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Contract Terms Explanation Of Chinese Edition

Mo Zhang



Contract Terms Explanation Of Chinese Edition:

Chinese Contract Law - Theory & Practice, Second Edition Mo Zhang, 2019-12-16 Chinese Contract Law 2nd Ed offers an in depth analysis of the contract making process performance and remedies in the legal framework established under the current regulatory scheme governing contracts in China The book discusses various contract issues from theoretic and practical viewpoints and addresses major contractual matters in a comparative way It examines the law of contracts as drafted interpreted and applied with Chinese characteristics The second edition comprises the latest developments in contract legislation adjudication and practices in China including the newly adopted laws judicial interpretations and guiding cases It emphasizes contextual distinctions and transactional considerations relevant to contract research and practice The book provides a meaningful tool to get inside the contemporary contract law of China

Chinese Contract Law - First Edition Mo Zhang, 2006-02-01 This book offers a comprehensive analysis in the theories and framework of Chinese contract law as well as its implication in Chinese judicial practices through the recent cases in Chinese people s courts It aims to provide answers to the above questions in a systematic way theoretically and practically it therefore analyzes the issues surrounding the process of contract making and performance under the Chinese contract law and doctrines underlying the law The focus is upon issue oriented discussions from which different solutions may be drawn based on the nature of particular fact patterns In addition for research purposes an analytical comparison is employed with regard to the laws that govern contracts to help illustrate how Chinese law is distinctive In short the book presents a well analyzed inside view of Chinese contract law in theory and practice which will be of interest to both academic researchers and practitioners in the area of contracts

Terminology Translation in Chinese Contexts Saihong Li, William Hope, 2021-02-22 Terminology Translation in Chinese Contexts Theory and Practice investigates the theory and practice of terminology translation terminology management and scholarship within the distinctive milieu of Chinese and explores the complex relationship between terminology translation micro level and terminology management macro level This book outlines the contemporary challenges of terminology translation and terminology management within Chinese contexts in specialized fields including law the arts religion Chinese medicine and food products The volume also examines how the development and application of new technologies such as big data cloud computing and artificial intelligence have brought about major changes in the language service industry Technology such as machine translation and computer assisted translation has spawned new challenges in terminology management practices and has facilitated their evolution in contexts of ever greater internationalization and globalization This book recontextualizes terminology translation and terminology management with a special focus on English Chinese translation It is hoped that the volume will enable and enhance dialogue between Chinese and Western scholars and professionals in the field All chapters have been written by specialists in the different subfields and have been peer reviewed by the editors

Chinese Contract Law Larry A. DiMatteo, Chen Lei, 2017-10-26 A unique

comparative analysis of Chinese contract law accessible to lawyers from civil common and mixed law jurisdictions A
Comparative Analysis of Policing Consumer Contracts in China and the EU Jiangqiu Ge, 2019-02-07 This book seeks to fill a gap in the existing literature by describing the formulation interpretation and enforcement of the rules on consumer contracts in China and the EU and by mapping key similarities and differences The study addresses selected issues regarding consumer contracts sources of law in the two jurisdictions are first discussed to set the scene Afterwards one preliminary issue how to define the concept of a consumer contract and two substantive topics unfair terms and withdrawal rights are dealt with Apart from the descriptive analysis the book also provides possible explanations for these comparative findings and argues that the differences in consumer contract rules can be primarily attributed to a disparity of markets The book offers a valuable resource particularly for researchers and practitioners in the fields of private law and comparative law

