



# CONTRACT LAW

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- CONTRACT: GENERAL PRINCIPLES – THE LAWS OF AUSTRALIA, 2<sup>ND</sup> EDITION
- MANN'S ANNOTATED INSURANCE CONTRACTS ACT ONLINE
- KEATING ON CONSTRUCTION CONTRACTS, 9<sup>TH</sup> EDITION
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- THE INTERPRETATION OF CONTRACTS, 5<sup>TH</sup> EDITION

OCTOBER 2011

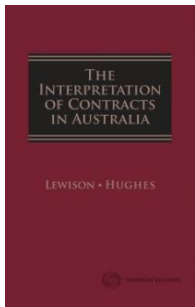
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# CONTRACT LAW TITLES



## THE INTERPRETATION OF CONTRACTS IN AUSTRALIA

Sir Kim Lewison and David Hughes

This adaptation of the widely acclaimed English title *The Interpretation of Contracts* by Sir Kim Lewison reflects Australian law while retaining the structure and principles of interpretation of the first nine chapters of the English edition. Guidance on the construction and interpretation of contracts includes help with difficult matters of disputed interpretation; extracts and summaries of decisions illustrate the application of the rules. Contents:

- Introduction and Overview
- The Purpose of Interpretation
- The Materials Available
- Law and Precedent
- The Meaning of Words
- Implied Terms
- The Canons of Construction
- Ambiguity and Uncertainty
- Mistakes and Inconsistencies

Insights will inform the process of drafting or applying a contract by identifying key principles and discussing them comprehensively, yet concisely, with illuminating reference to case law. Helpful both in drafting and in resolving disputes, *The Interpretation of Contracts in Australia* will be a major practitioner resource.

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Jurisdiction: Australia  
Date: October 2011, Hardcover  
Code: 9780455228686  
Price: \$295 incl. GST

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## UNFAIR CONTRACT TERMS LAW IN AUSTRALIA

Dr Jeannie Paterson

Detailed up-to-date analysis addresses the new 'Unfair Contract Terms Law' introduced as part of the Australian Consumer Law reforms. Explaining the law's operation, including implications for standard 'boilerplate' terms in consumer contracts, it also examines the background to the reforms. Useful in litigation or compliance, *Unfair Contract Terms in Australia* will assist competition, consumer and commercial solicitors and barristers as well as regulators involved in drafting, reviewing and enforcing standard form consumer contracts. Contents:

- Why regulate Unfair Terms?
- Comparing the regulatory regimes – the UK and Victorian precedents
- Overview of the Australian Consumer Law and the UCTL
- Contracts and terms excluded from review for fairness
- Application of the UCTL
- Identifying and interpreting the terms of a contract subject to review
- The test of an Unfair Term
- Matters relevant in determining whether a term is unfair
- Enforcement, effect and remedies
- Unconscionable conduct and unfair terms
- The Consumer Guarantee Law
- The 'Grey List' of terms that may be unfair
- Common terms that may be unfair

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Jurisdiction: Australia  
Date: November 2011 (approximately)  
Code: 9780455229089  
Price: \$150 incl. GST

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# CONTRACT LAW TITLES



## AN INTRODUCTION TO THE LAW OF CONTRACT, 7<sup>TH</sup> EDITION

**Professor Stephen Graw**

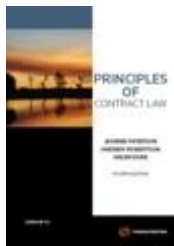
Offering a clear overview of the principles of contract law and how they apply in practice, Professor Graw's seventh edition incorporates references to the new *Competition and Consumer Act 2010* (Cth) as it applies to contracts generally but with especial reference to the provisions dealing with misleading and deceptive conduct, consumer guarantees, unjust contracts, exemption clauses, harassment and coercion, the effectiveness of disclaimers and the provision of alternative remedies.

