

## **Prof. Moshe Gelbard**

School of Law, Netanya Academic College, Israel

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### **Education**

Ph.D. - Bar-Ilan University, (2002)

LL.M. - Vrije Universiteit Brussel (V.U.B.) (Magna Cum Laude, 1989)

LL.B. - Bar-Ilan University (Magna Cum Laude, 1985)

### **Academic Appointments and degrees**

Academic advisor to the president of NAC (2022-Present)

Dean of NAC Law School (2018-2021)

Vice Dean of NAC Law School (2015-2018)

Associate Professor (2018-present)

Senior Lecturer, (2009 – 2018)

Lecturer, (2005-2009)

### **Courses**

Contracts, Remedies, Commercial Contracts, Standard Form Contracts

### **Academic and Professional Activities**

Member of the Standard Form Contracts Tribunal of Israel (2006-2018)

Member of the Society of European Contract Law (SECOLA)

Visiting scholar - Swiss Institute of Comparative Law, Lausanne (2009, 2010, 2011).

Visiting scholar - Touro College Jacob D. Fuchsberg Law Center (2012).

Visiting scholar – School of Law, Queen Mary University of London (2012).

Member of the Israel Bar Association (since 1986).

Member of the Organizing Committee of the Annual Conference of the Israel Bar Association (2006-2011).

lecturer at the Institute for Continuing Education for Judges – Israeli Ministry of Justice

### **Lectures at Conferences (selected)**

**Interpretation of Banking contracts**, The Center for Banking Law and Financial Regulation (2021)

**Interpretation of contracts**, The Israel Bar Association (2020)

**The Guido Tedeschi Conference: Between Italy and Israel:** University of Siena, Buccini University, Italy (July 2017).

**The 10th Annual International Conference on Contracts (KCON XII):**

Southwestern Law School, L.A. California, USA (February 2017).

**Supranational Trends of Civil and Commercial Law: Towards a Reunification of Private Law?** University of Siena (October 2015)

**Int'l Remedies Discussion Forum:** Paris, France (June 2015).

**The 2013 Annual Conference on Israeli Law – Summary and Evaluation,** Haifa University (October 2013).

**The 13 Annual Conference of the Israel Bar Association:** Eilat, Israel ((May, 2013).

**Remedies Discussion Forum:** Prato, Italy (June 2013).

### **Selected Publications**

1. *Anticipatory Breach of Contracts in Israeli Law* (2006), 445 pages (in Hebrew).
2. "Contract Remedies – A Relational Perspective" in: **The Organizational Contract - From Exchange to Long-Term Network Cooperation in European Contract Law** (2013) p. 269-292 (with Dr. Yehuda Adar).
3. "The Remedy of Price Reduction in Mixed Legal Systems" (with Dr. David Elkins) **42 Stetson L. Rev** 139-168 (2013).
4. "The Role of Remedies in the Relational Theory of Contract – A Preliminary Inquiry" (with Dr. Yehuda Adar) **7 European Rev. of Contract Law** 399-424 (2011).
5. "Standard Form Contracts under the New Civil Code Proposal" (with Dr. Yehuda Adar) **5 Hukim L. Rev.** 99-178 (2013).
6. "Asymmetrical indexation clauses in standard form contracts" (with Dr. S. Becher) **Hukim On Line** 1-10 (2013) [http://law.huji.ac.il/upload/a\\_sym.pdf](http://law.huji.ac.il/upload/a_sym.pdf)
7. "The Amendments of the Israeli Standard Form Contracts Law" (with Dr. Shmulik Becher) **5 Hukim L. Rev.** 19-57 (2013).
8. "Standard Form Banking Contracts: The Boundaries of Judicial Review" **171 Quarterly Banking Review** 34-50 (2012).

9. "See You in Court" 13 **IBA L. J.** 48 (2011) (with Dr. Shmulik Becher).
10. "Restitution, Compensation, Accumulation of Remedies and Freedom of Contract: An Intellectual Exercise in Remedies" 40 **Mishpatim (The Hebrew University of Jerusalem L. Rev.)** 827-886 (2011).
11. "The Nonconformity of Price Reduction: The Limited Utility of the Remedy in Israeli Law" (With Dr. David Elkins) 40 **Mishpatim (The Hebrew University of Jerusalem L. Rev.)** 183 -238 (2010).
12. "Land Transactions of Minors under the New Civil Code Proposal" 6 **Netanya L. Rev.** (2007) 353-385.
13. "Anticipatory Repudiation of Obligations under the New Civil Code Proposal" 5 **Netanya L. Rev.** (2006) 229-293.
14. "The Statutory Requirement for Contracts in Writing in Land Transactions Under the New Civil Code Proposal" 7 **Kiryat Hamishpat L. Rev.** (2006) 231-260.
15. "Book Review: The Law of Consumer Protection, Vol. 1 – Foundations and Principles, By Sinai Deutch" 20 **Bar Ilan University Law Studies** (2004) 529-547.
16. "The Timing of Betterment Tax Payment in Property Transactions" 3 **Netanya Law Review** (2003-4) 87-118.
17. "Private Land Registration and the Duties Resulting from the Status of 'Semi Public Authority' " 2 **Mekarkein L. Rev.** (2003) 47.
18. "Betterment Tax: Transfer of Rights from Trustee to Beneficiary as Realization of Rights" 1 **Mekarkein L. Rev.** (2002) 42.
19. "Betterment Tax Exemption for the Sale of an Apartment" 15 **Missim L. Rev.** (2001) 63.
20. "The Timing of Betterment Tax Payment in the Event of Realization of Property" 14 **Missim L. Rev.** (2000) 138.
21. "The Demolition of a Condominium: Sec. 60 of the Israeli Land Law" 7 **Bar Ilan University Law Studies** (1989) 281-295.

Works in Progress:

A Book on The Israeli Law of Standard Form Contracts