

By Arthur V. Faerua

Title: Contract Law in the South Pacific

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This book is a first one covering contract law in the South Pacific jurisdictions. Its coverage is at an introductory level in some respects, but it is comprehensive and it will make a valuable contribution to the development of South Pacific law.

The author makes the quite relevant point that contract law is an introduced concept in the South Pacific island jurisdictions. The author also makes it clear at the beginning of her work that contract law has yet to establish its own identity in the region. The basic framework exists as part of received law but it is open to adaptation and further development in keeping with local circumstances and conditions. Thus it can meet the demand for the South Pacific to have its own law of contract built on jurisprudence evolving from within the region. In that light, this book presents itself as one which will be most useful for practitioners, the courts and students of law in the Pacific region to enable them to explore these lines of development.

The book notes that there are marked differences on the law of contract in each of the countries in the region, and the approach of the courts of the region also differ as between those jurisdictions in some very important respects. This factor is a definite highlight of the book as it explores the comparisons of each legal system and then provides the reader an analysis of the particular subject at hand. The author has included some comments and analysis on customary law in the area of contract. This is commendable, as more and more customary law is becoming a recognised as a major element of substantive law, for countries in the Pacific.

One of the most interesting and exciting elements for the reader is the chapter dedicated to E-commerce. For any practising lawyer or student, this is surely an area worth becoming acquainted with given the growing importance of the Internet and of transactions which are undertaken through the use of information technology. Inevitably this is an area of practice which will impact upon and produce changes to the substantive law of contract. Things such as electronic signatures, Internet dollars and formation of contract by exchange of emails are certainly turning the law of contract on its head and it has to adjust to meet the needs in this area. The author does stress the need for law reform and setting up the framework for e-commerce.

This book is a must for the practitioner who has clients in more than one country in the Pacific and clients operating beyond their own jurisdictions. The author of this book, Jennifer Corrin Care, was formerly an academic member of the School of Law of the University of the South Pacific. Her contribution to legal scholarship through this book should assist in the further development of contract law and practice

throughout the region.

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