

Cases Problems Contracts Edition English

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this book gives an introduction to the english law of contract in this new and fully updated edition the book retains the primary focus of the first edition it is designed to introduce the lawyer trained in a civil law jurisdiction to the method of reasoning in the common law and in particular to the english law of contract it is written for the lawyer whether student or practitioner from another jurisdiction who already has an understanding of a different law of contract but who wishes to discover the way in which an english lawyer views a contract however setting english contract law generally in the context of other european and international approaches the book forms an introductory text for the english student who can see not only how english contract law works but also get a glimpse of different ways of thinking about some of the fundamental rules of contract law after a general introduction to the common law system how a common lawyer reasons and finds the law the book explains the principles of the law of contract in english law covering all the aspects of a contract from its formation to the remedies available for breach whilst directing attention in particular to those areas where the approach of english law is in marked contrast to that taken in many civil law systems

this major reference work compares the formation of contract in the legal systems of england france iran and other islamic systems the preliminary part gives a historical sketch and describes the sources of law of the four legal systems it then describes the development and general theory of contract law in the four systems part one then analyses in detail the basic notions of formation of contract including the range of psychological elements and their means of expression the author then goes on to describe and compare the function and determination of offer and acceptance in the four legal systems part two analyses the mechanism of formation and import of a contract in respect of both offer and acceptance the book has been extensively researched and includes references to roman law and other modern legal systems the work has been meticulously indexed and cross referenced

the construction industry routinely operates across international borders which means that construction professionals need to have a good understanding of how legislation in different jurisdictions might affect their work this book is an in depth analysis of international construction law from all the major jurisdictions of the world alongside their relevant contract law principles helping the reader to prepare for the complexity of an international construction project the book begins by introducing the major families of law before looking at individual jurisdictions each chapter is written by an experienced legal professional operating in that region and covers

subjects such as taking over defects liabilities warranties design issues termination bonds and guarantees limitation of liability and more the systems included are german civil system germanic code french civil system napoleonic code english common law system gcc countries civil law system with emphasis on uae qatar saudi arabia and egypt nordic legal system chinese civil system finally the book will discuss the national standard construction contracts used in the differing legal systems and the widely used fidic contracts the combination of truly international coverage with the practical insight of experienced practitioners means that this book will be invaluable to any professional involved in the construction industry including lawyers project managers contractors and investors as well as academics in the field

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this book offers a genealogy of the core concepts of indian contract law tracing their trajectory

from the nineteenth century soil of english jurisprudence in which they germinated to their transplantation into the indian contract act 1872 and the interpretation of the provisions containing these concepts by indian courts and influential treatise writers over the last one hundred and fifty years the concepts studied by the book are i formation ii consideration iii privity iv capacity v consent vi frustration vii damages viii stipulated sums and ix unjustified enrichment with respect to each of these concepts the book seeks to provide an account of the state of the english law at the eve of the drafting of the act with a particular emphasis on the impact the civil law had on the concept and a close study of the legislative history of the provisions of the act codifying the concept with a view to uncovering what the drafters had originally envisaged based on extensive doctrinal and archival research the book offers a historical background to the drafting of the indian contract act and the codification process a jurisprudential exploration of the limitations of common law codification gleaned from the working of the act the draft of the contract code accompanying the report of the indian law commissioners in 1866 which is essential to understand the intention of the drafters of the act historical insights which hold the key to illuminating contemporary contract law problems of the kind courts routinely grapple with

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