

INFORMATION ON THE NOVEL CONTRIBUTIONS OF THE  
DISSERTATION

**Dissertation title:** Exclusion of Liability for Breach of Contract under Vietnamese Civil Law

**Major:** Civil Law and Civil Procedure

**Code:** 9380103

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SUMMARY OF THE NOVEL CONTRIBUTIONS OF THE DISSERTATION

*First*, the dissertation examines the concept of exclusion of liability and compares it with other legal concepts, such as “exemption from liability”, “absence of liability”, and “limitation of liability”. It concludes that exclusion of liability means that liability does not arise because a ground for exclusion causes the conditions for liability to no longer be satisfied.

*Second*, based on an analysis of different scholarly views and approaches, the dissertation concludes that exclusion of liability for breach of contract is a legal mechanism that neutralises adverse consequences when a ground for exclusion applies.

*Third*, through an examination of different scholarly views and legal theories, the dissertation shows that, in addition to traditional approaches, grounds for exclusion of liability can also be classified based on the conditions for liability to arise. Accordingly, these grounds include those that exclude the unlawfulness of conduct and those that exclude the fault of the breaching party.

*Fourth*, the dissertation examines grounds for exclusion of liability as legal facts. It shows that these grounds may take the form of absolute legal events, relative legal events, or legal acts and conduct.

*Fifth*, the dissertation proposes an approach in which an agreement to exclude liability is considered part of the contract. Based on this approach, it analyses issues relating to such agreements from different aspects of contract law. In addition, regarding statutory grounds for exclusion of liability, the dissertation extends its research to the state of necessity as a ground for exclusion of liability for breach of contract.

ON BEHALF OF THE ACADEMIC SUPERVISORS

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