

Contract Law By Ewan Mckendrick Ebook

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celebrated and respected this is the stand alone guide to contract law written by ewan mckendrick it uses a unique balance of commentary cases and materials explaining applying and contextualizing it shows students the law at work and helps them to gain a thorough understanding

the palgrave macmillan law masters series is a long running and successful list of titles offering clear concise and authoritative guides to the main subject areas written by experienced and respected authors this best selling classic text provides a clear and straightforward account of the basic rules of contract law while also introducing current debates about the nature scope and functions of the law and discussing wider controversies surrounding the basic doctrines praised time and again by both lecturers and students contract law is compact yet comprehensive well written well str

the sixth edition of the authoritative and acclaimed commercial law text a great book will be equally useful to legal practitioners students and business people financial times this sixth edition of goode on commercial law now retitled goode and mckendrick on commercial law remains the first port of call for the modern day practitioner with its theoretical and practical coverage of commercial law in both a national and an international context now updated to cover the most recent legal and technical changes this highly acclaimed and authoritative text which is regularly cited by all courts from the supreme court downwards combines a deep theoretical analysis of foundational principles with a practical approach in the context of typical commercial and financial transactions it is also replete with diagrams and specimen forms covering a wide range of transactions searching analysis and meticulous exposition coupled with a lucid clarity of style and a relaxed lightness of touch combine to make the book not only compulsory but compulsive reading for anyone interested in its field law quarterly review a work of immense scholarship professor goode s work must be as nearly exhaustive as can be possible and as produced by penguin is a triumph of paperback publishing solicitor s journal clear and comprehensive the student and practitioner will find it indispensable the interested layperson too will benefit from it as a work of reference british business a veritable tour de force business law review

this book provides a solid accurate and helpful practical reference to those seeking interim relief orders or fighting them and to show how they can be flexible to protect legal rights and achieve a cost effective practical result in litigation and arbitration litigation and any other form of dispute resolution is redundant if the winning party cannot enforce its judgment or award or cannot hold the position between the parties in the interim before a decision is made the theory of who should win needs to give way to the practical but often complicated task of ensuring that all relevant evidence is before the decision maker judge or arbitrator and that the potential fruits of a favourable decision are not dissipated to leave the winner without financial or practical recourse this practitioner s guide enables you to protect your client s position in litigation or arbitration and ensures that success in court is not hampered by

destruction of evidence or does not lead to an expensive hollow victory because no funds or assets are available

shaping the law of obligations is a series of essays addressing a number of key issues in contract tort commercial law and unjust enrichment it pays tribute to ewan mckendrick kc who has been an instrumental figure in shaping the law of obligations

directives rights and remedies in english and community law analyses the impact of ec directives on national law which has long been a problem and continues to be so both in terms of interpretation and implementation this book from barrister richard brent provides the reader with practical and invaluable insights on the legislative processes involved the legal basis for adoption of directives the transposition and implementation of directives

this book examines how the roman french and english legal systems have each dealt with the issue of unforeseen supervening events which have rendered the performance of contractual obligations either impossible or fundamentally different in nature sometimes known as force majeure or acts of god although the roman french and english laws of contract have each developed legal rules which address this issue the approach adopted by each system is significantly different from that of the others the thesis of this book is that the response of a legal system to unforeseen supervening events derives primarily from the nature and structure of that legal system as a whole and then within that broader context from the salient characteristics of that system s particular law of contract the work compares the differing nature and structure of the roman french and english legal systems and their respective laws of contract in order to demonstrate how this is so the book will be a valuable guide for academics and researchers working in the areas of comparative law legal history legal theory and contract law as the english approach to unforeseen supervening events is very different from that of the french the book will be of benefit both to english and to french practitioners as they seek to understand how supervening events are dealt with across the channel it will also appeal to law students as a guide for studying comparative law

this book provides fair and acceptable solutions to hardship issues in long term relational supply contracts this book uses an approach to strike a balance between the traditional approach underlying classical contract law which emphasises the almost absolute prevalence of the principle of *pacta sunt servanda* and a flexible approach that is based on the principle of *clausula rebus sic stantibus* this book argues for an emerging principle of *pacta sunt servanda bona fide* on the basis of the relational contract theory additionally

this book demonstrates how good faith can serve as a foundation for imposing a duty to renegotiate on the parties the aim of this book is rather to propose how relational contract theory can be applied to the analysis of specific legal rules in general lastly this book highlights how the duty to renegotiate and the power to adapt a contract can be further developed upon the occurrence of hardship based on good faith and the relational nature and characteristics of a long term relational supply contract this book explores and enriches the existing research on relational contract theory concentrates primarily on its application in domestic contract laws particularly in the regulation of long term contracts in american contract law as an outcome this book provides a more feasible and satisfactory approach for courts or arbitral tribunals to undertake when facing hardship issues in international contract disputes overall hardship themes long term relational supply contracts and good faith are examined extensively

this is a new type of book it provides an index of the most useful and important academic and other writings on contract law whether published in articles or journal chapters or as books these writings with their full citation are gathered under familiar contract law subject headings and the most significant half of them are digested in a summary of a few lines each the book aims to cover all writings published in the english language about the common law of contracts and includes sections on contract theory and the history of contract law as well as sections for the more traditional substantive topics such as the interpretation of contracts penalty clauses remoteness of damage and anticipatory breach this work should prove an invaluable resource for practitioners academics and students increasing awareness of important writings and saving readers time by familiarising them with the work that has already been done in their particular fields

