No. XII.2 - Proof of written contract

A written contract may be proven through any means of modern telecommunication (Telex, Telefax, btx, EDI etc.), if it provides a record of the information contained therein and can be reproduced in written form.

Commentary:
This Principle takes account of modern means of telecommunication which are used in international business and trade. It must be noted that this Principle does not impose a form requirement for international contracts but merely establishes a rule of evidence. Pursuant to Principle IV.4.1 contractual declarations are valid even when they are not made in or evidenced in writing unless mandatory rules of any applicable domestic law provide otherwise.