## Week 1

Eigendom van onroerende zaken, beperkte genotsrechten en overdracht onder voorbehoud van een beperkt recht.

Hoorcollege 12 november : Werkgroepe Week van 15 november 2021 n:

#### Onderwerpen

- Eigendom van onroerende zaken
- Beperkte rechten in het algemeen en genotsrechten in het bijzonder
- Overdracht onder voorbehoud van een beperkt recht

#### Literatuur

- Pitlo/Reehuis & Heisterkamp
  - Hoofdstuk 1: Roeren/onroerend (nr. 10 t/m 14, 26 en 27)
  - Hoofdstuk 6: Levering van registergoederen (nr. 186 t/m 187)
  - Hoofdstuk 10: Eigendom van onroerende zaken (nr. 535 t/m 548)
  - Hoofdstuk 12: Kenmerken/vestiging en tenietgaan van beperkte rechten in het algemeen (nr. 588 t/m 610); Erfpacht (nr. 641-644, 653), Opstal (nr. 666 t/m 671), Vruchtgebruik (nr. 678 t/m 688) en erfdienstbaarheid (611-640)

T. van der Linden, 'Natrekking moet worden begrepen als een noodzakelijk kwaad', NTBR 2020/16, afi. 5. (zelf opzoeken)

#### Rechtspraak

- HR 15 november 1991, NJ 1993/316 (Dépex/Curatoren)
- HR 31 oktober 1997, ECLİ:NL:HR:1997:ZC2478, NJ 1998/97 (Portacabin)
- HR 15 januari 2010, ECLI:NL:HR:2010;BK9136, BNB 2010/80 (Woonark)
- HR 24 december 2010, ECLI:NL:HR:2010:BO3644, BNB 2011/83 (Havenkranen)
- HR 27 september 2013, ECLI:NL:HR:2013:CA0813, BNB 2013/248 (Warmtekrachtkoppelingsinstallatie)

#### Leeswijzer

Hoofdstuk 12 kan goed met de wet in de hand gelezen worden, Pitlo neemt de lezer als het ware als een gids mee door de verschillende artikelen van de genotsrechten, maar het systematisch zwaartepunt ligt bij de bespreking van

# Onroerende Zaken Jaarboekje 2001

**B** Lingard

## Onroerende Zaken Jaarboekje 2001:

CBR Jaarboek 2001-2002, Iaarboekie: Onroerende Zaken 2010 . Duiding Collectieve schuldenregeling Elie Van Acker, Caroline Verbeke, 2015-08-20 Grondige commentaar op de procedure van de collectieve schuldenregeling met alle relevante aspecten Het eerste hoofdstuk voorziet de artikelen 1675 Ger W van een theoretische duiding met klassieke verwijzingen naar rechtspraak en rechtsleer Maar om een procedure collectieve schuldenregeling op te volgen en te evalueren moeten de betrokken actoren ook opzoekingswerk doen in de wettelijke bepalingen van de meest verscheidene rechtstakken Daarom worden deze materies ook in dit werk door specialisten uitgebreid geduid OCMW erfenis fiscus echtscheiding onderhoudsgeld familierechtbank pro deo advocaat verkoop verjaring huur consumentenkrediet en bescherming energie telecom RVA arbeidsrecht IBO werkloosheid gezinsbijslag maximumfactuur en OMNIO statuut zorgverzekering tegemoetkoming gehandicapten pensioen invaliditeit handel drijven voorlopig bewind Al deze onderwerpen worden op een praktische doch ook stevig juridisch onderbouwde wijze uiteengezet De wetgeving wordt tevens aangevuld met een zeer praktische en concrete toelichting in functie van wat voor CSR belangrijk is De financi le implicaties van een wet worden telkens toegelicht met de vermelding van nuttige websites adressen cijfers lijsten De hoofdvraag waarvan dit werk is uitgegaan is Wat wil een praktijkjurist over dit item weten en wat zijn de problematieken waarmee hij dagelijks geconfronteerd wordt Voor de schuldbemiddelaars de OCMW s de magistraten de maatschappelijk werkers de advocaten en de vele juristen die betrokken zijn bij deze procedure is dit omvangrijk werk circa 1800 blz een nuttige leidraad Jaarboek 2002-2003., CBR Jaarboek 2005-2006 (Reeks CBR Jaarboeken) Armoede en Sociale Uitsluiting. Jaarboek 2004, Staatkundig en staathuishoudkundig jaarboekje ,1849 Rotterdamsch jaarboekje ,2002

