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**Contract Law in
Scotland Bloomsbury Professional
This Consultation Paper is part of
a wider review of insurance**

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contract law, carried out by the Law Commission and Scottish Law Commission. It covers four topics: (1) Damages for late payment; (2) Insurers' remedies for fraudulent claims; (3) Insurable interest; (4) Policies and premiums in marine

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insurance. This paper follows a previous consultation paper in 2007 on Misrepresentation, Non-Disclosure and Breach of Warranty (LCCP 182; SLCDP 134, ISBN 9780117037823).

This is a reference title publishing in the Scottish

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Universities Law Institute Series covering the Law of Agency in Scotland. This is an authoritative voice on this subject, offering insight for litigators and those drafting commercial agreements. The Law of Contracts and Related Obligations in Scotland

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Regional Private Laws and Codification in Europe
Contract Law Essentials
Comparative Contract Law
Insurance Contract Law Reform in England/Wales and Scotland
Provides a comprehensive introduction to the principles of the

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Scots law of contract and provides the reader with a clear analysis of this difficult area of the law. This practical text: - Illustrates the different types of contractual situations and examines the formation, performance and

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enforcement of contracts; - Includes examples of typical contract clauses and treats remedies in detail; - Is set in a comparative context and discusses the problems of cross-border and international contracts; - Explains the underlying

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principles of contract law; - Is written in a clear, well structured style and uses diagrams to illustrate complex situations. The fifth edition covers key Supreme Court cases including Cavendish Square Holding BV v Tala El Makdessi and

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ParkingEye Limited v Beavis regarding penalty clauses. It also includes a new chapter on capacity to make a contract ie 'Who can make a Contract?'

'AN INSIGHT INTO SCOTS CONTRACT LAW AND OTHER

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OBLIGATIONS' provides a brief insight into private law in Scotland. With its focus on simplifying complex ideas, this text is ideal for anyone looking to get a better understanding of this field of Scots law.

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A comparative investigation into the revolution in private law in the era of human rights Scotland and South Africa are mixed jurisdictions, combining features of common law and civil law traditions. Over the last decade a shared feature in

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both Scotland and South Africa has been a new and intense focus on human rights. In Scotland the European Convention on Human Rights now constitutes an important element in the foundation of all domestic law. Similarly, the

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Constitution of the Republic of South Africa, adopted in 1996, has as its cornerstone a Bill of Rights that binds not only the legislature, the executive, the judiciary and all organs of state, but also private parties. Of course the

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"constitutional moments" from which these documents sprang were very different and the Scottish and South African experience in some aspects could not be more dissimilar. Yet in many respects the parallels are close and compelling.

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This book, written by experts from both jurisdictions, examines exactly how human-rights provisions influence private law, looking at all branches of the subject. Moreover, it gives a unique perspective by comparing the approach in these

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kindred legal systems, thus providing a benchmark for both. An Insight Into Scots Contract Law and Other Obligations Misrepresentation, Non-disclosure and Breach of Warranty by the Insured : the Law Society of

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Scotland's Response
Contract Law

With References to the Laws of
England, Scotland and France
The Contract of Sale in the Civil
Law

The law of contract forms the

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basis of our civil society.

Without the law of contract we could not buy food, clothing or a place to live, nor could we book holidays, run a business or manage a football club. But contract law is complex and

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intricate, and disputes over contracts have led to a wealth of court cases over the years. This updated third edition gives you a clear and concise guide to the basics of the law of contract as it pertains to Scotland, from what

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a contract is to how they are formed, terminated and breached, and from third-party rights to cross-border contracts. Provides a guide to the general principles of Scottish law relevant to construction

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contracts and the main provisions of the standard forms of construction contract used in Scotland including: the obligations of employers and contractors certification payment ending a construction

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contract remedies subcontracts collateral warranties insurance dispute resolution regulatory matters The new edition has been substantially updated and expanded to take account of the latest editions of the Scottish

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Standard Building Contracts and recent case law. Specific updates have been driven by the following changes to legislation and standard contracts Local Democracy Economic Development and Construction

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Act 2009 and the relative Scheme for Construction Contracts Arbitration (Scotland) Act 2010 Recognising the significant increase in use of NEC3 standard forms of contract, references to NEC3

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provisions have been introduced throughout the relevant chapters so that each now covers the common law, the SBCC provisions and the NEC3 provisions. It also features new chapters on: litigation;

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competition; the Bribery Act 2010; and guarantees and bonds. From reviews of previous editions: ‘ very approachable and readable... I would particularly recommend this book to non-legal construction

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professionals ' – Construction & Engineering Law ' an informative textbook for the practitioner... [a] significant contribution to knowledge ' – Arbitration ' a highly competent... textbook which

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would be of value for industry professionals with no legal background ' – Construction Law

This new edition of European Contract Law examines the contract rules of several

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different European jurisdictions, including the most important civilian systems and English common law, while attempting to articulate general principles which are common in all of them. While the first edition was

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limited to a comparative analysis of the rules on formation and validity of contracts, agency, third party beneficiaries, and assignment, the second edition now also includes contractual remedies and various updates

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and revisions of the first edition, especially in the light of the recent changes to the French Code civil. Furthermore, the book comprises a wealth of translated extracts of legislation, cases, and academic literature,

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comprehensively covering all aspects of contract law. The book was originally published in German to considerable acclaim. This English edition has been translated by Gill Mertens, building on the work done by

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the translator of the first edition, Tony Weir. This edition will be invaluable to scholars and practitioners in Europe and beyond.

