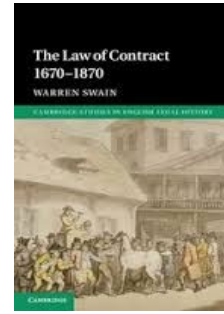
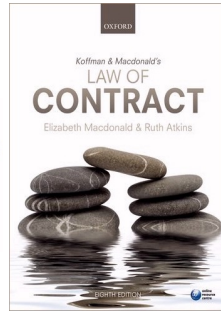


Contract Law

Statute of frauds
Liens Delivery of goods Conditional sales
Contracts interpretation and construction
Impossibility of performance Consideration law
Labour contract License agreements
Promise law Breach of contract



DATABASES

O'Brien's Encyclopedia of Forms

KE192.O274

Collection of legal forms and precedents. Ten divisions: Commercial and General, Corporations, Conveyancing and Mortgages, Leases, Wills and Trusts, Family Law, Labour Relations and Employment, Ontario Court Forms, Municipal Corporations, Computers and Information Technology.

All divisions except for *Conveyancing and Mortgages* are available online from Canada Law Book.

Canadian Forms & Precedents

This useful resource contains sample precedents on a wide variety of topics. The Law Library carries current subscriptions to Banking & Finance (KF170.C36) and Wills & Estates (KF170.C3694). LexisNexis Quicklaw provides access to other titles such as: Commercial Tenancies; Employment; Sale & Operation of a Business; Sale, Distribution and Transport of Goods.

LexisNexis Quicklaw

LNQ has Contract Law folders [under Source Directory - Area of Law] - *Contract Law*. Resources include cases, commentary, legal news, citators & digests, and forms & precedents. Other sources within LNQ include Halsbury's Laws of Canada - Commercial Law: Agency (Coombs), Commercial Law: Consumer Protection (Bush), Construction (Glahold, Rotterdam), Employment (England), and Partnerships (Coombs).

Access is restricted to Law faculty, staff and students, who receive a personal password as part of an educational agreement between the Law School and LexisNexis Canada. Western Libraries also subscribes to LexisNexis Academic for non-law users (content may differ).

WestlawNext Canada

LawSource provides access to material useful for research in Contract law. The *Canadian Abridgment Case Digests* for Contracts (CON) are reproduced online, are fully searchable and link to the full-text decisions. The *Canadian Encyclopedic Digest* (Contracts) is also reproduced electronically and can be browsed or searched. LawSource also includes the Carswell law reporters: *Construction Law Reports*, *Canadian Cases on*

Employment Law, and the *Business Law Reports*.

Access is restricted for use within Western Libraries locations (and affiliates). Law faculty, staff and students receive a personal password as part of an educational agreement between the Law School and Thomson Reuters.

TREATISES

Law Reports

Canada Contracts Digest

1852-

The Canada Contracts Digest contains an extensive selection of contracts case summaries from all Canadian common law jurisdictions. Content is organized under more than 450 contracts headings and sub-headings. Within each heading, the summaries are organized by court level, then by jurisdiction, and then by date. Case citations are hyperlinked to the full text version of each decision. Available online via LexisNexis Quicklaw and LexisNexis Academic.

Canadian Cases on Employment Law

KE3247 .A45 C357 (Print in Storage)

Features decisions in employment law and labour law (outside the collective bargaining process), from all Canadian jurisdictions selected by experts in the field. Includes cases on wrongful dismissal, dismissal for cause, constructive dismissal, demotion, employment contracts, employment standards, judicial review of labour arbitrations, mandatory retirement policies, wages and remuneration, pensions and profit sharing. Available online via WestlawNext Canada.

Construction Law Reports

KE933 .A45 C65 (Print in Storage)

Features construction law decisions from all Canadian jurisdictions, selected by experts in the field. Includes cases on building contracts, remedies for their breach, construction liens and bonding issues. Court actions by and against architects, engineers, contractors and subcontractors are included. Articles, annotations and case comments are also included. Available online via WestlawNext Canada.

Business Law Reports

KE915.8 .B88 (Print in Storage)

Features decisions in corporate, commercial and business law from all Canadian jurisdictions selected by experts in the field. Includes cases under the federal and provincial corporations statutes, prosecutions under the Competition Act, cases on shareholders' rights, partnerships, rights of debtors and creditors, bills of exchange, promissory notes and guarantees, sale of business, sale of goods, products liability and commercial contracts. Articles, annotations and case comments are also included. Available online via WestlawNext Canada.

Contract Law Texts

The law library has an extensive collection of Contract Law texts and treatises which are generally found in the **KF 801** section of the law library. The more heavily utilized resources are found in the law reserves collection, a listing of which can be searched from the library catalogue.

