

1988

## Editor's Note

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## Editor's Notes

### Vienna Sales Convention Entered into Force on January 1, 1988\*

Lawyers and corporate counsel are reminded that the 1980 U.N. Convention on Contracts for the International Sale of Goods (CISG) entered into force between the United States and ten other countries on January 1, 1988. The Convention applies to all contracts for the sale of goods concluded on or after that date between parties with their places of business in different countries for which it has entered into force, unless the buyer and seller by the terms of their contract have agreed to exclude its application or have derogated from its provisions. The Convention applies even if the international sales contract is not in writing.

The Convention sets out many aspects of the substantive law that is to govern the formation of the sales contract and the rights and obligations of the buyer and seller. That law governs if the contract is silent on applicable law, whether that silence is by inadvertence, design, or because the parties could not agree on applicable law.

The Convention's provisions will govern sales contracts between parties with their places of business in the United States and parties in the following other countries for which it entered into force on January 1, 1988: Argentina, China, Egypt, France, Hungary, Italy, Lesotho, Syria, Yugoslavia, and Zambia. The United States ratified the Convention on December 11, 1986, after the U.S. Senate, on October 9, 1966, gave advice and consent to U.S. ratification.

The U.N.-certified English text of the CISG and useful information is contained in the notice of the Department of State in the *Federal Register* of March 2, 1987, at pages 6262 to 6280. A complete bibliography on the Convention was published in the Spring 1987 issue of THE INTERNATIONAL LAWYER (Volume 21, No. 2). A Handbook of Basic Materials on the Convention, including the other authentic language versions of the Convention (Arabic, Chinese, French, Russian, and Spanish), the report that was the basis for endorsement of the Convention by the American Bar Association in 1981, the legal analysis that accompanied the Convention to the U.S. Senate relating its provisions to those of the Sales Article of the Uniform Commercial Code, and the bibliography, may be

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\*This statement was prepared by the U.S. Department of State

ordered from the American Bar Association, Order Fulfillment Department, 750 North Lake Shore Drive, Chicago, Illinois 60611 (telephone: (312) 988-5555).

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\*\*This statement was prepared by the American Academy of Foreign Law