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Katy Barnett, Sirko Harder

Carter's Breach of Contract JW Carter, 2018-11-29 Carter's Breach of Contract is well established as the leading text on the subject in the Commonwealth, having been cited regularly and with approval by the courts in a number of jurisdictions. The work is comprehensive in relation to both English and Australian law. Moreover, by drawing on decisions in the United States, Singapore and New Zealand, the American Law Institute's Restatement of Contract, 2nd as well as the Uniform Commercial Code (US) and the United Nations Convention on Contracts for the International Sale of Goods, the work has a unique comparative dimension. It will therefore be a valuable resource for scholars, practising lawyers and students of contract law. This new edition retains the hallmark of the previous edition: its statement of the law of breach of contract in a series of articles, which codify the law as a set of brief statements of principle. These articles are also reproduced in the Appendix, and together with an extensive bibliography, index, and tables, make this the ideal first port of call for all questions relating to breach of contract.

A Unified Approach to Contract Interpretation Ryan Catterwell, 2020-07-23 Interpretation or construction is central to the operation of contract law. Despite the fundamental role it plays, there have been limited attempts to explain construction in holistic terms. This important book aims to fill that gap by offering a systematic exposition of the iterative process. It also goes further, suggesting practical solutions to disputes regarding questions of interpretation. The book argues that construction is not simply about establishing what words mean; it is a process through which objective intention is inferred from the choice of words in a contract. The interpretive process involves four steps: formulate the question of interpretation in dispute; explore competing answers to the question; analyse the admissible material supporting each interpretation; and weigh and balance the competing considerations. By so doing, the book offers a simple yet sophisticated framework for interpreting/constructing contracts.

Contract Law Kenneth Yin, Simon Kozlina, Kelly Green, Luca Siliquini-Cinelli, Emmanuel Laryea, Lisa Spagnolo, 2020-10-28 Contract Law: Cases and Materials presents a selection of well-chosen cases and illuminating commentary ideal for introducing students to the study of contract law in Australia. Developed to accompany Stewart, Swain and Fairweather's Contract Law: Principles and Context, this casebook maintains the accessibility of the principles text while providing the depth and analysis of topics required to learn contract law. Following the structure of the principles text, this text explores

areas not traditionally covered in other casebooks, such as resolving disputes, preparing to make a contract, preliminary agreements, and interpreting contracts. Each chapter also briefly explores contracts in international contexts. Containing well-chosen, carefully curated cases and extracts, *Contract Law: Cases and Materials* takes a practical approach to student learning and integrates rich pedagogy to build critical thinking and analysis skills, making it an invaluable resource for contract law students.

Business and Company Law, 3rd Edition Nickolas James, Ellie (Larelle) Chapple, Richard Baumfield, Richard Copp, Robert Cunningham, Akshaya Kamalnath, Louise Floyd, 2024-04-08 Business and company law / Law / Commercial law / Australian law 1. Business and the law 2. The Australian legal system 3. Deliberately causing harm 4. Carelessly causing harm 5. Contract law: formation of the contract 6. Contract law: terms of the contract 7. Contract law: enforcement of the contract 8. Contract law: working with agents 9. Dealing with consumers 10. Business organisations 11. Companies and incorporation 12. Company constitution 13. Membership, members' powers and dividends 14. Members' remedies 15. Corporate governance and company management 16. Directors' and officers' duties A 17. Directors' and officers' duties B 18. Financing a company via equity or debt 19. Receivership and administration 20. Liquidation.

The Construction of Commercial Contracts JW Carter, 2013-01-04 This book adopts a principled approach to the law applied in the construction of commercial contracts. This approach is presented as part of a coherent theory of the law of contract construction which makes a unique contribution to scholarship and understanding of the most important aspect of the practice of commercial lawyers. The law is explained by reference to three stages in construction. It distinguishes the preliminary stage in which context is established, from the 'meaning' and 'application' stages of contract construction. The approach provides insights both into the practical problems that lawyers face, in particular in relation to admissibility of extrinsic evidence, and the theoretical underpinnings of the subject. The book also explains the relationship between intention and construction, and discusses general and specific rules that determine the results of construction disputes. Each chapter is introduced by statements of its objectives and the book includes simple definitions of key concepts, as well as summaries of the complex principles which comprise the law of construction. In illustrating construction principles and their application, the exposition of the law draws on the author's knowledge of Australian contract law and the influence and role of the UNIDROIT principles, CISG and the American Restatement (Second) Contracts.

