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and concentrates on the circumstances in which proprietary interests are created by operation of law or are implied from the arrangements between the parties.

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This topical title explains the circumstances in which a creditor of an insolvent debtor can take priority over other creditors by claiming a proprietary interest in assets held by the debtor. It focuses on the situation where the proprietary interests are created by operation of law or implied from the arrangements between the parties, rather than by express transfer or taking of security.

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This work provides a structured and principled analysis of the topical and important area of creditors' proprietary rights in the event of insolvency of a

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The relevance of proprietary claims in the context of insolvency is that a person with a proprietary interest is not affected by pari passu sharing (at least not with those creditors who have only claims in contract, tort, or restitution,

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that is, personal rights): it is the debtor's assets which are used for distribution among his creditors, not the assets of other persons.

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orders goede on proprietary rights and insolvency in sales transactions presents a lucid and penetrating analysis of these concepts and places them in the context of typical commercial transactions whether these relate to ordinary sales rights to oil and gas or interests in precious metals proprietary rights and

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Proprietary Rights: Everything You Need to Know

Proprietary Rights and Insolvency in Sales Transactions Hardcover - 1 Aug. 1989 by R. M. Goode (Author)

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This book explains how a creditor of an insolvent debtor can take priority over other creditors by claiming a proprietary interest in assets held by the debtor, and concentrates on the circumstances in which proprietary interests are created by operation of law or are implied from the arrangements between the parties.

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