

Nieuwe boeken en nieuwe edities vanaf 2012 , geselecteerd voor de praktijk

6) ONDERNEMINGS- en HANDELSRECHT

**6b: handelsrecht, transportrecht**

**STAND 01-09-2023**

**NIEUW in 2023:**

**Allocation of Liability for Dangerous Goods under International Trade Law - CIF and FOB Contracts**

Explores allocation of risk and liability of dangerous goods between seller and buyer under CIF (Cost, Insurance and Freight) and FOB (Free on Board) contracts, providing an in-depth study of the issue of carriage of dangerous goods in the context of international trade law.

Dangerous goods that are carried by sea can cause potential risks of losses and damages to the vessel, other cargoes and lives on board. Allocation of liability arising out of the carriage of dangerous goods has recently attracted unwelcome attention because of mis-declared cargoes leading to fires on board ships. Provides examples from multiple jurisdictions, and proposing solutions. In particular. Analyses whether and to what extent the law of international sale of goods can provide assistance in the re-allocation of liability between the buyer and the seller.

*A.Gelgeç (HART 9781509950195) januari 2023 312 pag .geb. ca. € 145,00*

**Business and Private International Law in the EU**

When and under which conditions can the court(s) of an EU Member State assume jurisdiction and which law will be applied ? Will the resulting judgment be recognised and enforced in other EU Member States ? Provides general explanation of the system of private international law in the EU Member States, and answers on questions of jurisdiction and applicable law in a selection of areas: the negotiation and conclusion of general contracts, consumer contracts, individual employment contracts, directors' liability and tort.

*M.tenWolde,K.Henckel (P- 9789462513181) 2e dr. april 2023 179 pag. € 41,50*

**EU Regulation of E-Commerce - a Commentary**

Addresses the key pieces of EU legislation in the field of e-commerce, including consumer rights, copyright, electronic identification, open internet access, electronic payments, competition law and digital content. Key features of this updated second edition include: up-to-date analysis of decisions of the Court of Justice and the Commission; article-by-article commentary on the latest directives and regulations in the field of e-commerce; unique structure featuring detailed tables of cases and legislation and paragraph references, enabling easy access to all substantive legal provisions; new chapters on analysis of services in internal market, copyright in Digital Single market, measures concerning open internet access etc.

*A.Lodde(VU),A.Murray (E.Elgar-9781800372085) 2<sup>e</sup> dr. dec 2022 564 pag. geb. ca.€ 275,00*

**Negotiating Technology Contracts**

To avoid unnecessarily protracted negotiations, it is essential to have a clear understanding of: (i) what each part of a technology-related contract is designed to deal with; (ii) what the customer and service provider seek to protect; and (iii) what solutions or compromises are available. This second edition provides a practical, commercial guide to negotiations without a heavy focus on 'black letter law', and seeks to explain the perspectives of both sides of the negotiating table on a clause-by-clause basis, clearly setting out the key points they will want to protect – and why – while also offering suggestions as to what they may be willing to concede or compromise upon. It is written with the benefit of DLA Piper's unparalleled view of the global market for technology sourcing and outsourcing projects, and from acting for customers and service providers in this space over many years and in many jurisdictions. Chapters cover the common negotiating 'battlefields', from service descriptions and service levels through to warranties, indemnities, liability provisions and termination rights. Examines issues associated with technology-related engagements: those based on agile methodologies, those involving use of AI-based solutions, or those operating within heavily regulated sectors.

**UNIDROIT Principles of International Commercial Contracts - an Article-by-Article Commentary**

In this fully revised and enlarged 2nd edition, the commentary continues to analyse the Unidroit Principles article by article from a practical perspective, while always discussing alternative courses of action, where they apply. The commentary includes proposals for choice of the Unidroit Principles' clauses and practical guidance for their use as template, or to supplement the CISG or national law. In addition to arbitral and state court decisions and recent literature, the 2nd edition includes an in-depth analysis of extensive legislative material. *E.Brödermann (KL- 9789403503370) 2e dr. juni 2023 ca. 870 pag. geb. ca. € 275,00*

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**Verschenen in 2022:**

**de Agentuurovereenkomst (Ars Aequi Cahier)**

De Nederlandse wet kent sinds 1936 een regeling voor de handelsagentuur, maar literatuur hierover is zeer schaars. Het doel een praktische handleiding te bieden voor de praktijkjurist. Nadruk ligt op kwalificatie en beëindiging van agentuurovereenkomsten, omdat dit in de praktijk de meeste juridische hoofdbreken oplevert. Gepoogd is extra praktische dimensie te geven door 12 veel voorkomende bedingen in agentuurovereenkomsten te behandelen. Verder wordt aandacht besteed aan fiscale en mededingingsrechtelijke en IPR facetten. *M.Bijloo,E.v.Wechem (A- 9789493199781) november 2022 166 pag. € 29,50*

**Bankgaranties (Recht & Praktijk – Contracten- & Aansprakelijkheidsrecht nr.24)**

Voor contracten van enige omvang zijn bankgaranties de meest effectieve vorm van zekerheid. Een bijzondere variant is de afroepgarantie die aanvankelijk vooral in de internationale markt tot ontwikkeling kwam, maar tegenwoordig ook in het binnenlands handelsverkeer zeer gangbaar is. Deze afroepgarantie is niet alleen een effectieve vorm van zekerheid, maar is ook een techniek voor reallocatie van risico's en kan ook functioneren als financieringsinstrument. Daarnaast bestaan er de bankgarantie 'betaalbaar op documenten van derden' en de bankgarantie 'betaalbaar op vonnis', met als variant de beslaggarantie. Geeft up-to-date en volledig overzicht op basis van Nederlandse rechtspraak en literatuur. Er wordt uitgebreid ingegaan op bijbehorende onderhandelingen en risicobeheersing. Er is veel aandacht voor de internationale context waarin bankgaranties functioneren en de (internationale) regels die voor bankgaranties zijn opgesteld zoals Uniform Rules for Demand Guarantees van de ICC (International Chamber of Commerce). Is specifiek toegesneden op de Nederlandse praktijk en besteedt uitgebreid aandacht aan hoe bankgaranties in de praktijk werken. *R.Bertrams,P.Russcher (K-9789013164671) medio februari 2022 248 pag. € 49,50*

**Carriage of Goods by Sea**

Covers all necessary aspects for understanding the law of carriage by sea. These include: essential overview of the business of shipping; chapters on various functions of bills of lading and other documents of carriage; international and domestic regulation of carriage; analysis of the major conventions (the Hague, Hague-Visby and Hamburg Rules, and the Rotterdam Rules); explanation of shippers' responsibilities, both at common law and under the international conventions. Later chapters are concerned with obligations of the carrier, rights and immunities of the carrier, at common law, and under international conventions. Concludes by examining charterparties, as well as including chapters on frustration and damages. *S.Girvin (OUP- 9780198811947) 3<sup>e</sup> dr. april 2022 1216 pag. geb. ca. € 350,00*

**Carver Bills of Lading (British Shipping Laws)**

Offers exhaustive coverage of nature and uses of bills of lading and associated documents in commercial transactions, negotiations and disputes. Contains a commentary on Hague-Visby Rules, Hamburg Rules, Rotterdam Rules and the most important recent cases. *F.Rose,F.Reynolds(S&M-9780414099784) 5e dr. augustus 2022 1200 pag. geb. ca. € 625,00*

**the CISG and Commodity Sales**

Much has been written about the UN Convention on the International Sales of Goods (CISG) and how it might (not) be an appropriate piece of legislation to govern commodity sales. Covers in detail strengths and shortcomings of the CISG when applied to such contracts. Discusses effects of specific provisions of the CISG when applied to situations that are usual in commodity markets, and provides analysis of how the principles underlying the CISG compare to the legal practice in commodity markets. Considers instruments of uniform commercial law (UNIDROIT Principles, ICC Incoterms, UCP 600), as well as standard terms.  
*C.Fujita (B- 9789462363168) augustus 2022 393 pag. geb. € 115,00*

### **Customs - Inside anywhere, insights everywhere**

Describes how Customs have searched and found ultimately a proper balance between seemingly contradicting tasks: on the one hand stopping international trade at the border to collect taxes and protect society's safety and security, on the other hand minimizing logistic delays and facilitating legitimate trade as much as possible.  
*H.Heijmann e.a. (Trichis Publ.-9789492881755) oktober 2022 376 pag. geb. € 102,95*

### **NEW EDITION OF WORLD WIDE STANDARD REFERENCE BOOK WRITTEN BY ONE AUTHOR !**

#### **Dalhuisen on Transnational and Comparative Commercial, Financial and Trade Law**

**Volume 1** - The Transnationalisation of Commercial and Financial Law. The New Lex Mercatoria and its Sources (*HART-9781509949182*) 8e dr. april 2022 464 pag. geb. ca. € 180,00

**Volume 2** - International Arbitration. The Transnationalisation of Dispute Resolution (*HART 9781509949236*) 8e dr. april 2022 360 pag. geb. ca. € 135,00

**Volume 3** - Transnational Contract Law (*HART 9781509949496*) 8e dr. april 2022 352 pag. geb. ca. € 135,00

**Volume 4** - Transnational Movable Property Law (*HART 9781509949540*) 8e dr. mei 2022 488 pag. geb. ca. € 180,00

**Volume 5** - Financial Products and Services (*HART 9781509949595*) 8e dr. mei 2022 624 pag. geb. ca. € 195,00

**Volume 6** - Financial Regulation (*HART 9781509949649*) 8e dr. mei 2022 560 pag. geb. ca. € 120,00

Each volume can be used independently to delve into a particular topic, or as part of the complete set. Table of content of each separate volume available on demand

Jan H Dalhuisen is Professor of Law at King's College London and Chair in Transnational Financial Law at the Catholic University in Lisbon. He is Visiting Professor at the University of California at Berkeley and former Visiting Professor at the Tsinghua University in Beijing, the University of Hong Kong, the University of Singapore (NUS), Tel Aviv University, the University of New South Wales in Sydney, Australia, and the University of Utrecht in the Netherlands.

### **Ever Given - Zeerecht in een Notendop**

Aan de hand van de casus rond containerschip Ever Given die in maart 2021 muurvast kwam te zitten in het Suezkanaal, behandelt eminence grise Maarten Claringbould een aantal zeerechtelijke onderwerpen: te weten hulploon, ladingschade en vertraging, global limitation en averij-grosse. Met name wordt de enorme vordering van de Suez Canal Authority van kritisch commentaar voorzien.

*M.Claringbould -van Traa Adv.(Beursbengel) maart 2022 4 pag. GRATIS PDF OP AANVRAAG*

### **Governing Law Risks in International Business Transactions**

Describes the key advantages and risks involved in the choice of law governing international business and financial transactions, plus the accompanying choice of courts. Concentrates predominantly on financial, corporate, commercial, and insolvency law across a vast comparative basis, discussing how legal risk can be reduced through careful choice of law and courts. Proposes 70 key indicators to rank the England, New York, France, and German legal systems plus many other jurisdictions on 13 risk tests. These include contract predictability, business orientation, freedom of contract, insolvency regimes, corporate law, regulatory law, courts, litigation, and other factors. Considers all 320 jurisdictions of the world and shows how to understand them by locating them in eight families of law, each with their own features. Explains choice of law principles and sets out the factors to consider commercial and legal implications of choosing one law over another in business contracts.

*Ph.Wood (OUP-9780192888648) december 2022 352 pag. geb. ca. € 177,00*

### **Juridische Leidraad voor de Handel in Kunst en Antiek in België BELGISCH RECHT**

De handel in kunst en antiek in België is onderworpen aan complexe en versnipperde regelgeving waar zelfs een ervaren jurist gemakkelijk verdwaalt. Deze nieuwe druk gaat o.a. in op NFTs, uitbreiding van antiwitwaswetgeving naar kunst- en antieksector, nieuwe Europese regelgeving rond de invoer van cultuuroederen, handel in ivoor, en invloed van de GDPR. Een praktische leidraad bij regionale, federale, Europese en internationale verplichtingen, voor koper, verkoper, tussenpersoon, veilinghuizen, galeriehouders, professionele kunst- en antiekhandelaars, als de occasionele en 'minder occasionele' verkoper.

*X.IFORi (Story-9789087640699) 2<sup>e</sup> dr. voorjaar 2022 198 pag. ca. € 60,00*

### **BIJBEHOOREND: Codex Kunst- en Antiekrecht**

Bundeling van meest relevante verdragen, verordeningen, richtlijnen, wetten, decreten, ordonnanties, uitvoeringsbesluiten en deontologische codes waarmee particulier, onderneming, professioneel handelaar of tussenpersoon bij de koop of verkoop van kunst en antiek in België kan geconfronteerd worden. Focust voornamelijk op het handelsrechtelijk aspect van handel in kunst en antiek in België en toepasselijke bijzondere wetgeving aangevuld met de geldende antiwitwaswetgeving, de Algemene Verordening Gegevensbescherming.

*X.IFORi (Story- 978908764057) voorjaar 2022 1324 pag. ca. € 90,00*

### **Materials on Commercial Law - Volume I**

Teksten : Procedural law, Maritime & Transport Law, Company Law

*J.Vannerom (B-9789462363090) 2<sup>e</sup> dr. oktober 2022 934 pag. € 99,00*

### **Materials on Commercial Law - Volume II**

Teksten : Insurance Law, Financial Law, Commercial Contract Law, Consumer Contract Law

*J.Vannerom (B-9789462903106) 2<sup>e</sup> dr. oktober 2022 766 pag. € 90,00*

### **Materials on Commercial Law - Volume III**

Teksten : Intellectual Property Law

*J.Vannerom (B-9789462903113) 2<sup>e</sup> dr. oktober 2022 496 pag. € 95,00*

### **Materials on Commercial Law - Volume IV**

Teksten : Arbitration Law, Public International Law, International Investment Law

*J.Vannerom (B-9789462363120) 2<sup>e</sup> dr. oktober 2022 494 pag. € 95,00*

### **Secured Finance Transactions - Taking Security, Deal Structures and Emerging Market**

Secured finance transactions are implemented the world over between companies, banks, funds and individuals. They form an integral part of the world of corporate finance. Yet there are many complexities that need to be considered and understood, including the intricate juxtaposition of laws, regulations, local custom and precedents governing such transactions; the many forms security interests take, and the varying effect these have on enforcement by the creditor of their rights under such security; the impact of which market the loan or other credit was obtained in on the manner in which security is implemented; and the jurisdictional differences in the laws and regulations applicable to such transactions. Includes key coverage of: taking of security interests over key business assets; application of security in the context of a variety of different transaction types; characteristics of secured transactions in core emerging and developing markets; covering the types of collateral used as security, the variety of transaction types and geographical coverage in emerging markets.

*D.Griffiths, M.Brown (GlobeLaw-9781787425149) 2<sup>e</sup> dr. maart 2022 416 pag. geb. ca. 235,00*

### **Standard Business Contracts**

**BELGISCH RECHT**

This reference book brings together a number of contracts that are governed by Belgian law but drafted in English. Each model is preceded by a short introduction summarizing the most salient provisions of Belgian law relevant to that particular contract. Also, in most models, different options and alternative wording are included. The templates in this book will serve as a useful guidance for drafting a number of contracts and clauses under Belgian business law. Including: Lexicon English – Dutch – French; Lexicon Dutch – English; Lexicon French – English

*D.Deschrijver e.a. (I- 9781780688930) januari 2022 452 pag. geb. ca. € 200,00*

### **Trade Regulation & Policy in the EU Internal Market – an Assessment through the Services Directive**

Explores the importance of the EU Services Directive (Directive 2006/123) and provides an insight into the controversial legislation regulating the internal market in services, whilst examining the challenges of positive harmonisation. Analyses the functioning and judicial interpretation of the directive, and considers EU trade regulation values and the broader significance of EU regulation in global regulatory standard setting.

