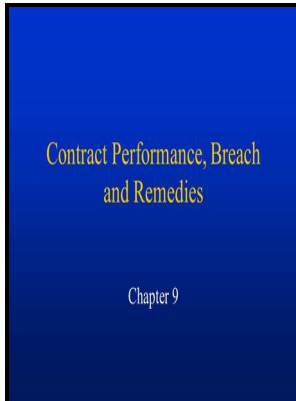


Remedies for breach of contract - a comparative account

Clarendon - Remedies for Breach of Contract: A Comparative Account



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The PLACL are the product of a working group comprising legal academics from Argentina, Brazil, Colombia, Chile, Paraguay, Uruguay and Venezuela. The essays, written by leading experts in the area, raise important and topical issues relating to the law of contract damages from both theoretical and practical perspectives. Regarding agreement on penalty for breach of contract, Article 418.

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The 2015 Civil Code adds the third ground: A contract will be cancelled when the other party commits a serious breach of contractual obligations. Equitable bars to relief should also be adopted in relation to disgorgement damages, as should allowances for skill and effort. If ineligible for exemption from application of remedies as prescribed by law or agreed upon by the parties, the breaching party must compensate for the damage.

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