8. Discharge of Contract and Contractual Remedies

The discharge of a contract means that the obligations of the contract come to an end. When discharge occurs, all duties which arose under the contract are terminated. This chapter discusses the various methods of discharging a contract and the consequences of each. It considers how a contract can be discharged through agreement between the parties; the elements necessary for a contract to be discharged by performance, including the rules relating to partial performance of a contract; and the meaning and effect of the frustration of a contract. The chapter discusses the meaning of breach of contract, both actual breach and anticipatory breach, and its consequences. The remedies for a breach of contract are explored, including the rules relating to remoteness and measure of damages and the difference between liquidated damages and penalties. Equitable remedies of specific performance and injunctions are explained.
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