Steunpunt gelijkekansenbeleid. Jaarboek 1,2003 Het Steunpunt Gelijkekansenbeleid S GKB heeft als belangrijkste opdracht wetenschappelijk onderzoek te doen dat relevant is in de beleidsvoorbereiding en beleidsevaluatie op het terrein van maatschappelijke on gelijkheid Dit eerste jaarboek bundelt informatie over gelijke kansen en over de verschillende doelgroepen waarrond in het S GKB wordt gewerkt Het eerste deel geldt als theoretische omkadering van het begrip gelijke kansen In deel II komen de onderzoekers van het S GKB aan het woord met voorbeelden van lopend onderzoek op het terrein van onderwijs en gezondheidszorg over gelijke kansen voor allochtonen voor ouderen voor holebi s en over het thema beeldvorming Deel III bevat statistieken en indicatoren en deel IV interviews met mensen die op verschillende manieren te maken hebben met gelijke kansen Staatkundig en staathuishoudkundig jaarboekje voor..., 1867 Staatkundig en staathuishoudkundig jaarboekje Vereeniging voor de Statistiek in Nederland, CBR-Jaarboek 2003-2004, CBRjaarboek 2004-2005, 2005 Nederlands kunsthistorisch jaarboek ,2005 **Property and Trust Law in the** Netherlands Arthur Salomons, Matthias Haentjens, 2017-04-24 Derived from the renowned multi volume International

Encyclopaedia of Laws this practical analysis of the law of property in the Netherlands deals with the issues related to rights

and interests in all kinds of property and assets immovable movable and personal property how property rights are acquired fiduciary mechanisms and security considerations Lawyers who handle transnational disputes and other matters concerning property will appreciate the explanation of specific terminology application and procedure An introduction outlining the essential legal cultural and historical considerations affecting property is followed by a discussion of the various types of property Further analysis describes how and to what extent legal subjects can have or obtain rights and interests in each type The coverage includes tangible and intangible property varying degrees of interest and the various ways in which property is transferred including the ramifications of appropriation expropriation and insolvency Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance The book includes ample references to doctrine and cases as well as to relevant international treaties and conventions Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for any practitioner faced with a property related matter Lawyers representing parties with interests in the Netherlands will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative property law (Non-)conformity in the 1980 UN Convention on Contracts for the International Sale of Goods Sonja Kruisinga, 2004 The 1980 UN Convention on Contracts for the International Sale of Goods CISG unifies the law governing the rights and obligations arising from a contract for the international sale of goods for the seller and the buyer The CISG entered into force on 1 January 1988 The current number of 62 contracting States representing two thirds of the world trade shows the relevance of this Convention Moreover the International Chamber of Commerce ICC has published a model for an international sales contract that presupposes the application of the Convention Since no supranational court exists to safeguard a uniform interpretation of its provisions the case law from different states on the basis of the CISG needs to be compared One of the main obligations for the seller under the Convention is to deliver goods which are in conformity with the contract art 35 CISG With respect to this particular obligation a number of questions have arisen For example do the goods delivered need to comply with any public law requirements in the country where the goods will be used When and how does a buyer have to give notice to the seller of any lack of conformity Is any fault on the part of the seller required for a buver to be able to rely on this provision Who bears the burden of proof Can a buyer rely on any concurrent claims based on national law alongside his claim based on lack of conformity This book contains an analysis of the case law that has been established on the basis of the CISG concerning the aforementioned questions Special attention has been paid to court decisions in Austria Belgium France Germany the Netherlands and Switzerland as well as to arbitral awards by the ICC Court of Arbitration In this respect the role of the UNIDROIT Principles of International Commercial Contracts in the interpretation of the CISG has also been analysed The book provides a unique combination because it contains both an analysis of the issue of non conformity as such and an overview of the recent case law on this topic as well as recommendations for international

