

**Ministry of Education and Science of Ukraine
West Ukrainian National University
Faculty of Law
Department of International Law and Migration Policy**

*Liudmyla Savanets
Hanna Stakhyra*



**EDUCATIONAL AND
METHODOLOGICAL MATERIALS
TO STUDY THE DISCIPLINE**

European Contract Law

**Qualification - Bachelor
branch of knowledge - 29 «International relations»
specialty - 293 «International Law»
professional program - «International Law»**

Ternopil - 2021

Educational and methodological materials to study the discipline “European Contract Law” / Compilers: L.Savanets, H.Stakhyra. Ternopil, 2021. 26 c.

Compilers: **Liudmyla Savanets** – Dr, Associate Professor of the Department of International Law and Migration Policy Faculty of Law West Ukrainian National University

Hanna Stakhyra – Dr, Senior Lecturer of the Department of International Law and Migration Policy Faculty of Law West Ukrainian National University

Reviewers: **Hanna Grabovska** – Dr, Associate Professor of the Department of Civil Law and Prosedure Faculty of Law National Aviation University

Valentyna Sloma – Professor, Professor of the Department of Civil Law and Prosedure Faculty of Law West Ukrainian National University

Approved by the decision of the Department of International Law and Migration Policy Faculty of Law West Ukrainian National University
(Protocol No.5 from 26.10.2021)

CONTENT

| | |
|--|----|
| 1. Description of the discipline «European contract law»..... | 4 |
| 2. The purpose and tasks of studying the discipline «European contract law»... | 5 |
| 3. Content of the discipline «European contract law»..... | 7 |
| 4. The structure of the credit loan «European contract law»..... | 10 |
| 5. Themes of seminars..... | 11 |
| 6. Complex practical individual task | 15 |
| 7. Independent work..... | 16 |
| 8. Methods of training | 18 |
| 9. Evaluation methods..... | 18 |
| 10. List of recommended literature..... | 20 |

1. Description of the discipline «European contract law»

| Discipline - European contract law | Branch of knowledge, specialty, degree of higher education | Characteristics of the discipline |
|--|--|--|
| Number of ECTS credits –5 | Branch of knowledge: 29 "International Relations" | Regulatory discipline cycle training |
| Number of credits modules - 4 | Specialty - 293 "International Law" | Year of preparation – 3 Semester – 6 |
| The number of content modules - 2 | Degree of higher education– Bachelor | Lectures - 28 hours. Practical exercises – 14 hours. |
| Total hours – 150 hours. | | Independent work – 100 hours. Training - 4 hours Individual work - 4 hours. |
| Week's hours : daily from of studies – 10 hours, from them in audience - 4 | | Type of final control – grading test. |

2. The purpose and tasks of studying the discipline «European contract law»

2.1. The purpose of studying discipline

The purpose of the course «European contract law» is the formation of scientifically sound representations of European contract law and the familiarization with peculiarities, basic concepts, categories, institutes and branches of European contract law.

2.2. The task of studying the discipline «European contract law» is the mastering of students' knowledge of the peculiarities and basic concepts, categories, institutions and branches of contract law in European Union; patterns of development of contractual relations, etc.

2.3. Name and description of competencies, the formation of which provides the study of discipline: the ability and readiness to use knowledge of the main categories of European contract law and the provisions of international legal acts, to choose and use methods of interpretation of legal norms, the ability to think logically, critically, creatively, scientifically analyze significant problems and processes of the legal sphere, to have a system of categories and methods necessary for the election and application of the current international legal norm of stagnation. To generalize scientific methods for solving various professional tasks.

2.4. Prerequisites for other disciplines.

The list of disciplines, which was already in the past, carried great results of study:

- Compare civil law
- Compare family law
- Compare labor law
- Comparative civil process
- Compare inheritance law

2.5. Learning outcomes

As a result of studying the discipline «European contract law», students must:

know:

- sources of European contract law,
- methods of regulation of contractual relations in EU,
- contract Law as Part of European Private Law,
- contract Law in the Acquis Communautaire,
- coherency of European contract law,
- core elements,
- conclusion and content of contracts,
- right of withdrawal,
- unfair contract terms,
- performance obligations,
- consequences of non-performance,
- preclusion and prescription.