Readers will welcome practical new commentary on matters as varied as the following: how the requirement for a signed memorandum can be satisfied by a series of connected documents; how the exceptions to the parole evidence rule apply, particularly in cases of ambiguity; the basis on which rectification will be ordered; the operation of the pleas of duress, undue influence and unconscionability; the validity of restraint of trade clauses; the consequences of repudiation, and the calculation of damages.

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Jurisdiction: Australia  
Date: December 2011 (approximately)  
Code: 9780455228822  
Price: \$89 incl. GST

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## PRINCIPLES OF CONTRACT LAW, 4<sup>TH</sup> EDITION

**Dr Jeannie Paterson, Professor Andrew Robertson and Arlen Duke**

Australia's premier text for students of contract law is offered in a new and significantly revised edition. Thoroughly updated in light of the Australian Consumer Law, it includes a thorough discussion of the new regimes regulating unfair contract terms, misleading and deceptive conduct, unconscionable dealing and consumer guarantees. New developments in case law are discussed throughout the book, and recent amendments to the Electronic Transactions legislation incorporated.

Contents:

- Introduction
- Formation
- Detrimental Reliance And Unjust Enrichment
- Parties
- Express Terms
- Gap Filling
- Consumer Contracts under the Australian Consumer Law
- Performance And Breach
- Termination
- Remedies For Breach
- Vitiating Factors
- Misinformation
- Abuse Of Power
- Remedies
- Illegality
- Appendix: The Australian Consumer Law

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Jurisdiction: Australia  
Date: December 2011 (approximately)  
Code: 9780455229454  
Price: \$120 incl. GST

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# CONTRACT LAW TITLES

## CONTRACT: GENERAL PRINCIPLES – THE LAWS OF AUSTRALIA, 2<sup>ND</sup> EDITION

**Emeritus Professor JLR Davis**

*Contract: General Principles, 2nd Edition*, provides a thorough analysis of the core principles of contract law, making the text relevant to all Australian practitioners. With the law of contract permeating almost all areas of practice, it's essential to have a thorough, encyclopaedic analysis of the principles of contract law to hand. The work has been written by leading academics and practitioners and is reviewed and updated under the editorial guidance of Emeritus Professor JLR Davis.

The extensive commentary covers the following topics:

- Formation
- Vitiating Factors
- Parties
- Terms
- Performance
- Breach
- Defences
- Discharge
- Remedies

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Jurisdiction: **Australia**

Date: February 2012 (approximately)

Code: **9780455229898**

Price: \$149.95 incl. GST

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**MANN'S  
ANNOTATED  
INSURANCE  
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## MANN'S ANNOTATED INSURANCE CONTRACTS ACT ONLINE

**Peter Mann and Candace Lewis**

The complex general insurance legislation is illuminated by close analysis of the significant cases which have considered it, illuminating the judicial reasoning. The service integrates the legislation into a broader practice context, and supports easier reference to relevant materials including the regulations, ALRC Report 20 "Insurance Contracts", and case law. Contents include:

- Insurance Contracts Act (annotated)
- Insurance Contracts Regulations
- General Insurance Code of Practice – 1 May 2010 & General Insurance Brokers' Code of Practice
- Insurance Act 1973
- Marine Insurance Act 1909
- Terrorism Insurance Act 2003 & Terrorism Insurance Regulations 2003
- Accounting Standards – AASB 4: Insurance Contracts
- Financial Ombudsman Service – General Insurance and Insurance Broking Terms of Reference
- Reviews of the Insurance Contracts Act 1984 (Cth)
- Review of the Law Reform Commission Report No 91 - Review of the Marine Insurance Act 1909
- Insurance Contracts Bill 1984, Explanatory Memorandum
- Australian Law Reform Commission Report No 20 - Insurance Contracts

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Jurisdiction: **Australia**

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# CONTRACT LAW TITLES

LEADING  
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INTERNATIONAL TITLES

