the traditional casebook. It provides clear, accessible, and detailed textual commentary on the and presents problem-solving exercises to challenge students to do what lawyers are renowned for--provide solutions.

Corporate & Business Law Journal - 1996

Divergences in Private Law - Andrew Robertson 2016-01-28

This book is a study of doctrinal and methodological divergence in the common law of obligations. It explores particular departures from the common law mainstream and the causes and effects of those departures. Some divergences can be justified on the basis of a need to adapt the common law of contract, torts, equity and restitution to local circumstances, or to bring them into conformity with local values. More commonly, however, doctrinal or methodological divergence simply reflects different approaches to common problems, or different views as to what justice or policy requires in particular circumstances. In some instances divergent methodologies lead to substantially the same results, while in others particular causes of action, defences, immunities or remedies recognised in one jurisdiction but not another undoubtedly produce different outcomes. Such cases raise interesting questions as to whether ultimate appellate courts should be slow to abandon principles that remain well accepted throughout the common law world, or cautious about taking a uniquely divergent path. The chapters in this book were originally presented at the Seventh Biennial Conference on the Law of Obligations held in Hong Kong in July 2014. A separate collection, entitled *The Common Law of Obligations: Divergence and Unity* (ISBN: 9781782256564), is also being published.

The CISG and its Impact on National Legal Systems - Franco Ferrari 2008-01-01

In force in 70 countries around the world and covering more than two thirds of world trade, the 1980 United Nations Convention on Contracts for the International Sale of Goods (CISG) is considered to be the most successful convention promoting international trade. According to many commentators, this success is due, among others, to the fact that the Convention does not directly impact on the domestic law of the various legal systems, as it applies only to international - as opposed to purely domestic - contracts. The Convention, in other words, does not impose changes in the domestic law, which makes it easier for States to adopt the Convention. This does not mean, however, that the Convention does not have any impact on the domestic law at all. This book analyzes - through 24 country reports as well as a general report submitted to the 1st Intermediate Congress of the International Academy of Comparative Law held in November 2008 in Mexico City - to what extent the Convention de facto influences domestic legal systems. In particular, the book examines the Convention's impact on the practice of law, the style of court decisions as well as the domestic legislation in the area of contract law.

Korean Business Law - Hwa-jin Kim 2012-01-01

This book is a detailed overview of the corporate and financial laws of Korea and analyzes current issues within those fields from both academic and practical perspectives, providing a unique tool for understanding Korean law in a business and financial context. The approach of the book is two-fold. On the one hand the book offers valuable insight into the fundamental principles of Korean business law, and landmark cases in the field. On the other hand there is extensive analysis of more recent developments and of current issues raised by recent court cases. The book combines coverage of Korean corporate law and Korean financial law and includes detailed examination of corporate law issues such as director liability, minority shareholder protection, and the dynamic practice area of mergers and acquisitions, and of financial law topics, including private equity, structured finance and foreign financial institutions. A rich and extensive resource with insight from leading scholars and practitioners, *Korean Business Law* will be of great benefit both to lawyers who have clients with business interests in Korea, and to scholars of international corporate law and governance.

Statutory Priorities in Corporate Insolvency Law - Christopher F. Symes 2016-12-05

Who enjoys statutory preferred creditor status? What justifications exist for jurisdictions to maintain statutes that favour 'priority' creditors over other creditors and contributories? This book examines preferential debts derived from specific legislative provisions applying to corporate insolvency. In exploring the concept of preferential treatment, *Statutory Priorities in Corporate Insolvency Law* includes chapters that provide a doctrinal, theoretical and historical analysis of who enjoys preferred creditor status. As well as examining the traditional major categories of priorities, this work also identifies potential new categories for priority status such as environmental clean-up costs, international creditors, tort claimants and consumers among other non-consensual creditors. While the study focuses on Australian corporate insolvency law, where appropriate, comparisons are made with other common law jurisdictions, particularly the UK, Canada, New Zealand and the US.

