

WHAT ARE DIGITAL ASSETS AS THINGS IN PROPERTY LAW?

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David Fox is the Professor of Common Law at the University of Edinburgh.

He is the author of Property Rights in Money (Oxford 2008); and the joint editor with W Ernst of Money in the Western Legal Tradition: Middle Ages to Bretton Woods (2016), and with S Green of Cryptocurrencies in Public and Private Law (2019). He is a member of the drafting committee of the UNIDROIT project on "Digital Assets and Private Law", and a consultant to the Scottish Government and United Kingdom Law Commission projects on digital assets.

Tuesday 25 January 2022 | 4.00PM TO 5.00PM (SGT) via Zoom Webinar

ABOUT THE SEMINAR

There is an emerging consensus in common law jurisdictions that many kinds of digital asset, such as cryptocurrencies, are things which can be owned. They may be subject of property and familiar principles of property law applied to them.

However, difficult questions remain. One such question is to describe the thing which we say is the subject of property.

The view proposed here is that a digital asset is a composite entity for private law purposes. It consists in an exclusive power to make transactions with specific items of data. Rather than think of a transactional power over an asset, we need to think of a transactional power as an integral part of the asset itself. Viewing digital assets in this way helps the application of familiar principles of property law to them. It also helps identify analogies with other forms of asset that are already recognised in private law.

REGISTRATION

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Registration Fee: Complimentary Closing date: 25 January 2022, 3.00pm

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