

Problems on the Conflict of Laws Rules of Property (summary)

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This article makes a survey of the present issues of the conflict-of-laws rules of property and offers a few proposals.

The first part briefly describes the status of judicial judgments and scholars' opinions as to whether contractual aspects of transactions should be clearly separated from property questions or not.

The second part criticizes an exception clause on property proposed tentatively but not finally by the Legislative Council under Ministry of Justice of Japan.

The third part indicates problematical points on Article 23 of the new General Act on the Application of Laws which provides that the effect of the assignment of a claim against the obligor or other third parties shall be governed by the law applicable to the assigned claim.

The final and main part has a discussion in detail about what point of time is decisive for a bona fide purchaser in case of the removal of a chattel from the viewpoint of the application of the *lex situs*.