Canadian Perspectives on Animals and the Law - Vaughan Black 2015

This book provides an important contribution to the debate on the legal status and treatment of animals in Canada. It addresses a range of doctrinal and conceptual questions, situating legal analysis in the broader context of ethical and philosophical debate about justice in human-animal relationships.

A Business-Finance Job-School Guide - Tony Kelbrat 2022-09-26

This is a business-finance-executive job and school guide, telling you where to find a business-finance job and a school (physical attendance or online). It's a business, managerial and finance job guide. I've written other business books for sales, retail jobs and making money ideas, HRM and consultants, world trade and a general business book about starting and running a business. In this book, I tell you what the business and finance careers are then tell you how to find information, jobs and schooling for them. Business is the frontier. It takes courage and guts to enter the arena. Business runs everything. It supports governments and funds the nonprofits. I watch the CNBC shows about money almost every night for at least a few minutes because I'm interested in business and industry. The stock market is the economy and business world encapsulated into one entity. The 83 volumes are as follows: Volume 1. A Business-Finance

Occupation Guide Volume 2. An Executive Job Guide Volume 3. An Executive Job Website Guide Volume 4. A Manager Job Guide Volume 5. A Specific Manager Job Guide Volume 6. A Business Recruiter Guide Volume 7. A License Guide for Some Business Professions Volume 8. A Business Organization Guide Volume 9. A Business-Finance Professional-Trade Organization Guide Volume 10. A Finance Organization Guide Volume 11. A Business-Finance Company Guide Volume 12. A List of Business-Finance Company Websites at jobstars Volume 13. A Finance Company Guide Volume 14. Some Company Entry-Level Business Leadership Websites Volume 15. A Business Conference-Event Guide Volume 16. An Administration Job Guide Volume 17. A Business Job Guide 1 Volume 18. A Business Job Guide 2 Volume 19. A Business Job Guide 3 Volume 20. A World Business Job Guide Volume 21. A Business Job Website Guide 1 Volume 22. A Business Job Website Guide 2 Volume 23. A Job Website Guide from dmoz-odp.org/Business/Employment Volume 24. A Business-Finance Career Website Guide at careers.stateuniversity.com Volume 25. A Business and Finance Job Website Guide from the Dead Website careerservices.princeton.edu/career-choices/industries-professions Volume 26. Some Business-Finance Job Titles and Blogs Volume 27. A Business-Finance Job Guide 1 Volume 28. A Business-Finance Job Guide 2 Volume 29. A Financial Career Guide Volume 30. A Finance Job Website Guide Volume 31. A Finance Job Guide 1 Volume 32. A Finance Job Guide 2 Volume 33. A Finance Job Guide 3 ...

Trustees at Work - Anna Jane Samis Lund 2020-08-15

Trustees at Work explores the role bankruptcy trustees play in determining who qualifies as a deserving debtor under Canadian personal bankruptcy law. The idea of a deserving debtor is woven throughout bankruptcy law, with debt relief being reserved for those debtors deemed deserving. The legislation and case law invite trustees to assess debtors based on their pre-bankruptcy choices, but in practice, trustees evaluate debtors based on how cooperative the debtors are during bankruptcy proceedings. This book uses interviews and statistical data to explain how the financial and emotional pressures of trustees' work shape their decision-making process.

Bound Volume 2020 - Watchtower Bible and Tract Society of New York 2021-01-21

Canada: The State of the Federation, 2011 - Nadia Verrelli 2015-01-01

In this edition of Canada: State of the Federation, contributors consider whether and to what degree the relationship between the central government and the provincial and territorial governments has changed in the past decade. The authors address three overarching questions. First, is the power base changing in Canada? If so, how are governments responding? Second, what are the implications of the changing environment for the relationships between governments? And third, are there underlying forces – such as economic or technological change, or demands for citizen engagement – that are pushing some provinces and regions to become more assertive in the global environment? The papers are organized into four categories: those that identify and analyze the changing federal environment; those concerned with the implications of the 2011 federal election; those that deal with health policy and economic federalism; and those that explore the growing importance of the North and the changing dynamics among the provinces and the federal government. Among the topics discussed are the impact of a majority government based on a West-Ontario coalition, with Quebec represented primarily by the Opposition, the implications of the trade-off between health care spending and the public financing of other essential public goods, and second-generation trade agreements, such as the Canada-European Union Comprehensive Trade Agreement.