Practical Guide to Engineering and Construction Contracts Philip Loots, Donald Charrett, 2009-09

Remedies in Australian Private Law Katy Barnett, Sirko Harder, 2018-09-07 The second edition of *Remedies in Australian Private Law* offers readers a clear and detailed introduction to remedies and their functions under Australian law. Clearly structured, with a strong black-letter law focus, the text provides a complete treatment of remedies in common law, equity and statute and develops a framework for understanding the principles of private law remedies and their practical

application. This edition has been significantly revised and offers up-to-date coverage of case law and legislation, including the Australian Consumer Law. Building on the detailed treatment of remedies and their broad functions across a range of private law categories, the new edition also offers expanded coverage of vindictory damages, debt, specific restitution and coercive remedies. With its systematic and accessible approach, this text enables students and practitioners to develop a coherent understanding of remedial law, and to analyse legal problems and identify appropriate remedial solutions.

Contemporary Australian Business Law Mark Giancaspro, Gabrielle Golding, Beth Nosworthy, David Brown, Jessica Viven-Wilksch, Alexandra Wawryk, Sylvia Villios, Paula Zito, 2023-02-14 Australian businesses operate within a complex legal environment, so it's important students and professionals understand their legal obligations. *Contemporary Australian Business Law* is an authoritative text that makes key legal concepts accessible to business students, while maintaining academic rigour. Written for business students new to studying business law, this text introduces the fundamental legal topics encountered in business, including contracts, business structures, taxation, property and employment. Discussion in each chapter strikes a balance between accessibility and detail to assist understanding of these complex legal issues. A hypothetical scenario running through each chapter scaffolds learning and provides relevant real-world examples of the law in practice. Each chapter includes margin definitions, case boxes that guide students through landmark business law cases, and practice problems that test students' ability to apply their knowledge to realistic situations. Written by experts, *Contemporary Australian Business Law* is an essential introduction to the Australian legal system for business students.

Cheshire, Fifoot and Furmston's Law of Contract M. P. Furmston, Geoffrey Chevalier Cheshire, Cecil Herbert Stuart Fifoot, 2007 Cheshire, Fifoot and Furmston's *Law of Contract* stands as one of the classic textbooks on contract law more than 50 years after the publication of the first edition. Michael Furmston combines an authoritative account of the principles of the law of contract with thought-provoking analysis and insights, and the clarity of the narrative brings understanding of complex contractual issues to a wider readership. Each topic is clearly signposted for ease of navigation, and the text contains numerous references to additional primary and secondary sources to take the reader even further into the subject. The text is invaluable to students reading courses in contract, the law of obligations, and common law. It is also of real use to students of other disciplines needing a clear overview of the law of contract, and is often used as a first point of reference for practitioners. Online Resource Centre Student resources: - Annual updates- Web links

Sale of Businesses in Australia S. A. Christensen, William David Duncan, 2009 This second edition of *Sale of Businesses in Australia* concentrates on the sale of small businesses trading as individuals or in partnership under the standard Sales of Business contracts promulgated by the various Law Societies and Real Estate Institutes. Several chapters also apply to the sale of businesses generally. Topics covered include: matters relating to the typical transaction: stock in trade, goodwill, plant and fixtures; additional matters such as intellectual property, business names, and the transfer of business leases; special

contract provisions, including restraint of trade and employee provisions, and other special conditions commonly found in contracts; taxation implications of the sale; time stipulations; obligations on completion; disclosure obligations; remedies for commonly encountered types of breach by either party. The book serves as an ideal reference point for the busy legal practitioner involved in advising upon these transactions and has extensive references to the standard contracts in New South Wales, Victoria and Queensland.