The Law of Contract in Scotland
Good Faith in Contract and

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Property Law

European Contract Law

Parts I and II

The Law of Agency in Scotland

This report, further to a Discussion Paper on Formation of Contract published in March 2012 (ISBN

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9780108882630) undertaken as part of the Eighth Programme of Law Reform, looks at the specific difficulties of "execution in counterpart". The phrase describes the process by which parties to a formal document intended to have effect (e.g. as a contract) may be able to apply their respective

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signatures to it (execution) to make it binding without having to meet to do so or, indeed, having all to sign the same physical copy of the document. The main recommendations are: a document may be validly executed under Scots law by parties subscribing a counterpart of the document

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remotely from each other and then each delivering their subscribed counterpart to the other parties; delivery may be to a person nominated for the purpose rather than to the other parties; delivery of a traditional document may be effected by electronic means; a document takes

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effect either when each and every party has subscribed and delivered its counterpart, or at such later date as parties may agree; where all parties sign their counterpart in self-proving form, the document as a whole is self-proving; if desired, a "registration copy" of a document may be compiled

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by making up a single version which includes the signing pages from each of the counterparts; the reforms will not affect any document executed before they come into statutory force. The law of contract forms the basis of our civil society. Whether you're buying food or buying a house, getting

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a job or booking a holiday, contracts provide a set of legal rules to regulate many aspects of our day-to-day lives. The law of contract is complex and intricate, and disputes over contracts have led to a host of court cases over the years. Contract Law Essentials gives you a clear and concise guide to

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the basics of the Scots law of contract. From forming a contract to terminating a contract, and from third-party rights to cross-border contracts, it tells you everything you need to know, whether you're studying, revising or need to quickly refresh your knowledge. End-of-chapter sections of essential facts and

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essential cases will help you to identify, understand and remember the key elements of contract law.

This volume for students on Scottish LLB law of obligations courses contains a wide-ranging selection of materials, including statutes, statutory instruments and codes, relating to

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contract, delict and unjustified enrichment, together with provisions that affect the general law on civil liability.

Scots and South African Perspectives
Extrinsic Evidence, Supersession, and
the Actio Quanti Minoris
Scottish Contract Law Essentials

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The Law of Contract
Manual of the Law of Scotland
Bringing together leading commercial and contract law scholars from the United Kingdom and United States, Comparative Contract Law: British and American

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Perspectives offers an insightful and comprehensive assessment of the commonalities and divergences in the contract law of these two jurisdictions. Approaching the subject area from a variety of perspectives

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- doctrinal analysis, behavioural analysis, law and economics, and theoretical - the book examines familiar areas of contract law as practiced in the UK and US. Topics include contract theory and structure; contract

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formation and defects of consent; policing contracts and the duty of good faith; contract interpretation; damages; speciality contracts; and legal reform. The volume provides a thorough assessment of the current

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state of commercial contract law in the UK and US, and addresses the strengths and weaknesses of the national and European approaches to many issues of contract law. In particular it focuses on how commercial contract law

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should be improved, and whether harmonization of the different contract law regimes is a suitable, and appropriate, solution.

This third edition of Contract Law in Scotland provides a comprehensive and coherent

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introduction to the principles of the Scottish law of contract and provides the reader with a clear analysis of this difficult area of the law. The book illustrates the different types of contractual situations and examines the formation, as

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well as performance and enforcement of contracts. It includes examples of typical contract clauses and treats remedies in detail; is set in a comparative context and discusses the problems of cross-border and international

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contracts; explains the underlying principles of contract law; is written in a clear, well structured style; and uses diagrams to illustrate complex situations. Contract Law in Scotland is an indispensable text for all

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students of contract law, and is a practical reference source for legal practitioners.

This work is a detailed study of the field of private law. It takes key topics from the law of obligations and the law of property and traces their

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historical development.

Law of Contract in Scotland

Studying Scots Law

Law of Contract

British and American

Perspectives

Review of Contract Law

Good faith is already a familiar

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concept in international commercial law and a recognised principle of substantive law in several major legal systems. In the United Kingdom, however, a role for good faith and, more fundamentally, the issue of whether or not there ought to be a

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general principle of good faith informing English and Scots contract and property law, are still matters for debate. This book, containing the papers delivered at the Symposium on Good Faith in Contract and Property Law held in Aberdeen University in

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October 1998, engages in that critical debate. While its central core reflects on good faith from the perspective of a mixed legal system (Scots Law), papers on good faith from an English and European perspective locate the debate, properly, within a broader

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jurisdictional context.

