

# Contracts in English

Bugg

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# Contracts in English

An introductory guide  
to understanding, using and developing  
'Anglo-American' style contracts

by

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Fifth Edition

2023



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Stuart Bugg is currently practising as a solicitor of the Senior Courts of England and Wales, as well as a *Rechtsanwalt* in Germany. Stuart was born in England but grew up and trained as a lawyer in New Zealand. For much of his professional life he has been based in Germany. He is a partner in the law firm of Augustin & Bugg in Nuremberg. He works as a consultant in commercial and contract law and regularly gives lectures and seminars on various aspects of commercial and contract law as well as Legal English.

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## Foreword to First Edition

I would like to thank all the people who have contributed to the making of this book. This includes all the members of my family, who lost me for several weeks and months (although they did not seem to mind) whilst the book was being produced.

Renate Augustin was of irreplaceable assistance for her constructive suggestions throughout the book as well as for her input. It should also not go unmentioned that my son Alex was able to more than surpass my one-finger typing attempts with the high-speed ten-digit skills of a person born in the computer age.

I would also like to express my gratitude to all those colleagues and participants at my professional training seminars who, often unknowingly, tested much of this material for comprehensibility, relevance and practical application.

And finally, I must thank the publishers, C.H. Beck Verlag and in particular, Susanne Hauptmann for a great deal of support, advice and above all, patience.

Nürnberg, im Januar 2010

*Stuart Bugg*

## Foreword to Second Edition

Thank you again to all those involved in this second edition and a special note of gratitude goes to readers and colleagues for their feedback and suggestions such as the addition of template contracts to this edition (Appendix IV).

Nürnberg, im Februar 2013

*Stuart Bugg*

## Foreword to Third Edition

This edition has been revised and updated wherever possible to cover recent developments in the law and contract drafting.

In addition to changes in the main text, the range of template documents and contracts in Appendix III (Templates) has also been extended so that those working with contracts will have easier access to the phrases and language used in such standard types of clauses. In addition, the General Glossary of Terminology in Appendix IV has been revised and expanded.

As in previous years, I would like to again thank all the people who tirelessly helped with this new edition as well as the numerous colleagues who provided their suggestions and advice.

Nürnberg, im April 2016

*Stuart Bugg*

## Foreword to Fourth Edition

Contract law never sleeps and despite these uncertain times in terms of the legal and constitutional relationship between the (still) UK and the EU, we have attempted to keep this edition as up to date as possible. The relevant U.K. statutes have been revised to take into account the Consumer Rights Act 2015 and other relevant legislative developments. Of course, material on the potential departure of the UK from the EU has been introduced and contractual estoppel as a defence has been awarded its own section. In addition, a few words have been put down as a general set of guidelines on liability management.

I am obliged to yet again thank my family for enduring (or enjoying) my absence and Frau Breun, Ali and Jonathan for their support. Needless to say, I must also express my gratitude to Susanne Hauptmann at C.H. Beck for her tireless efforts to keep me on course with her guidance and patience.

Nürnberg, im Juni 2019

*Stuart Bugg*

## Foreword to Fifth Edition

Everything seems different but nothing has changed. Since the last edition the world has suffered several monumental shocks ranging from a pandemic to a war again in Europe. The human cost has been (and still continues to be) unfathomable. The international commercial environment has endured these events with the impact of labour shortages, lockdowns, supply chain disruptions, raw material shortages, dramatic price fluctuations and sanctions. As a footnote to it all, Brexit came and slowly went.

It is against this dramatic backdrop that we must now develop commercial contracts. This fifth edition has therefore sought to cover the boilerplates for such situations in more details with further information and templates concerning clauses on frustration, force majeure, sanctions, price variations, supply difficulties and termination.

My thanks go out to the many colleagues for their feedback, legal expertise and guidance. I must also express my gratitude to my long-suffering family who have allowed me the necessary time and provided so much support and so many cups of tea and coffee.

Nürnberg, im April 2023

*Stuart Bugg*

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