Chitty on Contracts

KF801 .C5 2012

Since 1826, Chitty on Contracts has provided complete insight into contract law, covering every commercial situation with specific sections on a range of contracts from agency to consumer contracts. It includes the formation of contracts, the capacity of parties, terms, illegality and public policy, joint obligations, third parties and assignment, performance, discharge, remedies.

The Law of Contract in Canada (Fridman)

KF801 .F74 2011

The previous editions of The Law of Contract have been cited or quoted by judges in more than 100 decisions. The Law of Contract in Canada, 6th Edition, retains all the fundamental concepts of contract law while incorporating new information, including commentary on recent changes wrought by judicial decision-makers. In particular the discussion of fundamental and innominate terms, performance, breach of contract, frustration, assignment and damages has been revised and new chapters written on conditions precedent and exclusion terms.

The 6th edition contains all the most current developments in Canadian contract law such as good faith in contracting and performance damages for mental distress; tenders; certain aspects of consideration; part performance; aspects of mistake; invalidity; contingency fees; severance; repentance of illegality; interpretation of express terms; implied terms.

The Law of Contracts (Waddams)

KF801 .W33 2010

A classic text, The Law of Contracts has been cited repeatedly by the courts, including the Supreme Court of Canada. This work looks beyond the surface rules of this complex area of law to identify the underlying conflicting principles. Includes: English and

commonwealth cases that could potentially affect Canadian jurisprudence; Issues in regards to duty of good faith, specific performance, and damages for mental distress for breach of contract.

The Law of Contracts (Mccamus)

KF801 .M33 2012

This up-to-date and comprehensive account of the Canadian common law of contracts includes emerging topics such as good faith bargaining, the duty to perform in good faith and new developments in remedies, including disgorgement and punitive damages. Print and e-book versions available.

The Law of Contract (O'Sullivan)

KF801 .O88 2012

This work covers the core principles of contract law, and introduces key academic debates. The 5th edition includes significant EU-inspired developments in the law of contract, and contract formation and other contractual issues in the modern world of electronic and online transactions.

A Treatise on the Law of Contracts (Williston)

KF801.W545 1990 (current to 2007)

This major work provides comprehensive coverage and analysis of all aspects of contract law. Discusses the law and the reasoning behind it, especially in judicial decisions. Includes historical underpinnings, majority and minority views, and current trends. Traces contract law from its common-law roots in English cases and shows how those rules have evolved to meet contemporary concerns. Covers contract formation, agreements, illegal agreements, statute of frauds, interpretations, conditions, excuses for non-performance and more.

Available online via WestlawNext Canada (WILLSTN-CN)

Halsbury's Laws of Canada

For over 100 years, Halsbury's has been recognized as the premier legal reference in the world of common law. Halsbury's Laws of Canada continues in the tradition, delivering an authoritative, reliable and elegant statement of Canadian law.

Commercial Law: Agency. Contributed by Maurice Coombs

KE180.H346 C6454 2011

This title clearly articulates such matters as the creation and termination of the agency, the rights, obligations and duties of an agent and principal, and remedies for breach of duty. Topics covered include: Agency distinguished from other relationships; Creation of agency; Authority of an agent; Rights, liabilities and obligations of principals and agents.

Commercial Law: Consumer Protection. Contributed by Danielle Bush

KE180.H346 C6454 2011

This title guides practitioners through the law of consumer protection in Canada, providing an invaluable

review of consumer protection by province, and by industry. Topics covered include: Consumer contracts; Financing protection; Licensing consumer service providers; Motor vehicle dealers and repairs; Home heating.

Construction. Duncan Glaholt and Markus Rotterdam
KE180.H346 C667 2013

This premier legal reference provides, in a clear and straightforward manner, the legal principles, issues and questions which arise in the course of building projects. Topics covered include: Building contracts; Performance and payment issues; Construction liens; Other construction remedies; Architects and engineers.

Employment. Contributed by Geoffrey England
KE180.H346 E475 2011

This title provides the black letter statement of the law governing employment relationships in Canada. Topics covered include: Legislative framework; Contract of employment; Obligations and duties of employer and employee; Termination of the employment.

Partnerships. Contributed by Maurice Coombs.
KE180.H346 O35 2013

This premier legal reference provides, in a clear and straightforward manner, the law that governs for-profit, non-corporate business organizations in Canada. Topics covered include: Creation and duration of partnerships; Legal proceedings involving partners; Dissolution of partnerships; Limited partnerships; Limited liability partnerships; Joint ventures.

Other Halsbury's titles can be found in LexisNexis Quicklaw in the *Contract Law* folder.

Restatement of the Law: Contracts

KF154 .A597

As adopted and promulgated by the American Law Institute at Washington, D.C., May 17, 1979.