The Black Book - Meera Kaura Patel 2011

Concentrated Corporate Ownership - Randall K. Morck 2007-12-01

Standard economic models assume that many small investors own firms. This is so in most large U.S. firms, but wealthy individuals or families generally hold controlling blocks in smaller U.S. firms and in all firms in most other countries. Given this, the lack of theoretical and empirical work on tightly held firms is surprising. What corporate governance problems arise in tightly held firms? How do these differ from corporate governance problems in widely held firms? How do control blocks arise and how are they maintained? How does concentrated ownership affect economic growth? How should we regulate tightly held firms? Drawing together leading scholars from law, economics, and finance, this volume examines the economic and legal issues of concentrated ownership and their impact on a shifting global economy. *Liability for Transboundary Pollution at the Intersection of Public and Private International Law* - Guillaume Laganière 2022-02-24

This book focuses on how public and private international law address civil liability for transboundary pollution. In public international law, civil liability treaties promote the implementation of minimum procedural standards in domestic tort law. This approach implicitly relies on private international law to facilitate civil litigation against transboundary polluters. Yet this connection remains poorly understood. Filling the gap, this book engages in a meaningful dialogue between the two areas and explores how domestic private international law can reflect the policies developed in international environmental law. It begins with an investigation of civil liability in international environmental law. It then identifies preferable rules of civil jurisdiction, foreign judgments and choice of law for environmental damage, using Canadian private international law as a case study and making extensive references to European law. Liability for transboundary pollution is a contentious issue of the law, both in scholarship and practice: international lawyers both private and public as well as environmental lawyers will welcome this important work.

The Law of Guaranties - Jeremy S. Friedberg 2013

Includes chapters on all the states of the United States, and a chapter each on the Equal Credit Opportunity Act's restrictions regarding guaranties, the District of Columbia, Canada, Quebec, and Puerto Rico.

Indian Private International Law - Stellina Jolly 2021-10-07

This book provides an authoritative account of the evolution and application of private international law principles in India in civil commercial and family matters. Through a structured evaluation of the legislative and judicial decisions, the authors examine the private international law in the Republic and whether it conforms to international standards and best practices as adopted in major jurisdictions such as the European Union, the United Kingdom, the United States, India's BRICS partners - Brazil, Russia, China and South Africa and other common law systems such as Australia, Canada, New Zealand, and Nepal. Divided into 13 chapters, the book provides a contextualised understanding of legal transformation on key aspects of the Indian conflict-of-law rules on jurisdiction, applicable law and the recognition and enforcement of foreign judgments or arbitral awards. Particularly fascinating in this regard is the discussion and focus on both traditional and contemporary areas of private international law, including marriage, divorce, contractual concerns, the fourth industrial revolution, product liability, e-commerce, intellectual property, child custody, surrogacy and the complicated interface of 'Sharia' in the conflict-of-law framework. The book deliberates the nuanced perspective of endorsing the Hague Conference on Private International Law instruments favouring enhanced uniformity and predictability in matters of choice of court, applicable law and the recognition and enforcement of foreign judgments. The book's international and comparative focus makes it eminently resourceful for legislators, the judges of Indian courts and other interested parties such as lawyers and litigants when they are confronted with cross-border disputes that involve an examination of India's private international law. The book also provides a comprehensive understanding of Indian private international law, which will be useful for academics and researchers looking for an in-depth discussion on the subject.