Abstract

Passing of Property in Goods in Contracts of International Sale of Goods

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The existing international legal instruments that deal with contracts of sale do not cater for the transfer of ownership in goods sold, yet transfer of ownership is core to the contract of sale. This incapacity is mainly due to divergence in different countries’ legal systems as far as transfer of ownership is concerned, leaving parties to an international contract with no option other than expressly agreeing on the law applicable to the transfer of ownership. However, for various reasons parties may forget or be unable to determine the applicable law. This article attempts to highlight different options that can be resorted to in order to cope with the problem of transfer of ownership in contracts that deal with international sale of goods.

Keywords: transfer of ownership, contract of international sale