

CHAPTER 1: INTRODUCTION.....	10
CHAPTER 2: THE BACKGROUND TO DANISH LAWS ON CONTRACTS AND COMMERCE.....	14
CHAPTER 3: SELECTED DANISH LEGAL PRINCIPLES.....	18
3.1 INTRODUCTION TO A FEW LEGAL PRINCIPLES.....	18
3.2 FORMAL REQUIREMENTS (“FORMKRAV”).....	19
3.3 A THIRD PARTY BENEFICIARY PROMISE (“TREDJEMANDSLØFTE”).....	21
3.4 EXCLUSION AND LIMITATION OF LIABILITY (“ANSVARSFRAKRIVELSE OG ANSVARSBEGRÆNSNING”).....	23
3.5 INTERPRETATION (“FORTOLKNING”).....	25
3.6 THE CONTRA PROFERENTEM RULE (“KONCIPISTREGLER”).....	27
3.7 TRADE USAGES AND CUSTOM (“HANDELSBRUG OG KUTYME”).....	29
3.8 GOOD FAITH (“GOD TRO”).....	31
3.9 THE DOCTRINE OF IMPLIED CONDITIONS (“FORUDSÆTNINGSLÆREN”).....	33
3.10 THE NATURE OF THE MATTER (“FORHOLDETS NATUR”).....	35
3.11 FAIRNESS AND REASONABLENESS (“BILLIGHED OG RIMELIGHED”).....	37
3.12 BURDEN OF PROOF (“BEVISBYRDE”).....	39
3.13 ASSESSMENT OF EVIDENCE (“BEVISBEDØMMELSE”).....	42
3.14 THE RISK OF BREACH BEING JUSTIFIED (“STANDPUNKTSRISIKO”).....	44
3.15 THE DUTY OF ACTING IN GOOD FAITH (“LOYALITETSPLIGT”).....	45
3.16 THE DUTY TO DISCLOSE MATERIAL FACTS (“LOYAL OPLYSNINGSPLIGT”).....	48
3.17 THE DUTY OF CARE (“OMSORGSPLIGT”).....	50

3.18	ACQUIESCENCE (“PASSIVITET”).....	51
3.19	THE REASONABLE MAN (“BONUS PATER FAMILIAS”).....	53
3.20	FAULT (“CULPA”).....	55
3.21	GROSS NEGLIGENCE (“GROV UAGTSOMHED”).....	58
3.22	DEFECTIVE TITLE (“VANHJEMMEL”).....	60
3.23	CAUSATION (“KAUSALITET”).....	62
3.24	FORESEEABILITY (“ADÆKVANS”).....	64
3.25	CONTRIBUTORY NEGLIGENCE (“EGEN SKYLD”).....	65
3.26	RELIANCE DAMAGES (“NEGATIV KONTRAKTSINTERESSE”).....	67
3.27	EXPECTATION DAMAGES (“POSITIV OPFYLDELSESINTERESSE”)...	68
3.28	THE PRINCIPLE OF A SACRIFICE THRESHOLD (“OFFERGRÆNSEPRINCIPPET”).....	70
3.29	THE DOCTRINE OF UNJUST ENRICHMENT (“BERIGELSESGRUNDSÆTNNINGEN”).....	72
3.30	CONDUCTIO INDEBITI.....	75
CHAPTER 4: COMMON CONTRACT CLAUSES.....		77
4.1	INTRODUCTION TO COMMON CONTRACT CLAUSES.....	77
4.2	THE FRONT PAGE, INDEX, THE PARTIES, OTHER DEFINITIONS ANDPREABLME.....	79
4.3	SPECIFICATION OF THE QUANTITY OF PRODUCTS OR SERVICES AND THEIR AVAILABILITY.....	81
4.4	DEFINITION OF QUALITY, CONTROL HEREOF AND WARRANTIES..	82
4.5	ORDER AND ORDER CONFIRMATION PRACTICALITIES.....	83
4.6	DELIVERY AND TRANSFER OF RISK AND TITLE.....	84
4.7	SUBCONTRACTS, BACK-TO-BACK CONDITIONS AND PARTNER- SHIPS.....	85
4.8	SPECIAL OBLIGATIONS OF EACH PARTY IN DISTRIBUTION OR FRANCHISE.....	86

