

## **ABSTRACT**

Interpretation is a method to clarify or to explain the meaning of a clause in a contract. Mostly clauses in contract cannot define the real intention of the parties, despite the contract has been drafted by the legal drafter. In Indonesia to interpreted a contract refer to Burgelijk Wetboek (BW) or (Kitab Undang-Undang Hukum Perdata), in particular Art.1342 to Art.1351. In Netherland, the native country of BW, to interpreted a contract the judges usually use jurisprudence to determine the case, especially the Haviltex Case –so called Haviltex Formula, that have been used to solve interpretation case, primarily commercial contract. Interpretation contract using haviletex formule the judges will see the intention of the parties and all the transaction between them. Certain factor also considered to use this method, such as whether the parties are accompanied by legal counsel or not, whether the contract drafted by bot parties or not, and whether the content of the contract have been negotiated or not.

Keyword : Interpretation, Haviltex, Haviltex Formula.