Construction Law Ethiopian Legal Brief | c17484873a8cf2ca1eb00f0ef8594d32


Over the last few decades, many countries have reformed their secured transactions laws. One of the main reasons has been the clear link between reform and the availability of credit, and the drive to improve access, finance, particularly for micro, small and medium-sized enterprises. This book discusses particularly on developing economies in Africa, which have legal frameworks influenced by English, French, Belgian, Roman-Dutch, and other laws. Reform in this area of law across African countries has taken a number of forms, which are explored and discussed in this book. Secured Transactions Law Reform in Africa is a mixture of a critical description of the pre-reform law and practice, and the reform process itself. It also includes a comparative analysis of the legal provisions and an examination of the early results of the reforms. The book sets out a road map for the future of secured transactions reform; primarily in Africa, but also in other countries that have undertaken or are contemplating similar reforms. This book is the second in a series of books about Secured Transactions Law in countries around the world, and its reform, both on a national and an international scale. The first book, Secured Transactions Law Reform: Principles, Policies and Practice, was published in 2016. Covering the essentials of construction contracts, including how the law has developed, the reasoning behind key clauses and how contracts law is applied in practice, this is an invaluable guide for students at undergraduate and postgraduate level, as well as for professionals working in the field. Being a home to more than 80 ethnic groups, Ethiopia has to balance normative diversity with efforts to implement state law across its territory. This volume explores the co-existence of state, customary, and religious legal forums from the perspective of legal practitioners and local justice seekers. It shows how the various stakeholders' use of negotiation, and their strategic application of law can lead to unwanted confusion, but also to sustainable conflict resolution, innovative new procedures and hybrid norms. The book thus generates important knowledge on the conditions necessary for stimulating a cooperative co-existence of different legal systems. Now in its second edition, Construction Law is the standard work of reference for busy construction law practitioners, and it will support lawyers in their contentious and non-contentious practices worldwide. Published in three volumes, it is the most comprehensive text on this subject, and provides a unique and invaluable multi-jurisdictional approach. This book has been described by Lord Justice Jackson as a "tour de force", and by His Excellency Mr. Theodoro QC as "definitive...". His Excellency Mr. Theodoro QC has today urged all stakeholders, including the "definitive...". His Excellency Mr. Theodoro QC Estado to consider the transformative potential of this book, as well as changes to statutes and regulations. The laws of Hong Kong and Singapore are also now covered in detail, in addition to those of England and Australia. Practitioners, as well as interested academics and post-graduate students, will all find this book to be an invaluable guide to the many facets of construction law. Scientific Essay from the year 2021 in the subject Law - Comparative Legal Systems, Comparative Law, , course: law, language: English, abstract: This scientific essay deals with the Ethiopian criminal code of 2004 and its problematic definition of bodily injury crimes due to the permanency rule. Act of bodily injury is commonly understood as a conflict with physical integrity and human dignity. Nonetheless, assessing different jurisdictions: experiences reveals, though they have some criteria in common, they employ different standards and criteria to define what constitutes bodily injury crime and to classify bodily injury crimes, particularly into grave bodily injury crimes and other types of bodily injury crimes. Ethiopian criminal code of 2004 covers crime of bodily injury in its chapter II of book V under a caption "crimes against person and health". It is verbatim copy of chapter 2 of book V of Ethiopian penal code of 1957. Though, even closing the system, since 1957, there is a scarcity of any kind of both judicial and legislative contributions to define and classify bodily injury crimes into grave willful injury crime and other kind of bodily injury crimes. In The Fairness /Dilemma: in Sharing the Nile Waters, Zeray Yihdego offers a comprehensive and critical account of the application of the fairness principle to sharing Nile water resources with particular emphasis on fairness regarding building, filling and benefits from the Grand Ethiopian Renaissance Dam and offers critical insights and lessons available to public international law. This thesis provides a new approach to the Ethiopian Land Law debate. The basic argument made in this thesis is that even if the Ethiopian Constitution provides and guarantees common ownership of land (together with the state) to the people, this right has not been fully realized whether in terms of land accessibility, enjoyability, and payment of fair compensation in the event of expropriation. Expropriation is an inherent power of the state to acquire land for public purpose activities. It is an important development tool in a country such as Ethiopia where expropriation remains the only method to acquire land. Furthermore, the two preconditions of payment of fair compensation and existence of public purpose justifications are not strictly followed in Ethiopia. The state remains the sole beneficiary of the process by capturing the full profit of land value, while paying inadequate compensation to those who cede their land by expropriation. Secondarily, the broader public purpose power of the state in expropriation law for unlimited activities puts the property owners under imminent risk of expropriation. Reviewing the volume of EYIL brings together a number of established and new contributors