



# Principles of European Contract Law and Italian Law

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## Principles of European Contract Law and Italian Law From Kluwer Law International

To provide valuable legal service to persons in today's Europe, practitioners must be conversant in both national and transnational law. At the European level, the Principles of European Contract Law (PECL) are an increasingly important element of contract law, together with national contract law, as contained in Civil Codes and various national statute. Accordingly, Kluwer Law International has initiated a series of volumes, under the direction of prof. Hondius of the University of Utrecht, comparing PECL with the most important European legal systems. This volume on Italian law is the second in the series.

Using a straightforward comparative method, the editors' analysis not only reveals a significant area of convergence between the PECL and Italian contract law, but also highlights the main differences between the two bodies of rules. The reasons for these differences, both legal and non-legal (such as historical, social, economic), are clearly set forth.

The book provides complete texts, with annotations, of the PECL and the corresponding Italian rules. The presentation proceeds as follows:

- general provisions (scope of application, general duties, terminology)
- formation of contracts (general provisions, offer and acceptance, liability for negotiations)
- authority of agents (general provisions, direct and indirect representation)
- validity
- interpretation
- contents and effects
- performance
- non-performance and remedies in general
- particular remedies for non-performance (right to performance, withholding performance, termination of the contract, price reduction, damages and interest)

The editors commentary includes extensive reference to case law and legal doctrine at all essential points. In this way they provide a comprehensive description of the law in action as well as its evolving trends.

In addition, incisive essays by two leading experts in the field of comparative law, prof. Rodolfo Sacco and prof. Michael Joachim Bonell, analyse the relationship of the PECL and Italian law and its wider framework in the harmonisation of private law at the European and international levels.

The book is a valuable handbook and guide for both foreign and Italian lawyers. For non-Italian lawyers, be they practitioners or academics, it provides a concise but complete and up-to-date outline of current Italian contract law, organized on the basis of a system (PECL) with which many European lawyers are familiar. For Italian lawyers, it offers a clearer insight into a wider European legal contract system whose importance in the evolution of a common European private law is growing rapidly.

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