## KEATING ON CONSTRUCTION CONTRACTS, 9<sup>TH</sup> EDITION

**The Hon Sir Vivian Ramsey and Stephen Furst QC**

A classic construction law text, this book is the first port of call for all research on the history and principles governing building contracts, their practical application and their interpretation by the courts. Renowned for its accessible style, it covers all relevant legislation and case law, EC law, the JCT Forms of Contracts and ICE Conditions of Contract. This popular title:

- Shows how the underlying principles of contract law apply to building contracts
- Interprets legislation and the various standard forms of construction contract
- Illustrates how the law works in practice by detailed analysis of judicial decisions
- Features key sections of the *Housing Grants, Construction and Regeneration Act* including amendments in the *Local Democracy, Economic Development and Construction Act 2009*
- Includes a new section dealing with delay and disruption claims
- Covers case law from the UK and European jurisdictions.

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Jurisdiction: **UK/Commonwealth**  
Date: December 2011, Hardcover  
Code: 9780414047921  
Price: \$769 incl. GST

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## DELAY AND DISRUPTION IN CONSTRUCTION CONTRACTS, 4<sup>TH</sup> EDITION

**Keith Pickavance**

This book provides detailed guidance on handling delays and disruption in construction and civil engineering projects. Following a topic in chronological sequence, the book covers everything from inception and initial risk assessment to disputes and settlement, and provides real solutions to problems likely to occur in construction projects. The book also:

- Deals with the practice of change management and project control in construction projects
- Examines the law of proof of causation in delay and disruption related claims
- Discusses how the latest versions of standard forms of contract deal with extensions of time and compensation for delay and disruption
- Covers exclusion clauses
- Explains how claims for delay, disruption, concurrency, parallelism, pacing, apportionment, total loss and modified total loss and time should be dealt with
- Looks at the recovery of management time and lost profits as damages
- Uses diagrams to clearly explain a wide range of issues
- Explains recent case law
- Deals with the law on this subject in England, Scotland, Australia, Canada, Hong Kong, New Zealand and the United States.

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Jurisdiction: **International**  
Date: October 2010, Hardcover  
Code: 9780414045200  
Price: \$574 incl. GST

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# CONTRACT LAW TITLES



## LAW OF GUARANTEES, 6<sup>TH</sup> EDITION

Geraldine Andrews QC and Richard Millett QC

Provides a comprehensive explanation of the law and practice of guarantees and surety. It covers everything required for work in this area, from analysis of definitions and the general contract requirements, through the elements and construction of a guarantee, to its enforcement. This popular title:

- Covers guarantees for loans, consumer credit, hire purchase, landlord and tenant, building contracts and commercial contracts
- Examines the guarantor's liability and rights against both creditors and debtors
- Discusses revocation of contracts and discharge of the surety
- Deals with insolvency in relation to guarantees
- Provides workflow solutions in the format of checklists, specimen pleadings as well as 14 precedents for use in drafting
- Reflects the recent updates to the *Consumer Credit Act 2006*
- Reproduces relevant legislation.

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Jurisdiction: UK/EU/Commonwealth

Date: December 2011, Hardcover

Code: 9780414044715

Price: \$457 incl. GST

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## THE INTERPRETATION OF CONTRACTS, 5<sup>TH</sup> EDITION

Sir Kim Lewison

This popular title provides clear, practical guidance for all situations where practitioners are faced by questions of contract interpretation. It explains the principles that have been used by the courts in their decisions, with extensive quotations from these judgments, and enables practitioners to construct solid arguments based on the principles laid down by case law. In addition, it:

- Helps practitioners challenge contracts successfully and explain their inadequacies to clients
- Helps avoid future disputes over meaning when drafting or negotiating contract terms
- Covers each possible area of dispute in turn, with a general proposition followed by detailed explanation with quotation from judgments, providing easy reference when researching an issue
- Examines 200 new cases relevant to contract interpretation.

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Jurisdiction: International

Date: December 2011, Hardcover

Code: 9780414023062

Price: \$646 incl. GST

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