
Treitel Law Of Contract 12th Edition Envymeore

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Fighting Corruption in Public Procurement
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Text, Cases and Materials on Contract Law
The Law Student's Handbook

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The Principles of Latin American Contract Law Cambridge University Press

It has many times been said that contracts involve assumptions of obligation or liability, but what that means, and what it is that is assumed, have not often been discussed. It is to further such discussion that some of the author's previously published writings around this subject have been brought together in this book. His basic premises are that contractual obligation and liability in this context are two sides to the same coin and that an assumption of one is an assumption of both. Parties are bound not because liability has been imposed upon them by law as a result of their having entered into a contract but because, in the act of assuming, they have imposed it upon themselves. Contract provides a facility the purpose of which is to enable this to be done within the limits prescribed by law. The implication of these premises are much more significant than might be supposed when applied to such areas of contract as formation, consideration, intention to contract, exception clauses, privity and damages. The book concludes with a treatment of the role of assumption in tort. Because of the importance of its subject matter and its wide-ranging treatment, this book should appeal not only to teachers and postgraduate students of contract but also to practitioners in the field and to anyone else with an interest in contract theory.

Measuring Damages in the Law of Obligations Pearson UK

Shortlisted for the Peter Birks Prize for Outstanding Legal Scholarship 2009 In its essence, property law has to provide

answers to two very difficult questions: who is entitled to use property, and how are they entitled to use it? Property law is therefore inherently difficult, but not impossibly so. It consists of an ordered and logical system, which aims to take the sting out of fierce disputes. This book provides a new perspective on property law. By setting out an underlying structure, it allows the reader to understand the fundamental principles of this difficult subject. By providing detailed coverage of individual topics, it shows how those principles apply in practice and provides a comprehensive resource for anyone studying, teaching, researching or practising in property law. The book is written in an accessible style, with frequent summaries and, in both its pages and companion web-site it makes use of helpful visual aids. It is ideal reading for law students seeking a rock-solid understanding of how property law and land law work, and contains sufficient detail for use as a course book in: " Property Law " Land Law " Personal Property Law The book also provides detailed analysis of core topics in: " Equity & Trusts " Commercial Law " Unjust Enrichment & Restitution See the companion website for this book: www.hartpub.co.uk/companion/propertylaw.html.

Contract Law Taylor & Francis

In this book, leading scholars from Australia, Canada, Hong Kong, New Zealand, Singapore, the United Kingdom and the United States deal with important theoretical and practical issues in the law of contract and closely-related areas of private law. The articles analyse developments in the law of estoppel, mistake, undue influence, the interpretation of contracts, assignment, exclusion clauses and damages. The

articles also address more theoretical issues such as discerning the limits of contract law, the role of principle in the development of contract doctrine and the morality of promising. With its rich scope of contributors and topics, *Exploring Contract Law* will be highly useful to lawyers, judges and academics across the common law world.

Contributors: Rick Bigwood, Richard Bronaugh, Mindy Chen-Wishart, Helge Dedek, Gerald H L Fridman, Mark P Gergen, Andrew S Gold, Kelvin F K Low, Jason W Neyers, Stephen G A Pitel, Andrew Roberston, Stephen A Smith, Robert Stevens, Andrew Tettenborn, Chee Ho Tham, Catherine Valcke, Stephen Waddams, Charlie Webb.
Foreword by Justice Ian Binnie of the Supreme Court of Canada

Contracts of Carriage by Land and Air
Bloomsbury Publishing

The law of personal property covers a very wide spectrum of scenarios and has had little detailed scrutiny of its overarching structure over the years. This is a shame. It is a system and can best be understood as a system. Indeed without understanding it as a system, it becomes much more difficult to understand. This new textbook is intended to provide a comprehensive and yet detailed coverage of the law of personal property in England and Wales. It includes transfer of legal title to chattels, the nemo dat rule, negotiable instruments and assignment of choses in action. It also looks at defective transfers of property and the resulting proprietary claims, including those contingent on tracing, the tort of conversion, bailment and security interests. By bringing together areas often scattered throughout company law, commercial law, trusts and tort textbooks, it enables readers to see common themes and

issues and to make otherwise impossible generalisations across different contexts about the nature of the concepts English law applies. Throughout the book, concepts are explained rigorously, with reference to how they are used in commercial practice and everyday life. The book will be of use to students on undergraduate commercial law courses, or related LLM courses, as well as those on integrated property law courses, and particularly specialised personal property modules. It will also be useful to academics and practitioners working in the area.

