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Titolo	Defences in contract // edited by Andrew Dyson, James Goudkamp, and Frederick Wilmot-Smith
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ISBN	9781509902156 1509902155 9781509902132 1509902139
Edizione	[1st ed.]
Descrizione fisica	1 online resource (333 pages)
Collana	Hart studies in private law : essays on defences ; ; v. 3
Disciplina	342.02/2
Soggetti	Breach of contract Contracts Estoppel Good faith (Law)
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes indexes.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Thinking in terms of contract defences -- Andrew Dyson, James Goudkamp, and Frederick Wilmot-Smith -- What is a contractual defence (and does it matter)? -- Kit Barker -- Good faith bargaining in the shadow of a form -- Daniel Markovits -- Good faith, good conscience, and the taking of unfair advantage -- Stephen Waddams -- Undue influence and unconscionability -- Hugh Beale -- Should consideration be required for the consensual discharge of an agreement by part payment? -- Mary Arden -- Not waiving but drowning -- Robert Stevens -- Frustration : automatic discharge of both parties? -- Ewan McKendrick -- Resisting termination : some comparative observations -- Solne Rowan -- The contract remoteness rule : exclusion, not assumption of responsibility -- Venkatesan Niranjan -- Contributory negligence and strict contractual obligations revisited -- Janet O'Sullivan -- Contractual estoppel and public policy -- Gerard McMeel -- Illegality : where are we now? -- Roger Toulson.
Sommario/riassunto	This book is the third in a series of essay collections on defences in private law. It addresses defences to liability arising in contract. The

essays range from those adopting a predominantly black-letter approach to others that examine the law from a more theoretical or historical perspective. Some essays focus on individual defences, while others are concerned with the links between defences, or with how defences relate to the structure of contract law generally. One goal of the book is to determine what light can be shed on contract law doctrines by analysing them through the lens of defences. The contributors - judges and academics - are all leading jurists. The essays are addressed to all of the major common law jurisdictions