that, collectively, take EYIL's original mission of helping rebalance the narrative of international law another step forward. Like the first volume, this book presents scholarly contributions on cutting-edge issues of international law that are of particular interest to Ethiopia and its sub-region, as well as Africa and developing countries more generally. The major issues tackled include the interplay between national and international in the promotion and regulation of foreign direct investment in Ethiopia; the regulatory framework for the exploitation and development of petroleum resources and relevant arbitral jurisprudence in the field; the role of international law in ensuring the equitable sharing of transboundary resources, such as the waters of the River Nile, or in the delimitation of the continental shelf in the region; the efforts to establish the Continental Free Trade Area in Africa and the lessons that can be learnt from prior experiments; Africa's policy towards the International Criminal Court and the feasibility of alternative means of serving justice in the case of grave crimes; and the UN's peace-keeping operations in their North-South context. The issues addressed in the various contributions are mostly at the heart of live political, diplomatic and judicial activities today, and as such promise to shape the future of international law in the region and beyond. This volume not only takes a significant step further towards EYIL's mission, but also enriches it with fresh insights from perspectives that are not common in international law scholarly discourse. The book presents a remarkable transformation of construction law, construction law litigation and the litigation landscape more generally. Drawing the Threads Together is a Festschrift which considers many of the important developments in these areas during the Jackson era. The Festschrift discusses most of the leading construction cases decided by Lord Justice Jackson, with subject matter including statutory adjudication, fitness
for purpose obligations, considerations, delays and extensions of time, liquidated damages, time bar provisions, the prevention principle, neighbour rights, limitation clauses, negligence, good faith, bonds and guarantees and concurrent duties of care. It also includes a discussion of the background to the Jackson Review of Civil Litigation Costs (2009/2010) and its impact on litigation, as well as considering the development of the Technology and Construction Court during and subsequent to Mr Justice Jackson's tenure as judge in charge of that court.Essay from the year 2018 in the subject Law - Comparative Legal Systems, Comparative Law, grade: 85%; course: Business Law, language: English, abstract: Agency is a mechanism created either by law or a contract or decision of a court via which a person takes care of his affairs via the instrumentality another person called the agent. The availability of the scheme of agency has helped the business community to escape from various constraints related to age, capacity, inexperience, time and place, nature of personality and so on. The contributions of agency to the sustainable development of business and commerce is enormous. This paper tries to highlight the major rules constituting the Ethiopian Law of Agency.Created by the Journal of International Law and Politics at New York University, the Guide to Foreign and International Legal Citations is the most comprehensive source for international citations rules. Including 45 country citation systems, as well as citation rules for international organizations, tribunals, and treaties, the updated Second Edition offers updated and expanded coverage. The only reference that focuses entirely on international citation, Guide to Foreign and International Legal Citation, Second Edition, features: manageable length, convenient Wire-O binding, and easy-to-use page format logical three-part organization: Country Citation Guides Citation Guides for International Organizations Citation Guides for International and Regional Tribunals A Country Profile for each listing followed by its Citation Guide examples that reflect acceptable variability of citation in practice.This is the first English-language overview of the history of Ethiopian law. It describes the main features of its unique development on the basis of indigenous custom law and Roman-Byzantine legal traditions. The study also pays attention to the codification of laws and modernization of the judicial system undertaken in the reign of Emperor Haile Sellassie (1930-1974) and to matters of procedural and court justice. Doing Business 2016 updates all indicators as of June 1, 2015, ranks economies on their overall ease of doing business, and analyzes reforms to business regulation † identifying which economies are strengthening their business environment the most. This report illustrates how business reforms in regulations are being used to analyze economic outcomes for domestic entrepreneurs and for the wider economy. It is a flagship product produced by the World Bank Group that garners worldwide attention on regulatory barriers to entrepreneurship. More than 60 economies have used the Doing Business indicators to shape reform agendas and monitor improvements on the ground. In addition, the Doing Business data has generated over 2,100 articles in peer-reviewed academic journals since its inception. The Grand Ethiopian Renaissance Dam (GERD) will not only be Africa's largest dam, but it is also essential for future cooperation and development in the Nile River Basin and East African region. This book, after setting out basin-level legal and policy successes and failures of managing and sharing Nile waters, articulates the opportunities and challenges surrounding the GERD through multiple disciplinary lenses. It sets out its possibilities as a basis for a new era of cooperation, its regional and global implications, the benefits of cooperation and coordination in dam filling, and the need for participatory and transparent decision making. By applying law, political science and hydrology to