Remedies for Breach of Contract
Cambridge University Press

This book is the first to provide an extensive analysis of the range of defences to payment under letters of credit and demand guarantees. It considers the extent to which different defences undermine the abstraction of these instruments. This is a fundamental issue, since letters of credit and demand guarantees are designed to be abstract, or autonomous, from the underlying contract that called for their use. The purpose of that abstraction is to provide certainty of payment, but the various defences diminish that certainty. The book examines the spectrum of defences that are frequently litigated and debated in international practice: fraud in the documents, nullity, fraud affecting deferred payment letters of credit, fraud as no honest belief, unconscionable conduct and illegality. Vitally, the book provides analysis of the relevant judicial decisions and offers clear practical guidance on which defences are most suitable for each instrument. As the instruments are heavily used in international trade, this work is particularly suited to financial and commercial law practitioners who draft

agreements, as well as those who advise on disputes concerning these instruments. Accessible and engaging, the book is also relevant for academics and students.

Law and Practice Bloomsbury Publishing

Legal Issues Relating to Time Charterparties addresses all the major questions and issues that arise in connection with time charterparties, examining them in a logical manner, progressively tracing the subject from the creation to the termination of the contract. All the salient legal aspects of time charterparties are examined, with the law analysed in its commercial context, particularly in relation to the various ways in which time charterparties may be used in shipping and international trade.

Rules, Theory, and Context Edward Elgar Publishing

Nations in all regions of the world today share a common international sales law, The United Nations Convention on Contracts for the International Sale of Goods (CISG). The Convention was prepared by the United Nations Commission on International Trade Law (UNCITRAL) and adopted by a diplomatic conference on 11 April 1980. Since then, the number of countries that have adopted the CISG account for over two-thirds of all world trade. The area of international sales law continues to grow as technology and development take us to a global economy. As such, the study of the CISG has become an integral component of this ever-growing area of international commercial law. The *Review of the CISG* is published once yearly and features articles written by prominent legal scholars in the field of international sale of goods from around the world. In addition to scholarly

writings analyzing the various articles of the CISG, the book seeks to compile translations of recent decisions as well as commentaries of notable cases relating to the CISG. The *Review of the CISG* provides both a forum for legal discussion within the international legal community in the area of international sales law and as an authoritative source of reference for international scholars.

A Comparative Analysis of Disqualification or Debarment

Measures Bloomsbury Publishing

Winner of the second SLS Peter Birks Prize for Outstanding Legal Scholarship 2010. *Fiduciary Loyalty* presents a comprehensive analysis of the nature and function of fiduciary duties. The concept of loyalty, which lies at the heart of fiduciary doctrine, is a form of protection which is designed to enhance the likelihood of due performance of non-fiduciary duties, by seeking to avoid influences or temptations that may distract the fiduciary from providing such proper performance. In developing this position, the book takes the novel approach of putting to one side the difficult question of when fiduciary duties arise in order to focus attention instead on what fiduciary duties do when they are owed. The issue of when fiduciary duties arise can then be returned to, and considered more profitably, once a clear view has emerged of the function that such duties perform. The analysis advanced in the book has both practical and theoretical implications for understanding fiduciary doctrine. For example, it provides a sound conceptual footing for understanding the relationship between fiduciary and non-fiduciary duties, highlighting the practical importance of analysing both forms of duties carefully when considering fiduciary claims. Further, it

explains a number of tenets within fiduciary doctrine, such as the proscriptive nature of fiduciary duties and the need to obtain the principal's fully informed consent in order to avoid fiduciary liability. Understanding the relationship between fiduciary and non-fiduciary duties also provides a solid foundation for addressing issues concerning compensatory remedies for their breach and potential defences such as contributory fault. The distinctive purpose that fiduciary duties serve also provides a firm theoretical basis for maintaining their separation from other forms of civil obligation, such as those that arise under the law of contracts and of torts.