commercial practice Therefore this book will be of interest to both academics and legal practitioners 

The Netherlands, Switzerland, Czech Republic, Slovakia, Malta, Latvia Wolfgang Faber, Brigitta Lurger, 2010-12-23 This excellent series presents comparative study analysis and evaluation of 28 European legal systems in the field of transfer of movables Major topics are the notion of ownership the derivative acquisition of ownership e g by a sales contract the good faith acquisition of ownership and other property rights the multiple sale of the same movable the protection of possession positive acquisitive prescription and processing and consolidation The work is based on comprehensive country reports which are to be published on the relevant legal rules in Europe and has the drafting and publication of text proposals of uniform European rules with commentary and comparative notes as its primary goal It intends to influence the future development of European private law on the EU level This sixth volume of the series presents up to date national reports of The Netherlands Switzerland Czech Republic Slovakia Malta Latvia Statistisch jaarboek, 2000 Statistisch jaarboek Netherlands. Centraal Bureau voor de Statistiek, 2001 De Franse Nederlanden: jaarboek Jozef Deleu, 2001

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## Table of Contents Onroerende Zaken Jaarboekje 2001

- 1. Understanding the eBook Onroerende Zaken Jaarboekje 2001
  - The Rise of Digital Reading Onroerende Zaken Jaarboekje 2001
  - Advantages of eBooks Over Traditional Books
- 2. Identifying Onroerende Zaken Jaarboekje 2001
  - Exploring Different Genres
  - $\circ\,$  Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Onroerende Zaken Jaarboekje 2001
  - User-Friendly Interface
- 4. Exploring eBook Recommendations from Onroerende Zaken Jaarboekje 2001

- Personalized Recommendations
- o Onroerende Zaken Jaarboekje 2001 User Reviews and Ratings
- Onroerende Zaken Jaarboekje 2001 and Bestseller Lists
- 5. Accessing Onroerende Zaken Jaarboekje 2001 Free and Paid eBooks
  - o Onroerende Zaken Jaarboekje 2001 Public Domain eBooks
  - o Onroerende Zaken Jaarboekje 2001 eBook Subscription Services
  - Onroerende Zaken Jaarboekje 2001 Budget-Friendly Options
- 6. Navigating Onroerende Zaken Jaarboekje 2001 eBook Formats
  - o ePub, PDF, MOBI, and More
  - Onroerende Zaken Jaarboekje 2001 Compatibility with Devices
  - Onroerende Zaken Jaarboekje 2001 Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - o Adjustable Fonts and Text Sizes of Onroerende Zaken Jaarboekje 2001
  - o Highlighting and Note-Taking Onroerende Zaken Jaarboekje 2001
  - Interactive Elements Onroerende Zaken Jaarboekje 2001
- 8. Staying Engaged with Onroerende Zaken Jaarboekje 2001
  - o Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Onroerende Zaken Jaarboekje 2001
- 9. Balancing eBooks and Physical Books Onroerende Zaken Jaarboekje 2001
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Onroerende Zaken Jaarboekje 2001
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Onroerende Zaken Jaarboekje 2001
  - Setting Reading Goals Onroerende Zaken Jaarboekje 2001
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Onroerende Zaken Jaarboekje 2001

- Fact-Checking eBook Content of Onroerende Zaken Jaarboekje 2001
- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
- 14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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