### **Transnational Securities Law**

Comprehensive analysis of the international harmonization of the law relating to securities. Focuses on private law, insolvency law, and conflict-of-laws issues. Provides in-depth guidance on recent regulatory and technological developments. Each chapter assesses current state of the law, and, for issues that have not yet been harmonized, identifies best standard practice solutions. This fully revised and updated edition considers regulatory interventions in the wake of the global financial crisis and impact of ground-breaking technological innovations in the securities markets, with a particular focus on blockchain and other types of distributed ledger technology, smart contracts, and crypto-securities. Addresses the paucity of attention given to issues of investor protection and custody of digital assets.

T.Keijser(RadboudUniv.)(OUP-9780192855510) 2<sup>e</sup> dr. maart 2022 480 pag.geb. ca. € 275,00

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### **Verschenen in 2021:**

#### **Bills of Lading (Lloyd's Shipping Law Library)**

Bills of lading form an essential part of the carriage of goods by sea and international trade. This fully revised and updated new edition contains all the major developments, including: reference to increasingly important Singapore and Far-Eastern decisions; an analysis of modern developments in seaworthiness, from vetting and approval clauses to the topical issues of vulnerability and piracy attacks; detailed examination of misdelivery, fraudulent or forged bills of lading, and delivery without production of a bill of lading; revised coverage of conflicts and procedural matters, including anti-suit injunctions, jurisdiction battles, and the scope of arbitration; reference to relevant European law relating to issues of jurisdiction and procedure; comprehensive treatment of switch bills, transshipment, house bills, deck carriage, and container cargo; and new material on the practical implications of electronic bills of lading, and the implications of automated vessels.

R.Aikins e.a. (Informa- 9780367134372) 3<sup>e</sup> dr. januari 2021 656 pag. geb. ca. € 570,00

#### **Commercieel Contractenrecht - Capita Selecta**

Bevat een aantal hoofdstukken uit de uitgave Commercieel Contractenrecht (2018), geselecteerd voor het onderwijs aan de RUG. Ondanks deze inkorting bevat deze uitgave een zeer uitvoerig overzicht van de belangrijkste onderdelen van deze internationale materie.

R.Tjittes (B-9789462909922) eind oktober 2021 374 pag. € 30,00 **(EEN KOOPJE !)**

#### **Douane en Accijnzen**

**BELGISCH RECHT**

Behandelt douane en accijnzen zowel vanuit theoretisch als vanuit praktisch oogpunt. Na een overzicht van de evolutie van het douanebeleid in Europa en het wetgevende kader, worden de betrokken partijen besproken. Daarna volgen uitgebreide hoofdstukken over nomenclatuur en douanewaarde. Behandelt Import Control System en Export Control System en te vervullen verplichtingen bij aankomst en vertrek van goederen, met bijzondere aandacht voor het invullen van het Enig Document. Bespreekt oorsprong van goederen, te overhandigen documenten bij invoer, transit en uitvoer, en bijzondere regelingen als douane-entrepots, tijdelijke invoer, bijzondere bestemming en veredeling en gevolgen van de Brexit waar ook de bepalingen van het nieuw vrijhandelsakkoord zijn opgenomen, met grafische voorbeelden.

K.Celis,J.Verbeke (I-9789400011427) maart 2021 448 pag. ca. € 69,00

#### **Duurzaam Ondernemen en Sustainable Transport (Ver.Handelsrecht-Preadv. 2021)**

Deel I omvat 4 preadviezen die analyseren hoe duurzaam ondernemen en de incorporatie van ESG-doelstellingen in ondernemingsbeleid naderbij gebracht kunnen worden. Perspectieven omvatten wetenschap en wetgever, maar ook perspectief van belegger en van ondernemingen die met de vele bestaande en nog te verwachten duurzaamheidsinitiatieven worden geconfronteerd. Deel II bevat het veelomvattende preadvies dat zich richt op de vraag hoe duurzaam transport naderbij kan worden gebracht en levert daarmee een unieke en vernieuwende bijdrage aan het debat over sustainable transport..

H.de Wulf e.a.(P- 9789462512818) oktober 2021 220 pag. € 57,50

#### **E-commerce na de Brexit**

De definitieve Brexit is nog maar net een feit, maar de online sector begint zelfs na amper twee weken al de impact te voelen, in die mate zelfs dat heel wat Europese online retailers beslist hebben om voorlopig geen pakjes meer te bezorgen naar het VK vanwege de hoge kosten en ingewikkelde belastingregels. Reden zijn de nieuwe fiscale en administratieve verplichtingen voor wie exporteert naar het VK. Zet op een rij waar Belgische en Nederlandse webshops rekening mee moeten houden bij verkopen aan Britse klanten vanaf 1 januari 2021. *Sirius Legal Adv. - Bart Van den Brande 21-01-2021 3 pag. GRATIS OP PDF OP AANVRAAG*

### **Honnold's Uniform Law for International Sales under the 1980 United Nations Convention**

Updates this in-depth article-by-article exposition, addressing newly arising issues and taking into account the numerous decisions and scholarly analyses that have focused on the CISG in the 12 years since the last edition. Expertly treats all crucial aspects of sales contracts, including the following: delivery of the goods and handing over of documents; conformity of the goods and third-party claims; obligations of the parties; payment of the price; taking delivery; anticipatory breach; instalment contracts; remedies for breach of contract; damages; interest; exemptions; limits and effects of avoidance; preservation of the goods; and risk of loss.

*J.Honnold, H.Flechtner (KL- 9789041148452) 5e dr. september 2021 984 pag. geb. ca. € 312,00*

### **Introduction to International Commercial and European Law - a Practical Guide**

Covers the most important legal issues when conducting business abroad. The legal environment of the business transactions is the central theme of the first part. The political and policy risks of doing business abroad are explained, as well as how they should be mitigated. The first part also covers European law with a focus on the four freedoms and competition law. It ends with strategies for entering foreign markets. The second part focuses on the individual contract of sale. Deals with a range of subjects, including general conditions of sale, retention of title, the CISG, product safety and product liability, Incoterms, contract of carriage, jurisdiction, choice of law and arbitration, standard contract clauses and payment conditions. Takes a practical approach and uses specific examples to systematically explain the main legal problems arising from selling products in foreign countries.

*M.Mosselman (P-9789462512559) 3e dr. januari 2021 546 pag. € 64,95*

### **Judicial Review of Commercial Contracts - a Handbook**

Broad survey of standards for judicial control of B2B contract terms in many different legal systems. Analyses in great detail the regulatory framework and the general principles that govern the judicial control of B2B contracts in a specific country, in particular the relevant standards for the judicial scrutiny of clauses and the resulting legal consequences thereof. Is of particular value for lawyers who advise their clients in international business transactions and anyone interested in comparative contract law. The Countries covered: Austria, the Czech Republic, Denmark, England, Estonia, Finland, France, Germany, Italy, the Netherlands, Poland, Portugal, Romania, Spain, Switzerland, Sweden and Taiwan.

*H.Wais, T.Pfeiffer (Beck-9783406743986) december 2021 348 pag. geb. ca. € 195,00*

*Zoals wellicht bekend is de inhoudelijk identieke Beck editie aanzienlijk lager geprijsd !*

### **Jurisdiction and Arbitration Agreements in Contracts for the Carriage of Goods by Sea - Limitations on Party Autonomy**

focuses on party autonomy and its limitations in relation to jurisdiction and arbitration clauses included in contracts for the carriage of goods by sea in case of any cargo dispute. Takes the perspective of the shipping companies and shipowners, as these are the driving forces of the shipping industry due to their strategic importance. Provides an analysis of the existing law on the recognition and validity of jurisdiction and arbitration clauses in the contracts for the carriage of goods by sea. Also seeks to provide conclusions and to learn lessons for the future of the non-recognition and the non-enforcement of the clauses in the existing fragmented legal framework at an international, European Union, and national level (England & Wales and Spain). The interface between the different legal regimes reveals the lack of international harmonisation and the existence of 'forum shopping' when a cargo interest sues the shipowner or the party to whom the shipowner charters the vessel.

*J.Echebarria Fernandez (Informa- 9780367243463) maart 2021 224 pag. geb. ca. € 215,00*

### **Kennedy and Rose on the Law of Salvage (British Shipping Laws)**

In-depth guide to the specialist areas of salvage and wreck in the context of applicable English and international law. This 10th edition has been fully updated to take account of developments in law and practice in salvage, wreck and related areas of law.  
*F.Rose (S&M-9780414085732) 10<sup>e</sup> dr. mei 2021 1056 pag. geb. ca. € 520,00*

**the Law of Damages in International Sales - The CISG and Other International Instruments**

The second edition of this internationally acclaimed book explores damages for breach of an international sales contract, one of the most important and frequently invoked remedies. The focus is on the international contract law instruments such as the Convention on Contracts for the International Sale of Goods (CISG), the UNIDROIT Principles of International Commercial Contracts and the Principles of European Contract Law. Draws on the experience of some major legal systems and engages on the international instruments and on contract damages, providing the most comprehensive, in-depth and thorough examination of damages under the instruments to date. The second edition is updated, reflecting the latest developments in legal thinking on contract damages. It incorporates around 60 new cases and now covers more than 370 cases decided by courts and arbitration tribunals from around the world. The new edition is substantially revised, including new commentary on damages for a documentary breach.  
*Djakhongir Saidov(HART-9781509922741) 2<sup>e</sup> dr. februari 2021 344 pag. geb. ca. € 140,00*

**Managing 'Belt and Road' Business Disputes - Case Study of Legal Problems and Solutions**

Guide on foreign direct investments disputes that can arise in the course of initiating and operating a Chinese joint venture. Since its inauguration by the Chinese government in 2013, the "Belt and Road Initiative" (BRI) has included projects in more than 70 countries spanning diverse economic and legal environments. Poses a hypothetical scenario in order to explore the potential issues that may arise from Chinese-foreign business relationships in the BRI context. Sets the scene with the "Afrina Government's" ill-fated infrastructure project involving Chinese and foreign parties. Provides insight on and highlights the following issues that one must consider when dealing with BRI disputes: Dispute settlement options; Informal dispute settlement approaches; Disputes involving Chinese State-owned Enterprises; Construction and project finance disputes; Corruption and bribery; Sanctions, Environmental issues.  
*M.Moser,C.Bao(ed.) (KL-9789403518909) april 2021 ca. 320 pag. geb. ca. € 233,00*

**Maritime Organisation, Management and Liability - a Legal Analysis of New Challenges in the Maritime Industry**

Addresses flag state rules and private international law as organisational tools of the shipowner for establishing the applicable legal framework in an age of increasing regulatory activity and extraterritorial effect of legislation. Focuses on sustainability requirements and the liability of shipping companies managing supply chains and ships as waste. Considers challenges stemming from times of financial crisis and deals with the cross-border impact of shipping insolvencies, the UNCITRAL Model Law, and the approaches of different jurisdictions. Concerns digitalisation and automation, including delivery on the basis of digital release codes, bills of lading based on blockchain technology, use of web portals and data sharing, and particular aspects of the law relating to autonomous ships, in marine insurance and carriage of goods.  
*S.Girvin,V.Ulfbeck (ed.)(HART-9781509942916) juni 2021 368 pag.geb. ca. € 145,00*

**Marsden and Gault on Collisions at Sea (British Shipping Laws)**

In-depth guide to the specialist and self-contained area of Collision and Loss in maritime law examining recent cases and convention developments. The 15th edition has been updated not only in substance, but in arrangement, instigating a more modern and clearer structure. The commentary proceeds seamlessly from navigational fault and the interpretation of the Collision Regulations, towards special liability regimes and pollution.  
*A.Tettenborn,J.Kimbell(S&M-9780414070356)15<sup>e</sup> dr. mei 2020 1128 pag.geb. ca. € 420,00*

**Materials on Commercial Law - Volume I**

Teksten : Procedural law, Maritime & Transport Law, Company Law  
*J.Vannerom (B-9789462362321) november 2021 962 pag. € 95,00*

**Materials on Commercial Law - Volume II**

Teksten : Insurance Law, Financial Law, Commercial Contract Law, Consumer Contract Law, Intellectual Property Law

*J.Vannerom (B-9789462909816) november 2021 1030 pag. € 90,00*

**Materials on Commercial Law - Volume III**

Teksten : Arbitration Law, Public International Law, International Investment Law  
J.Vannerom (B-9789462362338) maart 2022 483 pag. € 90,00  
*Speciaal voor EUR studenten zijn er setprijzen van € 90,00 (deel I+II) en/of (deel II +III)*

### **Recht & Elektronische Handel**

**BELGISCH RECHT**

Er wordt niet alleen stilgestaan bij de "klassieke" elektronische handelszaken, waarbij het uitstalraam door een virtueel raam is vervangen, maar er wordt tevens aandacht besteed aan nieuwe vormen van elektronische handel zoals mobiele handel en de platformeconomie. Bespreekt elke juridisch relevante fase in de cyclus van elektronische handel. Eerst wordt ingegaan op juridische aandachtspunten bij opzetten van een online handel, zoals registratie van domeinnaam, deponeren van een merk en sluiten van contracten met dienstverleners voor b.v. hosting en ontwikkeling van de website. Meer in detail wordt ingegaan op een specifiek ICT-contract, namelijk het cloudcomputingcontract. Behandelen juridische vragen rond het uitbaten van een elektronische handelszaak, van online bestelproces tot elektronisch betalen en facturatie, met nodige aandacht voor online reclame en verwerking van persoonsgegevens en voor fiscale aspecten. Ten slotte wordt stilgestaan bij de problematiek van mogelijke geschillen en aansprakelijkheidsclaims, met aandacht voor toepasselijk recht en trend van online geschillenbeslechting en ook vooruitblik op regulering van artificiële intelligentie.  
P.VanEecke (I-9789400012950) 2e dr. 3 juni 2021 624 pag. geb. ca. € 137,00

### **Trade Finance - Technology, Innovation and Documentary Credits**

Covers 3 key fields of trade finance, starting with the challenges to traditional trade financing by means of documentary credit. These include issues related to contractual enforceability, the use of "soft clauses", the doctrine of strict compliance, the fraud exception, the role of the correspondent bank, performance bonds, and conflict of laws problems. The second main area covered by the work is the technological issues and opportunities in trade finance, including electronic bills of exchange, blockchain, and electronically transferable records. The final part of the work considers alternative and complementary trade finance mechanisms such as open account trading, supply-chain financing, the bank payment obligation, and countertrade.  
C.Hare,D.Neo (ed.) (OUP-9780198854470) juli 2021 416 pag. geb. ca. € 135,00

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## **Verschenen in 2020:**

### **Admiralty Claims (British Shipping Laws)**

Covers the rules and principles peculiar to admiralty claims and explains their relationship with related areas of substantive and adjectival law. Investigates theoretical underpinnings of the subject, in order to enhance understanding and to indicate novel lines of enquiry. Contains a treatment in terms of detail and theoretical and practical methodology which is clearly superior to currently available treatments. Offers an in-depth treatment of the whole of Admiralty Claims and jurisdiction. Combines both a principled and a practical approach. Highlights and explains the distinction between admiralty and ordinary claims rules. Incorporates discussion of international conventions, European Union law and the expected effects of Brexit.  
A.Tettenborn,F.Rose (S&M- 9780414075276) juli 2020 753 (?) pag. geb. ca. € 335,00

### **Benjamin's Sale of Goods (Common Law Library)**

Offering a one-stop source to all the elements, principles, legislation and case law surrounding sale of goods not just in the UK but internationally, Benjamin's Sale of Goods has firmly established itself as the only title you need on sale of goods. *Uniek in de hele wereld!*  
M.Bridge(ed.)(S&M-9780414080225) 11<sup>e</sup> dr. december 2020 3040 pag. geb. ca. € 835,00

### **Commercial Maritime Law**

There is a patchwork of different commercial maritime laws around the world. Unravels the complexities of bridging the gap between common law and civil law. Internationally renowned legal scholars and practitioners discuss herein the areas in which the common law and civil law are divided; the impact of these differences on the drafting and ratification of international conventions; the search for a common framework; and the procedural aspects of the common law and civil law divide embedded within commercial maritime law.  
M.Ózdel (ed.)(HART- 9781849466752) april 2020 232 pag. geb. ca. € 94,00

## **Doing business with China – will the money from China ever arrive**



### **Enforced Performance of Commercial Sales Contracts in the Netherlands, Singapore and China**

When commercial parties conclude a contract for the sale of goods, their main objective is to exchange the subject goods for the agreed purchase price. The civil law and common law traditions have adopted the notion that these contractual promises are binding and each has put in place specific instruments to protect the interests of both parties. However, while the civil law tradition protects the interest in actual performance of the assumed obligations with a right to enforced performance, the common law tradition perceives the availability of enforced performance as a rarity. Explores here Dutch, Singapore and Chinese viewpoints on this issue by analysing the extent to which respective contract law principles balance out the interests of parties to a commercial sales contract in their principles surrounding the enforceability of performance obligations, and also how domestic solutions correlate to the approaches taken by global and regional sales and contract law instruments. The main focus is to address the fundamental differences in approach to safeguarding the buyer's performance interest in obtaining the very thing it bargained for, and the seller's interests in protection against unjustifiable consequences of awarding a claim for enforced performance.

