



Module Specification

Law of Contract

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Part 1: Information

Module title: Law of Contract

Module code: UJUTN3-30-1

Level: Level 4

For implementation from: 2024-25

UWE credit rating: 30

ECTS credit rating: 15

College: College of Business and Law

School: CBL Bristol Law School

Partner institutions: None

Field: Law Undergraduate (Programmes)

Module type: Module

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: No

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview: The Law of Contract is a Level 1 module that introduces students to a variety of lawyerly skills (building on coverage in Legal Methods) that will need to be refined and developed as their legal studies progress (specifically in Level 2/3 Core and professional skills related modules). In particular, as this module is primarily casebased, the use of case analysis/application techniques will enable students to deal

far more effectively with the demands of core modules such as Law of Torts, Land Law, and Equity & Trusts in future years.

Features: Not applicable

Educational aims: See Learning Outcomes.

Outline syllabus: The syllabus includes:

Introduction: The move from Status to Contract; Laissez-faire and judicial intervention; increased statutory protection of basic consumer rights in the Twentieth Century; the encroaching role of the European Union; the links to tort (economic torts, co-extensive remedies etc).

Formation of Contract: Invitations to treat, offer and acceptance – communication and revocation; impact of technology; unilateral contracts.

Legal intent; good faith, lock-out agreements and letters of comfort; formality/procedure v intent/expectation.

Consideration: Adequacy v. sufficiency; the element of bargain; the relevance of intent; forms of consideration; performance of existing duties, factual benefits and duress; importance of equitable doctrines, esp estoppel (linked to Land Law and Equity & Trusts), role of privity and effect of Rights of Third Parties Act 1999.

Terms: Parol evidence, representations, collateral contracts; terms implied by statute and courts; and, the classification of terms.

Exclusion clauses: Common law, Unfair Contract Terms Act 1977; Unfair Terms in Consumer Contracts Regulations 1999 (linked to European Union Law).

Misrepresentation v Breach of Contract: a comparison of remedies; statements of fact v terms; types of misrepresentations and breaches of contract; Misrepresentation Act 1967 as a statutory tort, contributory negligence, and remoteness (Contract v Tort); UCTA and exclusion of liability in Contract and Tort (all linked to Law of Torts).

Economic Torts and the principles of unconscionability: improper pressure, victimisation, domination and oppression; undue influence and intermediaries (linked to Media Law); inequality of bargaining power, economic duress and normal commercial pressure; remedies (linked to Law of Torts, Land Law and Equity & Trusts).

Mistake: agreement mistake, quality v substance; possibility mistake; mistaken signatures and competence.

Illegality: restraint of trade – non-solicitation of former clients & geographical restraints on future employment; use of injunctions and role of specific performance.

Risk allocation and contract discharge; force majeure, frustration and unplanned contingencies; fairness v construction; Law Reform (Frustrated Contracts) Act 1943, apportionment and unjust enrichment.

Breach of contract: remoteness (Contract v Tort); special damages, mitigation and measure; agreed sums and penalty clauses; injunctions and specific performance.

Part 3: Teaching and learning methods

Teaching and learning methods: This module will introduce you to the law of contract including how a contract is formed and why it is important to know the key elements of contract formation. You will then learn about the content/terms of the contract, also known as the obligations of the contract. As part of this you will learn why courts generally do not interfere with contract-making because it is an issue of private (rather than public law) and the extent to which Parliament does get involved in contract making, where it deems it is necessary to do so. Any party to a contract needs to know what to do if one party to the contract breaches the contract. In addition to learning the rules surrounding breach you will also learn about the other ways in which contracts might come to an end. To support innocent parties, contract law has developed a number of doctrines of law which set out when an innocent

party can avoid a contract where there was deceit, negligence or duress which led to there never being true consent to the contract in the first place. Ultimately, an innocent party to a contract will be seeking a remedy and usually this will be money, known as damages so you will learn the rules about when damages will awarded.

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1 Demonstrate a sound knowledge of the principles of the law of contract.

MO2 Apply these principles to a variety of factual situations.

MO3 Appreciate the social, economic and historical context in which these principles were and are being developed.

MO4 Subject these principles to informed, constructive criticism, and thereby develop models more attuned to current legal and socio-economic circumstances.

Hours to be allocated: 300

Contact hours:

Independent study/self-guided study = 232 hours

Face-to-face learning = 68 hours

Total = 0

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujutn3-30-1.html) via the following link <https://uwe.rl.talis.com/modules/ujutn3-30-1.html>

Part 4: Assessment

Assessment strategy: The Assessment Strategy allows student to demonstrate a range of academic and legal skills including application , analysis, problem solving, and teamwork.

Multiple Choice Questions (40%) This will provide students with an opportunity to

demonstrate their knowledge and ability to analyse and apply the law to real world scenarios. This format of assessment is also intended to expose students to methods adopted in the professional law examinations for those wishing to qualify as a solicitor or barrister.

Portfolio (60%) This assessment will explore students' understanding of contract law in the real world and also develop their group working skills. Students will be assigned to groups, each group to submit a portfolio of approximately 1000 words, subject to a detailed brief, to include a Teamwork Agreement created by the group and commentary on examples of contracts drawn from real world situations.

Assessment tasks:

Portfolio (First Sit)

Description: Group contract law portfolio (1000 words maximum)

Weighting: 60 %

Final assessment: No

Group work: Yes

Learning outcomes tested: MO1, MO2, MO3, MO4

Set Exercise (First Sit)

Description: Multiple-choice answer test (180 minutes permitted) non-controlled conditions – can be taken wherever student has reliable internet access)

Weighting: 40 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Portfolio (Resit)

Description: Contract law portfolio (1000 words max)

Weighting: 60 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Set Exercise (Resit)

Description: Multiple-choice answer test (180 mins maximum - non-controlled conditions)

Weighting: 40 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

Part 5: Contributes towards

This module contributes towards the following programmes of study:

Business and Law {Foundation} [Frenchay] BA (Hons) 2023-24

Law with Business {Foundation} [Frenchay] LLB (Hons) 2023-24

Business and Law [Frenchay] - Withdrawn BA (Hons) 2024-25

Law with Business [Frenchay] - Withdrawn LLB (Hons) 2024-25

Law with Criminology [Frenchay] LLB (Hons) 2023-24

Law {Foundation} [Frenchay] - Withdrawn LLB (Hons) 2023-24

Law [Villa] - Withdrawn LLB (Hons) 2024-25

Law [UCW] LLB (Hons) 2024-25

Law with Criminology {Foundation} [Frenchay] LLB (Hons) 2022-23