

# ENTERING, PERFORMING AND TERMINATING CONTRACTS IN THE CONTEXT OF THE COVID-19 PANDEMIC

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**Abstract:** *The rise of the COVID-19 pandemic has had a great impact on the process of entering, performing, and terminating contracts in most countries across the globe, including Vietnam. This fact has also raised a number of issues during the implementation of laws on contract processes, mostly resulting from numerous existing opinions on provisions regarding the COVID-19 pandemic. This article focuses on the analysis and evaluation of the effects of the COVID-19 pandemic on the implementation of contract law, law stipulations on contracts related to the COVID-19 pandemic, and the possibility of applying force majeure and basic change of circumstances regulations to contract relations in the context of the COVID-19 pandemic. Along with the research of the contract law of several countries, this article submits petitions for law completion and provides solutions for improving the effectiveness of conducting law on contracts under the circumstances of the COVID-19 pandemic.*

**Keywords:** *Contracts, COVID, force majeure, basic change of circumstances.*

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## **1. Effects of the COVID-19 pandemic on the process of entering into contracts**

It can be seen that the emergence of the COVID-19 pandemic was a sudden event that has had a strong impact on contract relations amongst parties<sup>1</sup>. This impact covers every stage, from entering to performing and terminating contracts. During the contract-entering stage, the COVID-19 pandemic has been causing difficulties to parties as follows:

*Firstly*, the COVID-19 pandemic has caused difficulties in fulfilling the

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<sup>1</sup> Do Giang Nam and Tran Quang Cuong (2021), “‘Black Swan’ – COVID-19 and the adjusting mechanism of Vietnam contract law”, *Journal of Legislative Studies*, No. 13 (437).