sale of goods transactions are central to commercial life this book provides an essential up to date and clear account of the law as it stands today giving you the confidence to offer the best possible resolution for your clients written by a team of specialists drawn from both the academic world and professional practice sale of goods provides a clear and accurate account of the law relating to the sale of goods it provides complete analysis of the sales of goods act 1979 together with amendments made to the act in 1994 and 1995 ensuring that your understanding is current and complete

this is a very important and immense book single handedly smits has reviewed and checked this immense work to bring it to its final high standard in quality and accuracy and selection of laws the criminal lawyer this is a very important and immense book the elgar encyclopedia of comparative law is a treasure

trove of honed knowledge of the laws of many countries it is a reference book for dipping into time and time again it is worth every penny and there is not another as comprehensive in its coverage as elgar s i highly recommend the elgar encyclopedia of comparative law to all english chambers this is a very important book that should be sitting in every university law school library sally ramage the criminal lawyer the entries are written in a lucid and accessible style with appropriate references being given for further research all in all a substantial work which will delight enthusiasts of comparative law the commonwealth lawyer the breadth of topics plus the bibliographies allows a reader to use the elgar encyclopedia as an initial entry into a field of law a specific topic or a legal system any law library business library large public library or academic library supporting the study of international law or international business will want to have it in its collection this work is highly recommended ladyjane hickey american reference books annual comparative law is the comparison of law and legal systems from around the world at one time it was a field of limited interest and academic participation however increasing globalization whether of commerce or culture makes it imperative that citizens learn more about the law of other countries that is the premise of this comprehensive new research tool designed for general readers some 70 articles address topics as diverse as accident compensation legal culture the european civil code and the law and legal systems of a selected set of nations this single volume work provides an excellent comprehensive overview of the current state of affairs in comparative law highly recommended lower level undergraduates and above general readers j e stephens choice the timely publication of this encyclopedia reflects what is happening in international law and in a field where works even student textbooks are often expensive it comes at an attractive price stuart hannabuss reference reviews the elgar encyclopedia of comparative law looks set to become an indispensable source for the ever increasing body of lawyers needing accurate information on the structure and working of foreign systems as well as on points of a substantive law edited by professor jan smits of maastricht university the encyclopedia is the work of an extremely strong international team of noted specialists comprising articles on the nature methodology and focus of comparative law on the legal systems of particular jurisdictions and on matters of substantive law the work should be a very significant contribution to the literature it seems likely that the contributions on the comparative state of affairs in particular fields of substantive law will be an especially valuable aspect of the work there will be 37 such articles from accident compensation to unjustified enrichment with mistake personality rights product liability and transfer of moveable property only a sample of what the work will offer casting over this list one is again struck by the wealth of established expertise brought together in the encyclopedia i have little doubt that i can speak for the worldwide community

of comparative lawyers in saying that the elgar encyclopedia of comparative law is eagerly awaited david l carey miller university of aberdeen uk comparative law is moving swiftly from a long infancy to teenage maturity and jan smits provides the essential tonic in this outstanding work he has gathered together leading scholars each his her o

ewan mckendrick has been an instrumental figure in shaping the law of obligations both as a practitioner and as a professor at the university of oxford and university college london on the occasion of his retirement from the oxford law faculty this volume presents a collection of essays in his honour the contributions pay tribute to and reflect the breadth of ewan mckendrick s scholarship and published work many are comparative in nature reflecting a key element of his work the volume is divided into four parts contract tort unjust enrichment and commercial law with each of the 23 essays discussing a particular complex question or idea in its area topics include duress good faith frustration the illegality defence contractual interpretation the basis for different forms of damages the role of contracts in family life corporate liability the marex tort receivables financing the regulation of international commercial contracts the sale of goods the development of transnational commercial law mistakes of law and implied terms all 25 of the contributors have either been taught by or worked closely with ewan mckendrick or in some cases both and are all leading academics and or practitioners including two current members of the united kingdom supreme court and a justice of the high court of australia

presenting a unique conceptual framework for interpreting and improving commercial agreements this book marries a sound theoretical foundation with practical strategies for negotiating drafting advising on and litigating such agreements

this updated edition includes an examination of force majeure in french law the drafting of force majeure clauses its usage in shipbuilding contracts and the application of commercial impracticality under article 2 165 of the uniform commercial code

this book offers a practical one stop guide to practice and procedure in the commercial court it draws together the multiplicity of rules practice directions and procedures applicable at the various stages of commercial court actions saving invaluable time the developments encompassed in the fifth edition include the effect of the civil procedure rules the commercial court practice direction the commercial court guide the civil evidence act 1995 and the arbitration act 1996 as well as providing a clear explanation of each of the rules the authors also include expert analysis of their practical implications

arbitration practice and procedure interlocutory and hearing problems second edition is an extensively re written and expanded new edition of d mark cato s text

disputes in day to day commercial dealings are inevitable and arbitration as a means of conflict resolution is becoming more widespread this book details all the changes made to legislation by the arbitration act 1996 and their possible consequences the author guides the reader through the considerations that led to the passing of the act and then examines the new act s provisions in detail

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