Be able to:

- analyze phenomena and processes in the field of European contract law;
- assess the conformity of the processes and actions of the participants of international relations to the principles of European contract law;
- to timely determine the problems of legal regulation of contract relationships in European Union;
- to analyze the cases of European contract law.

3. Content of the discipline «European contract law».

Content module 1. General part of «European contract law»

Theme 1. Foundations

Introduction. European contract law. Aim and structure of the course. Sources and literature.

Theme 2. Contract Law as Part of European Private Law

Concept: overview and variations. Dualism of national and supranational law: origins, independence of the supranational legal order, interdependency between national and supranational law. Contract Law in the Acquis Communautaire: types of rules, primary law, directives, development, fragmentation, minimum and full harmonization. Selected legislation and case law: consumer protection, small and medium-sized enterprises, e-commerce, payment services, non-discrimination, insurance contracts, others. Coherency of European Contract Law: academic approaches, principles of European Contract Law, Pavia Draft, General contract law and commercial law, Acquis Principles, Commission Action Plan and the Common Frame of Reference. The CESL as a codification: concept, preparation, structure and scope of application, codification character, legislative process and withdrawal. Focus on the Digital Single Market.

Theme 3. Core elements of contract

Concept of Contract. Contract and juridical act. Contract as consensus ad idem?: contract and inertia selling, complex process of conclusion of contract. Contract and notice. Types of Contracts in the Acquis Communautaire. Specific circumstances: commercial agency, timeshare, consumer sales, consumer credit. Increase in contract types in the acquis communautaire: framework contract, advisory services, service contracts, contract types under the CESL, contracts for the Supply of Digital Content. Mixed Contracts. Freedom of Contract: overview, non-mandatory and mandatory law, limitations on contract drafting by controlling contract terms. Good faith. Non-discrimination: foundation, discrimination due to a personal characteristic, discrimination as an obstacle to the internal market. Party status.

Consumers and other protected parties: overview, notion of the consumer in the *acquis communautaire*, other protected parties.

Theme 4. Conclusion and content of contracts

Pre-contractual duties: overview, comparative perspectives. Pre-contractual duties and good faith in the *acquis communautaire*. Pre-contractual duties and good faith in the CESL. Pre-contractual duties and good faith in the DCFR. Liability under the Acquis Principles. Information duties in the *acquis communautaire*. Between pre-contractual information duties and fair trading. Standardized performance. Pre-contractual information duties in the CESL. Pre-contractual information duties in the Acquis Principles and DCFR. Consequences of breach. Conclusion of Contract: overview, introduction, *acquis communautaire*, academic and legislative drafts. Agreement: principle, requirements, additional requirements? Modes: offer and acceptance, conclusion without offer and acceptance, conclusion via distance means of communication. Pre-contractual public statements: party to the contract, third parties. Unilateral promises: binding effect, protecting the offeror. Inertia selling: principle, functions, requirements, legal effects. Defects in Consent: an alternative concept for protecting against flawed decisions? Defects in consent in the *acquis communautaire*. Mistake and protection against unfair commercial practices. Defects in consent in the CESL. Right of Withdrawal: overview, functions, legal nature, exercise, effect.

Theme 5. Unfair contract terms

Unfair terms law as a core area of contract law. Unfair Terms Directive: structure, standard under the general clause, relationship to German law, approaches to further development. Unfair Terms in the Acquis Principles and DCFR. Unfair Terms in the CESL. Comparative Law Foundations: development in German law, control of terms under the French system, English and Scandinavian Systems. Unfair Terms Directive as a Compromise. General Clause and the List of Unfair Terms. Late Payment Directive. Acquis Principles. DCFR. Reform. The Exclusion of Unfair Terms from the Consumer Rights Directive. CESL.

