

BOOK REVIEW

RETENTION OF TITLE IN AND OUT OF INSOLVENCY

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PRACTICAL GUIDANCE ON RETENTION OF TITLE AND INSOLVENCY IN ALMOST 30 COUNTRIES

An appreciation by Phillip Taylor MBE and Elizabeth Taylor
of Richmond Green Chambers

When a nation's economy – any nation -- is fundamentally dependent on trade, which means the buying and selling of goods, the pressing need for this new publication becomes glaringly self-evident. Recently published by Globe Law and Business, “Retention of Title in and out of Insolvency” is particularly useful for exporters as it answers a number of questions relating to matters of obligation and payment in the event of insolvency.

Say, for example, that you are a manufacturer or wholesale supplier who has sold goods to a company or individual who has become insolvent. By what mechanisms can you be paid?

Or can you retain or repossess the goods if your customer doesn't pay?

Obviously, there is no one answer, or easy answer. These and related queries involve all sorts of complications, which are complicated further when dealing with an insolvent, or an uncooperative customer in an overseas jurisdiction, especially when it is apparent that insolvencies are on the increase everywhere.

If you find yourself in predicaments like this from time to time, here at last is a book which contains most or all of the advice and information you need, with specific reference to almost thirty countries worldwide.

From Australia, Austria, Belgium, Canada and China, to Switzerland, Turkey, the United Kingdom and the USA, all the world's major business communities are discussed in alphabetical order with respect to the relevant legal issues pertaining to retention of title in each jurisdiction.

Each chapter – one for each country – is written by experts from top law firms in each jurisdiction. Their impressive range of qualifications and experience is detailed in the 'About the Authors' section of the book.

Commenting on retention of title issues in United Kingdom, based on the law of England and Wales, is Tim Titchen of Gately plc. This chapter alone provides valuable assistance to UK readers in such matters, as -- to cite only a few examples -
- effect of partial payment of the purchase price... the pitfalls and possible solutions to problems involved in enforcement of retention of title... and of course, much more.

Cover to cover, this book is a real time saver for legal researchers who might normally spend hours or days trawling through a range of sources in search of answers to some of the truly thorny problems relating to the question of who retains title to goods in the event of insolvency... and under what circumstances.

The book of course, comes with a caveat which states in part that it is a general guide only and that legal advice should always be sought before taking any action based on the information provided.

The information provided however, makes this book a valuable source of practical, accessible and informed guidance for any number of professionals, from corporate lawyers and insolvency practitioners to virtually anyone involved in the legal aspects of national and international business.

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