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Legal Issues of Services of General Interest Series

**Public Services and the European Union**  
*Healthcare, Health Insurance and Education Services*

by

Laura Nistor

Patients travelling abroad to receive medical treatment, healthcare providers wishing to establish their seat or to provide services abroad, and students travelling abroad for education were faced with different barriers which have been declared illegal by the Court of Justice of the European Union. Member States started to use market mechanisms in their welfare systems and this triggered the application of the European internal market and competition rules. Fears related to whether all these would endanger the well-functioning of the welfare services have been raised by Member States. Several conflicts took shape: between national social interests and European Union economic interests; between individual interests and national general interests; between regulation and deregulation, centralization and decentralization.

The author shows that behind those fears actually protectionist measures are hidden and that the European Law provides sufficient safeguards for the national welfare systems. In particular academia professionals and practitioners will benefit from the approach taken in this book.

Dr. **Laura Nistor** is a Policy Officer in the DG Enterprise and Industry of the European Commission, Brussels, Belgium.

**Legal Issues of Services of General Interest**

The aim of the series *Legal Issues of Services of General Interest* is to sketch the framework for services of general interest in the EU and to explore the issues raised by developments related to these services.

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## The Europeanisation of International Family Law

by

N.A. Baarsma

International family law is an area that is predominantly regulated by national law. Currently the national choice of law rules of the EU Member States are more and more displaced by common European rules, which will entail considerable changes.

In this book, the nature and reasons of the changes brought about by the transition from a national to a supranational choice of law approach are discussed in one particular field of international family law: the termination by dissolution of marriages and marriage-like registered partnerships. The current Dutch and the proposed European choice of law rules on divorce are examined and compared. Some Member States have strongly opposed the European proposal and no consensus could be reached.

The analysis of the failure of the European proposal shows that the most important bottleneck is the lack of a theoretical foundation of the unified choice of law. In the concluding chapter the author produces a number of recommendations on the development of (a theoretical foundation of) the European system of international family law, starting from the principles and objectives of European law.

**Nynke Baarsma** is presently working in the District Court of Groningen, The Netherlands.

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**CONTENTS**

**ARTICLES**

- IRIT MEVORACH, *On the Road to Universalism: A Comparative and Empirical Study of the UNCITRAL Model Law on Cross-Border Insolvency* 517
- JENNIFER PAYNE, *Private Equity and Its Regulation in Europe* 559
- ANDREA SACCO GINEVRI, *The Rise of Long-Term Minority Shareholders' Rights in Publicly Held Corporations and Its Effect on Corporate Governance* 587
- CARLO DRAGO, STEFANO MANESTRA & PAOLO SANTELLA, *Interlocking Directorships and Cross-Shareholdings Among Italian Blue Chips* 619
- WEI CAI, *The Mandatory Bid Rule in China* 653

**BOOK REVIEW**

- EILIS FERRAN, *Review of Ulf Bernitz & Wolf-Georg Ringe, eds., Company Law and Economic Protectionism (Oxford University Press 2010)* 681

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