

Developments in the Civil Law 2016 : A Legal Methodological and Dogmatic Observation

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Abstract

Between the end of 2015 and the beginning of 2017, the Civil Collegial panel of the Supreme Court was rarely and noteworthy to make four substantive resolutions in a row, involving important disputes in court practice, which owned a significant impact on future civil cases and the need for in-depth analysis. First, is the defective product claim a premise for a proprietor before he asserts damage claims? Second, how the obligation owners-in-common exercise the right, is a separate suit allowed? Third, while a dual transfer of obligations, is the second time transfer invalid or ineffective? Fourth, if the nominee of registration of the real estate depose the trust, is it the right to transfer or no right to dispose of? The first resolution mentioned above dealt with the discussion of civil law methodology. The remaining three were mainly regarding important issues of civil law interpretation.

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