*P.Kemp (B-9789462369870) eind februari 2020 436 pag.geb. € 75,00*

### **Festschrift Resi Hacksteiner - a Voyage Through the Law of Inland Shipping**

De bijdragen in dit Festschrift behandelen diverse onderwerpen van het binnenvaartrecht. Aan de auteurs die aan deze feestbundel hebben meegewerkt werd gevraagd hun bijdrage aan te leveren in het Nederlands, Engels, Duits of Frans, alle vier talen die Resi beheerst.

*F.Smeele e.a.(ed.) (B-9789462369955) januari 2020 347 pag. geb. € 52,00*

### **ICC Model Contract International Sale (Manufactured Goods)**

An international business transaction requires a precise and detailed underlying contract. However, it can be expensive and time-consuming to draft such a contract oneself. The International Chamber of Commerce, the world business organization, has responded to the market's need for a reliable and equitable model with the ICC Model International Sale Contract, which provides a solution in presenting a set of clear and concise standard contractual conditions for the most basic international trade agreement. Although this Model is denominated a 'sale' contract, it is equally appropriate for use by buyers as it balances the interests of exporters (sellers) and importers (buyers). It may thus also be used for a so-called 'purchase' agreement. The model contract is divided into two parts: Specific Conditions, which allow the parties to use the Model directly by filling in the blanks in the form; and General Conditions, which provide a platform of standard legal terms and thus a reference tool for contract drafting or negotiation. These General Conditions may be used together with the Specific Conditions, or independently.

*F.Bortolotti, K.Vanheusden e.a.(ICC -9789284205660) februari 2020 62 pag. ca. € 88,00*

### **INCO TERMS 2020 : What are the key changes ?**

*ICC, april 2020 2 pag.*

*GRATIS PDF OP AANVRAAG*

### **Introduction to International Business Transactions**

Covers the widest range of topics in the field, including transnational intellectual asset protection, international commercial agreements, import and export regulation, foreign direct investment and planning for international business disputes. Key features include: thematic organisation of the material; notes from the field written by practitioners; policy boxes exploring the basis for the regimes and doctrines that regulate world trade and case study boxes to illustrate how these work in action; full colour illustrations outlining complex legal concepts; to reinforce learning; practice essays and multiple-choice questions.

*A.Fellmeth (E.Elgar-9781839107412) juli 2020 864 pag. ca. € 165,00*

### **Joint Operating Agreements - a Practical Guide**

Practical examination of the provisions of a typical JOA, with a particular focus on the critical issues of scope, operator's role, joint and exclusive operations, default, transfers and decommissioning and practical analysis of the key issues which apply to the operation of any JOA and the positions which are taken in the leading industry model form contracts. The perspectives of the operator and non-operator are addressed, along with consideration of the

domestic and international standards applicable to petroleum projects. New features include: major reorganisation of chapters and appendices to present a clearer thematic approach; greater analysis of the key differences between JOAs operating under licence regimes and concession agreements; new chapters on information, intellectual property and technology licensing and sharing, and relevant antitrust rules; consideration of recent model form JOA developments; recent case law on liquidated damages, default clauses and operator authority. *P.Roberts,R.Fowler(GlobeLaw- 9781787422629) 4<sup>e</sup> dr.oktober 2020 373 pag.geb.ca.€ 235,00*

### **de Kredietwaardigheidstoets bij Kredietverlening aan Consumenten (Recht & Praktijk - Financieel Recht nr.19)**

Houdt meerdere aspecten van de kredietwaardigheidstoets kritisch tegen het licht. Stilgestaan wordt bij de verhouding met Europees recht : eisen die Richtlijn consumentenkrediet en Richtlijn woningkredietovereenkomsten stellen aan inhoud van de kredietwaardigheidstoets in het Nederlandse recht. Bevat rechtsvergelijking met kredietwaardigheidstoets in het Engelse recht. Wijst de auteur naar (rechts)economische literatuur die relevant is bij inschatten van de mate waarin de kredietwaardigheidstoets in het Nederlandse recht erin slaagt de consumenten te beschermen tegen overkreditering,zonder te veel gehinderd worden bij toegang tot krediet. *J.Meindertsma (K-9789013159936) 11 augustus 2020 236 pag. geb. € 69,95*

### **Legal Aspects of Doing Business with China**

**BELGISCH RECHT**

China has recently become the second largest economy of the world and its impact is only increasing. Both Belgian and Chinese companies are looking for market opportunities to guarantee their growth and they increasingly find their advancement in working together. As a result, attorneys, legal practitioners, entrepreneurs and other professionals are constantly confronted with the legal issues of these cross-border developments. Enables to deal with the various legal aspects of business relations with Chinese companies. It is a guide for attorneys, in-house councilors and anyone interested in doing business with China.

*J.Roesems (ed.) (VUB Press- 9789057185649) februari 2020 142 pag. € 31,95*

### **Negotiating International Commercial Contracts : Practical Exercises**

Innovative workbook that comprises over 80 real-life case scenarios, accompanied by suggested answers and guidelines. The exercises focus on two of the most vital choices in an international commercial contract: (i) the choice of the substantive law to govern the contract (or the failure to choose a law); and (ii) the method and place of dispute resolution (or the failure to specify in the dispute resolution clause).

*G.Moser,M.McIlwrath (B-9789490947095) december 2020 121 pag. € 45,00*

### **the Regulation of Product Standards in World Trade Law**

This monograph has two central purposes. The first is to provide a critical analysis of how governmental, private and hybrid product standards are regulated in the GATT/WTO legal framework. The second purpose is to explore – both positively and normatively – the impact that WTO disciplines may have on the composition, function and decision-making process of various standard-setting bodies through the lens of a series of selected case studies, including: the EU eco-labelling scheme; ISO standards; and private standards such as the FSC. Analyses what role, the WTO may play in making product standards applied in international trade embody not only technological superiority but also substantive and procedural fairness such as deliberation, representativeness, openness, transparency, due process and accountability. Whilst it has been long recognised that voluntary product standards drawn up by both governmental and non-governmental bodies can in practice create trade barriers as serious as mandatory governmental regulations, a rigorous and systematic inquiry into the boundary, relevance and impact of WTO disciplines on product standards is still lacking. Provides a lucid interpretation of the relevant WTO rules and cases on product standards.

*Ming Du (HART-9781509931132) november 2020 336 pag. geb. ca. € 105,00*

### **Rethinking Choice of Law in Cross-Border Sales (Int.Commerce and Arbitration 27)**

The governing contract law dictates and regulates the life of a contract. Despite its importance, little is known about the choice of law decision-making process. Is there (ir)rationality involved? How can we ascertain this? How can we improve these judgements ? Innovative, multi-disciplinary, and practice-oriented initiative to examine what factors determine the way contracting parties choose the law to govern their agreements. Presents evidence on how negotiators approach this topic, including the main drives and triggers of their decisions. Invites to explore and understand the idiosyncratic world of contracting parties' minds; a

complex device of imperfections, cognitive limitations, and emotions. Proposes alternatives and mechanisms to tackle, control or minimise the effects of cognitive errors within judgements. Aims to offer appropriate tools to facilitate more efficient outcomes.

*G.Moser (B-9789462368460) mei 2020*

*260 pag. € 89,50*

### **Sassoon on CIF and FOB Contracts**

explains and analyses the law of contracts for the sale of goods carried by sea, in particular the Cost, Insurance and Freight (CIF) and Free on Board (FOB) terms. The work is a thorough and detailed study of this important area of commercial law, focusing on both providing clear and exhaustive guidance on the contractual and legal issues surrounding the performance of these commonly used terms and suggesting drafting solutions for loss prevention purposes. New to edition: covers the Incoterms 2020 rules; updates coverage of damages, following two key recent appeals; explains the impact of increased trade restrictions. **WERELDKLASSIEKER !!!**

*F. Lorenzon, Y. Baatz (S&M- 9780414075290) 7<sup>e</sup> dr. juni 2020 888 pag. geb. ca. € 395,00*

### **het Schip en zijn Verdragen - zeerechtelijke bijzonderheden**

Deze afscheidsrede, opgedragen aan Cleveringa. De rode draad is de historische ontwikkeling van het zeerecht, vanaf de Harter Act uit 1893 (par. 2.2) tot de Rotterdam Rules van 2008 (par. 9). Aan de hand van een aantal bekende zeerechtelijke verdragen wordt aangetoond dat het vaak vele jaren duurt voordat zo'n verdrag in werking treedt. Dit afscheidscollege vormt een caleidoscoop van zee- en vervoerrechtelijke onderwerpen van de afgelopen ruim veertig jaar. De vaak zich herhalende onderwerpen worden bijeengehouden door de historie van het nieuwe zeerecht uit 1927 tot die van het allernieuwste zeerecht, Rotterdam Rules van 2008.

*M. Claringbould e.a. (P-9789462512290) juli 2020*

*86 pag. € 25,50*

### **Transport Documents in Carriage Of Goods by Sea - International Law and Practice**

Covers bills of lading, sea waybills, ship's delivery orders, multimodal transport documents, and electronic transport documents, historic developments, current conventions, and thoughts for the future. Delves deeply into the legal issues concerning them. Represents a comprehensive compilation of case and statute law from around the world on this subject. Covers in addition to English law, American, French, German, and Italian laws, as well as the laws of several East Asian jurisdictions (China, Japan, South Korea).

*Ć. Pejović (Informa Law-9780367185992) april 2020 254 pag. geb. ca. € 190,00*

### **Unfair Trading Practices in the Food Supply Chain**

Within the agricultural and food supply chain, significant imbalances in bargaining power between suppliers and buyers of agri-food products are frequent. Those imbalances in bargaining power are likely to lead to unfair trading practices. The Directive 2019/633 (the "Directive") aims to ensure that agri-food companies are protected against unfair practice.

*M. Maniet, C. Verdonck (Altius Adv. Brussel) LegalNews.be 2 pag. GRATIS OP PDF OP AANVRAAG*

### **Uniformity in the Application of the CISG - Analysis of the Problem and Recommendations for the Future**

Examination of the principle of uniformity as enshrined in Article 7(1) of the UN Convention on Contracts for the International Sale of Goods (CISG). More than 90 countries are parties to the CISG – recognised as the pre-eminent legislative achievement aimed at harmonising commercial law on a global scale – but uniformity in the treaty's application remains unsettled and controversial. Complete understanding of the CISG interpretative methodology and its different components and draws on issues raised over thirty years of case law across the world and from other CISG-related materials to clearly delineate a path to more uniform application.

*B. Praštaló (KL-9789403520728) mei 2020*

*264 pag. geb. ca. € 180,00*

### **Van Haven en Handel - Hoofdzaken van het handelsrecht**

Ingegaan wordt op onderlinge samenhang tussen verschillende overeenkomsten en verhoudingen die in handelsrecht een rol spelen. Vervolgens wordt dieper ingegaan op koop, vervoer, wijzen van betaling van handelsgoederen en waardepapieren. Tot slot wordt aandacht besteed aan een aantal verwante rechtsdomeinen: rol en juridische betekenis van hulp- en tussenpersonen, derdenwerking van verweermiddelen, handelsagentuur en distributie.

Omdat risico's, verbonden aan vervoer doorgaans door verzekering afgedekt worden, komt ook het verzekeringsrecht aan de orde. Daarnaast passeren ook zeerechtelijke onderwerpen de revue, als aanvaringsrecht, verzekeringsrecht, hulpverlening en beperking aansprakelijkheid.

Deze 4e druk heeft nieuw hoofdstuk over intellectuele eigendomsrechten : auteursrecht, merkenrecht, modellenrecht, octrooirecht en handelsnaamrecht. *HANDIG ACTUEEL OVERZICHT F.Stevens e.a.(K-9789013141498) 4<sup>e</sup> dr. december 2020 276 pag. € 36,00*

**the World of Maritime and Commercial Law - Essays in Honour of Francis Rose**

Contains important studies of the law governing maritime collisions, carriage of goods by sea (examining the meaning of 'actual carriage' in the Hamburg Rules, and the complex web of rules that governs multimodal carriage), and marine insurance (discussing the history of the doctrine of utmost good faith, and jurisdiction clauses in cargo policies). In the area of private international law, there are chapters on the choice of law rules affecting the ownership of ships, and on recent cases where conflict of laws issues have been decided by the Privy Council. For commercial lawyers, there is a wealth of scholarship on the Sale of Goods Act 1979, its provisions and scope, and on the rules of contractual interpretation, their history, content and application in commercial settings. In addition, there are chapters on negotiating damages for breach of contract, illegality, tracing misapplied funds, the application of private law rules to disputes about cryptocurrencies and developments in the law of directors' duties. *C.Mitchell, S.Watterson (ed.)(HART- 9781509932429) mei 2020 432 pag. geb. ca. € 135,00*

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## Verschenen in 2019

**the Arrest Conventions - International Enforcement of Maritime Claims**

The Arrest Conventions, signed in 1952 and 1999, play a fundamental role in the worldwide enforcement of maritime claims. Arrest of ships is one of the most distinctive features of international maritime law. It provides a powerful, efficient and effective means of enforcing maritime claims in rem, obtaining sufficient asset security and preserving property pending substantive proceedings. Ship arrest is, however, also a draconian power that cuts across property rights and can cause considerable commercial harm to shipowning interests. This book provides thematic and comparative analysis from leading international commentators on the most significant legal and policy issues, including practical problems arising from the Arrest Convention texts, as well as the direct implementation or indirect 'translation' of the Arrest Conventions into domestic legal systems. It critically analyses the political and historical development of the Conventions, explores the key concepts underpinning the Arrest Convention frameworks and considers the future of ship arrest. *P.Myburgh (ed.) (HART-9781509928309) juli 2019 320 pag. geb. ca. € 125,00*

**Commercial and Economic Law in the European Union**

Provides quick and easy guidance on such commercial and economic matters as business assets, negotiable instruments, commercial securities, and regulation of the conditions of commercial transactions. Starts with a general description of the specifically applicable concepts and sources of commercial law. Discusses obligations of economic operators and institutions, goodwill, broker/client relations, commercial property rights, and bankruptcy. Discussion of economic law covers the laws governing establishment, supervision of economic activities, competition law, and government taxation incentives.