Content module 2. Performance obligation and consequences of non-performance

Theme 6. Performance obligations

Performance obligations: Acquis communautaire, proposed legislation (typical performance obligations, counter-performance, further areas of regulation under the CESL-D, emergence of a general conceptual basis). Forms of performance: overview, place and type of performance, time. Risk: basic features, consumer contracts, commercial contracts. Features of long-term contracts: overview, types, acquis communautaire, supply of digital content, performance and non-performance, termination.

Theme 7. Consequences of non-performance

Innovative approaches in the acquis communautaire: system, acquis communautaire, CESL, services. Non-performance: overview, requirement in the acquis communautaire, types of non-performance in the acquis communautaire, requirement in the CESL, right to cure: acquis communautaire, DCFR, CESL. Remedies for the Injured Party. Performance: overview, requirements and exclusion, subsequent performance. Withholding performance: overview, requirements, consequence. Termination: overview, requirements, notice of termination, examination and notification duties, consequences. Price reduction: overview, requirements and exclusion, consequences. Damages and interest: overview, damages in the CESL, interest. Restitution.

Theme 8. Preclusion and prescription

Acquis Communautaire. Proposal for Comprehensive European Rules. Conclusions.

4. The structure of the credit loan «European contract law»

(Full-time education)

| № п/п | Themes | Number of hours | | | | Control measure s |
|-------------------------|---|-----------------|-----------|------------|----------|-------------------------|
| | | Lectures | Seminars | IWS | IWS | |
| Content module 1 | | | | | | |
| 1. | Theme 1. Foundations | 4 | 2 | 11 | 2 | |
| 2. | Theme 2. Contract Law as Part of European Private Law | 4 | 2 | 13 | | |
| 3. | Theme 3. Core elements of contract | 4 | 2 | 14 | | |
| 4. | Theme 4. Conclusion and content of contracts | 4 | 2 | 14 | | |
| 5. | Theme 5. Unfair contract terms | 4 | 2 | 12 | | |
| Content module 2 | | | | | | |
| 6. | Theme 6. Performance obligations | 2 | 2 | 12 | 2 | |
| 7. | Theme 7. Consequences of non-performance | 2 | 1 | 12 | | |
| 8. | Theme 8. Preclusion and prescription | 2 | 1 | 12 | | |
| Total | | 28 | 14 | 100 | 4 | |

5. Themes of seminars.

Theme 1. Foundations

1. Introduction.
2. European contract law.
3. Aim and structure of the course.
4. Sources and literature.

Theme 2. Contract Law as Part of European Private Law

1. Concept: overview and variations.
2. Dualism of national and supranational law: origins, independence of the supranational legal order, interdependency between national and supranational law.
3. Contract Law in the Acquis Communautaire: types of rules, primary law, directives, development, fragmentation, minimum and full harmonization.
4. Selected legislation and case law: consumer protection, small and medium-sized enterprises, e-commerce, payment services, non-discrimination, insurance contracts, others.
5. Coherency of European Contract Law: academic approaches, principles of European Contract Law, Pavia Draft, General contract law and commercial law, Acquis Principles, Commission Action Plan and the Common Frame of Reference.
6. The CESL as a codification: concept, preparation, structure and scope of application, codification character, legislative process and withdrawal.
7. Focus on the Digital Single Market.

Theme 3. Core elements of contract

1. Concept of Contract.
2. Contract and juridical act.
3. Contract as consensus ad idem?: contract and inertia selling, complex process of conclusion of contract.
4. Contract and notice.
5. Types of Contract in the Acquis Communautaire.
6. Specific circumstances: commercial agency, timeshare, consumer sales, consumer credit.

7. Increase in contract types in the *acquis communautaire*: framework contract, advisory services, service contracts, contract types under the CESL, contracts for the Supply of Digital Content.

8. Mixed Contracts.

9. Freedom of Contract: overview, non-mandatory and mandatory law, limitations on contract drafting by controlling contract terms.

10. Good faith.

11. Non-discrimination: foundation, discrimination due to a personal characteristic, discrimination as an obstacle to the internal market.