Studying Scots Law provides a highly readable account of the educational and training requirements for entry into the Scottish legal profession and provides essential information on law courses throughout Scotland as well as

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giving useful advice on study skills. Studying Scots Law provides law students with an invaluable source of reference throughout their studies. The new edition provides invaluable information on how the approach to teaching and studying has changed

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during Covid restrictions and the facilities universities have put in place to support students during this time. As well as a general background it also provides guidance on: - The nature and forms of legal education and what to expect from a study of the law - Advice

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on applying to university, studying, essay writing and exams - Treatment of electronic sources for study and research - Information on education funding

A comprehensive work on the Scots law of contract, this text combines clear

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principles with practical guidance on how to draft clauses. It covers all aspects of the law, including pre-contract negotiations and the formation of a contract.

A Treatise on the Principles of Contract in the Law of Scotland

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Transatlantic Perspectives

Commercial Contract Law

A History of Private Law in Scotland:

Volume 2: Obligations

Private Law and Human Rights

This text provides a comprehensive guide to the

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principles of European contract law. They have been drawn up by an independent body of experts from each Member State of the EU, under a project supported by the European

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Commission and many other organizations. The principles are stated in the form of articles, with a detailed commentary explaining the purpose and operation of each article and its relation

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to the remainder. Each article also has extensive comparative notes surveying the national laws and other international provisions on the topic.

This book focuses on the law

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of commercial contracts as constructed by the U.S. and UK legal systems. Leading scholars from both sides of the Atlantic provide works of original scholarship focusing on current debates and

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trends from the two dominant common law systems. The chapters approach the subject areas from a variety of perspectives - doctrinal analysis, law and economic

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analysis, and social-legal studies, as well as other theoretical perspectives. The book covers the major themes that underlie the key debates relating to commercial contract law:

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role of consent; normative theories of contract law; contract design and good faith; implied terms and interpretation; policing contract behavior; misrepresentation, breach,

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and remedies; and the regional and international harmonization of contract law. Contributors provide insights on the many commonalities, but more interestingly, on the key

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divergences of the United States and United Kingdom's approaches to numerous areas of contract law. Such a comparative analysis provides a basis for future developments and

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improvements of commercial contract law in both countries, as well as other countries that are members of the common law systems. At the same time, insights gathered here should also be

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of interest to scholars and practitioners of the civil law tradition.

This volume tests the claim that, as combinations of Civil and Common Law influences, the mixed systems of

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contract law in Scotland and South Africa have anticipated the content of the Principles of European Contract Law (PECL) concluded and published in 2003 by the unofficial

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Commission on European Contract Law. Going further, it rigorously explores what the implications of a Europe-wide contract law would be. The current official moves towards a European contract

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law within the European Union make the critiques of PECL in this volume especially urgent and significant. With a European contract law nearer to reality than ever before, mere

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policy critiques are no longer enough. This book provides the essential technical and substantive assessments of PECL from the perspective of Scots and South African contract lawyers, and is

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offered to the European debate without prejudice as to the deeper policy questions. At the same time, this volume will inform Scots and South African lawyers about the substance of

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international developments in the field, and suggest ways to develop their still vigorous and vital national laws to remain in step with the needs of the present day.

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post contract duties and other issues, a joint consultation paper
17 September 1996 ...
Edinburgh
Avizandum Legislation on the Scots Law of Obligations

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A Treatise on the Principles of Contract in the Law of Scotland (2nd Ed.)
Contract (Scotland). A Bill to Reform the Law of Scotland Relating to the Admissibility of Extrinsic Evidence to

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Prove an Additional Term of a Contract Or Unilateral Voluntary Obligation, to the Supersession of a Contract by a Deed Executed in Implement of it and to the Obtaining of Damages for

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Breach of Contract of Sale ; and for Connected Purposes

Regions within European Union member states (such as Scotland in the UK and Catalonia in Spain) have their own legal systems:

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how will the process of 'Europeanization' affect them? This volume examines the phenomenon of 'regional' private law in the European Union, considering jurisdictions

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and laws below those of the member states and drawing comparisons with other such jurisdictions elsewhere in the world, such as Louisiana and Quebec. The whole is

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considered in relation to the development of European private law, and the use of codification in that process. This volume will be of interest to academic lawyers

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worldwide, advanced law students and European policy-makers.

The Law Society of Scotland, Edinburgh, 6th September 2001, Corithian, Glasgow

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Report on Formation of Contract, Execution in Counterpart

Principles of European Contract Law

MacRoberts on Scottish Construction Contracts

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Bringing Rights Home in
Scotland and South Africa