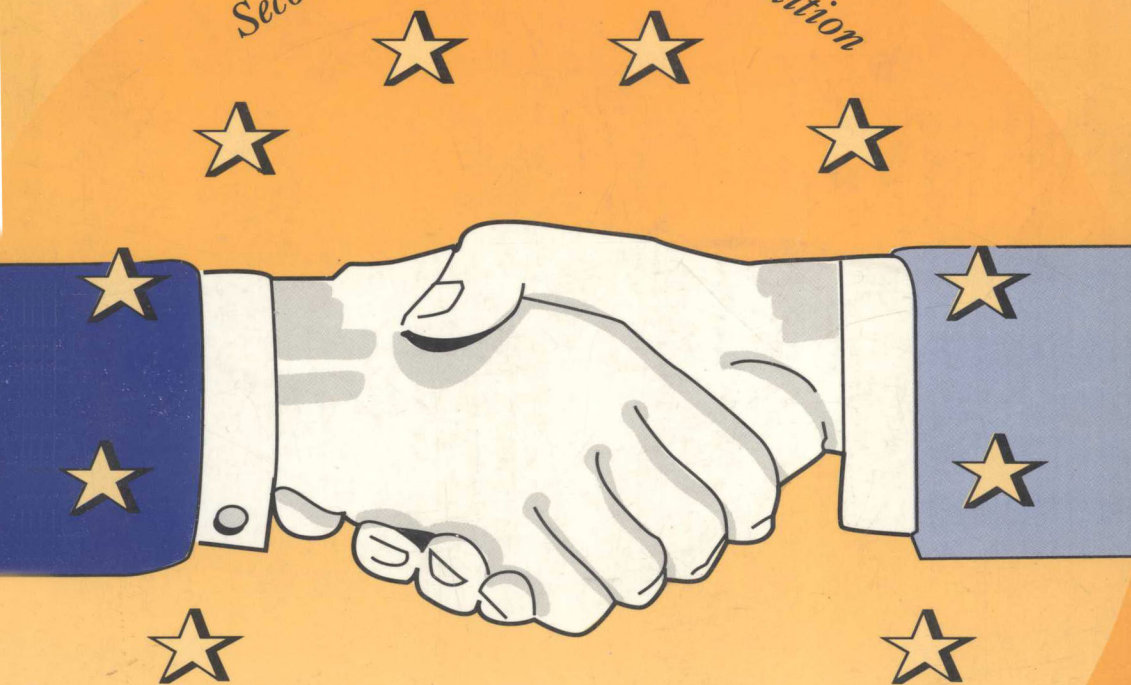


Contract Law and Practice

The English System and Continental Comparisons
Michael H. Whincup

Second revised and enlarged edition



Kluwer



Contract Law and Practice

the English System and Continental Comparisons

by

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CONTRACT LAW AND PRACTICE

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Preface

As a firm believer in the ideal of European unity, I would like to think that this book will make a small but useful contribution to the realisation of that ideal. The process of European integration brings with it the need for greater awareness and understanding of one another's ways of living and ways of thought. The need is perhaps most apparent in relation to Great Britain, insular and in a sense isolated, fundamentally different in much of its history and culture, yet bequeathing a system of law which for better or worse governs more than one-sixth of the world's population and which is the basis of much of the world's commerce.

As the European partnership develops, so English and Continental lawyers and students of law must learn more of each other's legal systems. My object in writing this book has been to try to meet that need with a straightforward explanation of the basic principles of English commercial contract law, accessible to both English and Continental readers, and at the same time to provide for English students what may well be their first insight into Continental rules. I have tried to concentrate on matters of practical importance, and wherever possible have given examples of standard commercial usages and discussed their likely effects in law.

I am particularly grateful to my Continental colleagues who with the same philosophy have written commentaries or summaries at the end of each chapter on the relevant rules of six other member states of the Common Market. The commentaries are intended overall to illustrate the main points of comparison and contrast between the various systems and thus to provide what I hope may be found helpful and instructive cross references for practitioners and academics alike.

In this second edition I have attempted to state the law as at 30 April 1992.

Michael Whincup
Keele, July 1992

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