This chapter examines contracts in electronic commerce and their implications for the traditional contract law and the law relating to payment and payment methods. It first looks at the rules for the formation of informal electronic contracts and the regulation of offer and acceptance, focusing on Articles 9–11 of the European Union’s Electronic Commerce Directive. The chapter then considers the question of when acceptance is effectively communicated to the offeror, the terms of the contract, and their enforcement as well as evaluating formal contracts and discussing their formation and terms. A focus for this chapter is the evolving laws on electronic signatures, the role of qualified trust service providers and how electronic signatures are formalized. The chapter concludes with a discussion of the evolving area of smart contracts: their design, formation, and what the role of the law is in relation to these self-enforcing agreements.
16. Electronic contracts

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