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Content:
Kuwaiti law regulating the legal relationships with foreign elements

2. Chapter - The law applicable for legal relationships with foreign elements

1. Section - The law applicable according to the personal statute

Art. 59

The factual preconditions for the conclusion of contract and the effects of contracts are governed by the law of the state, in which the parties have a common domicile, if they have a common domicile. If their respective domiciles differ, the law of the state, in which the contract was concluded, applies. This applies only, unless the parties agreed on the applicability of another law or unless such is evident from the circumstances. However, in case of contracts regarding this immovable property, the law of the country is applied, where the immovable property is situated.

Art. 61

A contract of sale of goods is governed by the law in the domicile of the vendor, unless the parties agreed on the applicability of another law or unless such is evident from the circumstances.

[Translated into English from the German translation of Dilger contained in Kropholler, Außereuropäische IPR-Gesetze, Hamburg 1999]


Referring Principles:

XIV.2 - Law applicable to international contracts