

Contract: General Principles

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About this Publication:

Contract: General Principles examines the concepts, principles and rules relating to contracts, and considers the jurisprudential, constitutional, and social context in which contract law operates. The authors' expert analysis and exposition of the legislative and common-law principles underlying the law of contract provides a rich, illuminating reading experience for legal practitioners, law students, and members of the general public interested in the subject. The authors explore the theoretical basis and structure of the South African law of contract and discuss the role played by the courts – which includes discussions of the latest court decisions and other sources of reference – in the interpretation and application of these rules and principles. Where the law is not settled, divergent opinions are considered and solutions offered, often referring to foreign jurisdictions.

The sixth edition of *Contract: General Principles* highlights the importance of the Consumer Protection Act in relation to the construction and conclusion of contracts, and includes a discussion of new developments in the electronic age, including the use of smart contracts and their application to various aspects of contracting. Close attention is paid to the influence of constitutional jurisprudence and the role of good faith and ubuntu in the formation and enforcement of legal agreements, or as informing the application of the public policy standard. The treatment of the practical application of this standard in the context of agreements in restraint of trade has also been significantly expanded.

While the book's basic approach has been retained, the chapters have been substantially refined and reworked with a sharper focus on the applicable principles and rules.

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- Chapter 2: Basis of contractual liability
- Chapter 3: Formation of contract
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Of Interest and Benefit to:

- Judges
- Advocates
- Attorneys
- Magistrates
- Legal advisors
- Legal scholars and academics in the law of contract
- Legal and academic libraries