European Contract Law

by
Prof. Dr. Dr. h.c. Reiner Schulze
Prof. Dr. Dr. h.c. Fryderyk Zoll

prepared by
Dr. Jonathon Watson

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It is somewhat indicative of the nature of the developments in European contract law that a new edition of this volume was necessary just one year since the first edition. Legal science, practice and education have not only demanded a complete overview and structure of the extensive *acquis communautaire* but European contract law has also developed so rapidly since the first edition. Notably, the European Commission has ceased to pursue its proposal for a Common European Sales Law, yet the legal landscape has been shaped in particular by the new Package Travel Directive and Commission proposals for Directives on the Online Sale of Goods, and on the Supply of Digital Content. In addition, decisions from the CJEU have further developed, for instance, legislation on consumer guarantees, and the control of contract terms. Legal doctrine has also witnessed intense and lively discussions on the consequences of the ‘Digital Revolution’ for European contract law.

This new edition contains extensive changes and additions in order to accommodate the recent changes in European contract law. In comparison to the first edition, this second edition contains revisions in light of new approaches in European legislation, contract types and contract parties, unfair contract terms, performance obligations, and consequences of non-performance. Furthermore, this edition contains a sub-chapter on long-term contracts in European private law.

In considering the changes that arise for contract law from, above all, the new challenges presented by digitization, the new edition strives to fulfil an aim already outlined in the foreword to the first edition: to allow jurists from practice and legal science, as well as law students, to be a part of the on-going development of European contract law as a core element of European private law. Accordingly, the following volume conveys fundamental information on the content, methods and objectives of European legislation in this field and explains the interaction between legislation, case law, and legal science in the origins and development of European contract law. In particular, it attempts to outline the qualities of this supranational law and its innovative features in comparison to traditional contract law concepts. In so doing it seeks to serve as a guide to unfamiliar territory and promote an understanding of the characteristics of a new legal development.

The new edition is once more the product of numerous discussions between the authors. The chapters §§ 1; 3 II 1–6, III; 5; 6 I, IV, and 8 were written by Reiner Schulze, §§ 2, 3 I, II 7, 4, 6 II, III, and 7 by Fryderyk Zoll. The chapters authored by Fryderyk Zoll were completed as part of the project ‘Made in Europe – European Legal Standards of Quality for Services on the Global Competitive Market’ and funded by the Narodowy Centrum Nauki (National Science Centre) on the basis of decision Nr. DEC-2012/04/A/HS5/00709.
Foreword

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Reiner Schulze/Fryderyk Zoll
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