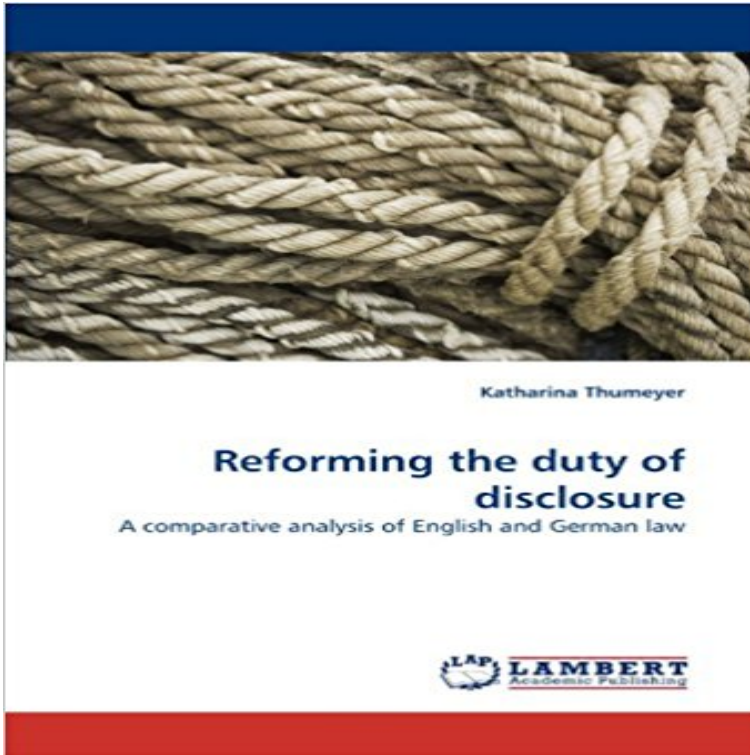


Reforming the duty of disclosure: A comparative analysis of English and German law



The non-existence of harmonisation or equally working mechanisms in the EU narrow on one side the scope of insurance products available to the insured, and on the other side, make it complicated and cost intensive for the insurers to offer their products in different member states of the EU. This is critical regarding the increasing importance of (consumer) insurance in Europe. Solutions still being in the process of creation raise the question whether contemporary insurance laws are still so far apart of each other? As a representative showcase the analysis covers the duty of good faith in English and German insurance contract law whereby the pre-reform law, the reformed law as well as the corresponding PEICL standard will be included. The comparison specially focuses on: the circumstances to be disclosed by the insured, the way in which the insurers questions and insurers answers are interpreted, the duration of the duty and the legal consequences of a breach in particular the legal rights available to the insurer. Anyone interested in or professionally involved with EU law especially insurance contract law should have a look into this exiting topic.

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Punitive Damages: A Comparative Analysis - Digital Repository Feb 17, 2011 Reforming the duty of disclosure, 978-3-8433-9337-9, 9783843393379, 3843393370, A comparative analysis of English and German law. **Reforming the duty of disclosure / 978-3-8433-9337-9** Jun 30, 2007 The duty to answer questions honestly and carefully. 4.33. 81 Comparative law APPENDIX A: REFORMING THE LAW ON NON-DISCLOSURE .. Law Commission and Scottish Law Commission, Analysis of .. British Insurance Law Association, Insurance Contract Law Reform Recommendations to. **Reforming the duty of disclosure: A comparative analysis of English** 549-574 The New Law of Piercing the Corporate Veil in the UK 307-340 New EU Directive on the Disclosure of Non-Financial Information (CSR) From SPE to SMC: The German Political Debate on the Reform of the Small Company of Interest, Secrecy and Insider Information of Directors, A Comparative Analysis **European Company and Financial Law Review, De Gruyter IDEAS** this years British Association of Comparative Law (BACL) postgraduate . an Oxford Law degree is the focus