Public Procurement in Chinese Law and Practice Xiang Xiansheng, 2023-04-26 This book aims to present an overview of government procurement of public services in China It introduces three types of government procurement of public service and analyzes the legal boundaries legal subjects purchasing methods regulation and legal remedy system around it At the end the ways of improving law system are brought up for policy suggestion It helps readers understand how procurement of public services proceeds in China *Chinese Insurance Contracts* Zhen Jing, 2016-11-25 Chinese Insurance Contracts Law and Practice is the first systematic text written in English on the law of insurance in China This book offers a critical analysis of the major principles doctrines and concepts of insurance contract law in China At every point the analysis discusses the principles of the Insurance Law in detail referring where appropriate to decided cases and also drawing attention to external influences Readers are guided through the complexities of Chinese law in a clear and comprehensive fashion and significantly in a manner that is accessible and meaningful for those used to a common law system This book presents a comprehensive picture of Chinese insurance contract law to facilitate a wider understanding of the relevant rules of law Elements of insurance contract law are critically examined In addition this book presents rules of law on some special types of insurance contract such as life insurance property insurance liability insurance motor vehicle insurance reinsurance and marine insurance The deficiencies and shortcomings of the law and practice will be identified and analysed suggestions and recommendations on how to reform the law will be presented Chinese Insurance Contracts also offers legal and practical advice to insurance professionals on how to draft clauses to avoid contractual pitfalls It also uses cases to illustrate the difficulties which can arise in applying the principles in practice This book will be essential reading for insurance companies and legal practitioners looking to do business in China as well as reference for Chinese lawyers practising insurance law It will also be a useful resource for students and academics studying Chinese law **Contents of Contracts and Unfair Terms** Mindy Chen-Wishart, Stefan Vogenauer, Hugh G. Beale, 2020 Studies in the Contract Laws of Asia provides an authoritative and current introduction to the contract laws of major Asian jurisdictions and includes a bibliography of

literature in the English language The series will identify and discuss the current controversies and debates amongst the stakeholders of the subject jurisdictions the likely direction of travel on these issues as well as the values and policies which shape the development of the law in these areas Furthermore it will examine how European sourced laws have acquired unique characteristics in the transplanted jurisdictions and compare these with the emerging shape of European contract law and other international instruments Each volume in the series will offer an insider's perspective into specific areas of contract law remedies formation parties contents vitiating factors change of circumstances illegality and public policy It will explore how these diverse jurisdictions address common problems encountered in contractual disputes and will offer a comparative assessment horizontally as between the Asian jurisdictions and vertically with source jurisdictions and international codes Book jacket

Chinese Civil Law Yuanshi Bu, 2013-07-30 China is a major civil law jurisdiction Since the end of the 1990s great efforts have been made in China to codify the entire civil law With the major statutes governing contracts property torts and conflict of laws promulgated in 1999 2007 2009 and 2010 respectively the most crucial steps have been taken towards the creation of a Chinese Civil code This book attempts to shed light on both the theoretical and the practical aspects of Chinese civil law while extensive footnotes and a detailed bibliography and index allow for further study of specific areas and facilitate systematic research The book addresses the following topics Part I General Part II Contracts Part III Tort Law Part IV Property Law Part V Conflict of Laws Main features Combination of an overall picture of the specific field of law at issue and thorough analysis of fundamental issues Combination of black letter law and law in action Selected bibliography of publications in English information on English translations of Chinese regulations available in the public domain lists of the relevant statutes and judicial interpretations as well as cases

Modern European and Chinese Contract Law Junwei Fu, 2011-04-20 This comparative study of European and Chinese contract law opens a clear and practical way to identify and understand the differences between the two legal regimes The author offers a detailed doctrinal comparison of the two systems of contract focusing on the following fundamental elements the importance of socio economic valuation in Chinese contract law the role of judicial interpretation pre contractual liability penalties for bad faith disclosure versus concealment validity mistake fraud threats unfair bargaining power adaptation and termination effect of registration and approval rules mandatory rules good faith and fair dealing the public interest and direct application of constitutional law to contracts The book's special power lies in its extraordinarily thorough comparison of doctrines underlying specific provisions of such instruments as the Contract Law of the People's Republic of China CLC the General Principles of the Civil Law of the People's Republic of China GPCL the Principles of European Contract Law PECL and the Draft Common Frame of Reference DCFR as well as analysis of judicial cases

