

Judicial Review of Commercial Contracts

Wais / Pfeiffer

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Judicial Review of Commercial Contracts



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Judicial Review of Commercial Contracts

A Comparative Handbook

edited by

Hannes Wais

Thomas Pfeiffer

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Preface

The use of standard contract terms is an essential element of contract law practice in cross-border commercial transactions, yet surprisingly comparative legal resources on the judicial review of such terms are scarce. This comparative handbook contributes to closing this gap. It comprises chapters on the relevant legal rules in numerous continental European jurisdictions, the United Kingdom, and, as a commitment to a planned extension of this book, Taiwan, while also offering an overview on choice of law- and choice of forum-clauses under European Private International Law. Each chapter follows a similar structure and specifically addresses business-to-business contracts, including aspects of both general contract law and rules specifically targeted at standard contract terms. We hope that this comparative handbook which, for obvious reasons, can offer only an overview on the matter, will nonetheless be a helpful tool for legal practice as well as comparative legal scholarship.

As a reliable survey on a large number of national legal systems can only be made possible with the support of national experts, we are especially grateful to all contributors who have enriched this book with their specialist expertise.

Our thanks also extend to Dr. Jonathon Watson, who not only provided a native-language review of most contributions but also made the editors' work much easier by providing substantial editorial comments.

Finally, it goes without saying that comments and suggestions from our readers are welcome. Of course, we would be particularly pleased if the interest in this work justifies further editions and the inclusion of additional legal systems in the future.

The editors

Hannes Wais

Thomas Pfeiffer

Heidelberg
August 2021



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Table of Contents

| | |
|----------------------|----|
| Preface | V |
| List of Authors..... | IX |

Part 1 Country Reports

| | |
|--------------------------|-----|
| A. Czech Republic..... | 1 |
| B. England & Wales | 33 |
| C. Estonia..... | 55 |
| D. Finland | 77 |
| E. France | 99 |
| F. Germany | 124 |
| G. Italy..... | 152 |
| H. The Netherlands..... | 173 |
| J. Poland..... | 195 |
| K. Portugal..... | 219 |
| L. Romania | 242 |
| M. Spain | 271 |
| N. Sweden..... | 287 |
| O. Switzerland..... | 301 |
| P. Taiwan | 323 |

Part 2 Conflict Of Laws

| | |
|---|-----|
| Q. Choice of Law and Choice of Court: The Rome I and Brussels I bis Regulations | 341 |
|---|-----|



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