4.9	PURCHASE PRICE.....	87
4.10	PAYMENT TERMS AND INTEREST.....	88
4.11	RETENTION OF TITLE.....	90
4.12	CONDITIONS, THIRD-PARTY RIGHTS AND APPROVALS, INCL. BY PUBLIC AUTHORITIES.....	90
4.13	POSSIBLE STORAGE AND RETURN OF PRODUCTS.....	92
4.14	AFTER SALES SERVICE AND OTHER OBLIGATIONS.....	93
4.15	DELAY IN DELIVERY.....	93
4.16	DEFECTS.....	94
4.17	FORCE MAJEURE.....	95
4.18	INSURANCE.....	96
4.19	THIRD PARTY GUARANTEE OR PERFORMANCE SECURITY.....	97
4.20	PRODUCT LIABILITY.....	98
4.21	INTELLECTUAL PROPERTY RIGHTS AND INFRINGEMENTS.....	99
4.22	NON-COMPETE OBLIGATION.....	100
4.23	CONFIDENTIALITY AND PUBLIC ANNOUNCEMENTS.....	101
4.24	TRADE CONTROLS.....	102
4.25	ANTI-CORRUPTION AND MONEY LAUNDERING LAW COMPLIANCE.....	102
4.26	ASSIGNMENT.....	103
4.27	COSTS AND EXPENSES.....	104
4.28	LEGAL CAPACITY AND POWER.....	105
4.29	LIMITATION OF LIABILITY.....	106
4.30	TERM AND TERMINATION.....	107
4.31	REMEDIES.....	108
4.32	TERMINATION FOR BREACH OR OTHER CAUSE.....	109
4.33	NOTICES BETWEEN THE PARTIES.....	110
4.34	WAIVER.....	111

4.35	GOVERNING LAW.....	111
4.36	VENUE.....	112
4.37	MISCELLANEOUS.....	113
4.38	SIGNATURES AND APPENDICES.....	115
CHAPTER 5: DANISH CONTRACT LAW LEGISLATION.....		116
5.1	INTRODUCTORY COMMENTS TO THE SELECTED LEGISLATION..	116
5.2	THE CONTRACT ACT (“AFTALELOVEN”).....	119
5.3	THE SALE OF GOODS ACT (“KØBELOVEN”).....	132
5.4	THE BONDS ACT (“GÆLDSBREVSLØVEN”).....	160
5.5	THE COMMERCIAL AGENTS ACT (“HANDELSAGENTLOVEN”).....	180
5.6	THE LIMITATION ACT (“FORÆLDELSESLOVEN”).....	192
5.7	THE INTEREST ACT (“RENTELOVEN”).....	206
5.8	THE PRODUCT LIABILITY ACT (“PRODUKTANSVARSLØVEN”).....	214
5.9	THE CHOICE OF LAW (SALE OF GOODS) ACT (“INTERNATIONAL LØSØREKØB, LOVVALG”).....	222
CHAPTER 6: INTERNATIONAL AND EUROPEAN LEGISLATION ON CONTRACTS.....		224
6.1	INTRODUCTORY REMARKS.....	224
6.2	THE INTERNATIONAL SALE OF GOODS ACT (CISG).....	225
6.3	THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE KINGDOM OF DENMARK ON JURISDICTION AND THE RECOGNITION AND ENFORCEMENT OF JUDGEMENTS IN CIVIL AND COMMERCIAL MATTERS (“PARALLELAFTALEN”).....	267
6.4	THE CONVENTION ON LAW APPLICATION TO CONTRACTUAL OBLIGATIONS (“LOVVALG I KONTRAKT OG LOVVALGSKONVENTIONEN”).....	284
CHAPTER 7: AGREED DOCUMENTS.....		305
7.1	INTRODUCTION TO SOME AGREED DOCUMENTS.....	305

7.2	NSAB 2000.....	307
7.3	STANDARD CONTRACT FOR SHORT-TERM IT PROJECT (K01).....	324
7.4	AB 92.....	355
7.5	ABT 93.....	392
7.6	ABR 89.....	429
	APPENDIX I: LEGAL LANGUAGE: DANISH – ENGLISH.....	461
	APPENDIX II: LEGAL LANGUAGE: ENGLISH – DANISH.....	476
	APPENDIX III: INDEXES TO EACH ACT.....	491
	APPENDIX IV: GENERAL INDEX.....	513
	A NOTE ABOUT THE AUTHOR	526