Chinese Contract Law Mo Zhang, 2006 This volume presents a well analyzed inside view of Chinese contract law in theory and practice which will be of interest to both academic researchers and practitioners in this area

Chinese Commercial Law Maarten Roos, 2010-09-30 The rapid and continuing development of

the Chinese economy and its markets has made business with China an integral component of the strategies of countless foreign companies regardless of their size or form. However, in order to turn opportunities into successful enterprises, managers need a practical guide on the legal aspects of conducting business in China and on the strategies for effectively circumventing unnecessary risks while simultaneously using the legal system to strengthen operations and protect interests. This remarkable book provides the necessary insight and guidance to devise a corporate strategy and to tackle issues relating to common aspects of doing business with Chinese counterparts: investing in a Chinese enterprise and engaging in business operations there. Drawing on expertise gained during eight years in China serving the legal needs of foreign companies, the author shows how many of the mistakes that foreign companies make can easily be avoided by conducting a proper due diligence and understanding how applicable laws work in practice. He clearly describes the opportunities and pitfalls exposed as a foreign investor engages with such elements of business in China as the following: negotiating a detailed written contract; performing a legal and commercial due diligence on a prospective partner; resolving disputes through negotiation, arbitration or litigation; establishing and enforcing trademarks, patents and other intellectual property rights; investing in China; considering the joint venture structure; expanding through a merger or acquisition; restructuring or liquidating an operation; designing and implementing effective corporate governance; retaining, managing and terminating employees; arranging funds into and out of China; ensuring both tax efficiency and tax compliance; and avoiding criminal liabilities in the course of doing business. Whether seeking to source from China or to establish manufacturing facilities in China to produce for export, to sell products or services on the domestic market or even just to act as a conduit between China and the outside world, business managers and their counsel from all over the globe and across all industries will benefit enormously from this deeply informed, insightful and practical guide.

Chinese Maritime Cases Martin Davies, Jiang Lin, 2021-11-24. This book selects leading innovative and influential Chinese maritime judgments and presents full translation of them with brief summary to the readers so that they can have insights of how the Chinese maritime judges interpret, apply and develop Chinese maritime law in practice. China trades with other states in trillions of USD every year and about 95% of the cargoes are carried by ocean going ships calling at hundreds of Chinese ports each single day. Due to the enormous and steadily growing trade volume and shipping activities, foreign ships, companies and persons are often caught by the Chinese maritime law and court. The parties involved and their lawyers are more than ever enthusiastic to study Chinese maritime cases in order to deal with their own cases properly or, if possible, predict the potential problems and avoid the disputes outright. The book is appealing to and benefits worldwide law students, academics, practitioners and industrial people in the shipping, trade, insurance and financial fields. The book remedies to certain extent the situation that there is lack of authoritative sources available to foreign personnel to look into how the Chinese justice system functions.

Legal Translation and Bilingual Law Drafting in Hong Kong Clara Ho-yan Chan, 2020-05-11. Legal Translation and Bilingual Law Drafting in

Hong Kong presents a systematic account from a cross disciplinary perspective of the activities of legal translation and bilingual law drafting in the bilingual international city of Hong Kong and its interaction with Mainland China and Taiwan in the use of legal terminology The study mainly examines the challenges posed to English Chinese translation in the past three decades by elaborate drafting and terminological equivalence and offers educational and research solutions Its primary goals are to create legal Chinese that naturally accommodates common law concepts and statutes from the English legal system and to reconcile Chinese legal terms from the different legal systems adopted by Hong Kong Mainland China and Taiwan The new directions in legal translation and bilingual law drafting in Hong Kong will have implications for other Chinese regions and for the world The book is intended for scholars researchers teachers and students of legal translation and legal linguistics legal translators lawyers and legal practitioners who are engaged in translation as well as all persons who are interested in legal language and legal translation

