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project on assignation and
security over incorporeal
moveable property from our
Seventh Programme of Law
Reform, and adds security over
corporeal moveable property.

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Scottish Law Commission ::

Moveable transactions

So, a fixed charge on chattels
(called "corporeal moveables" in
Scots law) is impossible without
the lender taking and keeping
possession of the chattel, as in,

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Scots Law; pawnbroking.

Because of a specialty in the Sale of Goods Act, a sale and hire purchase back transaction is open to challenge in Scots law.

Moveable Transactions (Scotland)
Bill (the "Bill ...

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David Carey Miller with David Irvine, CORPOREAL MOVEABLES IN SCOTS LAW. Edinburgh: Scottish Universities Law Institute, W Green & Son Ltd (www.wgreen.co.uk), 2nd edn, 2005. xlii + 367 pp. ISBN 0414014006. £145. The first

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edition of this magisterial work appeared in 1991. Much has happened in Scottish property law since then. The abolition of the feudal system by the new Scottish Parliament and

Edinburgh Research Explorer

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Abstract. Section I outlines the Roman law of sale, on which the law in Scotland before 1893 was largely based. An examination of Roman law is essential to an understanding of the

Sale of Corporeal Moveables in

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This thesis explores the protection of ownership of corporeal moveables in Scots law with particular reference to the position of a good faith acquirer from a non-owner. It exposes three fundamental tenets of Scots

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property law to critical scrutiny:
the sharp theoretical distinction
between possession and
ownership, the requirement that
the

Protection of Ownership and
Transfer of Moveables by a Non-

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Practitioners will be aware that it can be pernickety to obtain security over moveable assets in Scotland. Moveable assets include corporeal property, and incorporeal property such as intellectual property, debts or claims. Moveable property more

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often than not constitutes a significant part of the lifeblood of a business, and difficulties with the current law in using moveables to obtain funding can often prove a disincentive for businesses to use Scots law, or lead to complex contractual ...

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Moveable property: reform at last? | Law Society of Scotland
The Scottish Law Commission's recommendations for reform are outlined by the lead Commissioner on the project. The Scottish Law Commission's

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Report on Prescription and Title to
Moveable Property (Scot Law Com
no 228, 2012, available at
www.scotlawcom.gov.uk/)
addresses one of the fundamental
gaps in modern Scottish property
law – the lack of a clear rule
allowing possession of a

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moveable asset to mature into ownership through the passage of time.

Prescription and title to moveable property | Law Society ...
Possession of corporeal moveable property is relevant in Scots

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Scots Law with criminal offences involving possession; such as those relating to drugs, under the Misuse of Drugs Act 1971, for possession of an illegal substance, or theft.

Possession (Scots law) - Wikipedia

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Scots Law perspective. Scots law is among the handful of legal systems which combines the common law with the civil law, and some of the initial volumes in the series explore aspects of such 'mixed' legal systems.

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of risk and of ownership

(Memorandum No 25). (2)

Corporeal moveables : some
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Scots property law governs the
rules relating to property found in
the legal jurisdiction of Scotland.

As a hybrid legal system with
both common law and civil law

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Scots Law heritage, Scots property law is similar, but not identical, to property law in South Africa and the American state of Louisiana.

Scots property law - Wikipedia
As for David's academic credentials, you don't need to

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look any further than his book on Corporeal Moveables in Scots Law (of which there are two editions, the second with David Irvine). If you do happen to look further, you will find plenty more scholarly output in the form of his articles and chapters on the topic.

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Scottish Law Commission Report
on Moveable Transactions ...
On points of divergence between
the Common Law and Civilian
tradition, Scots law is generally
found to be in the latter camp.
Historical and comparative

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analysis appears throughout Possession of Corporeal Moveables, including in the book's core: the examination of the physical element in relation to the acquisition and loss of possession.

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Craig Anderson, Possession of
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