

PROBLEMS OF PRACTICE IN APPLYING THE RULES OF CONVENTIONAL RESOLUTION IN SPECIAL CONDITIONS

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ABSTRACT: *After a summary examination of the mechanisms that develop the unilateral and conventional resolution, the author finds that the specific formalism established by the civil code for achieving the objectives of the pacts agreed by the parties is - in some situations - difficult to fulfill, in the context in which the partners do not know or cannot rigorously follow the steps required by the delay procedure. The uncertainties that the mechanism can produce in special conditions are observed and, then, practical solutions are suggested, starting from the premise - generally accepted - that the commission pact is itself a subsequent and accessory convention to the fundamental contract.*

KEY WORDS: *conventional resolution; Civil Code; resolution; remedy; sanction.*

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