Wearing Chinese Glasses Greg Bissky, 2011-07-18 **Chinese Civil Adjudications I** Cui Jianyuan, 2024-05-22 As the first volume of a three volume set that provides critical reviews of typical civil cases in China this book focuses on the methodology of legal relations and their importance in adjudication It is crucial to identify and determine the specific legal relationship that encompasses certain civil rights or obligations This allows for the application of appropriate or analogous legal norms By using these norms along with the entire body of law or rule of law it becomes possible to identify all the civil rights and obligations within that legal relationship and to understand their interrelationships This leads to the proper handling of controversial cases In the nine cases discussed in this volume the method of legal relations was overlooked to varying degrees Therefore an important goal of this volume is to encourage both legal practice and theoretical research to take note of and implement the methodology of legal relations The book will appeal to scholars and students interested in China s civil litigation civil law system and judicial reform and comparative law

Chinese Legal Translation Wang Yan, 2023-12-20 Chinese Legal Translation analyses and investigates the Chinese translation of conditional clauses introduced by various introductory words in Hong Kong bilingual ordinances within the framework of descriptive translation studies and translation typology This book explores the text typology of Hong Kong bilingual ordinances and highlights differences and similarities between different translations of conditional clauses in the Hong Kong context Based on both quantitative and qualitative analysis of conditional clauses of the Companies Ordinance the book summarises the frequency of introductory words of conditional clauses and generalises guiding patterns for writing conditional clauses and translating conditional clauses The book is significant in providing both theoretical foundations for legal translation and practical guidance for translating legal conditional clauses This book is primarily targeted for scholars and professionals who are interested in legal writing and legal translation as well as for students and practitioners in legal translation

Renmin Chinese Law Review Jichun Shi, 2017-01-27 Renmin Chinese Law Review Volume 4 is the fourth work in a series of annual volumes on contemporary Chinese law which bring together the work of recognized scholars from

China offering a window on current legal research in China *Control of Price Related Terms in Standard Form Contracts*
 Yeşim M. Atamer, Pascal Pichonnaz, 2019-11-19 This book explores various approaches around the world regarding price term control and particularly discusses the effectiveness of two major paths ex ante regulatory and ex post judicial intervention Price control and its limits are issues that affect all liberal market economies as well as more regulated markets For the past several years courts in many different countries have been confronted with the issue of whether and to what extent they should intervene regarding price related terms in standard form contracts especially in the area of consumer contracts Open price clauses flat remunerations price adjustment clauses clauses giving the seller supplier the right to ask for additional payments bundling or partitioning practices etc a variety of price related terms are used to manipulate customers choices often also by exploiting their behavioral biases The result is an unfavorable contract that is later challenged in court However invalidating a given price term in standard forms e g of a banking or utilities contract only has an inter partes effect which means that in thousands if not millions of similar contracts the same clauses continue to be used Effective procedural rules are often lacking Therefore pricing patterns that serve to hide rather than to reveal the real cost of goods and services require special attention on the part of regulators The aim of this book is to determine the various approaches in the world regarding price term control and particularly to discuss the efficiency of both paths ex ante regulatory and ex post judicial intervention Thanks to its broad comparative analysis this book offers a thorough overview of the methods employed in several countries It gathers twenty eight contributions from national rapporteurs and one supra national rapporteur EU to the 2018 IACL Congress held in Fukuoka These are supplemented by a general report presented at the same IACL Congress which includes a comparative analysis of the national and supranational reports The national contributors hail from around the globe including Africa 1 Asia 5 Europe 17 the European Union 1 and the Americas 5 **Between China and Japan**
 Joshua A. Fogel, 2015-05-12 Over the past thirty five years Joshua Fogel has pioneered the study of Sino Japanese cultural and political relations understood as the intersections of the histories of these two countries This volume brings together many of his essays and reviews in this new field For a variety of reasons discussed within scholars have been reluctant to look at these two nation s historical connections either through comparative analysis or actual interactions Fogel s work has focused squarely here Among the issues addressed are Japanese scholarly views of modern China and Chinese history Chinese considerations of the Japanese language in the Ming and Qing periods the Japanese immigration to the East Asian Mainland especially to Shanghai and Harbin and more

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