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Zheng Sophia Tang

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Without doubt it is fair to presume that the same terms bear the same meaning throughout the Regulations The author takes a closer look at the Regulations systems guiding principles and their balance of flexibility and legal certainty He starts from the premise that such analysis should prove particularly rewarding as both legal acts have their specific DNA The Brussels I Recast Regulation has a procedural focus when it governs the allocation of jurisdiction and the free circulation of judgments The multilateral rules under the Rome I Regulation by contrast are animated by conflict of laws methods and focus on the delimitation of legal systems This fourth volume in the Short Studies in Private International Law Series is primarily aimed at legal academics in private international law and advanced students But it should also prove an intriguing read for legal practitioners in international litigation Christoph Schmon is a legal expert in the fields of Private International Law Consumer Law and Digital Rights After serving in research positions at academic institutes in Vienna and London he focused on EU policy and law making He is appointed expert of advisory groups to the EU Commission The Eclipse of the Legality Principle in the European Union Leonard F. M. Besselink, Frans Pennings, Sacha Prechal, 2011-01-01 Legality is a traditional normative concept to regulate the relationship between those in power and those subjected to that power The principle of legality protects the citizen against the arbitrary use of power or more precisely it demands a legal basis which itself must be of a certain standard to legitimize State action Is legality under siege in Europe The authors contributing to this provocative and important book answer this question in the affirmative Twenty one outstanding European legal scholars expose a spectrum of ways in which the traditional legality principle is under pressure because of the creation of new legal orders including that of the EU and the interaction between these new orders and that of the State combined with such factors as expertise driven governance difficulties of international organizations to meet their objectives due to a lack of adequate powers and lack of parliamentary control The question of whether the main functions of legality legitimating attributing and regulating the exercise of public authority are still fulfilled in the context of the overlapping interacting and mutually dependent legal orders of the EU the ECHR and the Member States is at the background of all the essays in this volume Recognizing that legality if it is to survive demands rigorous reconsideration of its scope and application the authors interrogate not only such fundamental democratic issues as who has legitimate power to perform legislative acts and through these to exercise of public power over citizens but also such urgent European problems as the following the use of the precautionary principle in EU decision making the scope of the principle that the exercise of public authority must rest on an act of Parliament the extent to which the EU can provide a legal basis for action of Member State authorities in the absence of such a basis within Member State legal orders the constitutional position of independent regulators the requirements that ECJ and ECHR case law impose on the exercise of public authority whether legislative results are coherent in the sensitive area of equal treatment transparency legal certainty enforceability and implementation of EC Directives in the field of workers involvement new instruments as the Open Method of Coordination and the involvement of social partners in decision

making the de facto harmonization of national criminal justice systems and the prominent role of the EU in the field of data protection There can be little doubt that the issue of legality and to whom it applies in a world in which the role of the modern State is changing profoundly is a crucial one It is highly important in the context of the ongoing discussion on the meaning of democracy and citizenship This volume with its clear message that reconsidering legality demands taking serious issue with the uncertainty engendered by the processes of globalization will resonate profoundly among practitioners and policymakers in this time of momentous change Recasting the Atlantic Bargain and Its Implications for Central Europe Jean-Luc Dehaene, 2001 The European Service Regulation Apostolos Anthimos, Marta Reguejo Isidro, 2023-06-01 Presenting a systematic article by article commentary on the European Service Regulation recast and written by renowned experts from several EU Member States this book gives guidance for the proper understanding and practical operation of cross border judicial cooperation in civil and commercial matters within the EU **Electronic Consumer Contracts in the** Conflict of Laws Zheng Sophia Tang, 2015-10-22 The second edition of this highly recommended work addresses the interaction between conflict of laws dispute resolution electronic commerce and consumer contracts In addition it identifies specific difficulties that conflicts lawyers and consumer lawyers encounter in electronic commerce and proposes original approaches to balance the conflict of interest between consumers access to justice and business efficiency The European Union has played a leading role in this area of law and its initiatives are fully explored It pays particular attention to the most recent development in collective redress and alternative online dispute resolution By adopting multiple research methods including a comparative study of the EU and US approach historical analysis of protective conflict of laws doctrinal analysis of legal provisions and economic analysis of law it provides the most comprehensive examination of frameworks in cross border consumer contracts The European Account Preservation Order D'Alessandro, Elena, 2022-06-10 This comprehensive Commentary provides article by article exploration of EU Regulation 655 2014 analysing and outlining in a straightforward manner the steps that lawyers businesses and banks can take when involved in debt recovery It offers a detailed discussion of national practice and legislation in order to provide context and a deeper understanding of the complex difficulties surrounding the procedural system created by the European Account Preservation Order EAPO Regulation

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New State of Welfare Jørgen Goul Andersen, 2002-11-27 This book challenges the underlying presupposition that regular employment is the royal road to inclusion Drawing on original empirical research it investigates the inclusionary and **Research Handbook on EU** exclusionary potentials of different types of work including activation programmes Agriculture Law Joseph A. McMahon, Michael N. Cardwell, 2015-11-27 Following the conclusion of the latest round of reforms to the Common Agricultural Policy CAP in 2013 the Research Handbook on EU Agriculture Law provides an up to date discussion of these reforms and the changing landscape in which the CAP now operates Adopting an interdisciplinary approach and with international contributors from across Europe and the United States the Handbook commences with analyses of the legal instruments which implement the reformed CAP before moving on to consider questions of land use the role of agriculture within the wider food chain and the international dimension In these contexts particular issues identified include the environmental impact of past present and future farming practices the ability of the food chain to accommodate consumer preferences and scientific innovation and the hurdles to be cleared before international consensus can be reached on a whole range of agricultural imperatives As well as providing a state of the art point of reference for academics this comprehensive book will be of great interest to students scholars and policymakers dealing with these new challenges faced Handbook of European Social Policy Patricia Kennett, Noemi Lendvai-Bainton, 2017-08-25 This by agriculture in the EU Handbook will comprise of 29 original pieces from key contributors to the field of European social policy It is intended to capture the state of the art in European social policy and to generate and contribute to debates on the future of European social policy in the 21st Century It will be a comprehensive and authoritative resource for research and teaching covering themes and policy areas including social exclusion pensions education children and family as well as mobility and migration multiculturalism and climate change Seeking Asylum in the European Union Céline Bauloz, Meltem Ineli-Ciger, Sarah Singer, Vladislava Stoyanova, 2015-05-19 Seeking asylum in the European Union EU today is as complex as the EU asylum system itself the different forms of protection that exist do not remain easily accessible and are sometimes not tailored to the specific protection needs of asylum seekers The aim of this volume is to provide critical analyses of selected problems that scholars and policy makers will have to address in the second phase of the Common European Asylum System A broad range of issues are examined relating to access to and qualification for international protection and the further problems raised by this amended set of asylum instruments which continue to impede asylum seekers from benefiting from effective protection Gregory Shaffer, Ely Aaronson, 2020-07-02 A new approach for studying the interaction between international and domestic processes of criminal law making in today s globalized world EU Law of Economic & Monetary Union Fabian Amtenbrink, Christoph Herrmann, 2020-05-21 Presenting a sweeping analysis of the legal foundations institutions and substantive legal issues in EU monetary integration The EU Law of Economic and Monetary Union serves as an authoritative

reference on the legal framework of European economic and monetary union The book opens by setting out the broader contexts for the European project historical economic political and regarding the international framework It goes on to examine the constitutional architecture of EMU the main institutions and their legal powers the core legal provisions of monetary and economic union and the relationship of EMU with EU financial market and banking regulation The concluding section analyses the current EMU crisis and the main avenues of future reform

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