*J.Stuyck (KL- 9789403513331) augustus 2019 272 pag. ca. € 92,50*

**Commercial Law - Article-by-Article Commentary**

Rules around the sales and carriage of goods, services, financing and security, underline transnational commercial activity. These rules are made up of international treaties and soft law. This important new commentary provides in-depth article-by-article analyses of the legislation in the field of trade and commerce. Conventions and legislation covered includes: the CISG plus Limitation Convention; the UNIDROIT Principles; the Montreal Convention; the Commercial Agents Directive; the Late Payment Directive and the Cape Town Convention. This commentary takes an innovative approach by placing the different frameworks in the applied context they operate in within commercial practice.

*P.Mankowski (ed.) (Beck-9783406708725) januari 2019 1530 pag. geb. ca. € 285,00*

**Commercieel Contractenrecht - Deel I: Totstandkoming en Inhoud**

Commercieel contractenrecht is het contractenrecht dat van toepassing is op commerciële contracten gesloten tussen professionele partijen. Zeer praktijkgericht studieboek over het

materiele Nederlandse contractenrecht, veel gebruikte contractclausules, het in de commerciële praktijk belangrijke Engelse contractenrecht, processuele kwesties, vennootschapsrecht en internationaal privaatrecht.  
*R.-J.Tjittes (B- 9789462907898) 2e dr. oktober 2022 620 pag. geb. € 86,00*

**the Contract of Carriage - Multimodal Transport and Unimodal Regulation**

New perspective on the question of multimodal transport regulation regarding liability for goods carried: analyses the issue from a law of contracts perspective. If goods are damaged during international transport, the carrier's liability is governed by rules laid down in international conventions, such as CMR convention, Hague-Visby Rules and Montreal Convention. Such rules apply to certain modes of transport, to contracts for unimodal carriage. When goods are carried under a multimodal contract of carriage, which provides for carriage by more than one mode of transport, the question is whether these rules are applicable to transport under multimodal contracts of carriage. Investigates the rules of carrier's liability applicable to unimodal transport, and whether these rules are applicable to carriage under multimodal contracts of carriage, with focus on the actual contract of carriage.

*P.Bäckdén (INFORMA-978 1138393936) februari 2019 325 pag. geb. ca. € 225,00*

**Dalhuisen on Transnational Comparative, Commercial, Financial and Trade Law Volume 1 - The Transnationalisation of Commercial and Financial Law and of Commercial, Financial and Investment Dispute Resolution. The New Lex Mercatoria and its Sources**

This is the seventh edition of the leading work on transnational and comparative commercial, financial, and trade law, covering a wide range of complex topics in the modern law of international commerce and finance. The work is divided into three volumes, each of which can be used independently or as part of the complete work. All three volumes may be purchased separately or as part of a single set. Volume 1 covers the roots and foundations of private law; the different origins, structure, and orientation of civil and common law; the forces behind the emergence of a new transnational commercial and financial legal order, its meaning, concepts, and operation; the theoretical basis of the transnationalisation of the law in the professional sphere in that order; its methodology and the autonomous sources of the new law merchant or modern lex mercatoria, its international finance-driven impulses, and its relationship to domestic and transnational public policy and public order requirements. The second chapter covers the transnationalisation of dispute resolution, especially international arbitration, and contains a critical analysis of the main challenges to its success, credibility, and effectiveness.

*J.Dalhuisen (HART- 9781509925421) 7<sup>e</sup> dr. juni 2019 816 pag.geb. ca. € 135,00*

**Dalhuisen Volume 2 - Contract And Movable Property Law**

Deals with the transnationalisation of contract; movable and intangible property law; and the transformation of the models of contract and movable property in commercial and financial transactions between professionals in the international flow of goods, services, money, information, and technology. In this transnational legal order, the emphasis in the new law merchant or modern lex mercatoria of contract and movable property turns to risk management, asset liquidity, and transactional and payment finality. Common law and civil law concepts are compared and future directions indicated. The potential, effects, and challenges of the blockchain are noted, so far especially for the carriage of goods by sea.

*J.Dalhuisen (HART- 9781509925827) 7<sup>e</sup> dr. juni 2019 856 pag.geb. ca. € 200,00*

**Dalhuisen Volume 3 - Financial Products, Financial Services and Financial Regulation**

Deals with financial products and financial services; the structure and operation of banking and of the capital markets; the role of modern commercial and investment banks; and financial risk, stability and regulation, including the fallout from the 2008 financial crisis and the subsequent regulatory responses in the US and Europe. In sections on products and services, the blockchain and its potential are noted in the payment system, in the custodial holdings of investment securities, and in the derivative markets. A section on regulation critically reviews the need for macro-prudential supervision and an independent macro-prudential supervisor, the role of resolution authorities, the operation of the shadow banking system, and the extraterritorial reach and international recognition of financial regulation.

*J.Dalhuisen (HART- 9781509926541) 7<sup>e</sup> dr. juni 2019 1040 pag.geb. ca. € 230,00*

**DALHUIZEN SET Volume 1+2+3 (HART- 9781509928477) 7<sup>e</sup> dr.geb. ca. € 500,00**

**Electronic Documents in Maritime Trade - Law and Practice**

Critical analysis of electronic alternatives to documents used in the international sale of goods carried by sea, including invoices, bills of lading, certificates of insurance, as well as other documentation required under documentary credits, and payment processing arrangements. Constitutes an in-depth discussion of their legal status and the practices relating to their use. The new edition examines recent developments in the evolving digital transformation that is taking place in the field of international trade. Examines the commercial pressure to move from paper to electronic data, and the new technologies and relationships built for this purpose. This transition is ever evolving and as such an understanding of the attendant legal implications of the change is crucial. Analysis is provided on the adoption by UNCITRAL of its Model Law on Electronic Transferable Records and on the Uniform Rules on Bank Payment Obligations (URBPO). Considers the practical workings and legal underpinnings of new electronic bill of lading platforms such as e-Title and Placing Platform Limited and of pilot projects such as Wave BL, Marco Polo and Voltron. Also examines the legal implications of proposed uses of new technologies such as distributed ledger technologies (DLT) (including blockchain), Internet of Things (IoT) and smart contracts. Provides a complete and practical analysis of e-documents in cross-border business contracts for goods carried by sea. Examines recent trends in practice and assesses the ability of electronic alternatives to achieve legal functions performed by the paper documents they replace.

*M. Goldby (OUP-9780198811978) 2<sup>e</sup> dr. begin oktober 2019 448 pag. geb. ca. € 215,00*

### **Elektronische Handel & Contractuele Verplichtingen (Themafische Hof v. Justitie EU)**

Elektronische handel heeft raakvlakken met tal van gebieden, waaronder kwesties in verband met overeenkomsten, praktijken die onder de mededingingswet vallen, belastingen, IE-rechten, consumentenbescherming en bescherming van persoonsgegevens. Het onderhavige themadossier schetst een overzicht van de rechtspraak op dit gebied. Hiertoe worden de 35 belangrijkste Europese arresten over deze waaier aan onderwerpen besproken.

*Hof v. Justitie EU, juli 2018 32 pag.*

**GRATIS OP PDF OP AANVRAAG**

### **EU Shipping Law**

Covering all aspects of EC shipping in detail. Chapters included cover EC marine environmental law and marine insurance law - freedom of establishment and freedom to provide shipping services in the EC. This third edition has been completely revised to include recent developments, and features extensive appendices on council decisions, resolutions and recommendations. Essential reference work for professionals.

*V. Power (Informa- 9781843116332) 3<sup>e</sup> dr. januari 2019 1842 pag. geb. ca. € 445,00*

### **Hardship and Force Majeure in International Commercial Contracts - Dealing with Unforeseen Events in a Changing World**

Force Majeure and Hardship are commonly invoked in international trade when unforeseen events occur making performance impossible or impracticable. Most national legislators provide rules to deal with these issues, but the specific solutions adopted in domestic laws vary substantially from one country to another. In recent years the growing complexity of trade in a globalized world has greatly increased the number of situations where a party can invoke force majeure or hardship. Parties need to be able to analyse the nature and characteristics of force majeure and hardship and look for contractual clauses which can regulate these issues in conformity with their needs. This dossier explores the evolution of the rules on hardship, the ICC Clause on Hardship and the perspectives of contract adaptation by arbitrators. Includes an overview of recent arbitral case law (impediment beyond sphere of control and risk of the obligor; foreseeability; causation; notice requirement), analysis of the ICC 2003 Force Majeure Clause and an update on its revision. Two other important themes are included: the relationship between force majeure and applicable law, general principles of law and trade usages as well as the impact of economic sanctions.

*F. Bortolotti e.a. (KL-978 9403514635) juli 2019 232 pag. ca. € 82,00*

### **INCOTERMS 2020**

The Incoterms® rules define important responsibilities of buyers and sellers for the delivery of goods under sales contracts. They are the authoritative rules for determining how costs and risks are allocated to the parties. Incoterms rules are regularly incorporated into contracts for the sale of goods worldwide and have become part of the daily language of trade. Contains the ICC rules for use of the 11 Incoterms® trade terms. It takes into account the latest developments in commercial practice, and updates the rules to make them more accessible and easier to use. The new rules will enter into force on 1 January 2020. As of this date, all

sales contracts should make reference to the Incoterms® 2020 rules as the latest version of the Incoterms rules. ICC has been writing and publishing the Incoterms rules for more than 80 years, providing importers, exporters, lawyers, transporters, insurers in the international arena with rules and guidance reflecting the latest developments in the trading environment.

*International Chamber of Commerce (ICC- 9789284205103) oktober 2019 ca. € 68,00*

### **International Sales Law - A Guide to the CISG**

Third edition of the casebook providing an article-by-article analysis of the CISG Convention and an excellent starting point for learning about the Convention. The commentary on each article is accompanied by extracts from cases and associated comparative materials, as well as references to important trade usages such as the INCOTERMS® 2010.

*I.Schwenzer e.a. (HART- 9781509919628) 3<sup>e</sup> dr. april 2019 920 pag. ca. € 70,00*

### **Interpretation and Gap Filling in International Commercial Contracts**

International legal instruments such as CISG, UNIDROIT Principles, PECL and DCFR provide rules in order to interpret international commercial contracts in a uniform way. However, while these instruments may bring together already existing national concepts, they must of course be understood beyond the domestic concepts and approaches as such. Autonomous comparison across the above-mentioned international legal instruments, with a focus on the rules on interpretation and gap filling that provides the necessary theoretical background and case law to understand the rules in practice. Examines the uniform and harmonised set of rules in their own right; without comparison to national laws, but in their own unique setting of international commercial contracts.

*Ayşe Nihan Karadayi Yalim (I- 9781780688084) September 2019 250 pag. € 70,00*

### **Law of International Trade - Cross-Border Commercial Transactions**

Content :Introduction and Context; International Sales of Goods; Terms under the Sale of Goods Act 1979; Remedies in International Sales; Vienna Convention on the International Sale of Goods; Bills of Lading; Carriage of Goods by Sea # the common law; Carriage of Goods by Sea Act 1971; Carriage of Goods by Air, Road and Rail; Marine Insurance for Cargo; Payment and Finance for International Trade; Civil and Commercial Jurisdiction; Choice of Law for Contractual and Non-Contractual Obligations; Recognising and Enforcing Foreign Awards; Alternative Dispute Resolution].

*Chuah (S&M-9780414065925) 6<sup>e</sup> dr. september 2019 972 pag. ca. € 50,00*

### **Mediation in International Commercial and Investment Disputes**

Until now, the resolution of international commercial and investment disputes has been dominated almost exclusively by international arbitration. But that is changing. Mediation rules that were in disuse gather momentum, and dispute settlement centres are introducing new mediation rules. The European Union is encouraging international mediation in both the commercial and investment spheres. The 2019 Singapore Mediation Convention of the United Nations Commission on International Trade Law (UNCITRAL) is aiming to ensure enforcement of international commercial settlement agreements resulting from mediation. The first investor-State disputes are mediated under the International Bar Association (IBA) rules. The International Centre for Settlement of Investment Disputes (ICSID)'s conciliation mechanism is resorted to more often than in the past. The International Chamber of Commerce (ICC) has recently administered its first mediation case based on a bilateral investment treaty.

*C.Titi,K.Fach Gómez (OUP-978019 8827955) augustus 2019 416 pag. geb. ca. € 115,00*

### **BELGISCH RECHT**

### **Onerlijke Handelspraktijken en Bedingen in Contracten tussen Ondernemingen**

Net als consumenten kunnen ook ondernemingen in hun contractuele verhouding met andere ondernemingen worden geconfronteerd met oneerlijke handelspraktijken en oneerlijke bedingen. Het verbod op oneerlijke handelspraktijken tussen ondernemingen in artikel VI.104 WER lijkt hiervoor een oplossing te bieden. De buitencontractuele kwalificatie van die bepaling en de bijbehorende vordering tot staking verhindert echter dat die bepaling in de contractuele B2B-verhouding wordt toegepast. Deze buitencontractuele kwalificatie wordt aan kritische analyse onderworpen. Ook het potentiële nut van gemeen recht, zoals het verbod op rechtsmisbruik, en mededingingsrecht wordt onderzocht. Biedt tevens heldere kijk op de manier waarop deze materie in Frankrijk en Duitsland wordt benaderd. Ook wordt een belangrijke gedragscode uit het VK besproken.

