

# Hot topic

## Prescription of claims

May 11th, 2012



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on quality and efficiency "

## Prescription in the Netherlands

- Principal rule: 20 years
- Often subjective period of prescription of 5 years (contracts) / 2 years (consumer purchase)
- Possibility of interruption

## Prescription in Germany and France and PECL

- German and French law revised based on PECL
- Both countries now have short periods of prescription; exceptions incorporated in law

## Special case

- War looted art and prescription  
→ Restitutions Committee
- Russell Advocaten specializes in art law



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## Special case



Jan Toorop, *The Thames* (1885)



Jan Toorop, *Prayer before the meal* (1907)

## Conclusion

- Type of claim important for period of prescription
- Properly advise clients on prescription



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