12. Party status.

13. Consumers and other protected parties: overview, notion of the consumer in the *acquis communautaire*, other protected parties.

Theme 4. Conclusion and content of contracts

1. Pre-contractual duties: overview, comparative perspectives.

2. Pre-contractual duties and good faith in the *acquis communautaire*.

3. Pre-contractual duties and good faith in the CESL.

4. Pre-contractual duties and good faith in the DCFR.

5. Liability under the *Acquis Principles*.

6. Information duties in the *acquis communautaire*.

7. Between pre-contractual information duties and fair trading.

8. Standardized performance.

9. Pre-contractual information duties in the CESL.

10. Pre-contractual information duties in the *Acquis Principles* and DCFR.

11. Consequences of breach.

12. Conclusion of Contract: overview, introduction, *acquis communautaire*, academic and legislative drafts.

13. Agreement: principle, requirements, additional requirements?

14. Modes: offer and acceptance, conclusion without offer and acceptance, conclusion via distance means of communication.

15. Pre-contractual public statements: party to the contract, third parties.

16. Unilateral promises: binding effect, protecting the offeror.
17. Inertia selling: principle, functions, requirements, legal effects.
18. Defects in Consent: an alternative concept for protecting against flawed decisions?

19. Defects in consent in the *acquis communautaire*.
20. Mistake and protection against unfair commercial practices.
21. Defects in consent in the CESL.
22. Right of Withdrawal: overview, functions, legal nature, exercise, effect.

Theme 5. Unfair contract terms

1. Unfair terms law as a core area of contract law.
2. Unfair Terms Directive: structure, standard under the general clause, relationship to German law, approaches to further development.
3. Unfair Terms in the *Acquis Principles* and DCFR.
4. Unfair Terms in the CESL.
5. Comparative Law Foundations: development in German law, control of terms under the French system, English and Scandinavian Systems.
6. Unfair Terms Directive as a Compromise.
7. General Clause and the List of Unfair Terms.
8. Late Payment Directive.
9. *Acquis Principles*.
10. DCFR.
11. Reform.
12. The Exclusion of Unfair Terms from the Consumer Rights Directive.
13. CESL.

Content module 2. Performance obligation and consequences of non-performance

Theme 6. Performance obligations

1. Performance obligations: *Acquis communautaire*, proposed legislation (typical performance obligations, counter-performance, further areas of regulation under the CESL-D, emergence of a general conceptual basis).

2. Forms of performance: overview, place and type of performance, time.
3. Risk: basic features, consumer contracts, commercial contracts.
4. Features of long-term contracts: overview, types, acquis communautaire, supply of digital content, performance and non-performance, termination.

Theme 7. Consequences of non-performance

1. Innovative approaches in the acquis communautaire: system, acquis communautaire, CESL, services.
2. Non-performance: overview, requirement in the acquis communautaire, types of non-performance in the acquis communautaire, requirement in the CESL, right to cure: acquis communautaire, DCFR, CESL.
3. Remedies for the injured party.
4. Performance: overview, requirements and exclusion, subsequent performance.
5. Withholding performance: overview, requirements, consequence.
6. Termination: overview, requirements, notice of termination, examination and notification duties, consequences.
7. Price reduction: overview, requirements and exclusion, consequences.
8. Damages and interest: overview, damages in the CESL, interest.
9. Restitution.

Theme 8. Preclusion and prescription

1. Acquis Communautaire.
2. Proposal for Comprehensive European Rules.
3. Conclusions.

6. Complex practical individual task

Complex Practical Individual Task is a form of training designed to deepen, summarize and consolidate the knowledge that students receive in the learning process, as well as the application of this knowledge in practice. Complex Practical Individual Task is performed by students independently under the supervision of lecturer, this is the completed theoretical or practical work within the curriculum of the course, which is executed on the basis of knowledge, skills obtained during the process of lectures, seminars.