*S.De Pourcq (I-9789400010079) eind januari 2019 778 pag. geb. € 125,00*

**the Rotterdam Rules - UN Convention on Contracts for International Carriage Good Wholly Partly Sea**

Broad-based commentary on The UN Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, which places the convention in its historical and commercial context. New to this edition: covers developments since 2010, such as the 2013 amendments adopted by the UN; explains how the Rules apply in a business environment with greater emphasis on e-commerce and blockchain; includes an increased number of illustrations explaining how the provisions will work in practice. Explains the Rules in consolidation and replacement of their predecessors, covering prior regimes such as the Hague Rules, the Visby Amendments and the Hamburg Rules. Analyses as well matters not governed by the convention, and outlines subsequent steps to be taken regarding signature, ratification, acceptance, approval, accession, entry into force and discarding of previously operative rules. *T.Fujita e.a. (S&M- 9780414034143) 2<sup>e</sup> dr. december 2019 506 pag. geb. ca. € 325,00*

**Scrutton on Charterparties and Bills of Lading**

This is the leading statement of the principles behind charterparties and bills of lading, which is the area of law covering parties to the hire and chartering of ships, and the carriage of goods at least partially by sea. There are three kinds of charterparties: time charters, voyage charters, and demise charters. Voyage and time charterparties are agreements whereby the shipowner retains responsibility for the operation of the ship, for its navigation and management, but the charterer [ie lessee] is granted commercial use. In a voyage charterparty, the charterer loads a cargo for delivery at the agreed destination. In a time charterparty, over an agreed period of time he may direct the ship, within the agreed range and conditions, to carry cargoes procured by him between the places specified by him. Unlike voyage and time charterers, in the case of demise charters, the bareboat charterer takes over all the responsibilities for the vessel. He employs a crew and provisions, bunkers and runs the ship as his own. Ship operators may use demise charters to 'charter in' ships and integrate them into their fleet alongside their own stock. *First published in 1886 ! B.Eder e.a.(S&M-9780414070387) 24<sup>e</sup> dr. december2010 ca.830 pag. geb. ca. € 455,00*

**Zekerheid voor Leverancierskrediet (Onderneming & Recht nr. 117)**

Behandelt relevante kwesties, ontwikkelingen en thema's die zich rondom dit vraagstuk voordoen: aandacht voor de zekerhedenpositie van kredietverstrekende leverancier en het verlies van zijn zekerheidsrecht in geval van natrekking, eigenlijke en ongelijke vermening, zaaksvorming en doorverkoop; invoering Pandwet in België; invoering wet overeenkomst van goederenkrediet; functionele benadering binnen het zekerhedenrecht; rechtsvergelijking. Bevat rechtsvergelijkend onderzoek over vier rechtsstelsels (Nederlands, Duits, Belgisch en de Uniform Commercial Code uit de Verenigde Staten) en maakt overeenkomsten en verschillen tussen de drie buitenlandse rechtsstelsels inzichtelijk. Geeft inzicht in de argumenten waarmee wetgevers en rechters de voorrangpositie voor leverancierskrediet rechtvaardigen en verheldert de wijze waarop de vier rechtstelsels en de twee modelwetten de zekerheid voor leverancierskrediet vormgeven, zowel ten aanzien van de geleverde zaken als het geval van natrekking, eigenlijke en oneigenlijke vermening, zaaksvorming en doorverkoop. *K.Geurts (K-9789013155556) november 2019 528 pag. geb. € 84,50*

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**Verschenen in 2018:**

**de Agentuurovereenkomst (Recht & Praktijk - Contractenrecht nr. 16)**

Complete behandeling van alle juridische aspecten van de agentuurovereenkomst. Zoals o.a. rechten, plichten en gevolgen van het beëindigen van de agentuurovereenkomst voor zowel de principaal als de handelsagent. Hier wordt het Nederlands agenturrecht en de Europese wortels daarvan behandeld. Ook wordt veel aandacht besteed aan voor de praktijk van belang zijnde aspecten van Duits agenturrecht, mede omdat daar de agent-bescherming sterk is. *T.Charatjan e.a. (K-9789013145939) begin januari 2018 132 pag. geb. € 45,00*

**Capita Selecta Internationaal Handelsrecht (NTHR Reeks nr. 19)**

Internationale handel is voor de Nederlandse economie van eminent belang. Opvallend is dat er weinig Nederlandstalige naslagwerken zijn over de juridische aspecten van internationale



handel. Uitgangspunt hier is het combineren van wetenschappelijke diepgang met oog voor de praktische toepasbaarheid. De toegankelijkheid van het boek brengt mee dat niet alles in extenso kan worden behandeld en er een keuze is gemaakt in de te behandelen onderwerpen. In het internationaal handelsrecht wordt veel gebruikgemaakt van internationale regelgeving zoals verdragen. Verdragen dienen in beginsel uniform uitgelegd en uniform toegepast te worden. Het kennismaken van buitenlandse uitspraken en buitenlandse literatuur wordt daarmee belangrijk. Buitenlandse rechtsbronnen komen dan ook ruimschoots aan de orde. Onderwerpen o.a. : Uniform Internationaal Handelsrecht: het verschijnsel unificatie, uniforme uitleg en uniforme toepassing, internationale handelskoop en Weens Koopverdrag, incoterms® 2010, documenten en exploitatieketens in het vervoer, passieve en actieve legitimatie onder cognossement, internationale betalings- en zekerheids- instrumenten: documentair incasso, documentair krediet en de bankgarantie, verzekering en de (internationale) handel: de transportverzekering en de kredietverzekering, vervoerrecht.

*S.v.Hall,M.Hendrikse e.a.(P-9789462511576) 2<sup>e</sup> dr. begin januari 2018 302 pag. € 49,50*

### **Commercial Contracts – Vol. 1**

If you are drafting all of your contracts from scratch, you are wasting time - and a lot of money. The 40 contract templates in this book incorporate internationally recognized standards and laws for most business situations. The templates bridge many legal and cultural traditions by harmonizing recurring legal provisions common to most domestic and international contracts. Using uniform contractual rules, and not based on any specific national law, the model contracts incorporate prevailing practices in trade and commerce. They are carefully drafted without expressing a bias for any one particular legal system. The book comprises a USB key with the text of the contracts ready for download. Not only do the models offer flexible solutions to commercial agreements, the USB key makes it even simpler to adapt the contracts for your specific case.

*K.Kuilwijk (Westlex-9789492823014) april 2018 680 pag. geb. € 395,00*

### **Commercieel Contractenrecht - Deel 1: Totstandkoming en Inhoud**

Commercieel contractenrecht is het contractenrecht dat van toepassing is op commerciële contracten gesloten tussen professionele partijen. Dit boek is praktijkgericht. Besteedt aandacht aan het materiele Nederlandse contractenrecht, aan veel gebruikte contractclausules, het in de commerciële praktijk belangrijke Engelse contractenrecht, processuele kwesties, vennootschapsrecht en internationaal privaatrecht. In de 7 hoofdstukken komen aan de orde: Wat is commercieel contractenrecht?, wat eisen ondernemers van het contractenrecht, Engels v Nederlands contractenrecht, geschilbeslechting (arbitrage, Netherlands Commercial Court), precontractuele aansprakelijkheid (waaronder 'subject to contract', 'subject to board approval' bedingen), toerekening van interne kennis (bedrijfsleiding, werknemers) en externe kennis (zoals adviseurs) aan een rechtspersoon, vertegenwoordiging (onder meer schijn van volmacht, beperkingen van vertegenwoordigingsbevoegdheid bestuurder BV/NV, tegenstrijdig belang), uitleg (o.a. gezichtspunten in het kader van Haviltex, objectieve Haviltex voor commerciële contracten, uitleg van Engelse contractstermen, en bedingen als de 'entire agreement clause'), bedingen die de kern van het commerciële contract inhouden: garanties ('warranties'), contractuele mededelingen ('representations'), vrijwaringen ('indemnities') en inspanningsbedingen ('efforts clauses'), toepasselijkheid van, informatieplichten bij, toetsing van algemene voorwaarden en exoneratiebedingen (onder meer gezichtspuntencatalogus redelijkheidstoetsing en de uitsluiting van 'indirect/consequential loss').

*R.Tjittes (B-9789462905313) begin juli 2018 620 pag. geb. € 70,00*

### **Distributieovereenkomsten – EU – België -Nederland**

BANNING en het Belgische advocatenkantoor [Contrast](#) hebben samen een handboek gepubliceerd over distributieovereenkomsten in de EU, België en Nederland. Bevat een grondige en praktische studie van het Europees, Belgisch en Nederlands mededingingsrecht en civiel recht van toepassing op distributieovereenkomsten. Er zijn uitgebreide analysekaders en praktische handvatten te vinden voor de beoordeling van distributieovereenkomsten in de praktijk. Geschreven voor iedere advocaat, (bedrijfs)jurist en student die met distributieovereenkomsten in aanraking komt. Door middel van praktische en sprekende voorbeelden biedt het werk een praktische leidraad bij het opstellen en checken van de meest voorkomende distributieformules, zoals exclusieve distributie, selectieve distributie, met inbegrip van veelvoorkomende formats zoals franchise, agentuur en internetverkoop. Het boek is onderdeel van een pan-Europees publicatietraject en de uitgave ervan loopt parallel aan de

uitgave van de derde editie van het Europese handboek "Vertical Agreements in EU Competition Law" (uitgegeven door Oxford University Press), tevens geschreven door Contrast. In meer dan 15 landen in Europa zijn c.q. worden nationale uitgaven van dit boek gepubliceerd, waarin het Europese handboek wordt samengevat in de nationale taal (incl. toevoegingen van nationaal mededingingsrecht) en een nationaal deel is toegevoegd over de nationale civielrechtelijke aspecten van distributieovereenkomsten.

*F.Wijckmans,S.Vinken e.a. (Larcier-9782807902800) maart 2018 622 pag. geb. € 170,00*

### **EU Geo Blocking Verordening (voor Webshops)**

Per 3 december 2018 treedt Verordening 2018/302 inzake de aanpak van geoblocking en andere vormen van discriminatie van klanten op basis van nationaliteit, verblijfplaats of plaats van vestiging in werking. Doel van de Geoblocking Verordening is het wegwerken van belemmeringen op het vrije handelsverkeer van online verkochte goederen en geleverde diensten. Wanneer de activiteiten van een onderneming binnen de reikwijdte van de Verordening vallen, verbiedt deze discriminatie van afnemers op drie manieren: toegang tot online-interfaces (artikel 3),toegang tot goederen en diensten (artikel 4), engebruik van betaalmethoden (artikel 5). De discriminatieverboden die in de Verordening zijn verdisconteerd, brengen voor ondernemingen echter geen verplichting mee tot verkoop in een andere lidstaat en harmoniseren ook de prijzen niet. De ACM is belast met de uitvoering.

*EU-Verordening 23 pag.*

**GRATIS OP PDF OP AANVRAAG**

### **Fundamentals of International Business Transactions**

identifies the many sources of risk in cross-border transactions, analyzes in great depth the legal instruments that provide protection to the parties, and describes the practical means of reducing, reallocating, and eliminating risks. Each chapter covers a distinct area of risk, providing insightful commentary on the relevant national, regional, and international laws, and detailed analyses of leading and defining cases from many jurisdictions and international courts. Matters covered include: basic export-import sales contract; application and use of the United Nations Sales Convention (CISG); financing the export sale with a commercial letter of credit; basic understanding of the WTO trade regulation system; regulation of importation and exportation; U.S. and EU Rules affecting the professional liability of international transactions lawyers; comparative law understanding jurisdiction, applicable law, and judgments recognition; issues affecting choices between arbitration and litigation of disputes; dealing with and avoiding claims of sovereign immunity and act of state; operating abroad through employees, agents, and distributors; anti-bribery laws and contract restrictions; expropriation, political risk, and how to use insurance and contract terms to deal with them; investor-state contracts; antitrust laws and their extraterritorial application.

*R.Brand (KL-978041190925) 2<sup>e</sup> dr. december 2018 ca. 650 pag. geb. ca. € 190,00*

### **Goods in Transit**

Combines commercial, shipping, contract, bailment, property and transport law into a treatment of the law of freight forwarding and carriage of goods that is of increasing relevance as globalisation and international trade continue to grow. Deals not only with ships but also with road and rail forwarding, but only cross-border, not internally within any country.

Focuses on the contract of carriage from the freight forwarder's perspective, and deals in depth with the law relating to documents of title, possession, ownership and rights of suit in contract, tort and bailment, which are a source of perennial confusion and are of direct relevance to the contract of carriage. The work focuses on international and English law.

*P.Bugden e.a.(S&M-9780414062108) 4<sup>e</sup> dr. april 2018 1020 pag. geb. ca. € 440,00*

### **International Commercial Sales - The Sale of Goods on Shipment Terms (Lloyd's Commercial Law Library)**

Examines the entire legal process of the international sale of goods, beginning with the creation of the contract and continuing through to either the fulfilment of the sale, or the termination of the contract. Every day goods are globally traded between sellers and buyers in different countries and different jurisdictions. The distances between the parties involved in such transactions, and the relative risks related to that, are a key issue in international commercial sales. Sales of goods carried by sea, thus, differ quite drastically from domestic sales; the goods will be normally shipped at a port very distant from the buyer, preventing his physical presence at the port of loading. Further, the goods will travel in the custody of a carrier, a party normally quite independent from either trader. Finally, transactions concluded

on shipment terms are normally irreversible, in the sense that shipping the goods back to the seller represents an unlikely option for the buyer. Traders around the world very frequently choose English law to govern their contracts, with disputes to be resolved through London arbitration or litigation. The basis is to be found in the English Sale of Goods Act 1979, and the book consequently also includes an examination of the fundamental principles of that Act, as well as considering use of the Vienna Convention on the International Sale of Goods.

*A. Lista (Informa-9781138593022) juni 2018 550 pag. geb. ca. € 290,00*

### **International Sales Terms**

An initial chapter provides an introduction into CISG and Swiss law (as proposed proper law of the terms of sale) with respect to such legal areas which do not fall within the scope of the CISG (e.g. transfer of claims, offsetting, periods of limitation, validity of contracts etc.) and examines deviations in this context in comparison with other more significant legal systems (especially Anglo-American law). Additionally important general legal issues regarding international purchase agreements are discussed (incl. American and European export control and antitrust regulations) and ways for effective incorporation of general terms and conditions into international agreements are pointed out (incl. in consideration of the issue regarding colliding terms and conditions). The main section contains annotated international sales conditions (incl. terms of payment, retention of title, delivery obligations, passing of risk, conformity of the goods with the contract and legal remedies in case of non-conforming goods, non-disclosure agreements, limitation of liability, cancellation of an agreement, provisions with respect to choice of law, arbitration court and place of jurisdiction). Alternatives for drafting individual provisions are pointed out for special key terms of the contract. The third edition of the book contains recent changes in the relevant legal provisions of the presented legal systems and available trade regulations and offers updated contractual provisions as well as revised explanatory notes. Especially the implications of Brexit with respect to cross-border trade with Great Britain will be presented in detail and practically oriented.

*P. Ostendorf (Beck-9783406710520) 3<sup>e</sup> dr. oktober 2018 186 pag. geb. € 139,00*

### **Introduction to International Commercial and European Law**

Covers the most important legal issues when conducting business abroad. The first part covers European law with a focus on the institutions of the European Union, the four freedoms and competition law. The second part focuses on individual international contracts and starts with the legal environment of the business transaction. The political and policy risks of doing business abroad are explained, as well as how they should be addressed. Continues with entry strategies in foreign markets and then goes on to focus on the individual contract of sale. A wide range of subjects are covered, including general conditions of sale, retention of title, the CISG, product safety and product liability, Incoterms, contract of carriage, jurisdiction, choice of law and arbitration, standard contract clauses and payment conditions. Takes a practical approach, contains examples and exercises and explains the main pitfalls of doing business in foreign countries and how to avoid them.

*M. Mosselman (P-9789462511712) 2<sup>e</sup> dr. juli 2018 540 pag. € 59,00*

### **100 Jaar Handelsrecht - Over heden, toekomst en verleden (Preadvies Ver. Handelsrecht )**

Ter gelegenheid van het 100-jarig bestaan van de Vereniging 'Handelsrecht' is door 19 auteurs de balans opgemaakt van de stand van zaken op acht kernterreinen van het handelsrecht: ondernemingsrecht, faillissementsrecht, vervoerrecht, documentair krediet, betalingsverkeersrecht, verzekeringsrecht, intellectuele eigendom en mededingingsrecht. Behalve kritische beschouwing van het recht zoals dat nu geldt, en de ontwikkeling daarvan, wordt daarbij ook de blik gericht op de toekomst. Dit bijzondere jubileum is niet bedoeld om heden of verleden te koesteren, maar vooral om lessen te trekken en te anticiperen op wat de toekomst gaat brengen en welke aanpassingen van wetgeving dat zal gaan vereisen.

