

1. Record Nr.	UNINA9910785075003321
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Titolo	European land law // Peter Sparkes
Pubbl/distr/stampa	Oxford ; ; Portland, Oregon : , : Hart Publishing, , 2007
ISBN	1-4742-0060-5 1-281-35725-1 9786611357207 1-84731-395-7
Edizione	[1st ed.]
Descrizione fisica	1 online resource (633 p.)
Disciplina	346.24043
Soggetti	Real property - European Union countries Vendors and purchasers - European Union countries Real property - Great Britain Vendors and purchasers - Great Britain
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Half title page; Title page; Title verso; Contents; Preface; Table of Cases - European; Table of Cases - United Kingdom; Table of Cases - Foreign; Table of Legislation - European; Table of Legislation - Foreign; Table of Reports; 1 Land as a European Commodity; Market Culture; Capital Club; Outside the Capital Club; Other Europes; Cross-border Transactions; Capital Freedom; Land as Capital; Land Transactions Nomenclaturised; Movement of Landowners; Factors Generating Movement of Buyers; Business Rights to Buy Land; Workers; Self-supporters; Market Elements; 2 Controls on European Buyers Restrictions and Controls Military Regions; Second Homes; Agricultural Land and Forests; Direct and Indirect Controls; Justification of Controls; Authorisation and Declaration Schemes; Swiss Controls; 3 Towards a European Land Law?; National and European Laws; Immovables; The Site; Selection of Land Law; Property of the European Institutions; Respect for Territoriality; Subsidiarity; Fundamental Rights in the EU; Specific Fundamentals; Convergence; A Substantive Miscellany; Value Added Tax; Single Farm Payment; Special Agricultural Regimes; Dairy; Towards What?; Europeanisation of Actions

European Conflicts Club Provisional Measures; Trespass Used to Assert Title; Public Registers; Tenancies, Holiday Lets and Timeshares; Personal Actions; 5 Marketing Land; Consumption of Land; Unfair Commercial Practices Affecting Land; Doorstep Selling of Land; Distance Rentals; Unfair Marketing Practices; Internet Advertising (e-Commerce); Information in an Invitation to Purchase; Information about Distance Contractors; Withdrawal Rights; Credit Cancellation; Remediation and Reform; 6 Timeshare; Regulation of Timeshare Marketing; Timeshares and Timeshare-likes; Information; Withdrawal Rights
Timeshare Vehicles Unregulated Aspects; Cross-border Timesharing; Reform; 7 Conveyancing; Conveyancers and Lawyers; Practice Rights and Qualification; Mechanics of Transfer; Registration; Laundering Activity; Confiscation Orders; Conveyancers as Launderers; Conveyancers as Cops; Customer Due Diligence; Reporting; Internet Advertising by Conveyancers; 8 Contracts; Advanced E-Signatures; Simple E-Signatures; Buying Land from Websites; Unfair Terms Legislation; Unfairness of Terms; European Contract Law; The Contract/Property Interface; 9 Mortgages and Debt; Mortgage Credit European Mortgage Markets Information Rights; Consumer Protection; Security; Mortgage Procedures; Primary and Secondary Lend; Secured Rights on Cross-border Insolvency; Main (Europe-wide) Insolvency; Secondary (Territorial) Insolvency; Judgment Debts in the Judgment State; Judgment Debts in the Enforcing State; 10 Contract Conflicts; Conflicts and Land Contracts; Property Core; Choice of Site-based Law; Site-based Selection; Non-site Contracts; Choice of Law and Forum; Anti-contractual Claims; Home Court Forum; 11 Family Property; Europeanisation of Family Law; Connection to the Family
Family Law

Sommario/riassunto

"In his remarkable, path-breaking new book, Peter Sparkes takes stock of the development of a distinctive body of European land law, taking as his starting point the idea that methods of land-holding permitted by a legal system both shape and reflect the attitudes of the land owners and society in general. However it quickly becomes very difficult to test that idea when the society in question is governed by an internal market composed of 30 countries (the EU-27, including Bulgaria and Romania, and the EEA-3), whose property systems differ so markedly and which reflect such widely differing cultures. Yet the internal market has already effected a gradual equalisation and standardisation across Europe as foreign capital spreads to create equality of yield. "We all become better off by joining a larger trading block but the social consequences will be profound: Brits will need to emigrate to the continent to afford a home, Bulgarians will need to make way for them along the Black Sea coast, and title deeds will be reshuffled all over Europe on a giant Monopoly board" writes the author in his preface, before embarking on a dispassionate examination of the beginning of that process of profound change. The opening chapters are devoted to an explanation of how the internal market has created a substantive European land law. Chapter 3 examines the rise of a distinctive European land law, and the development of conflicts principles applying to recovery of land. Chapters 5 to 9 on the marketing and sale of land focus upon Community competence on consumer protection. The decision to treat land as a product like any other in the Unfair Commercial Practices Directive will have wide ranging and far reaching implications and, apart from marketing of land and of timeshares, other chapters deal with conveyancing, contracting and the emerging market in mortgage credit. The book concludes with a miscellany of conflicts rules which are gradually coalescing and form the elements

from which a substantive European land law can be forged. A number of topics which it is not possible to cover in detail (VAT, other taxes, environmental controls and agriculture) are touched on briefly, and the same is true of international aspects of trusts and succession."--
Bloomsbury Publishing.
