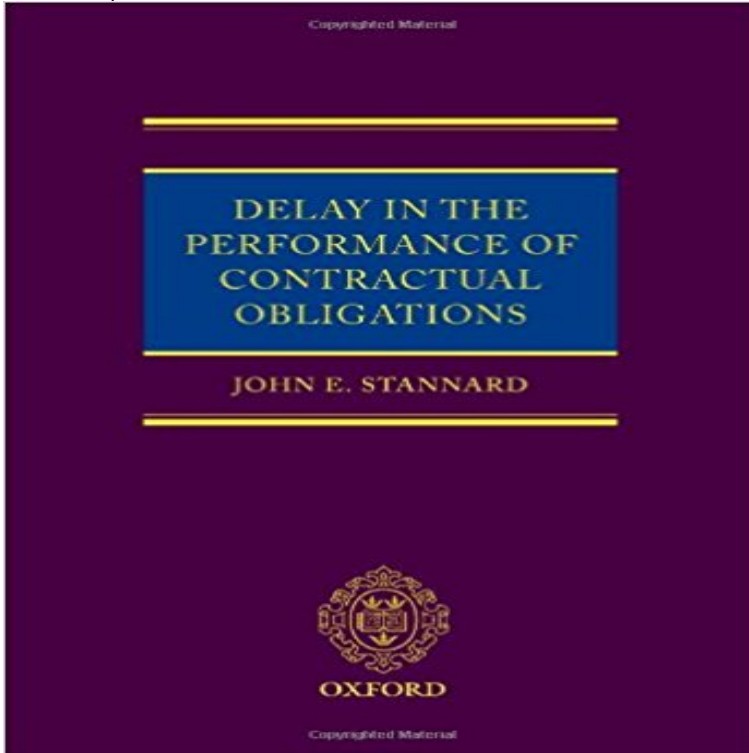


Delay in the Performance of Contractual Obligations



It is much easier to make a promise than to keep it, still less to keep it on time. It is therefore not surprising that delay is a common problem in contracts of all kinds, and the issue has been very much litigated in the courts. Unfortunately the law in this area is both complex and obscure, and there is a marked lack of commentary on the subject. This book is designed to fill that gap by dealing systematically with the topic of delay in the contractual context. The first part of the book contains a general discussion of the law for determining the time of performance, both where a time is set by the contract and where the contract is silent as to time. The second part of the book looks at the performance of time stipulations, dealing with the question of what amounts to prompt performance, the effect of failure to perform on time, and the excuses which may be available for such failure. The third part examines the remedies available to the victim of delay in performance, including specific performance, termination and the recovery of damages. A glossary is provided dealing with various words and phrases used in connection with the time for performance and the remedies for delay. Delay in the Performance of Contractual Obligations elucidates a set of general principles for delay by drawing on cases on a wide variety of topics. The main focus is on the law of England and Wales, but reference will be made where appropriate to authorities from other common law jurisdictions.

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