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Aspecten Van Ongerechtvaardigd Verrijking

Wiebrandus Tjeerd van der Leij



Aspecten Van Ongerechtvaardigd Verrijking:

Property and Trust Law in the Netherlands Arthur Salomons, Matthias Haentjens, 2017-04-24 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law of property in the Netherlands deals with the issues related to rights and interests in all kinds of property and assets immovable movable and personal property how property rights are acquired fiduciary mechanisms and security considerations Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology application and procedure An introduction outlining the essential legal cultural and historical considerations affecting property is followed by a discussion of the various types of property Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type The coverage includes tangible and intangible property varying degrees of interest and the various ways in which property is transferred including the ramifications of appropriation expropriation and insolvency Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance The book includes ample references to doctrine and cases as well as to relevant international treaties and conventions Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for any practitioner faced with a property related matter Lawyers representing parties with interests in the Netherlands will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative property law

Voordeelsafgifte en ongerechtvaardigde verrijking mr. dr. J.G.A. Linssen, 2001-10-01 Voordeelsafgifte is een relatief onbekende rechtsfiguur in het Nederlandse privaatrecht In diverse andere landen is er veel literatuur en rechtspraak over voordeelsafgifte Dit geldt met name voor Duitsland De Duitse literatuur en rechtspraak worden in deel 1 van deze studie beschreven en geanalyseerd In deel 2 wordt aandacht besteed aan het Nederlandse recht Daarbij wordt soms ook verwezen naar ontwikkelingen in Zwitserland Engeland Frankrijk en de Verenigde Staten In deel 3 van deze studie ontwikkelt de auteur mede op basis van de bevindingen in de eerste twee delen een zelfstandig en van het schadevergoedingsrecht ontkoppeld systeem voor de verplichting tot voordeelsafgifte Hij baseert dit op het leerstuk van de ongerechtvaardigde verrijking De ongerechtvaardigde verrijking zoals in 1992 geregeld in artikel 6:212 BW wordt kritisch besproken en op diverse punten worden fundamentele wijzigingen voorgesteld Het schadevergoedingskarakter van het Nederlandse verrijgingsrecht wordt verworpen evenals bijvoorbeeld de opvatting dat een actie uit ongerechtvaardigde verrijking een restactie of subsidiair hulpmiddel is Volgens de auteur gaat het in het verrijgingsrecht om afgifte van het concreet of abstract begrote voordeel dat is verworven door bijvoorbeeld het gebruiken uitoefenen of exploiteren van aan een ander voorbehouden rechten en bevoegdheden Geconcludeerd wordt onder andere dat het Nederlandse verrijgingsrecht langs deze weg een dynamische werkingssfeer verkrijgt waarmee kan worden ingespeeld op de maatschappelijke en juridische ontwikkelingen rond beschermenswaardige

en aan een rechthebbende voorbehouden rechten en bevoegdheden **Ongerechtvaardigde verrijking...** Wiebrandus Tjeerd van der Leij, 1910 **The Netherlands, Switzerland, Czech Republic, Slovakia, Malta, Latvia** Wolfgang Faber, Brigitta Lurger, 2010-12-23 This excellent series presents comparative study analysis and evaluation of 28 European legal systems in the field of transfer of movables Major topics are the notion of ownership the derivative acquisition of ownership e g by a sales contract the good faith acquisition of ownership and other property rights the multiple sale of the same movable the protection of possession positive acquisitive prescription and processing and consolidation The work is based on comprehensive country reports which are to be published on the relevant legal rules in Europe and has the drafting and publication of text proposals of uniform European rules with commentary and comparative notes as its primary goal It intends to influence the future development of European private law on the EU level This sixth volume of the series presents up to date national reports of The Netherlands Switzerland Czech Republic Slovakia Malta Latvia **Acquisition and Loss of Ownership of Goods** Wolfgang Faber, Brigitta Lurger, 2011-03-30 This volume contains the major result of the work undertaken by the international research group Transfer of Movables which belonged to the Study Group on a European Civil Code It covers the most important aspects of the law of property in movables such as the transfer of ownership based on the transferor's right and the good faith acquisition of ownership The suggested black letter provisions are accompanied by extensive explanatory comments and comparative notes providing information on the existing rules of the EU Member States As compared to Book VIII of the DCFR this volume contains additional and partly revised national notes extended comments translations of the black letter rules and adapted registers The Principles of European Law are published in co operation with Oxford University Press and Staempfli Switzerland Unjustified Enrichment in South African Law J. C. Sonnekus, 2008

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