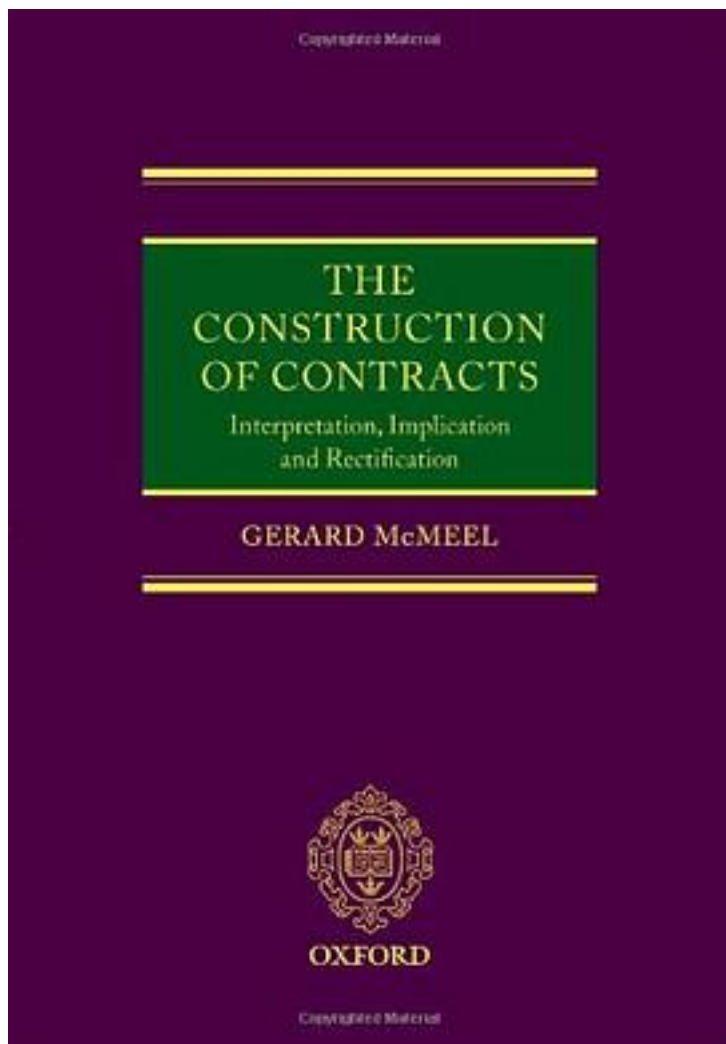


The Construction of Contracts



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This exciting new practitioner-orientated text provides a clear and comprehensive account of the legal principles and doctrines which come into play whenever the parties disagree about the meaning and effect of the contractual words. Most commercial transactions, from the supply of goods or services to the sale of a business, are reduced to writing. In most cases this entails that the deal is recorded in clear and certain terms for the parties to perform. Nevertheless written contracts are abundant with disputes about the meaning and effect of particular words and phrases. Although the common law principles and techniques of construction are of long ancestry, they have recently come to greater prominence as judges have self-consciously sought to modernise the approach to the interpretation of contractual instruments. This work provides a new and refreshed account of the principles involved, focusing on the practitioner's needs, tackling modernisation head on and equipping readers with the necessary means to avoid pitfalls in contractual provisions. The coverage extends to related rules and doctrines, including rectification and implication of terms, and consideration of the status of the controversial 'parol evidence rule.' The book also considers the nature and effect of particular species of contractual provision, including warranties and indemnities, exemption clauses, 'force majeure' clauses and 'entire agreement' clauses.

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