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# **The Contract Law Of The Peoples Republic Of China**

Larry A. DiMatteo, Chen Lei

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of contract law anticipatory repudiation common law and defense of security German law and remedies and damages with a focus on the availability of specific performance in Chinese law The book also offers a useful comparison between the CCL and the UNIDROIT Principles of International Commercial Contracts as well as the Convention on Contracts for the International Sale of Goods The analysis in the book is undertaken at two levels practical application of the CCL and scholarly Studies in the Contract Laws of Asia Mindy Chen-Wishart, Alexander Loke, Burton Ong, 2016 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 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

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Contract Law in Changing Times Normann Witzleb,2022-12-30 This collection of essays provides a rich and contemporary discussion of the principle of pacta sunt servanda This principle which requires that valid agreements are to be honoured is a cornerstone of contract law Focusing on contributions from Asia this book shows that despite its natural and universal appeal the pacta sunt servanda principle is neither absolute nor immutable Exceptions to the binding force of contract must be available in limited circumstances to avoid hardship and unfairness This book offers readers new comparative perspectives on the appropriate balance between contractual certainty and flexibility in an era of social instability Expert authors mostly from East and Southeast Asia explore when their domestic legal systems allow exceptions from the binding force of contracts Doctrines discussed include impossibility frustration change of circumstance force majeure illegality as well as rights of withdrawal Other chapters consider the importance of the pacta principle in international law The challenges posed by the COVID 19 pandemic feature strongly in the majority of contributions

Chinese Private International Law Xiaohong Liu, Zhengyi Zhang, 2021-04-22 Written with the assistance of a team of lecturers at the Shanghai University of Political Science and Law this book is the leading reference on Chinese private international law in English The chapters systematically cover the whole of Chinese private international law not just questions likely to arise in commercial matters but also in family succession cross border insolvency intellectual property competition antitrust and environmental disputes The chapters do not merely cover the traditional conflict of law areas of jurisdiction applicable law choice of law and enforcement They also look into conflict of law questions arising in arbitration and assess China's involvement in the harmonisation of private international law globally and regionally within the Belt and Road Initiative Similarly to the Japanese and Indonesian volumes in the Series this book presents Chinese conflict of laws through a combination of common and civil law analytical techniques and perspectives providing readers worldwide with a more profound and comprehensive understanding of Chinese private international law Invalidity Mindy

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it accessible to a broad readership while its content makes it a useful reference guide especially for jurists and researchers China's Influence on Non-Trade Concerns in International Economic Law Paolo Farah, Elena Cima, 2016-10-14 This volume examines the range of Non Trade Concerns NTCs that may conflict with international economic rules and proposes ways to protect them within international law and international economic law Globalization without local concerns can endanger relevant issues such as good governance human rights right to water right to food social economic cultural and environmental rights labor rights access to knowledge public health social welfare consumer interests and animal welfare climate change energy environmental protection and sustainable development product safety food safety and security Focusing on China the book shows the current trends of Chinese law and policy towards international standards The authors argue that China can play a leading role in this context not only has China adopted several reforms and new regulations to address NTCs but it has started to play a very relevant role in international negotiations on NTCs such as climate change energy and culture among others While China is still considered a developing country in particular from the NTCs point of view it promises to be a key actor in international law in general and more specifically in international economic law in this respect This volume assesses taking into consideration its special context China s behavior internally and externally to understand its role and influence in shaping NTCs in the context of international economic law

Unveiling the Magic of Words: A Report on "The Contract Law Of The Peoples Republic Of China"

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