The Structure of Property Law Routledge
The quantification of contractual money awards is a topic of both significant theoretical interest and immense practical importance. Recent debates have ranged from the availability of gain-based relief to the basis for principles of remoteness and mitigation. While these and other important issues, such as the recovery of damages for non-pecuniary loss, are touched upon, the book's principal objective is to challenge the conventional interpretation of the principle generally acknowledged to govern this area of the law, which Parke B famously laid down in *Robinson v Harman*. According to this conventional interpretation, the objective of all money awards given in accordance with the *Robinson v Harman* principle is simply to 'compensate' the promisee for the 'loss' that can be attributed to the promisor's failure to perform as promised. After challenging this orthodoxy, Dr Winterton proposes a new understanding of the *Robinson v Harman* principle, which draws an important distinction between money

awards that substitute for the performance promised and money awards that aim to make good certain detrimental factual consequences that can be attributed to a promisor's breach. In exploring the significance of this distinction, the different principles underpinning the quantification and restriction of each kind of award are explored in addition to some important theoretical issues such as the effect that the occurrence of a breach has on the rights generated by contract formation. The book's unifying objective is to outline a coherent picture of the law of contractual money awards. It will be of interest to judges, practitioners and academics alike. Nominated for the 2018 St Petersburg International Legal Forum Private Law Prize!

Consequences of Impaired Consent Transfers Kluwer Law International B.V.

This book presents, analyses and evaluates the Principles of Latin American Contract Law (PLACL), a recent set of provisions aiming at the harmonisation of contract law at a regional level. As such, the PLACL are the most recent exponent of the many proposals for transnational sets of 'principles of contract law' that were drafted or published over the past 20 years, either at the global or the regional level. These include the UNIDROIT Principles of International Commercial Contracts, the Principles of European Contract Law, the (European) Draft Common Frame of Reference and the Principles of Asian Contract Law. The PLACL are the product of a working group comprising legal academics from Argentina, Brazil, Colombia, Chile, Paraguay, Uruguay and Venezuela. The 111 articles of the instrument deal with problems of general contract law, such as formation, interpretation and

performance of contracts, as well as remedies for breach. The book aims to introduce the PLACL to an international audience by putting them in their historical and comparative context, including other transnational harmonisation measures and initiatives. The contributions are authored by drafters of the PLACL and contract law experts from Europe and Latin America.

A Structural Comparison of English and German Law Oxford University Press

Significantly streamlined and updated, this second edition provides a clear introduction to all topics in the contract law curriculum.

Boilerplate Clauses, International Commercial Contracts and the Applicable Law Kluwer Law International B.V.

This book provides:

- In-depth clause-by-clause analysis and commentary of the major international conventions and standard form contracts within these areas
- New editions of two standard forms of contract for international carriage by rail
- Citation of the relevant case law and statutes
- Footnote annotations and cross-references for each clause or provision

The Future of Contract Law in Latin America TREITEL ON THE LAW OF CONTRACT. The Law of Contract This text explains and analyzes the law of contract, and provides a detailed examination of many areas of controversy and difficulty. Amongst recent developments examined is the Contracts (Rights of Third Parties) Bill. The Law of Contract Understanding the CISG (Worldwide) Edition

More and more, intellectual property disputes tend to be multijurisdictional in nature, and parties everywhere are turning to international arbitration as the

most promising means of resolution. Although these two legal specialisms ' intellectual

Studies in the Contract Laws of Asia CRC Press

TREITEL ON THE LAW OF CONTRACT. The Law of Contract

Fiduciary Loyalty Routledge

The first textbook on Commonwealth Caribbean Contract law for undergraduate and sixth form students, Commonwealth Caribbean Contract Law is a new and unrivalled resource on the subject. This textbook utilises Caribbean Case Law and Statutory provisions to provide a clear and immersive path into the study of contract law from a Caribbean perspective. Encompassing topics that include misrepresentation, privity, and remedies, this book expertly introduces and explains the many aspects of contract law in the Caribbean. Written by a well-established textbook author and professor of law at Mona Campus, the textbook comprehensively covers all key principles of contractual obligations studied by undergraduate students, and is relevant to practitioners in a modern and accessible way. An invaluable reference, this book is essential reading for those with an academic or professional interest in contract law.

