

# **International Contract of Sale**

## **Abstract**

The international contract of sale is the basic instrument through which international trade takes place. However, due to its international nature, there is a lot of uncertainty associated with concluding and fulfilling obligations under an international contract of sale. This uncertainty may arise particularly from the fact that the parties to an international contract of sale do not know which law is to govern the agreement and which law will therefore be applicable to it. This thesis deals with the issues of the applicable law of the international contract of sale.

Firstly, attention is paid to the general methods according to which the applicable law for the international contract of sale is determined. These are the collision method and the direct method. Subsequently, the sources of law that are important in terms of these methods in the environment of the Czech Republic are analyzed. The main part of the thesis is devoted to the collision legislation contained in the Rome I Regulation, which is the most important source of law that regulates this issue within the European Union. Relevant international conventions concluded between the Czech Republic and some third countries as well as the Private International Law Act are also analyzed. From the sources of law, which contain directly applicable substantive law of the international contract of sale, this thesis deals with the UN Convention on Contracts for the International Sale of Goods, in terms of its scope and application.

The aim of this thesis is to provide a comprehensive analysis of the issues of the law applicable to the international contract of sale in respect to law used in the Czech Republic. In this regard, the ways in which the applicable law of an international contract of sale can be determined according to the mentioned sources of law are discussed. Furthermore, the relationship of these sources to each other is described and their relevance is analyzed. Last but not least, the thesis draws attention to some problems and ambiguities that are associated with these sources of law.