sharing water resources in general and to large-scale dam building, filling and operating in particular, it offers concrete qualitative and quantitative options that are essential to promote cooperation and coordination in utilising and preserving Nile waters. The book incorporates the economic dimension and draws on recent developments including: the signing of a legally binding contract by Egypt, Ethiopia and Sudan to carry out an impact assessment study; the possibility that the GERD might be partially operational very soon, the completion of transmission lines from GERD to Addis Ababa; and the announcement of Sudan to commence construction of transmission lines from GERD to its main cities. The implications of these are assessed and lessons learned for transboundary water cooperation and conflict management.A legal reference on construction law that offers guidance for professionals and addresses the important construction law issues.Public procurement regulation in Africa is not widely researched. To address the shortage, this area and the key themes relating to the African systems and an accessible comparative perspective. In Part II, key regulation issues in public procurement that are particularly relevant in the African context are assessed through a comparative approach. The chapters consider the influence of international regulatory regimes (particularly the UNCITRAL Model Law on procurement) on African systems and provide insights into the way public procurement regulation is approached in Africa.In a sophisticated defense of intellectual property, Merges draws on Kant, Locke, and Rawls to explain how IP rights are based on a solid ethical foundation and make sense for a just society. He also calls for appropriate boundaries: IP rights are real, but they come with real limits. This is the definitive English translation of the new Russian Civil Code (Parts 1 and 2), often referred to as “the second Russian Constitution”. The Civil Code of the Russian Federation is the result of a collaborative effort of a leading United States expert on Russian law and of the staff of the Private Law Research Center attached to the Office of the President of the Russian Federation – the Center that had primary responsibility for drafting the new Civil Code. The authoritative introduction, complete table of contents, and comprehensive index combine to set this work far beyond the utility of any existing translation of the Russian Civil Code. It will be a must-have resource for government, law and international business collections. Particularly in the aftermath of the 9/11 terrorist attack, the 11th edition of this comprehensive module that is written as an immediate class packet reference to the School of Business students all over the universities in Ethiopia.A significant introduction to the study of comparative law and a notable scholarly work, "Major Legal Systems in the World Today" analyzes the general characteristics which lie behind the development of the four principal legal systems of the world: the Civil law, the Common law, the Socialist law (primarily Soviet), and those based on religious or philosophical principles (Muslim, Hindu, Chinese, Japanese, and African). Providing unique insights into the spirit of each "legal family," the book presents a total view of the historical foundation and the sources and structure of the law in each system. The seventh in a series of annual reports investigating the regulations that enhance business activity and those that restrain it, "Doing Business" presents quantitative indicators on business regulations and the protection of property rights that can be compared across 183 economies--from Afghanistan to Afghanistan and Zimbabwe--and over time. Regulations affecting 10 stages of a business's life are measured: starting a business, dealing with construction permits, employing workers, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts and closing a business. Data in 'Doing Business 2010' are current as of January 15, 2009. The indicators are used to analyze economic outcomes and identify what reforms have worked,
where and why.Academic Paper from the year 2018 in the subject Law - Miscellaneous, grade: 90, language: English, abstract: In its rough or popular sense, business may be defined as the property of a trader or a business person on which it may exercise the widest rights of ownership. It is precise from the dictation of article 1204 of the civil code that, ownership is the widest right that may be had on a corporeal thing. This implies that, if a trader owns a business s/he may exercise the various rights of ownership that may be had on such business. For instance, mortgage the business, hire the business, sale or transfer the business, contribute the business to a business organization, constitute a usufruct on it and so on.Since 1991 the JBCC Principal Building Agreement has been used almost exclusively in the building industry for projects in the private sector. Recently the State took the policy decision that it too would use these agreements subject to appropriate modification, and these modifications were incorporated in the March 2005 edition of the JBCC Principal Building Agreement. This edition of The Building Contract deals not only with the provisions of the Agreement as they are applied in State projects, but also how the Agreement, and its associated documents, is employed in conventional projects in the private sector. Innovations such as adjudication, the advance payment guarantee, and the Minor Works Agreement, are also discussed. The user is armed with knowledge of the nature of the contractual relationship and an understanding of the way in which the agreements are intended to regulate it. -- page 4 of cover.Edited by Victor Thuronyi, this book offers an introduction to a broad range of issues in comparative tax law and is based on comparative discussion of the tax laws of developed countries. It presents practical models and guidelines for drafting tax legislation that can be used by officials of developing and transition countries. Volume I covers general