Business Innovation and the Law

Bloomsbury Publishing

Representing an unprecedented joint effort from top scholars in the field, this volume collects original contributions to examine the fundamental role of 'fault' in contract law. Is it immoral to breach a contract? Should a breaching party be punished more harshly for willful breach? Does it matter if the victim of breach engaged in contributory fault? Is there room for a calculus of fault within the 'efficient breach' framework? For

generations, contract liability has been viewed as a no-fault regime, in sharp contrast to tort liability. Is this dichotomy real? Is it justified? How do the American and European traditions compare? In exploring these and related issues, the essays in this volume bring together a variety of outlooks, including economic, psychological, philosophical, and comparative approaches to law.

Judicial and Alternative Forms of Dispute Resolution in England Sweet & Maxwell Studies in the Contract Laws of Asia provides an authoritative account of the contract law regimes of selected Asian jurisdictions, including the major centres of commerce where until now, limited critical commentaries have been available in the English language. In this new six part series of scholarly essays from leading scholars and commentators, each volume will offer an insider's perspective into specific areas of contract law, including: remedies, formation, parties, contents, vitiating factors, change of circumstances, illegality, and public policy, and will explore how these diverse jurisdictions address common problems encountered in contractual disputes. Concluding each volume will be a closing discussion of the convergences and divergences throughout each across the jurisdictions, and comparisons with European jurisdictions from which Asians well as an overview of the common themes found throughout each jurisdiction .contract law derive. Volume I of this series examines the remedies for breach of contract in the laws of China, India, Japan, Korea, Taiwan, Singapore, Malaysia, Hong Kong, Korea, and Thailand. Specifically, it addresses the readiness of each legal system in their action to insist that parties perform their obligations; the methods of enforcing the

parties' agreed remedies for breach; and the ways in which monetary compensation are awarded. Each jurisdiction is discussed over two chapters; the first chapter will examine the performance remedies and agreed remedies, while the second explores the monetary remedies. A concluding chapter offers a comparative overview.

The Search for Harmonised

Principles Oxford University Press

The 1980 United Nations Convention on Contracts for the International Sale of Goods (CISG) regulates the rights of buyers and sellers in international sales. The Convention is the first sales law treaty to win acceptance on a worldwide scale, and the impressive list of some 85 CISG 'Contracting States' already accounts for more than three-fourths of all world trade. The importance of the CISG in the international arena is underlined by thousands of reported decisions where the CISG has been held to apply, thus evidencing the conduct of countless international traders who - by default or by express choice - regularly subject their sales contracts to the Convention. The CISG has also impacted on sales legislation at national and regional (e.g., EU) levels. The CISG treaty demands an international interpretation, and this fully updated Fifth (Worldwide) Edition draws upon the full range of primary as well as secondary sources of CISG law, including worldwide case law and scholarly opinion. Concrete examples are provided throughout. With this book as their guide, lawyers and students who need to understand international sales contracts and sales contract disputes will confidently navigate topic areas such as the following: • determining when the CISG applies; • freedom of contract under Article 6; • interpretation of the

Convention and of CISG contracts; • sales contract formation, validity, defenses to enforcement; • obligations of the parties, including conforming delivery and payment; • remedies for breach, including specific performance, damages and avoidance; • liability exemptions; and • key reservations under Articles 92-96

Contract Law in Singapore

Bloomsbury Publishing

To gain a deep understanding of contract law, one needs to master not only the rules and principles of the field, but also its underlying theory and justification, and its long and intricate history. This book offers an accessible introduction to all aspects of American contract law, useful to both first-year law students and advanced contract scholars. The book is grounded on up-to-date scholarship and contains detailed

references to cases, statutes, Restatements and international legal principles. The book takes the reader from contract formation through interpretation and remedies, considering both the practical and theoretical aspects throughout. Each chapter also includes helpful lists of suggested further reading.

Review of the Convention on Contracts for the International Sale of Goods (CISG) 2002-2003

Bloomsbury Publishing

Legal rules and principles do not exist in isolation, but form part of a system. In this structural comparison between English and German law, Birke Häcker explores the rules and principles governing impaired consent transfers of movable property and their reversal in two- and three-party situations. This book is a re-publication of a work first published by Mohr Siebeck in Germany.