Good Faith and Relational Contracts, Volume 2 Anthony Gray, 2025-07-24 This volume explores in detail the use of the doctrine of good faith in the common law when interpreting contracts and resolving disputes. Building on the findings of *Good Faith and Relational Contracts* (Hart, 2024) the book discusses the implications of relational contract theory and good faith for issues such as liquidated damages clauses, discretion to terminate a contract, contract forfeiture, employment contracts and contractual remedies. The author discusses the potential for good faith to unite a number of currently disparate contract law and equitable principles into a coherent framework, providing an opportunity to question and jettison some archaic aspects of existing doctrine that are no longer defensible. Ambitious and thoughtful, this is a significant statement on the role of good faith in private law.

Contracts for Infrastructure Projects Philip Loots, Donald Charrett, 2022-05-18 *Contracts for Infrastructure Projects: An International Guide* provides a guide to the law relating to construction contracts for infrastructure projects; it is intended for the use of engineers and other professionals who are involved in the negotiation and administration of construction contracts, to enable them to understand the risks involved, and how to minimise them. The principles of construction law outlined in this book apply to small construction contracts as well as very large contracts for which the contract sum may be in the billions of dollars. The focus of the book is on construction contracts entered into by commercial organisations operating in a business environment. Contract law generally assumes that such parties are of equal bargaining power and puts relatively few fetters on their ability to agree on the terms of their bargain. However, where legislation impacts on the execution of construction projects or the operation of construction contracts it may be of major importance in protecting the rights of weaker parties or third parties. It is assumed that the users of this book will be familiar with the general concepts of tendering and contracting for engineering and construction projects but may not have any formal knowledge of the law. To the extent possible, the emphasis is on general principles of contract law that are widely accepted in many jurisdictions. Examples are drawn from case law in a number of common law jurisdictions, as well as from civil codes.

Construction Law Julian Bailey, 2016-07-15 Now in its second edition, *Construction Law* is the standard work of reference for busy construction law practitioners, and it will support lawyers in their contentious and non-contentious practices worldwide. Published in three volumes, it is the most comprehensive text on this subject, and provides a unique and invaluable comparative, multi-jurisdictional approach. This book has been described by Lord Justice Jackson as a tour de

force, and by His Honour Humphrey LLOYD QC as seminal and definitive. This new edition builds on that strong foundation and has been fully updated to include extensive references to very latest case law, as well as changes to statutes and regulations. The laws of Hong Kong and Singapore are also now covered in detail, in addition to those of England and Australia. Practitioners, as well as interested academics and post-graduate students, will all find this book to be an invaluable guide to the many facets of construction law.

Australian Current Law ,1968

Business Law Nickolas James,2024-10-28 Designed specifically for business students, James' Business Law, 7th Edition provides a comprehensive introduction to the fundamentals of business law. Tailored to accommodate the initial encounter with legal principles for business students, this textbook offers a clear and accessible pathway into the realm of law. Unlike traditional texts from leading legal publishers, Business Law, 7th Edition prioritizes a practical approach, emphasizing real-world applications over doctrinal intricacies. By demystifying complex legal concepts and presenting them within a business-oriented framework, this textbook equips students with the necessary foundation to navigate the legal landscape with confidence.

Australian Business Law 2012 Paul Latimer,2012

Contract Law Andrew Stewart,Warren Swain,Karen Fairweather,2019-06-21 Provides a fresh, topical and accessible account of the Australian law of contract.

Investigating Legal Studies for Queensland Anthony Dosen,Tanya Ballantyne,Marcia Brumpton,Kim Gibson,Leon Harris,Stephen Lippingwell,2013-09-30 As you develop into active adult participants in Australian society, it is vital that you understand the ways in which state, national and international legal systems can and do affect you and those around you. This book will equip you with the knowledge and skills you need to effectively participate as a citizen now and in the future. [adapted from back cover].

The Australian Law Journal ,1952

The Australian Digest ,1988

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