*H. de Kluiver (red.) (P-9789462511958) december 2018 372 pag. € 59,50*

### **de Kansen voor een Netherlands Commercial Court**

De oprichting van een Netherlands Commercial Court (NCC) kan als een mijlpaal voor de Nederlandse rechtspraak worden beschouwd. De verwachtingen zijn hoog en de uitdaging is groot. Tijdens een symposium georganiseerd door het Molengraaff Instituut stond de vraag naar de kansen voor een Netherlands Commercial Court centraal. De bijdragen aan dit symposium zijn hier opgenomen, geactualiseerd en uitgewerkt en aangevuld met bijdragen van anderen. De vele dimensies en aspecten die aan de oprichting van de NCC zijn verbonden worden belicht vanuit het perspectief van bedrijfsleven, rechterlijke macht en wetenschap.

Ingegaan wordt op internationale positionering en economische dimensie van de oprichting, en op aantrekkingskracht voor internationaal opererende ondernemingen. Tot slot wordt gezien welke lessen kunnen worden getrokken uit de oprichting van een Commercial Court in Dubai. *E. Bauwe.a.(red.) (B-9789462904842) april 2018 214 pag. € 37,50*

### **the Law of Cross-Border Business Transactions - Principles, Concepts, Skills**

Covers numerous specific issues of relevance in the context of cross-border projects. Substantive law issues, procedural aspects and skills-related considerations such as contract drafting, structuring options and cross-cultural lawyering techniques are included. Describes a wide spectrum of transaction types. Explains underlying principles from a conceptual and a comparative point of view with a focus on transactional issues, using case studies from a variety of jurisdictions to demonstrate the significance of particular aspects in the context of multi-jurisdictional legal practice. Topics include :international lawyering and cultural diversity; lex mercatoria; conflict of laws; letters of intent, position papers, heads of agreement, confidentiality and exclusivity agreements; structure and contents of international contracts; e-contracts and smart contracts; protection of intellectual property rights, technology transfer; trade, countertrade and trade financing; insurance; agency and distributorship; greenfield investments and M&As; competition law and merger control; employment law; corporate governance and corporate social responsibility; international taxation; and dispute settlement and cross-border enforcement of awards. Addresses legal issues arising out of the digitalization of the global economy with a special focus on choice-of-law questions, smart contracts, e-bills of lading and online dispute settlement. It also draws attention to the impact of China's Belt & Road Initiative, Brexit and the America First foreign policy. Of special value is the precise guidance on drafting techniques and contract practice and a large body of source references. *L. Wolff (KL-9789041186683) 2<sup>e</sup> dr. januari 2018 564 pag. geb. ca. € 210,00*

### **Letter of Intent in International Contracting – intentieverklaring bij internationaal contracteren**

De letter of intent heeft sinds de jaren zeventig van de vorige eeuw op veel aandacht vanuit de literatuur kunnen rekenen. Vooral één type blijkt echter moeilijk te beoordelen aan de hand van de bestaande leerstukken: de letter of intent waarbij partijen het onderhandelingsproces contractueel vormgeven. Onderzoek beschrijft benaderingen ten aanzien van het contractueel vormgeven van onderhandelingen in Nederland, Frankrijk, Engeland en de VS. Proefschrift EUR *E. Pannebakker, december 2016 396 pag. GRATIS OP PDF OP AANVRAAG*

### **Report of the United Nations Commission on International Trade Law (51th Session)**

A new chapter in international insolvency law. The summer of 2018 has seen heated work at UNCITRAL, the UN legal body specialized in the field of international trade law. UNCITRAL adopted two sets of rules aimed at improving efficiency in the area of international dispute resolution. One of them relates to international commercial mediation and international settlement agreements resulting from it. Another covers issues arising in cross-border insolvency cases, namely insolvency-related judgments, their recognition and enforcement. *UNCITRAL juni-juli 2018 77 pag. GRATIS PDF OP AANVRAAG*

### **the Rotterdam Rules and International Trade Law**

Analyses the salient articles that will have an impact on international sale contracts governed by English law, including the most popularly used international law instruments, terms and standard sale contracts. Looking beyond the legal relationship of carrier-shipper and carrier-receiver, examines the important articles of the Rotterdam Rules that affect the ability of the trading protagonists to perform their sale contract. Contents: 1)The Rotterdam Rules and the law of international sales: Background and characteristics. 2)Novelties of the RR: Trade facilitation or may be not? 3)The Rotterdam Rules and standard terms. 4)The impact of the Rotterdam Rules on Electronic Commerce. 5)The impact of Volume Contracts on the trading parties. 6)The way forward: reconciling international trade with the Rotterdam Rules. *I. Magklasi (Routledge-9781138070141) augustus 2018 250 pag. geb. ca. € 145,00*

### **Schmitthoff: The Law and Practice of International Trade**

The leading text in the field of international trade law for almost 50 years. Provides a concise account of the law and practice of international trade. Examines the sale of goods, finance and transportation of exports, insurance, customs law and long-term contracts. Includes a new chapter on the World Trade Organisation, expanded coverage of international commercial

dispute resolution including developments in arbitration law and practice, and an expanded chapter on European Union and United Kingdom competition law. Discusses the latest case law and legislative developments plus updated to take account of UCP 600, as well as coverage of the EU Judgments Regulation, and the electronic commerce and electronic data interchange. *C.Murray e.a.(ed.)(S&M-9780414046191) 12<sup>e</sup> dr. oktober 2018 1195 pag. geb. ca. € 186,00*

### **Shipping Law Handbook**

Anyone who deals with shipping disputes requires access to a mass of source materials. These include international conventions, statutes and statutory instruments, arbitration rules, and the most commonly encountered bills of lading, charterparties, insurance clauses, guarantees and other contracts. Details of the parties to the international conventions are also required.

The Shipping Law Handbook collects all this material in one convenient and easy-to-use volume. deals with the following areas: arrest, jurisdiction and applicable law; arbitration; limitation of liability; cargo claims; collision; marine insurance; oil pollution; salvage, toward and general average; standard forms. Each section has an introduction which gives a brief overview of the materials included, setting them in their context, and noting probably future developments. Fully revised for this sixth edition. New items include: the European Judgments Regulation (Recast) 2012, the LMAA Terms 2017, the Insurance Act 2015, the York-Antwerp Rules 2016, the Inter-Club Agreement 1996 (amended 2011), Barecon 2017, Congenbill 2016, NYPE 2015 and updated lists of parties to international conventions.

*M.Bundock (Informa-9780815396598) 6<sup>e</sup> dr. september 1158 pag. ca. € 400,00*

### **Verbonden Overeenkomsten in het Handelsrecht (NTHR Reeks nr. 24)**

Het leerstuk van de samenhangende rechtsverhoudingen in het overeenkomstenrecht is wellicht het beste voorbeeld van de omstandigheid dat de grenzen van het civil law contractenrecht onder druk staan. De verbonden overeenkomsten zijn overeenkomsten die een zodanige invloed op elkaar uitoefenen dat een wijziging binnen de ene overeenkomst niet zonder gevolgen kan blijven voor een 'verbonden' andere overeenkomst. Deze osmotische werking tussen twee of meerdere overeenkomsten verhoudt zich slecht met de heersende doctrine waarin de beslotenheid van de overeenkomst vooropstaat. Dat wil zeggen dat alleen partijen bij een overeenkomst directe invloed kunnen uitoefenen op de rechtssfeer van die overeenkomst en dat derden die niet direct als partij betrokken zijn bij die overeenkomst, geen invloed kunnen uitoefenen op de rechtsgevolgen van die overeenkomst. Hier wordt de ontwikkeling van het leerstuk verbonden overeenkomsten in de rechtspraak geschetst.

*A.Lamers (P-9789462511743) mei 2018 62 pag. € 19,50*

### **World Trade Law - Text, Materials and Commentary**

Combining the best aspects of both casebook and treatise, this comprehensive textbook provides detailed explanations and analysis of the law to help understand the issues as well as case extracts to offer a flavour of the judicial reasoning of trade adjudicators. Truly global in outlook, being equally useful in the UK, Europe, the US, Asia and elsewhere around the world. This updated edition includes in-depth discussions of the most recent developments in international trade jurisprudence, setting out important precedents that help establish the boundaries between global trade rules and domestic national autonomy. *ACTUEEL & COMPLEET S.Lester e.a.(Hart-9781509915965) 3<sup>e</sup> dr. februari 2018 1008 pag. ca. € 63,00*

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## **Verschenen in 2017:**

### **Asian Data Privacy Laws –trade and human rights perspectives**

Now in paperback format, this is the first work to examine data privacy laws across Asia, covering all 26 countries and separate jurisdictions, and with in-depth analysis of the 14 which have specialised data privacy laws. Demonstrates the increasing world-wide significance of data privacy and the international context of the development of national data privacy laws as well as assessing the laws, their powers and their enforcement against international standards. Contains a web link to an update to mid-2017. *Veel geprezen boek nu in paperback editie !!!*

*G.Greenleaf (OUP-9780198810094) juli 2017 624 pag. pap. ca. € 57,50*

### **Carver on Bills of Lading (British Shipping Laws)**

Exhaustive coverage of the nature and uses of bills of lading in commercial transactions, negotiations and on occasion disputes. Commentary on the Hague-Visby rules and the Rotterdam rules in addition to coverage of the most important recent cases and Supreme

Court decisions. In-depth analysis of the use and operation of bills of lading and certain related documents (such as sea waybills and delivery orders). Discusses the nature of a bill of lading, both as a receipt and as a contractual document. Explains the roles of each party to the bill of lading contract. Covers the contractual effects that follow a transfer of a bill of lading. Examines bills of lading as documents of title. Explains how and when third parties can be affected by bills of lading. Analyses the Hague and Hague-Visby Rules for the international carriage of goods by sea in detail. Commentary on the new Rotterdam Rules, which have received limited ratification but are expected to be widely adopted in the coming years.  
*G.Treitel, F.Reynolds (S&M-9780414057425) 4<sup>e</sup> dr. april 2017 800 pag.geb. ca. € 495,00*

### **Carver on Charterparties (British Shipping Laws)**

Carver on Charterparties, in conjunction with Carver on Bills of Lading, covers the ground of the classic 1982 treatise Carver's Carriage by Sea. Carver on Charterparties is a major new work of thematic synthesis and analysis that seeks to re-establish Carver as the leading narrative authority in a fundamental area of shipping law. Its discursive and encyclopedic approach offers an *alternative to that provided in Scrutton on Charterparties and Bills of Lading*. Explains charterparties, their nature and characteristics. Covers the parties, formation and interpretation of the charterparty as a contract. Describes how charterparties apply to the vessel, the cargo and the voyage. Discusses cargo claims. Examines demise, time and voyage charterparties. Addresses laytime and demurrage. Analyses discharge by frustration and breach. Covers damages and other remedies.

*H.Bennett (S7M-9781847039262) april 2017 ca.680 pag.geb. ca. € 385,00*

### **CMR: Contracts for the International Carriage of Goods by Road**

This new edition is fully up to date with all major UK case law, plus major developments in the interpretation of the Convention in the case law of other Contracting States. Furthermore, the book includes expert guidance on the amendments introduced by the additional protocol concerning the electronic consignment note of 2008. Content: 1. Scope of Application of the Convention 2. Combined Transport 3. Carrier's Liability for Third Parties 4. Documentation 5. The Performance of the Carriage 6. Liability of the Carrier 7. Delay, Non-Delivery and Cash on Delivery 8. Dangerous Goods 9. Compensation 10. Claims and Actions 11. Successive Carriage 12. Derogation from the Convention.

*A.Messent, D.Glass (Informa-9781138849372) 4<sup>e</sup> dr.augustus 2017 514 pag. geb. ca. € 388,00*

### **CMR 60 years - Time for retirement or future proof?**

On May 19 1956, the CMR-Convention was signed, aiming at providing uniform rules for the contract of carriage of goods by road. The Convention proved to be very successful and is after 60 years still in force in 55 member states. With this, the Convention provides uniform rules in most of Europe and the Middle East and still contributes to the underlying aim of legal certainty and predictability. Even though the Convention is very successful, there are also a returning number of critiques on the CMR Convention. In general, critiques on the Convention can be found in two domains: 1. The absence of a uniform interpretation of certain key provisions of CMR (for example the scope rule, force majeure provision and breaking through rule). 2. The unfitness of CMR for twenty-first century transportation (for example the height of the limits, the absence of specific rules for multimodal contracts and optional carriage contracts, the outdated (?) rules on successive carriage and even the mode-specific nature of CMR all together). For the occasion of the 60th birthday of the Convention these questions were presented to a panel of prominent CMR-scholars: Is it time for retirement or is the CMR Convention future proof? The answers to this questions were provided during a two day conference in October 2016. This book is a result of that conference and bundles the conference contributions which earlier appeared in TVR and EJCL.

*W.Verheyen (ed.) (P-9789462511484) oktober 2017 253 pag. € 39,50*

### **Contracten in de Internationale Handel** *OVERZICHTELIJK PRAKTISCH STUDIEBOEK*

Behandelt de belangrijkste contracten voor internationaal handelsverkeer, zoals distributieovereenkomsten en vervoerovereenkomsten. Gaat verder in op de totstandkoming en uitvoering van internationale koopovereenkomsten, het Weens Koopverdrag, Incoterms en geschillenbeslechting. Ieder hoofdstuk bevat veel praktijkvoorbeelden en een samenvatting. Omdat de voertaal in de internationale handel Engels is, zijn in de hoofdstukken Nederlands-Engelse begrippenlijsten opgenomen. Deze 2e editie bevat de laatste Europese verordeningen

en jurisprudentie van het Hof van Justitie van de EU. Daarnaast zijn de Incoterms 2010 opgenomen. Om de theorie nog verder te verduidelijken zijn er meer figuren toegevoegd.  
*S.v.Hall(N-9789001875558) 2<sup>e</sup> dr. juli 2017 300 pag. € 59,95*

### **Doing Business After Brexit - A Practical Guide to the Legal Changes (SEEN FROM THE UK)**

Considers the legal issues arising out of Brexit and the immediate and future issues that businesses are likely to face and suggests steps on how to mitigate for any Brexit-related risk. Starts with an introduction explaining the legal route to achieve a Brexit by triggering Article 50 of the Treaty on the European Union. In the introduction, the potential post-Brexit models which may be adopted are explored and the UK legal landscape post-Brexit looked at helping to understand the complexity of the transitional period and what may change. It then looks at each area pertinent to running a business and looks at the issues that are likely to arise, eg directors' duties, tax, pension schemes, data protection, etc and how they can best be mitigated. Given the uncertainty of what exactly will be negotiated, the book gives suggested appropriate steps that can mitigate risk and take advantage of any opportunities.

*H.Tse (Bloomsbury-9781784519360) september 2017 408 pag. ca. € 75,00*

### **EU Regulation and Competition Law in the Transport Sector**

Provides an in-depth analysis of the EU regulation of the various transport modes, and of the EU competition rules in the transport sector. Gives details of different substantive rules regarding, on the one hand, liberalization and regulation of transport markets and operations; and, on the other, restrictive agreements, dominant positions, and mergers, which apply to shipping, to aviation, and to inland transport. In addition to illustrating the procedures which govern enforcement of EU competition rules, and indicating how these differ from the usual procedures applied by the European Commission, this new edition addresses the recent emergence of a regulatory framework for different transport modes. The editors and authors have all been closely involved in the development of the Commission's practice in this area and have provided a detailed contemporary discussion of all relevant issues.

