

1. Record Nr.	UNINA9910788719903321
Titolo	Party autonomy and the role of information in the internal market // edited by Stefan Grundmann, Wolfgang Kerber, Stephen Weatherill
Pubbl/distr/stampa	Berlin ; ; New York : , : Walter de Gruyter, , 2001
ISBN	3-11-087303-6
Edizione	[Reprint 2012]
Descrizione fisica	1 online resource (423 pages)
Classificazione	PS 3200
Altri autori (Persone)	GrundmannStefan <1958-> KerberWolfgang WeatherillStephen <1961->
Disciplina	341.7/5
Soggetti	Freedom of information - European Union countries Disclosure of information - Law and legislation - European Union countries Free trade - European Union countries
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	"The papers have been discussed at an authors' meeting in London May 2000"--Preface.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Front matter -- Preface -- Table of Contents -- Detailed Contents -- List of Contributors -- Abbreviations -- Part One: The Overall Structure -- Chapter 1. Party Autonomy and the Role of Information in the Internal Market - an Overview / Grundmann, Stefan / Kerber, Wolfgang / Weatherill, Stephen -- Part Two: Party Autonomy and Information - Normative and Theoretical Foundations -- Section 1. Constitutional Aspects of Party Autonomy and Its Limits -- Chapter 2. Constitutional Aspects of Party Autonomy and Its Limits - The Perspective of Law / Coester-Waltjen, Dagmar -- Chapter 3. Constitutional Aspects of Party Autonomy and Its Limits - The Perspective of Constitutional Economics / Kerber, Wolfgang / Vanberg, Viktor -- Section 2. Information Problems and Market Failure: The Perspective of Economics -- Chapter 4. Consumer Information Problems - Causes and Consequences / Wein, Thomas -- Chapter 5. Information in the Market Economy - Cognitive Errors and Legal Correctives / Ulen, Thomas S. -- Part Three: Supremacy of Party Autonomy and Information under the EC Treaty -- Chapter 6. Basic Freedoms - Extending Party Autonomy across Borders / Müller-Graff, Peter-Christian -- Chapter 7. Disclosure Rules

(Information) as a Primary Tool in the Doctrine on Measures Having an Equivalent Effect / Usher, John A. -- Part Four: Information Rules in EC Secondary Law - Justifying Consumer and Labour Law Standards in General -- Section 1. Justifying Consumer and Labour Law -- Chapter 8. Justifying Limits to Party Autonomy in the Internal Market - Mainly Consumer Protection / Kirchner, Christian -- Chapter 9. Justifying Limits to Party Autonomy in the Internal Market - EC Legislation in the Field of Consumer Protection / Weatherill, Stephen -- Chapter 10. A Comment on Party Autonomy and Consumer Regulation in the European Community - A Plea for Consistency / Micklitz, Hans-W. -- Chapter 11. Justifying European Employment Law / Collins, Hugh -- Chapter 12. Justifying European Employment Law - Comments / Windbichler, Christine -- Section 2. Information as an Instrument for Party Autonomy -- Chapter 13. Disclosure Rules as a Primary Tool for Fostering Party Autonomy / Merkt, Hanno -- Chapter 14. Disclosure Rules as a Primary Tool for Fostering Party Autonomy - Observations from a Functional and Comparative Legal Perspective / Hopt, Klaus J. -- Chapter 15. Information Intermediaries and Party Autonomy - The Example of Securities and Insurance Markets / Grundmann, Stefan / Kerber, Wolfgang -- Part Five: Party Autonomy and Information Rules in Specific Areas of EC Private Law Legislation -- Chapter 16. Party Autonomy and Information in the Unfair Contract Terms Directive / Wolf, Manfred -- Chapter 17. Contractual Rules Concerning the Marketing of Goods and Services - Requirements of Form and Content versus Private Autonomy / Schwintowski, Hans-Peter -- Chapter 18. Party Autonomy and Information in the Sales Directive / Riesenhuber, Karl -- Chapter 19. The Written Statement Directive - Social Norms, Information, and the Employment Relationship / Deakin, Simon -- Index

Sommario/riassunto

Die Frage nach der Privatautonomie und ihren Grenzen spielt seit jeher eine bedeutende Rolle in den nationalen Vertrags- und Privatrechten. Auf europäischer Ebene dominieren Regeln, die zwar die Informationspreisgabe zwingend vorschreiben, die Bestimmung des Vertragsinhalts dann jedoch wieder den Parteien überantworten. Dieses Grundsatzthema über Geist und Funktionieren des Binnenmarktes, mit dem nach einer möglichst weitgehenden Erhaltung von Freiheit bei gleichzeitiger Verbürgung der notwendigen Schutzziele gefragt ist, ist Gegenstand des vorliegenden Bandes. Es wird hier von Rechtswissenschaftlern und Ökonomen aus verschiedenen Mitgliedstaaten und den U.S.A. erörtert. Zentraler Betrachtungsgegenstand ist die Informationsregel und ihre Ausgestaltung. Insgesamt vereint der Band zweierlei, zum einen die Grundsatzdiskussion - rechtswissenschaftlich, europarechtlich und ökonomisch - zum Regelungsansatz im Recht des Binnenmarkthandels und zum wichtigsten Instrument, der Informationsregel mit ihrer freiheitserhaltenden Grundausrichtung. Andererseits bietet er eine dogmatische Aufbereitung wesentlicher Teile des Rechts des Binnenmarkthandels, des Europäischen Schuldvertragsrechts.
