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Master Thesis Defense

Entitled

*SUITABILITY OF TITLE RETENTION CLAUSE AS SECURITY
COMPARATIVE STUDY*

By

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Abstract

This study is dealing with suitability of title retention clause as security as one of the most important topics where the modern life imposed to deal with it. Seeing that the procedures of using the traditional kind of securities such as pledge by way of security, possessory pledge and priority rights require many actions which led to search on other useful securities which need to employ such means i.e. retention of title or transfer of ownership as some sort of securities have more power than the traditional kind securities, and therefore by the study we are trying to find the possibility to use the property/ownership as a security. The study has tried to evaluate the relevance and effectiveness of the retention of title clause as a guarantee by dividing the study into an introductory chapter and two chapters. In the introductory chapter we dealt with idea of the securities including the personal guarantee and security on the property and how its procedures led to find other more efficient methods such as retention of title as a kind of security, and we dealt with the definition of this condition along with its impotence and applications. In the first chapter we dealt with the legal nature of the condition of retention of title clause by referring to doctrinal and judicial trends in determining the legal nature of this condition and the opinion of comparative legislation in determining the legal nature of retention of title clause. In chapter two, we dealt with the consequences of this condition and suitability of title retention clause as unnamed security. Then we ended the study with our findings and recommendations.

Keywords: UAE civil code - federal law no.5 of 1985 amended by the law no.1 of 1987.