issues, some special topics, and major taxes other than income tax.The contributors to this volume consider whether it is possible to establish carefully tailored hate speech policies that are cognizant of the varying traditions, histories and values of different countries. Throughout, there is a strong comparative emphasis, with examples (and authors) drawn from around the world. All the authors explore whether or when different cultural and historical settings justify different substantive rules given that such cultural relativism can be used to justify content-based restrictions and so endanger freedom of expression. Essays address the following questions, among others: is hate speech in fact so dangerous or harmful to vulnerable minorities or communities as to justify a lower standard of constitutional protection? What harms and benefits accrue from laws that criminalize hate speech in particular contexts? Are there circumstances in which everyone would agree that hate speech should be criminally punished? What lessons can be learned from international case law?Essay from the year 2018 in the subject Law - Civil / Private / Trade / Anti Trust Law / Business Law, grade: 87, language: English, abstract: The paper briefly discusses the major points of the Ethiopian law of Contract of Sales. According to article 2266 of the civil code, sale is a contract whereby one of the parties, called the seller, undertakes to deliver a thing and to transfer its ownership to another party, the buyer, in consideration of a price expressed in money which the buyer undertakes to pay him. Before embarking on the core points in law of sales, some introductory questions about terms and definitions are answered. Afterwards, this essay looks at peculiar features and characteristics of contract sales.Since they were issued in 1999, the OECD Principles of Corporate Governance have gained worldwide recognition as an international benchmark for good corporate governance. This revised version takes into account developments since 1999 and includes several important amendments.Examines the regulatory rules on public procurement in selected African countries and provides a comparative analysis of key regulatory issues. Although the legal principles involved in construction contracts and their management and administration are an aspect of general contract law, the practical and commercial complexities of the construction industry have increasingly made this a specialist field. Recognizing this, Construction Contracts is a fully revised edition of the UK's leading textbook on the law governing this area. Brought up to date with recent cases and developments in the law as it stands at July 2000, this new edition: takes full account of the effects of the Housing Grants, Construction and Regeneration Act 1996, the Arbitration Act 1996, the Contracts (Rights of Third Parties) Act 1999 and the changes in the legal system brought about by the Woolf reforms includes extended coverage of financial protection, construction insurance and tendering controls, as well as the Construction (Design and Management) Regulations has been revised to take account of changes to the common standard-form contracts, particularly the New Engineering Contract and the GC/Works family of contracts. Retaining the same basic approach as its successful predecessors, this important text introduces the general principles that underlie contracts in construction, illustrating them by reference to the most important standard forms currently in use. This book is the first-ever to explore commercial arbitration in the Ethiopian context. Alternative conflict resolution mechanisms are nothing new to the country: arbitration as a dispute settlement mechanism by which a third party issues a binding decision on a dispute between two or more parties by exercising the jurisdictional mandate conferred on it by the parties themselves was established with the adoption of the Civil Code in 1960. This pioneering book evaluates the extent to which Ethiopia's laws and institutions allow disputing parties to effectively reap the benefits of international commercial arbitration. It interprets the relevant legislation and attempts to bridge the gaps in it, in order to help lawyers, arbitrators, arbitral institutions, academics and judges to understand and apply it. It also helps parties seeking to complete international transactions pertaining to Ethiopia make the right choice regarding conflict resolution. Since it was first published in 1920, The Black Man's Burden has been widely recognized as a prime source of education and influence in the field of African history. The purpose of this manual is to provide clear and helpful information for maintaining gravel roads. Very little technical help is available to small agencies that are responsible for managing these roads. Gravel road maintenance has traditionally been "more of an art than a science" and very few formal standards exist. This manual contains guidelines to help answer the questions that arise concerning gravel road maintenance such as: What is enough surface crown? What is too much? What causes corrugation? The information is as nontechnical as possible without sacrificing clear guidelines and instructions on how to do the job right. This edited volume on Implementation of International Human Rights Commitments and Implications on Ongoing Legal Reforms in Ethiopia addresses key themes of contemporary interest focused on identifying the gaps between Ethiopia's human rights commitments and the practical problems associated with the realisation of human rights goals. Political and legal challenges affecting implementation at the domestic levels continue in Ethiopian - the nature and complexity of which have been thoroughly expounded in this volume. This edition uncovers the key challenges involving civil and political rights, socio-economic rights and cultural and institutional dimensions of the implementation of human rights in Ethiopia - while the country is absorbed in legal and political reforms. Copyright code : c17484873a8cfc2ca1eb00f0e8f594f3d2