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A brief guide to UK construction laws - Designing Buildings Wiki - Share your construction industry knowledge. In the UK, construction is subject to a number of laws, both criminal and civil, which cover a diverse range of activities. This article aims to provide a brief overview of the main areas of law (as it relates to construction) and the key points relating to them.

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In the context of harmonisation of arbitration law and practice worldwide, to what extent do local legal traditions still influence local arbitration practices, especially at a time when non-Western countries are playing an increasingly important role in international commercial and financial markets? How are the new economic powers reacting to the trend towards harmonisation? China provides a good case study, with its historic tradition of non-confrontational means of dispute resolution now confronting current trends in transnational arbitration. Is China showing signs of adapting to the current trend of transnational arbitration? On the other hand, will Chinese legal culture influence the practice of arbitration in the rest of the world? To address these challenging questions it is necessary to examine the development of arbitration in the context of China's changing cultural and legal structures. Written for international business people, lawyers, academics and students, this book gives the reader a unique insight into arbitration practice in China, based on a combination of theoretical analysis and practical insights. It explains contemporary arbitration in China from an interdisciplinary perspective and with a comparative approach, setting Chinese arbitration in its wider social context to aid understanding of its history, contemporary practice, the legal obstacles to modern arbitration and possible future trends. In 2011 the thesis on which this book was based was named 'Best Thesis in International Studies' by the Swiss Network for International Studies. "What distinguishes this work from other books on international arbitration is its interdisciplinary perspective and comparative approach...this book makes a remarkable contribution to the understanding of arbitration in China and transnational arbitration in general. Academics, scholars and students of international arbitration, comparative studies and globalisation may all find this book stimulating. It also provides useful guidance for practitioners involved or interested in arbitration in China." From the Foreword by Gabrielle Kaufmann-Kohler

FIDIC contracts are the most widely used contracts for international construction around the world and are used in many different jurisdictions, both common law and civil law. For any construction project, the General Conditions of Contract published by FIDIC need to be supplemented by Particular Conditions that specify the specific requirements of that project. The International Application of FIDIC Contracts: A Practical Guide provides readers with detailed guidance and resources for the preparation of the Particular Conditions that will comply with the requirements of the applicable laws that apply to the site where the work is carried out, and for the governing law of the contract, for a number of the jurisdictions in which FIDIC contracts are used. This book is essential reading for construction professionals, lawyers and students of construction

law.

The rapid and continuing development of the Chinese economy and its markets has made business with China an integral component of the strategies of countless foreign companies, regardless of their size or form. However, in order to turn opportunities into successful enterprises, managers need a practical guide on the legal aspects of conducting business in China, and on the strategies for effectively circumventing unnecessary risks while simultaneously using the legal system to strengthen operations and protect interests. This remarkable book provides the necessary insight and guidance to devise a corporate strategy, and to tackle issues relating to common aspects of doing business with Chinese counterparts, investing in a Chinese enterprise, and engaging in business operations there. Drawing on expertise gained during eight years in China serving the legal needs of foreign companies, the author shows how many of the mistakes that foreign companies make can easily be avoided by conducting a proper due diligence and understanding how applicable laws work in practice. He clearly describes the opportunities and pitfalls exposed as a foreign investor engages with such elements of business in China as the following: negotiating a detailed written contract; performing a legal and commercial due diligence on a prospective partner; resolving disputes through negotiation, arbitration or litigation; establishing and enforcing trademarks, patents and other intellectual property rights; investing in China; considering the joint venture structure; expanding through a merger or acquisition; restructuring or liquidating an operation; designing and implementing effective corporate governance; retaining, managing and terminating employees; arranging funds into and out of China; ensuring both tax efficiency and tax compliance; and avoiding criminal liabilities in the course of doing business. Whether seeking to source from China or to establish manufacturing facilities in China to produce for export, to sell products or services on the domestic market, or even just to act as a conduit between China and the outside world, business managers and their counsel from all over the globe and across all industries will benefit enormously from this deeply informed, insightful, and practical guide

This book provides a comprehensive and contextual analysis of the various methods of civil dispute resolution in the PRC. The approach to analysis is historical, comparative and socio-legal.

With massive growth taking place in the real estate industry, how can China develop a free market and private ownership of land while still officially subscribing to Communist ideology? This study uses fieldwork interviews to establish how the Chinese real estate market operates in practice from both legal and business perspectives. It describes how the market functions, which laws are applicable and how they are applied, and how a nation can achieve dramatic economic growth so rapidly while its legal system is so unsettled. The book demonstrates how China is drawing on the world for ideas while retaining a domestic system that remains essentially Chinese, and how the recent revitalization of China's real estate

market has confounded the predictions of many developments economists.

This book presents the development and reformation of economic law in China and explores the "three relationships" between the government and market, between reform and rule of law, and between the constitution and economic law. On this basis, it subsequently focuses on development theory, distribution theory, risk theory and crisis theory. Further, it addresses effective development, fair distribution, and prevention and resolution of related risks and crises, which are important functions of economic law. In order to achieve the above functions and objectives, the book argues, we must vigorously promote the integration of rule of law in economic law, and constantly refine the theory of economic rule of law employed in China. The book demonstrates that no matter how the "three major relationships" are adjusted or the relevant systems are reformed – i.e., regarding the implementation of the concept of coordinated development or the optimization of economic structures; the solution of distribution problems or the improvement of distribution systems; the prevention of risks or the response to crises – any such changes depend on economic rule of law. The above-mentioned theoretical discussion presents a "new horizon" of contemporary Chinese economic law theory, which will be of great value to the future development of economic law theory.

This book examines the historical and politico-economic context in which Chinese law has developed and transformed, focusing on the underlying factors and justifications for changes. It attempts to sketch the main trends in legal modernisation in China.

Numerous non-Chinese entities seek patents in China, and allegations of infringement are not uncommon. In this invaluable guide to Chinese patent law and the rules applicable to infringement challenges, the authors—all members of a leading Chinese law firm with wide experience in advising foreign clients—bring their experience in real-world patent litigation, reinforced with an abundance of relevant case law, in order to introduce the Chinese patent regime in a systematic and practical manner. In their thorough analysis of the scope of protection of patent rights and invalidation procedures, supported throughout by detailed examination of patent infringement lawsuits, the authors clarify such essential elements of Chinese patent law practice as the following: assertion of a claim; choosing the basis of the right to sue; publicity of claims; principle of internal interpretation priority; correction of ambiguity in a claim; interpretation of claims defined by preparation methods; defining the effect of a sequence of steps of a process claim; meaning of “persons of ordinary skill in the art”; concept of “means plus function”; application of the All Elements Rule; determination of functional features; and doctrine of equivalents. Each doctrine and the underlying principle is thoroughly examined with reference to relevant court decisions. With this eminently practical and authoritative guide, corporate counsel and patent lawyers will proceed confidently through the Chinese patent application system, assess risks and opportunities, understand how precedents might affect their case, protect their rights in China once they have a patent, and handle infringement proceedings with full awareness of applicable principles and procedures.

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