

Lecture 7 — Contracts: Mistake

Jeff Zarnett

`jzarnett@uwaterloo.ca`

Department of Electrical and Computer Engineering
University of Waterloo

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Acknowledgments: Douglas Harder [1], Julie Vale [2]

As we know from the parol evidence rule, communications prior to the written contract cannot generally affect the terms.

We also examined a few exceptions.

People, however, make mistakes. What happens if there is a mistake in a written contract?

If a mistake is discovered in the contract and both parties agree to amend the contract to fix this error, that's all it takes.

That may be marking up and initialing the change on the original document or a new copy of the contract with the mistake fixed.

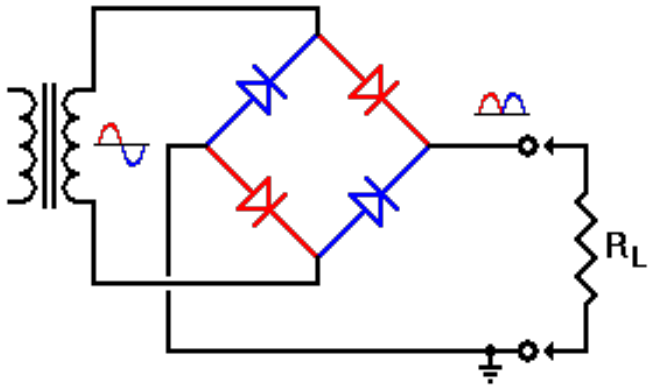
That's the easy case: everyone gets along.

Common Clerical Mistakes

When both parties have come to an agreement but the mistake is only introduced when the contract is written, this is a **common mistake**.

It was a mistake by both parties in the preparation of the agreement.

A clerical error will allow a party to apply to a court to **rectify** the contract.



Bridge Rectifier [3]

- [1] D. W. Harder, “ECE 290 Lecture Materials,” 2013. Online; accessed 31-May-2016.
- [2] J. Vale, “ECE 290 Course Notes,” 2011.
- [3] K. Bigelow, “Basic rectifier circuits,” 2015.

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