

The Legal Remedies for Defects of Works from the Perspective of Legal Reception

Tzu-Chiang Chen^{*}

Abstract

The development of the law of remedies for defects of works does not follow the same path as the remedies for defects of the sale of goods. Since Classical Roman law, it is well known that the contractor has the obligation to finish the work without defects. The law of contract of works in Taiwan on the one hand adopted the principles of German BGB with some important modifications, on the other hand, also borrowed from Swiss Law of Obligation and Japanese Civil Law. The provisions about the time bar for the notification of defects and the remedies seem to be unique and distinguished clear and cut from the legal systems under observations.

Keywords: legal transplant, warranty for defects of work, right for the repair of a defect, right for reduction of the remuneration, period for the notification of defects of work, construction contract

^{*} Professor of Law, College of Law, National Taiwan University.
E-mail:tcchen@ntu.edu.tw