*L.Blanco, B.Van Houtte(OUP-97890199671076) 2<sup>e</sup> dr.maar 2017 624 pag.geb. ca. € 185,00*

### **General Average, Legal Basis and Applicable Law - the overrated significance of the York-Antwerp Rules**

General average is considered to be one of the most uniformly regulated topics of maritime law. This study concludes that this perception is flawed. The invariably applicable York-Antwerp Rules do not provide a full regime, whereas their applicability is generally contractual only. As a result, questions arise as to which law applies to general average obligations, how the applicable national law is to be determined (taking into consideration the impact of the European Rome I and II Regulations), and what is provided in the national regimes. In addition, questions arise as to what the influence is of contractual provisions set out in contracts for the carriage of goods by sea and general average security forms, and how the various sources interact. This study contains an in depth assessment of these questions.

*J.Kruit (P-9789462511231) februari 2017 436 pag. € 125,00*

### **Handboek Spoorwegrecht**

Sinds de liberalisering van de sector eind vorige eeuw, heeft bovendien de regelgeving zich voortdurend ontwikkeld. Een juridisch discours over het spoorwegrecht is evenwel niet op gang gekomen. Vanuit het brede spoorespectrum biedt dit handboek een uiteenzetting die dit rechtsgebied op systematische wijze ontsluit. Daarbij is doorlopend aandacht voor de indringende invloed van het Europese recht op het Nederlandse spoorrechtstelsel, en voor raakvlakken van het spoorwegrecht met het privaats-, bestuurs- en strafrecht. Na een inleidend hoofdstuk volgen hoofdstukken met een analyse van centrale thema's en actoren. Spoorweginfrastructuur en de relaties tussen overheid – beheerder, beheerder – spoorwonderneming en spoorwonderneming – overheid zijn onderwerp van de hoofdstukken 2, 3 en 4. De thema's spoorvoertuigen, spoorwegpersoneel, spoorverkeer en verkeersleiding worden besproken in de hoofdstukken 5, 6 en 7. De belangrijke rol van toezicht, handhaving en ongevallenonderzoek komt in hoofdstuk 8 aan de orde. Hoofdstuk 9 behandelt lokale en bijzondere spoorwegen. In hoofdstuk 10 staan ten slotte de transportrechtelijke aspecten van het spoorwegrecht centraal.

*A.Hagdorn e.a.(P-9789462511279) februari 2017 878 pag. geb. € 115,00*

### **Heffingsgrondslagen in het Douanerecht**

Rechten bij invoer en een groot aantal handelspolitieke maatregelen bij in- en uitvoer worden bepaald door het soort product, het land waar de goederen gemaakt zijn en de waarde. Er bestaan tienduizenden goederencodes, terwijl er slechts één de juiste is, maar welke? Hoe wordt het land van oorsprong bepaald wanneer een product bestaat uit componenten uit verschillende landen? De douanewaarde is afhankelijk van diverse elementen, waarbij er vele uitzonderingen bestaan. Met de komst van het Douanewetboek van de Unie (DWU) per 1 mei 2016 zijn er diverse essentiële wijzigingen. Naast de vele regels bestaat er ook een scala aan jurisprudentie waaruit een nadere uitleg van de regels blijkt.

*B.Boersma, B.v.Breukelen (S-9789012398336) maart 2017 306 pag. € 49,50*

### **International Franchise Sales Laws**

Describes the rules and regulations covering franchise and distribution law in 21 different countries (including the United States and Canada). Is organized around answers to a number of practical questions that your client will face in each jurisdiction. Addresses disclosure requirements in the countries of Australia, Belgium, Brazil, Canada, China, France, Germany, Indonesia, Italy, Japan, Korea, Macau, Malaysia, Mexico, Romania, South Africa, Spain, Sweden, Taiwan, and Vietnam, as well as the United States. For each jurisdiction, two authors licensed to practice in the jurisdiction address the jurisdiction's disclosure requirements in a uniform format. Each country chapter is organized to provide a comprehensive discussion of each of the applicable laws and also a practical and easy-to-use reference for counsel to comply with those laws. Each section addresses the following issues under each jurisdiction's disclosure law: \* What is a Franchise? \* Who Must Provide Disclosure? \* Who Must Receive Disclosure? \* When Must Disclosure be Furnished? \* Information to be Included in Disclosure Documents \* Governmental Filings or Approvals \* Other Requirements \* Franchisor-Franchisee Relationship Laws \* Violations of Franchise Sales Laws.

*A.Loewinger e.a. (ed.) (ABA-9781634250771) 2<sup>e</sup> dr.juli 2017 574 pag. ca. € 180,00*

### **The Legal Position of Terminal Operators in Hinterland Networks (NTHR Reeks nr.23)**

*Mixed contracts and third parties*

The legal position of the terminal operator changes by the integration of the carriage of goods between the sea port and the hinterland into his service profile. The terminal operator performs a wide variety of obligations, including loading and discharging, stacking, warehousing, measuring, weighing and carrying goods within and beyond the terminal's premises. These obligations fall into different categories of contracts for which the law provides specific rules, i.e. a contract of carriage, a contract of deposit and a service contract. Some of these obligations might be subject to mandatory provisions derived from applicable national legal systems or uniform private law conventions. This book examines how to determine the applicable rules to the terminal operator's mixed contracts. This serves a practical purpose as one of the main differences between the applicable legal regimes is the terminal operator's liabilities towards third parties such as cargo owners or ship owners who do not have a contractual relation with the terminal operator.

*S.Niessen (P-9789462411491) december 2017 338 pag. € 58,50*

### **the Lex Mercatoria in Theory and Practice**

Offers a theoretically justified and pragmatic concept of the so-called 'lex mercatoria' contributing to the debate concerning the existence of this law as an autonomous, a-national and universal legal system established by trade practice. Equips commercial arbitrators and counsel with a formula to 'recognize' and apply a rule of the lex mercatoria in practice. It argues that a rule of the lex mercatoria is established if there is a majority congruent behaviour within a business community followed out of fear of criticism and a willingness to criticize others in case of deviation. This two-element test increases legal certainty and potentially reduces the time and costs of proving the rule. Case studies are included to illustrate the practical implications of the analysis and more difficult issues such as burden of proof, admissible evidence. The role of written harmonization measures are also considered.

*O.Toth (OUP-9780199685721) februari 2017 368 pag. geb. ca. € 106,00*

### **Kennedy & Rose on the Law of Salvage (British Shipping Laws)**

Provides in-depth coverage of all aspects of the law of salvage. Explains the underlying concepts of salvage so the principles on which disputes frequently turn are clear. Discusses the relationship between English Law and the IMO's Salvage Convention. Goes through all aspects of the salvage contract, including the standard salvage contract forms. Examines the duties of



each party and the consequences of misconduct. Looks at salvage payments, covering who is liable and how they are distributed. Presents coverage of awards of salvage arbitrators which dominate the actual "case law" of salvage matters. Considers underwater cultural property and treasure. Examines environmental issues and how they impact on contractual and liability issues in modern salvage operations. Covers the Nairobi International Convention on the Removal of Wrecks and the Bunker Convention. Contains all the major salvage documents, international conventions, statutes, rules and regulations so they can be consulted easily. *F.Rose (S7M-9780414061064) 9<sup>e</sup> dr. april 2017 1104 pag. geb. ca. € 475,00*

### **Multimodal Transport Law**

Accessible introduction to multimodal contracts of carriage. Works from general principles toward specific, technical problems. Adopting an international approach, it addresses such key topics as: contracts of carriage, transport documents, parties to a contract of carriage, international conventions on the carriage of goods, multimodal situations covered by unimodal conventions, conflict of laws, rules applicable to the individual legs of multimodal contracts of carriage, the Rotterdam Rules. Close examination of rules, regulations and case law. *M.Spanjaart (Routledge-9780415789813) september 2017 304 pag. ca. € 49,00*

### **Order- en Toonder Papieren (Monografieën BW nr. A- 28) EINDELIJK NIEUWE DRUK !**

Overzicht van het huidige waardepapierenrecht waarin nieuwe ontwikkelingen, zoals het derdenbeding als inhoud van het waardepapier, het uitgewerkte waardepapier (Spent Bill) en het halve of onvolkomen waardepapier (zoals het cognossement op naam) volop aandacht krijgen. De erkenning dat de ontvanger van een cognossement als derde uit derdenbeding kan worden gezien, heeft het denken over waardepapieren in een stroomversnelling gebracht. De overdracht van een waardepapier blijkt niet alleen de overdracht van een vordering aan order of toonder, maar ook een contractuele aanwijzing van een derde uit derdenbeding. Door gebruik van het derdenbeding wordt het waardepapier flexibel en kan er dus meer mee worden gedaan. Dit heeft grote gevolgen voor de theorie en kan van grote betekenis worden voor waardepapieren in de praktijk. Beide aspecten worden in uitvoerig besproken. *D.Zwitser (K-9789013114317) 2<sup>e</sup> dr. juni 2017 128 pag. € 45,00*

### **Wegwijs in Railgoederenvervoer**

Ingegaan wordt op organisatie van de markt, operationele aspecten in het railgoederenvervoer en belangrijkste recente ontwikkelingen in de Europese en Nederlandse wereld van railgoederenvervoer. Behandelt wetgeving van de EU met doelstelling de rol van de nationale overheden terug te dringen door meer marktwerking in deze spoorwegmarkt te realiseren. *G.Nieuwenhuis (NT Publ.-9789490415280) 2<sup>e</sup> dr. oktober 2017 110 pag. € 24,50*

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## **Verschenen in 2016:**

### **Brussels Commentary on EU Maritime Transport Law**

Waterborne transport is of crucial importance within the European Union. Almost 90% of the EU's external freight trade and 40% of the intra EU-exchanges of goods and passengers are carried by sea. 23 EU Member States are coastal states and 26 are Flag States. EU shipowners manage 30% of the world's vessels and 35% of the global shipping tonnage. Each year, more than 400 million passengers pass through more than a 1.000 European ports. The Framework of the 'Erika Packages' has now added another imperative regulatory level to the existing global legal regime of the International Maritime Organisation (IMO) and to national laws. The EU has reacted to severe marine casualties in EU waters. As a result, almost all aspects of maritime transport and shipping are now regulated by EU Law. The Brussels Commentary on EU Maritime Law provides a comprehensive article-by-article analysis of the most relevant EU Regulations and EU Directives of the shipping sector.

*H.Jessen, M.Werner (ed.) (CC-9789491673092) februari 2016 1250 pag, geb. € 298,00*

### **Douanememo 2016**

*JAARLIJKSE UITGAVE*

Bevat in kort bestek een overzicht van de binnen de EU geldende douanebepalingen en volgt daarbij de onderwerpvogorde zoals gehanteerd in het nieuwe Douanewetboek van de Unie (DWU), dat per 1 mei 2016 in werking is getreden. Aan de orde komen onder meer AEO, douanevertegenwoordiging, binnenbrengen van goederen, Unievervoer en gemeenschappelijk douanevervoer, douanewaarde, vrije zone, verschuldigde rechten en belastingen,

vrijstellingen, bestuurlijke boetes en strafrechtelijke sancties, economische en landbouwregelingen en statistiek, en niet-fiscale regelingen. Tevens wordt in hoofdlijnen ingegaan op de heffing van omzetbelasting en accijns in het verkeer tussen de lidstaten van de Europese Unie, de zogenoemde intracommunautaire transacties. Afgesloten wordt met veel informatie (namen, adressen, telefoonnummers, enz.) met betrekking tot het Ministerie van Financiën, de Belastingdienst en andere relevante instanties en een alfabetisch register. (S-9789012397827) juni 2016 350 pag. € 57,00

### **Inleiding Handelsrecht**

Beschrijft in grote lijnen het handelsrecht, met de volgende onderwerpen: internationale koop, betalingsverkeer, order- en toonderpapieren, documentair accreditief en bankgarantie, verzekeringsrecht en het vervoerrecht. De vanuit het burgerlijk recht ontwikkelde open normen (zoals de beperkende werking van de redelijkheid en billijkheid) moeten met grote terughoudendheid binnen het handelsrecht worden gehanteerd. Bovendien is het rechtsgebied continu in beweging. Daarom is het hoofdstuk Mededinging bijvoorbeeld vervallen en teruggebracht naar de essentie van het handelsrecht. Ook wordt aandacht besteed aan de Rotterdam Rules die in de loop van de tijd de Hague Visby Rules opvolgen. Recente jurisprudentie en literatuur zijn verwerkt. *Vergeleken met Dorhout Mees een makkie.* P.v.Huizen (K-9789013138122) 7<sup>e</sup> dr. september 2016 152 pag. € 29,50

### **International Air Carrier Liability**

Brings together essential treaties and airline-to-airline agreements on air carrier liability, safety and security, and supplements these with expert commentary and analysis. The examination considers the general regulatory framework of international civil aviation (including the Chicago Convention and related documents) and how the liability regime fits within that framework. The book is divided into three parts: dealing in turn with liability, safety and security, and civil aviation regulation. Part I provides comment and analysis of the international air-carrier liability regime, how the main liability conventions operate, and the application of these conventions to international carriage by air (passengers, baggage and cargo). Given its subject matter and the universal state party participation in these conventions, this book has truly global application. D.Hodgkinson,R.Johnston (T&F-9781138200494) december 2016 352 pag. ca.€ 120,00

### **The Role of Arbitration in Shipping Law**

The financial crisis of 2007-08 saw a marked increase in global shipping disputes that is still being felt today. In recent decades, arbitration has emerged as the dominant choice of dispute resolution in the global shipping industry, with the establishment of major maritime arbitration centres in London and New York, and the recent emergence of new centres such as Singapore and China. At the same time, the immense advances that have been made and continue to be made in engineering, technology, and communications have led to the emergence of innumerable new trade practices, common understandings, and usages within which goods are carried by sea across the world, but which, because of the widespread use of alternative fora for dispute resolution, may be invisible to and unrecognized by domestic laws. This book asks: What are the implications of widespread use of arbitration for the continued development of shipping law? Are national laws on shipping destined to become ossified and obsolete? Is a new *lex maritima* emerging? And, most importantly, what is the role of the arbitral process in the evolution of shipping law ?

M.Goldby,L.Mistel (OUP-9780198757948) juli 2016 336 pag. geb. ca. € 210,00

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## **Verschenen in 2015:**

### **Contractuele Aansprakelijkheid van Vervoersintegratoren**

Traditioneel gebruikte elke vervoerder één specifieke vervoerwijze, later gingen vervoerders verschillende vervoerwijzen combineren. Een laatste evolutie is dat vervoerders vervoerwijzen gaan variëren. Afhankelijk van de omstandigheden bij de uitvoering van de overeenkomst kiezen zij in concreto de meest efficiënte vervoerwijze. Dergelijke vervoerders, integratoren, treden in toenemende mate op in het pakketvervoer en ook steeds vaker het containervervoer, met name bij hinterlandlogistics. Deze overeenkomsten zijn vrij nieuw en vormen een uitdaging voor het vervoerrecht, waar de vervoerwijze het toepasselijke recht bepaalt.

