Next I turn the approach of English law to the concept of good faith. In the new jus commune of Europe there is a general principle that parties must negotiate in good faith, conclude contracts in good faith and carry out contracts in good faith. The important point to note is that in exercising his rights and performing his duties each party must act in accordance with good faith and fair dealing. And the parties may not exclude this duty.\textsuperscript{11}

\textsuperscript{11}Principles of European Contract Law, Part I: Performance, Non-Performance and Remedies, prepared by the Commission on European Contract Law, ed. Lando and Beale (1995), Art 1.106 (p. 53).

Referring Principles:

I.1.1 - Good faith and fair dealing in international trade