Proposed variants

1. EU law on certain aspects concerning contracts for the sale of goods (Directive (EU) 2019/771)
2. EU law on certain aspects concerning contracts for the supply of digital content and digital services (Directive (EU) 2019/770)
3. EU law on consumer rights (Directive 2011/83/EU)
4. EU law on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (Directive 2000/31/EC)
5. Preclusion and Prescription
6. Acquis Communautaire
7. Proposal for Comprehensive European Rules
8. Remedies for the injured party
9. Right to cure
10. Non-performance

7. Independent work

Independent work as the main form of learning by the student of the educational material at the time, free of compulsory classes and without the participation of the teacher, involves a personal, self-centered organization of student learning.

| п/п | Themes | Hours | Training |
|------------|---|--------------|-----------------|
| 1. | Theme 1. Foundations | 9 | 1 |
| 2. | Theme 2. Contract Law as Part of European Private Law | 11 | |
| 3. | Theme 3. Core elements of contract | 10 | |
| 4. | Theme 4. Conclusion and content of contracts | 12 | |
| 5. | Theme 5. Unfair contract terms | 10 | |
| 6. | Theme 6. Performance obligations | 12 | 2 |
| 7. | Theme 7. Consequences of non-performance | 12 | |
| 8. | Theme 8. Preclusion and prescription | 10 | |
| Total | | 86 | 4 |

Organization and conducting of training

Training is the planned process of modifying (changing) the attitude, knowledge or behavioral skills of the learner, by acquiring learning experience in order to achieve effective performance in one type of activity or in a particular field. Training (from English to train - to bring up, train) - a set of exercises for training in something. Training - a system for preparing the human body to adapt it to the increased demands and difficult conditions of work and life.

The order of the training

The introductory part is conducted in order to familiarize students with the topic of the training session.

The organizational part is to create a working mood in a team of students, defining the rules for conducting a training session. Possibility of distributing material in the form of tables, forms of documents.

The practical part is realized by performing tasks in groups of students on certain issues of the topic of the training session.

Summing up. The results of the tasks performed in the groups are discussed. Exchange of views on the issues that were put on training sessions.

Training topics

1. Evaluation of European contract Law
2. Defects of Consent and their Usefulness in Case of Consumer Contracts.

8. Methods of training.

In studying the discipline «European contract law» the following methods of teaching are used: lectures, seminars, individual classes, execution of scientific works under the direction of a lecturer.

9. Evaluation methods.

For students of full-time education

In the process of studying the discipline «European contract law», the following methods of assessing the student's academic work are used:

- current survey;
- final control work for each content module;
- assessment of the implementation of the ISW;
- Rector's control work.

The final score (on a 100-point scale) in the discipline «European contract law» is defined as the weighted average, depending on the proportion of each component of the discipline:

| <i>Scoring module 1</i> | <i>Scoring module 2</i> (rector's control work) | <i>Scoring module 3</i> (current assessments, final score) |
|-------------------------|--|---|
| 30% | 40% | 30% |
| Week 8 | Week 14 | Week 17 |

Grading scale:

| On the scale university | On the national scale | On the ECTS scale |
|-------------------------|-----------------------|-------------------|
| 90-100 | excellent | A (excellent) |
| 85-89 | good | B (very good) |
| 75-84 | | C (good) |
| 65-74 | satisfactory | D (satisfactory) |
| 60-64 | | E (enough) |

| | | |
|-------|------------------|--|
| 35-59 | non-satisfactory | FX (non-satisfactory with possibility of repeated passing) |
| 1-34 | | F (non-satisfactory with repeated course of lectures) |

List of recommended literature:

Basic literature:

1. Basedow J. EU Private Law. Intersentia (2021)
2. Bogdan M. Concise Introduction to EU Private International Law (3d ed. 2016).
3. European contract law and the creation of norms / Ed. By Stefan Grundmann, Mateusz Grochowski. Intersentia (2021)
4. Geert van Calster. European Private International law. Hart Publishing (2021)
5. Kötz H., Mertens G., Weir T. European contract law. Oxford etc. : Oxford University Press. 2nd edition. (2020).
6. Rutgers J., Sirena P. Rules and principles in European contract law. Cambridge etc. : Intersentia. (2015).
7. Schulze R., Zoll F. European contract law. Baden-Baden München Oxford : Nomos C.H. Beck Hart Publishing. (2018).

