Record Nr. UNINA9910255186903321 Autore Andrews Neil Titolo Arbitration and Contract Law: Common Law Perspectives / / by Neil **Andrews** Pubbl/distr/stampa Cham:,: Springer International Publishing:,: Imprint: Springer,, 2016 **ISBN** 978-3-319-27142-2 Edizione [1st ed. 2016.] Descrizione fisica 347 p.; 25 cm Collana lus Gentium: Comparative Perspectives on Law and Justice, , 1534-6781 ; ; 54 Disciplina 340.9 340.2 Private international law Soggetti Conflict of laws Civil law Private International Law, International & Foreign Law, Comparative Law Civil Law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Incluye indice Nota di contenuto Preface -- Part I -- Arbitration: A Consensual Process -- 1.The Landscape of International Commercial Arbitration -- 2. Arbitration Agreements: Validity and Interpretation -- 3. The `Seat' and the Laws Affecting the Arbitration -- 4. Upholding the Agreement to Arbitrate --5. Appointing the Tribunal -- 6. The Tribunal's Integrity: Impartiality and Procedural Responsibilities -- 7. Confidentiality and the Arbitral Process -- Part II -- Monitoring the Tribunal's Application of Contract Law -- 8. Awards Disclosing Errors of English Law -- 9. Refusal to Give Effect to Foreign Awards -- Part III -- Central Contractual Doctrines --10. Sources and General Principles of English Contract Law -- 11. Validity -- 12. Misrepresentation and Coercion -- 13. Terms and Variation -- 14. Interpretation of Written Contracts -- 15. Breach --16. Frustration and Termination by Notice -- 17. Remedies for Breach of Contract -- Index.

This book deals with the contractual platform for arbitration and the application of contractual norms to the parties' dispute. Arbitration and

Sommario/riassunto

agreement are inter-linked in three respects: (i) the agreement to arbitrate is itself a contract; (ii) there is scope (subject to clear consensual exclusion) in England for monitoring the arbitral tribunal's fidelity and accuracy in applying substantive English contract law; (iii) the subject-matter of the arbitration is nearly always a 'contractual' matter. These three elements underlie this work. They appear as Part I (arbitration is founded on agreement), Part II (monitoring accuracy), Part III (synopsis of the English contractual rules frequently encountered within arbitration). The book will be a useful resource to foreign lawyers or English non-lawyers, English lawyers seeking a succinct discussion, and to arbitral tribunals.