Onderzocht wordt of de partijen zekerheid kunnen hebben met betrekking tot de kwalificatie van de overeenkomst en het toepasselijke aansprakelijkheidsregime wanneer zij de vervoerwijze open laten. Een zeer gedegen publicatie uit België die hier zeer bruikbaar is. *W.Verheyen (P-9789048618538) oktober 2014 650 pag. geb. € 155,00 NAGEKOMEN INFO*

### **Gedisciplineerde Vrijheid: Een Geschiedenis van het Handels- en Economisch Recht**

De financiële en economische crises van de laatste jaren hebben de spanning tussen innovatie en ondernemen aan de ene kant en rechtsregels aan de andere opnieuw op de voorgrond geplaatst. Vaak wordt de markt opgevat als een min of meer autonoom veld binnen de samenleving. Vandaag bestaat nog de algemeen verspreide overtuiging dat in de markt een eigen dynamiek heerst die door overheidsoptreden kan worden verstoord. Door de Westerse geschiedenis heen zijn samenlevingen echter in hun geheel fundamenteel economisch geweest. Bovendien hebben in alle perioden van het verleden gezagdragers – en ook corporaties en private instellingen die door hen werden erkend – regels over commerciële transacties en situaties naar voren geschoven. Deze regels dienden niet alleen om fraude te voorkomen en te sanctioneren, maar ook ter ondersteuning. De rijke traditie van het Westerse handels-, faillissements- en vennootschapsrecht, van de Romeinse tijd tot vandaag, biedt hiervan tal van voorbeelden. Deze thema's worden onderzocht vanuit een historisch-rechtsvergelijkend perspectief. Hierbij wordt vastgesteld dat historische tradities weerbarstig zijn en dat ze het geldende recht blijven beïnvloeden.

*D.De Ruysscher (M-9789046606315) december 2014 184 pag. € 28,00 NAGEKOMEN INFO*

### **Recht door Zee – hedendaags internationaal zee- en maritiem recht BELGISCH RECHT**

Het recht van de zee, zowel op internationaal als nationaal vlak, is blijvend in evolutie. Naar aanleiding van het emeritaat van professor Eddy Somers, expert in internationaal zee- en maritiem recht, stelden An Cliquet en Frank Maes een uniek liber amicorum samen, met actuele ontwikkelingen in het internationaal zeerecht en het maritiem recht. Het eerste deel handelt over ontwikkelingen in het internationaal zeerecht en gaat in op de toepassing van het Zeerechtverdrag op Arctica, mariene ruimtelijke planning, mariene gebiedsbescherming, mensensmokkel op zee, piraterij, hulp en bijstand. Het tweede deel gaat in op het maritiem recht en omvat bijdragen inzake beveiliging van Belgische schepen, bewarend beslag op zeeschepen, 'transportfacilitatie', staking in de haven en de regionalisering van de binnenvaart. In het derde deel komen een aantal ruimere maritieme thema's aan bod: de historiek van de breedte van de territoriale zee, havenplanologie in Vlaanderen, scheepsafval en havenontvangstinstallaties, veiligheidsmaatregelen in de havens, samenwerking tussen Vlaanderen en Nederland inzake de Schelde en de estuaire vaart. Het geheel is opgevat als eigentijds handboek, rijk gestoffeerd voor iedereen met interesse in de zee en het zeerecht. Met bijdragen van Erik Franckx, Fanny Douvere, Frank Maes, An Cliquet, Jasmine Coppens, Klaas Willaert, Gwen Gonsaeles, Walter P. Verstrepen, Clive van Aerde, Kristiaan Bernauw, Patrick Humblet, Marc De Decker, J.W.P. Prins, Jozef Cuyt, Georges Allaert, Guido Van Meel, Dirk Vernaeve, Jacques D'Havé, Antoine Vuylsteke en Marc Vantorre

*A.Cliquet,F.Maes (ed.)(M-9789046607749) augustus 2015 470 pag. € 92,00*

### **Spoorvervoer Toegepast**

Dit handboek behandelt het goederenvervoer per spoor vanuit een theoretisch en een praktisch standpunt. Zowel een beknopte geschiedenis als de algemene actuele situering komen aan bod, niet alleen in België, maar ook binnen de Europese Unie en daarbuiten. Vervolgens wordt het regelgevende kader geschetst. Hier staat de internationale COTIF- en CIM-regelgeving centraal, die tevens de basis vormt voor het binnenlands vervoer. De verschillende aansprakelijkheidsregels in deze sector worden grondig besproken. De technische aspecten van het goederenvervoer per spoor worden rijkelijk geïllustreerd. Welke types van rollend materieel zijn er op de markt, hoe worden ze ingezet en welke evoluties zijn er te verwachten? Enkele cruciale definities van spoorinfrastructuur mochten hierbij niet ontbreken. Afsluiten doen de auteurs met de prijsvorming van het goederenvervoer per spoor en het verloop van een spoorzending, inclusief de afhandeling van de vervoersdocumenten.

*F.Aerts e.a. (I-9789400006201) september 2015 298 pag. € 60,00*

### **Toelichting op de AVC 2002**

In deze uitgave van de Stichting Vervoeradres is de informatie over het Nederlandse vervoerrecht geordend per artikel van de AVC en dan weer onderverdeeld per artikellid. Hiermee komen alle relevante onderwerpen uit het (weg)vervoerrecht voorbij. Bovendien wordt regelmatig verwezen naar van belang zijnde vonnissen en arresten uit de Nederlandse

rechtspraak. In Nederland zijn zo'n 11.700 transportbedrijven met tezamen zo'n 97.800 vergunningbewijzen voor beroepsgoederenvervoer over de weg. Dat betekent ook dat er ieder jaar vele tientallen miljoenen vrachtbrieven worden gebruikt waarop telkens de AVC 2002 van toepassing worden verklaard. Ook bij CMR-vervoer worden dikwijls die AVC 2002 aanvullend van toepassing verklaard. De waarde van de vervoerde goederen loopt uiteen naar gelang de aard van de goederen. Daarom is van belang dat de afzender en de vervoerder en natuurlijk ook de geadresseerde duidelijkheid hebben onder welke voorwaarden het vervoer plaatsvindt. De AVC 2002 zijn tweezijdige algemene voorwaarden, opgesteld in gezamenlijk overleg door EVO en TLN. De belangen van afzenders, geadresseerden en vervoerders zijn zorgvuldig afgewogen. Het draagvlak voor de AVC is dan ook groot onder alle betrokken bedrijven in Nederland die met wegvervoer te maken hebben. NAGEKOMEN INFO  
*M.Claringbould (P-9789082293203) februari 2015 326 pag. € 75,00*

### **Tijdschrift Vervoer & Recht**

*JAARGANG 2015 nr. 3*

Uit de inhoud: Eigen gebrek en causaliteit in het vervoerrecht (Mw. mr. drs. H.M.B. Brouwer), Ongeoorloofd lage prijs in de binnenvaart: veel vragen, weinig antwoorden (Mr. F. Stevens), Wet- en regelgeving, Belgische wetgeving, Officiële publicaties, Literatuur. Het *Tijdschrift Vervoer & Recht* brengt de juridische ontwikkeling op het gebied van vervoersrecht voor u in kaart. Zowel het privaatrecht als publiekrecht komen in het tijdschrift aan de orde en worden op een praktijkgerichte wijze benaderd. Niet alleen wordt er uitgebreid aandacht besteed aan de verschillende vervoersmodi (binnenvaart en zeevaart, transport over het spoor, wegvervoer, multimodaal transport), maar ook alle juridische raakvlakken uit uw dagelijkse praktijk komen hier aan bod: aansprakelijkheid, contracten, internationaal privaatrecht, mededinging, tussenpersonen, verzekeringen, zekerheden, enz. Naast duidelijke en vlot consulteerbare artikelen wordt de jurisprudentie op de voet gevolgd en zo snel mogelijk gepubliceerd. In de rubriek Actualiteiten, beleid en regelgeving vindt u een korte signalering van relevante ontwikkelingen op deze gebieden. De redactie van het tijdschrift bestaat zowel uit Vlaamse als uit Nederlandse leden.  
*abonnement per jaar € 238,00 (6 afleveringen)*

### **Van Haven en Handel – Hoofdzaken van het handelsverkeersrecht**

Aan de orde komen de handelskoop, waardepapieren, handelsdocumenten, betalingsverkeer (documentair incasso en krediet, bankgaranties), vervoerrecht, zeerecht en verzekeringsrecht en de in de praktijk bestaande samenhang tussen genoemde rechtsgebieden. De beschrijving wordt verlevendigd met voorbeelden ontleend aan de rechtspraak. Actuele nieuwe editie .  
*K.Haak,D.Zwitser (9789013127027) 3<sup>e</sup> dr. begin februari 2015 ca.320 pag. ca. € 36,00*

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### **Verschenen in 2014:**

#### **Travaux Préparatoires des Budapester Übereinkommens über den Vertrag über die Güterbeförderung in der Binnenschifffahrt (CMNI)**

Voornamelijk Duitstalig overzicht van internationale onderhandelingen en overeenkomsten die vooraf gingen aan dit belangrijke verdrag over het internationale binnenvaart goederenvervoer in Europa. Per artikel van het CMNI volgt de historie.

“Am 1. April 2005 trat das Budapester Übereinkommen über den Vertrag über die Güterbeförderung in der Binnenschifffahrt (CMNI) in Kraft und findet mittlerweile in allen maßgebenden europäischen Staaten mit befahrbaren Binnenwasserstraßen und darüber hinaus Anwendung. Dem Inkrafttreten gingen diverse Rechtsvereinheitlichungsbemühungen seit der Mitte des vorigen Jahrhunderts vorab, die schlussendlich zur Unterzeichnung dieses für die Binnenschifffahrt als internationaler Verkehrsträger bedeutende Übereinkommen führten. Das Übereinkommen ließ sich von Einflüssen aus dem Landrecht, sowie dem maritimen Recht inspirieren und stellt eine Symbiose der diversen nationalen und internationalen Transportrechtssysteme dar. Das Zustandekommen des Übereinkommens verlief parallel zur Realisierung einer Wasserstraßenverbindung zwischen den beiden großen europäischen Flüssen, Rhein und Donau, womit ein einzigartiges Momentum in Richtung einer weitgreifenden Rechtsvereinheitlichung geschaffen wurde. Im Interesse der Rechtspraxis und der zukünftigen autonomen Interpretation des Übereinkommens wurden die Verhandlungen, die zu dessen Zustandekommen geführt haben, dokumentiert“.

*Th.Hacksteiner (9789462510074) februari 2014*

*614 pag. € 89,00*

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## Verschenen in 2013 :

### **Capita Internationaal Handelsrecht (NTHR Reeks nr. 19)**

Deze uitgave voorziet in een belangrijke lacune: karakter van het handelsrecht, uniform internationaal handelsrecht, internationale handelskoop en Weens Koopverdrag, Incoterms 2000 en 2010, documenten en exploitatieketens in het vervoer, passieve en actieve legitimatie onder cognossement, internationale betalings- en zekerheidsinstrumenten, verzekering (transport en krediet) en (internationale) handel.

*S.v.Hall,M.Hendrikse,N.Margetson (9789490962746) maart 2013* 279 pag. € 42,50

### **Commerciële Contracten: Verspreide Opstellen** *INHOUDSOPGAVE OP AANVRAAG*

Unieke verzameling opstellen van deze gerenommeerde auteur over de aspecten van het opstellen en beoordelen van nationale en internationale commerciële contracten, dus tussen ondernemingen (zgn. b2b-handelscontracten) die zich in de loop der tijd ontwikkeld hebben tot een *lex mercatoria moderna*. Proportionaliteit (evenwicht in contractsverhoudingen, *iustum pretium*, protection of the weak party), de precontractuele fase (intentieverklaringen, gentleman's agreement, duty to deal fairly, side letters), nakoming (considerans, Legal borrowing and drafting, misverstanden, normatieve uitleg, onbenoemde contracten, licentiecontracten, franchising, Legal mapping & tracking of electronic commerce, referentielijst.

*F.Grosheide (9789490962890) september 2013* 362 pag. € 39,50

### **Leveringsvoorwaarden in Internationale Overeenkomsten.**

INCOTerms anders bekeken: Toepassing en achtergronden van de INCOTerms met concrete praktijkvoorbeelden: historie, toepassingsgebied, verplichtingen, wat wordt (niet) geregeld, classificatie, rechtsaard, vervoersovereenkomst, documentaire verplichtingen, bespreking INCOTerms 2010, fiscale gevolgen, documenten in bijlage, bibliografie, trefwoordenregister.

*K.Vanheusden (9789046605462) september 2013* 496 pag. € 85,00

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## Verschenen in 2012 :

### **Asser Serie deel 8-II\* : Rechten en Voorrechten op Zeeschepen**

De integratie van het WvK in het BW begint ook in de Asser serie gestalte te krijgen.

*R.Japikse (9789013070590) maart 2012* 304 pag. geb. € 67,75

### **Offerhaus Kring Vijftig Jaar (Jubileumbundel)**

Ter gelegenheid van dit jubileum heeft een groot aantal gerenommeerde juristen een bijdrage geschreven over de huidige stand van zaken op het gebied van (deelonderwerpen van) het handelsrecht en het internationaal privaatrecht: De taakopvatting van een curator bij de verificatie van vorderingen, Civiele sancties in het internationale geval in Europees perspectief, Het Weens Koopverdrag en het Gemeenschappelijk Europees Kooprecht: de positie van de commerciële koper, Artikel 6 Rome II: alternatieven voor de *lex loci delicti*, Samenloop van verzekeringen, Verrijkingsvorderingen bij door derden gefinancierde (consumenten)koop op afbetaling en De conflictenrechtelijke voorvraag herbeschouwd.

*A.v.d.Hoek e.a. (red.) (9789089747129) oktober 2012* 201 pag. € 47,50

### **de Rol van het Cognossement als Waardepapier in het Handelsrecht (NTHR nr. 17)**

*SPECIALISTISCH uiterst deskundig HANDBOEK. UITVOERIGE INHOUDSOPGAVE op aanvraag.*

Het cognossement is in het handelsverkeer een uitermate belangrijk document en is wettelijk geregeld in Boek 8 BW, maar is daar niet steeds duidelijk en volledig. De praktijk vraagt om meer flexibiliteit (mate's receipt, handelsdeliveryorders), voorbeelden komen uit Engelse recht.

*R.Zwitser (9789490962593) mei 2012* 330 pag. € 49,00

### **Vorderingsrechten uit Cognossement (NTHR Reeks nr. 18)**

Volgens vaste rechtspraak van de Hoge Raad wordt het vorderingsrecht uit cognossement gekoppeld aan het recht op afgifte van de onder dat cognossement vervoerde goederen.

Uitsluitend de recht- en regelmatig cognossementhouder heeft op grond van art. 8:441 lid 1 BW recht op aflevering. Dit impliceert dat ook alleen de recht- en regelmatig cognossementhouder het recht heeft om de vervoerder op de schade aan de goederen aan te spreken. Het vorderingsrecht is geen 'sequel' of nevenrecht van het exclusieve recht op afgifte. Het vorderingsrecht is ook geen recht uit het cognossement als waardepapier. Het vorderingsrecht

is een zelfstandig recht uit het cognossement als weergave van de overeenkomst van vervoer. Dit recht rust bij de wederpartijen van de vervoerder uit de overeenkomst van vervoer onder cognossement, namelijk de afzender en de toegetroden cognossementhouder. Buiten overeenkomst kunnen ook derden de vervoerder aanspreken, o.a. uit onrechtmatige daad.  
*M.Spanjaart (9789490962647) oktober 2012* *384 pag. € 58,00*