Additional literature:

1. Antonioli L., Veneziano A. Principles of european contract law and Italian law. The Hague: Kluwer law international. (2005).
2. Aust H.P. & Nolte G. (eds.), The Interpretation of International Law by Domestic Courts: Uniformity, Diversity, Convergence (2016).
3. Balthasar S. (ed.), International Commercial Arbitration: International Conventions, Country Reports and Comparative Analysis (2016).
4. Basedow J. EU Private Law. Intersentia (2021)
5. Basedow J., Hopt J. K., Zimmerman R., Stier A.(eds.). The Max Planck Encyclopedia of European Private Law. Oxford: Oxford University Press (2012).
6. Bělohlávek A.J. Rome Convention, Rome I Regulation: Commentary: New EU Conflict-of-Laws Rules for Contractual Obligations: December 17. (2010).
7. Bogdan M. Concise Introduction to EU Private International Law (3d ed. 2016).

8. Bogdan M. Private International Law as Component of the Law of the Forum: General Course. The Hague: Hague Academy of International Law. (2012).
9. Borchers P.J. Conflicts in a Nutshell (4th ed. 2016).
10. Collier J.G. Conflict of Laws. 2nd ed. Cambridge: Cambridge University Press. (1999).
11. Collins H. European contract law and the Charter of Fundamental Rights. Cambridge etc.: Intersentia. (2017).
12. Encyclopedia of Private International Law. Ed. by Jürgen Basedow, Giesela Rühl, Franco Ferrari, Pedro De Miguel Asensio. Elgar (2017)
13. Esplugues C., Iglesias J.L., Palao G. Application of Foreign Law. Munich: Sellier European Law Publishers. (2011).
14. European contract law and the creation of norms / Ed. By Stefan Grundmann, Mateusz Grochowski. Intersentia (2021)
15. Geert van Calster. European Private International law. Hart Publishing (2021)
16. Grundmann S. European contract law in the digital age. Cambridge etc. : Intersentia. (2018).
17. Huber P., Mullis A. The CISG: A New Textbook for Student and Practitioners. Munich: Sellier European Law Publishers. (2007).
18. Lando O., Beale H. Principles of European contract law. Parts I and II. The Hague London Boston : Kluwer law international. (2000).
19. Lando O., Beale H. The principles of European contract law. Part I. Performance, non-performance and remedies. Dordrecht Boston London : M. Nijhoff. (1995).
20. North P. Essays in Private International Law. Oxford: Claredon Press. (1993).
21. Nygh P. Autonomy in International Contracts. Oxford: Claredon Press. (1999).
22. Perdue W. C. Procedure and private international law (2017).

23. Private International Law. Contemporary Challenges and Continuing Relevance. Ed. by Franco Ferrari, Diego P. Fernández Arroyo. Elgar (2019)
24. Rogerson P. Collier's Conflict of Laws. 4th ed. Cambridge: Cambridge University Press (2013).
25. Schlechtriem P. Uniform Sales Law – The UN Convention on Contracts for the International Sale of Goods [online]. Vienna: Manz, 1986. Available from: <http://www.cisg.law.pace.edu/cisg/biblio/slechtriem.html>
26. Stone P. EU Private International Law. 2nd ed. Cheltenham: Edward Elgar Publishing Limited. (2010).
27. The principles of European contract law (Part III) and Dutch law: a commentary II. The Hague : Kluwer Law International. (2006).
28. Zimmermann R., Whittaker S. Good faith in European contract law. Cambridge New York : Cambridge University Press. (2000).

