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Modern Securites Transfer 3ed 1999

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the OHADA region the traditional conflict of laws rule for determining the enforceability of a securities pledge that occurs in the indirect holding system is the *lex rei sitae* or the *lex cartae sitae* or the *lex situs* rule However the traditional *lex rei sitae* rule cannot be appropriately applied to a system where the dematerialised securities are held through multiple layers of intermediaries located in different jurisdictions Yet until the intermediated system and the collateralisation of intermediated securities in the OHADA region will continue to operate in somewhat legally murky waters leading to more instability in the financial markets Therefore Justin Monsenepwoaims to find an appropriate and consistent approach that reflects the reality of the indirect holding system in the OHADA region

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