This 10-volume set is the 2nd rendition of the restatement on contracts. The Restatement Second, Contracts, constitutes a thorough revision and updating of the original 1932 Restatement. It embodies additions inspired by the Uniform Commercial Code and improves the black-letter formulations by altering the order or scope of topics to enhance clarity or reduce redundancy. Topics include: the meaning of terms such as "formation of contracts-parties and capacity", "Statute of Frauds", "mistake"; unenforceability on grounds of public policy; the scope of contractual obligations; performance and non-performance; impracticability of performance and frustration of purpose; discharge by assent of alteration; joint and several promisors and promisees; and contract beneficiaries; assignment and delegation and remedies. Also available online via WestlawNext Canada (REST-CONTR).

JOURNAL ARTICLES

The Journal of Contract Law

K10.O3735

The Journal of Contract Law provides a forum for the discussion and analysis of the issues which confront

contract lawyers. A broad view is taken of the subject matter of the journal. What is usually referred to as the 'general principles' of the law are appropriate, but so too are the so-called 'specific contracts' (sale, hire etc). Also published are articles, comments and notes on other areas, such as restitution and equity, where they overlap with basic contract law.

General Full-Text and Periodical Indexes

HeinOnline

Contains more than 1,620 law and law-related periodicals. Coverage is from the first issue published for all periodicals and goes through the most-currently published issues allowed based on contracts with publishers. Search by article title, author, subject, state or country published, full text, and narrow by date.

Index to Canadian Legal Literature

KE173 .C664

The *Index to Canadian Legal Literature* is a bibliographic index to Canadian law journals, books, articles, government publications, audio-visual materials, continuing legal education materials, and case comments. Published in association with the Canadian Association of Law Libraries, ICLL receives contributions from law libraries across Canada.

The print set is kept in the law library and electronic versions are found in LexisNexis Academic and WestlawNext Canada and, for Law Faculty and students, LexisNexis Quicklaw. 1985-current

Scott Index to Canadian Legal Periodical Literature

KF8 .I52

Named after Marianne Scott (first woman to be appointed as National Librarian of Canada). The index is available electronically through the library catalogue of CAIJ (Centre d'accès à l'information juridique), an organization related to the Barreau du Québec. Search interface is in French only but English search terms can be used. The Law Library holds print copies of the index from 1961-2006.

Legaltrac

LegalTrac on InfoTrac Web provides indexing for more than 1,500 major law reviews, legal newspapers, specialty publications, Bar Association journals and international legal journals, including more than 250 titles in full text. Search results link to available multimedia — images, video and podcasts. 1980-present.

Index to Legal Periodicals & Books

The ILP&B is available through EbscoHost and indexes some 1400 monographs as well as citing articles from more than 850 legal periodicals. Periodical coverage includes law reviews, bar association journals, university publications, yearbooks, institutes, and government publications. *Index to Legal Periodicals & Books* covers all areas of jurisprudence, including recent court decisions, new legislation, and original scholarship. The periodicals indexed, which regularly publish legal

articles of high quality and permanent reference value, include law reviews, bar association journals, and university and government publications from the United States, Puerto Rico, Canada, Great Britain, Ireland, Australia, and New Zealand. Online updated daily. 1981-; full-text 1994-present

Earlier coverage is found in the *Index to Legal Periodicals & Books: Retrospective* (1908-2007)

Index to Foreign Legal Periodicals

K33.I53

Available through HeinOnline, the *Index to Foreign Legal Periodicals* (IFLP) is produced by the American Association of Law Libraries and indexes articles and book reviews appearing in over 500 legal journals published worldwide. It provides in-depth coverage of public and private international law, comparative and foreign law, and the law of all jurisdictions other than the United States, the U.K., Canada, and Australia. IFLP also analyzes the contents of approximately eighty individually published collections of legal essays, Festschriften, Mélanges, and congress reports each year. Check under the Subjects tab to see contract law topics. 1985 to date. Print covers the period 1960-2007

STATUTORY LAW

Construction Lien Act

Cite as: *Construction Lien Act*, RSO 1990, c C-30.

In the construction world, contracts can be quite complex with different levels of contractors, subcontractors, and suppliers needing to enter into agreements covering the different areas of work. Construction lien acts deal with the claims for payment made by these different levels of people involved in construction, who may have no immediate connection to those above, with the result being an increase in financial risk not seen in other commercial scenarios.



Consumer Protection Act

Cite as: *Consumer Protection Act*, 2002, SO 2002, c-30, Sch A

The Consumer Protection Branch of Ontario's Ministry of Government and Consumer Services investigates unfair business practices as defined in the Ontario Consumer Protection Act. Examples include exerting undue pressure on a consumer to sign a contract, and exploiting someone's disability or infirmity to get them to sign a contract.



WEB SITES

Ontario Ministry of Consumer Services

<http://www.sse.gov.on.ca/mcs/en/Pages/default.aspx>

The role of the Ministry is to protect Ontario consumers by ensuring a fair, safe and informed marketplace. The website contains consumer protection legislation, information about consumer rights, cancelling contracts, and filing complaints of unfair business practices.

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