Source:

aa) The three most important sources for European contract law are:

– The EU Treaties, i.e. the Treaty on the European Union (TEU), Treaty on the Functioning of the European Union (TFEU) and the Charter of Fundamental Rights of the European Union (CFR);

- EU regulations and, in particular, EU directives concerning contract law. EU legislation is published in the Official Journal of the European Union (OJ): legislation is contained in the 'L series'; whereas information and notices can be found in the 'C series'. The Official Journal can be accessed via the website <http://eur-lex.europa.eu>;

– Decisions of the General Court and of the Court of Justice of the European Union (CJEU). The decisions until 2011 are published in the European Court Reports (ECR). Citation of the source begins with the case reference number, the short title, the year, the ECR volume (since 1990) and the page number. The ECR volume number is indicated in roman numerals. Reports from 1 January 2012 are available in digital format only. All decisions from both European courts can be accessed via the

websites <http://eur-lex.europa.eu> and <http://curia.europa.eu>. Decisions have a 'European Case Law Identifier' (ECLI): a uniform identification format for all Member States and the EU Courts. The ECLI comprises five mandatory elements: ECLI, a country code (EU for European Courts), a court code (C = Court of Justice, T = General Court), the year of the judgment, and a unique number for the individual case.

bb) The European Commission's proposal for a Common European Sales Law is published in COM (2011) 635 final and, inter alia, in Part III of Radley-Gardner/Beale/Zimmermann/Schulze (eds), *Fundamental Texts on European Private Law* (2nd edn, Hart 2016). More detailed explanation of the proposal's content is contained in Schulze (ed), *Common European Sales Law (CESL) – Commentary* (Nomos 2012). Further publications on this subject include: Dannemann/Vogenauer (eds), *The Common European Sales Law in Context* (OUP 2013); Deshayes, *Le droit commun européen de la vente – Examen de la proposition de règlement du 11 octobre 2011* (Société de législation comparée 2012); Schmidt-Kessel (ed), *Der Entwurf für ein Gemeinsames Europäisches Kaufrecht – Kommentar* (Sellier 2014)¹⁰. Two of the European Commission's most important proposals for contract law in the digital single market concern contracts for the supply of digital content and contracts for the online and other distance sale of goods. Each proposal is published in COM (2015) 634 final and COM (2015) 635 final, respectively. The texts are published also in Part II of Part III of Radley-Gardner/Beale/Zimmermann/Schulze (eds), *Fundamental Texts on European Private Law*.

cc) Further sets of rules that are not legally binding but are of considerable importance for European contract law include, inter alia, the Principles of European Contract Law (PECL), the *Principes du Droit Européen du Contrat*, the Principles of the Existing EC Contract Law (Acquis Principles)¹³, and the Draft Common Frame of Reference (DCFR).

Literature

- aa) Journals on European contract and private law include:
- *Contratto e impresa/europa* (CIEU)

- European Review of Contract Law (ERCL)
- European Review of Private Law (ERPL)
- European Union Private Law Review (GPR)
- Journal of European Consumer and Market Law (EuCML)
- Zeitschrift für europäisches Privatrecht (ZEuP)

bb) The following works adopt a comparative law perspective – in part – on the topic of European contract law:

- Alpa/Andenas, *Fondamenti del diritto privato europeo* (Giuffrè 2005)
- Kötz/Flessner, *European Contract Law vol I* (Clarendon 1998)
- Ranieri, *Europäisches Obligationenrecht* (3rd edn, Springer 2009)

In addition, further information on the implementation of consumer contract directives into national law can be obtained online via <http://eur-lex.europa.eu/n-lex/>.

cc) The Max Planck Encyclopaedia of European Private Law (Basedow/Hopt/Zimmermann (eds), OUP 2012) is a highly useful reference work for various aspects of European contract law.

Для нотаток

Educational and methodical publication

Liudmyla Savanets, Hanna Stakhyra

**Educational and Methodological Materials
to Study the Discipline
European Contract Law**

**Qualification - Bachelor
branch of knowledge - 29 «International relations»
specialty - 293 «International Law»
professional program - «International Law»**

Signed for printing 26.10.2021p.
Format 60*90/16. Headset Times.
Offset paper. Duplicator printing.
Circulation 30 copies.