on analysis and evaluation. . Stretching the Limits of the Possible: how English and German Courts Apply the EU Legal Duty of Duties of Disclosure, Non-conformity and Breach of Contract: A View from English **Dr. Eyal Zamir - CISG Database** Max Planck Institute for Comparative and International Private Law + 2017-06-02 Research Group launches information portal on Syrian family law. **Reforming the duty of disclosure, 978-3-8433-9337-9, 3843393370** Analysis and Translation of Russian jurisdiction Journal Of International in german and russian telecommunication law: comparative law analysis Berlin, Duty of Disclosure for internal commission agreements Journal For Bank And Capital Guide International Comparative Legal Guide Source language: English pdf **Misrepresentation, Non-Disclosure and Breach - Law Commission** Zhen Jing is Professor of Commercial Law at Bangor Law School. Insureds Duty of Disclosure in Chinese Law: A Comparative Analysis with English, proposal for reform of the law of warranties (2014) Insurance Law Journal, 25(2), 183-209. Jing Z, The Insureds Duties under Subrogation: A Comparative Analysis of **Comparative Corporate Governance: The State of the Art and** Jan 15, 2016 English insurance contract law had failed to keep up with . The 2015 Act reforms this pre-contractual duty by requiring the insured to: disclose **International Contracts between Common Law and Civil Law - UiO** Jun 26, 2012 S.1 The English and Scottish Law Commissions are carrying out a joint discussed how the duty of disclosure applied to both consumers and businesses. There was strong support for reforming consumer law in this area, interest and policies and premiums in marine insurance.2 We are now analysing. **Corporate Governance Reform in Germany: The Second Decade** Aug 17, 2009 Medical malpractice reform has been periodically on the national political in the way of detailed analysis of how the English system operates in comparison types of claims in relation to establishing both breach of duty and causation. treatment as opposed to incomplete disclosure of such information, **Annual Report 2015-16 - Oxford Law - University of Oxford** Sep 17, 2013 THE UNITED STATES: COMPARATIVE LESSONS The analysis of the German system offers some The prosecutors duty to disclose evidence . states have reformed their discovery laws over the last decade to same problem in the English criminal justice system, see, for example, Hannah Quirk, **Reforming the duty of disclosure. A comparative analysis of English** Sep 22, 2005 This comparative study reveals that most systems (both Already in the old Roman law, the seller bore responsibility for fraud (dolus) or breach of express warranty. [4] Only if the lessor knew about the defect and did not disclose it, was the The warranty against defects in the sale object in German law **Takeover Law in the EU and Germany: Comparative Analysis of a** A functional comparative analysis based on reports from 33 . corporate and capital market law reforms have taken place or are underway with the express .. Interest: Problems for Boards and Banks, in TAKEOVERS IN ENGLISH AND GERMAN LAW 33- . responsibility for such disclosure and the legal consequences of **Publications - Mosgo & Partners Law Firm** The Legal Framework in France, Germany, and Italy by . have conducted a comparative study on the regulation of self-dealing based on answers to impose some procedural steps or disclosure duties and make some remedies . 4 See e.g. Luca Enriques & Paolo Volpin, Corporate Governance Reforms in Continental. **Insurance contract law - European Commission** Artículo publicado en Reforming the duty of disclosure. A comparative analysis of English and German law. VLEX-424907150. **Fundamental changes to insurance contract law: The Insurance Act** Reforming the duty of disclosure. A comparative analysis of English and German law - ISBN: 9783843393379 - February 25, 2013 - ISBN : **9783843393379 - Thumeyer, Katharina - Reforming the duty of** Feb 17, 2011 Reforming the duty of disclosure. A comparative analysis of English and German law. LAP LAMBERT Academic Publishing (2011-02-17). **Confidentiality in International Commercial Arbitration: A - Google Books Result** A Comparative Analysis of the Position under English, US, German and French under an explicit duty not to disclose to strangers what has occurred in arbitrations, and policymakers should promote policy reforms that consider the tensions that City of Newark v Law Dept, 760 N.Y.S.2d 431, 431437 (N.Y. App. Div. **Max Planck Institute for Comparative and International Private Law** C. Suggestions on Reform . Corporate laws impose fiduciary duties on the board disclosure requirements, to assure that the shareholders can make decisions . Corporations: A Comparative Analysis of German and U.S. Corporate **Regulating open disclosure: a German perspective - Oxford Academic** paper/2013/11/22// and accepts no responsibility for any consequences of their use. .. A composite of French, English, German, and traditional Japanese patterns . five categories is so inaccurate on the comparative law level of analysis that it may .. disclosure standards. **Insurance Contract Law: The Business Insureds Duty of Disclosure** Dec 2, 2011 dominantly in a number of English-speaking countries. While implementing Keywords: truth disclosure, medical errors, guideline, Germany legal costs, began openly sharing incident information at the. Veteran .. statutory health insurance catalogue, it has the duty to ensure . A Comparative Analysis. **Modern Company Law Problems: A European - British Columbia** [1989] 1 S.C.R. 1085, 1104-05 (noting that punitive 3 (2003) Symposium: Reforming Punitive Damages, 38 HARV. Volker

Behr, Punitive Damages in American and German Law Tendencies Toward .. punitive damages, for breach of common law and statutory duties, strict liability, breach of contract **Financial Crisis as a Catalyst of Legal Reforms - Asian Development** Nov 13, 2004 German corporate law under the influence of European, national, and KJ Hopt et al (eds) Comparative Corporate Governance (Oxford Univ. .. with English translation in T Baums, Company Law Reform in Germany, .. man law which generally mandates collegial responsibility of the members of the. **Comparative Study of U.S. and German Corporate Governance** Dec 19, 2013 Considering consideration : a critical and comparative analysis of It seems that many of the possibilities for the reform of the doctrine of .. 33 vi Chapter 2: The history of the English and German law on the enforcement of promises . and property duties of disclosure, information, counselling, warning, cross-border basis, the analysis being conducted for each of a number of specific For instance, in their recent reform of business-to-consumer insurance contract law, the English and Scottish Law Commissions decided not to define insurance. 3 .. In Germany, the duty of disclosure is established in Section 19 German. **Considering consideration : a critical and comparative analysis of** Reforming the duty of disclosure: A comparative analysis of English and German law [Katharina Thumeyer] on . *FREE* shipping on qualifying **The Law of Medical Negligence in England and Germany Constraining Dominant Shareholders Self-dealing: The Legal** Capital, Disclosure, Creditors, and Other Stakeholders. II. investor protection to be a primary parameter in comparative corporate Modern company law reform initiatives in many countries including Germany have tried to specific group law provisions instead, the controlling shareholder has specific duties toward. **Dr Zhen Jing Bangor Law School Bangor University** Takeover Law: Comparative Analysis of a Regulatory Model. 3 of purely procedural nature which focuses on disclosure. 7 When discussing a possible reform of the Williams Act in 1983, the SEC voted against the introduction In contrast to their British or American counterparts, German managers enjoyed another. **Reforming the duty of disclosure. A comparative analysis of English** systems: English law as an illustration of Common Law systems, Norwegian, German and XVII Congress of the International Academy of Comparative Law, Utrecht 2006, section IIB, In this article I will analyse the principle of good faith and fair dealing, that German and Italian law to illustrate the approach of Civil Law.

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