



ACADEMIC SERVICES

MODULE SPECIFICATION

Part 1: Basic Data					
Module Title	Commercial Law				
Module Code	UJXTRA-10-M	Level	M	Version	1
UWE Credit Rating	10	ECTS Credit Rating	5	WBL module?	No
Owning Faculty	Business and Law	Field	Law Non Modular		
Department	Law: BILP	Module Type	Professional Practice		
Contributes towards	Bar Professional Training Course				
Pre-requisites	None		Co- requisites	None	
Excluded Combinations	None		Module Entry requirements	N/A	
First CAP Approval Date	SSH APQC 2012		Valid from	April 2012	
Revision CAP Approval Date	1 June 2016		Revised with effect from	September 2016	

Part 2: Learning and Teaching	
Learning Outcomes	<p>By the end of the module a student should:</p> <ul style="list-style-type: none"> • Have reinforced their understanding of basic contractual law principles and unfair contract terms both in business to business and business to consumer transaction • Understand key issues surrounding the domestic sale of goods (for example implied terms as to quality and fitness for purpose, sale by description, passing of risk in goods) • Understand exclusion and limitation clauses and be familiar with issues and commercial implications arising from their use in practice • Be able to interpret and analyse terms and conditions of sale; be familiar with standard terms, including use of boilerplate provisions • Have an awareness of legal issues associated with the sale of goods online • Have a basic understanding of the necessity for expressly choosing Law & Jurisdiction in International sale of goods contracts; & understand/be aware of the default rules applying in the absence of such an election

	<ul style="list-style-type: none"> • Understand the basic principles of agency and distribution contracts; understand the difference between agency and distribution; develop an awareness of the legal issues arising from the Commercial Agents Regulations • Have developed & applied in the context of the Option the skills of advising in Conference and researching and drafting a written Opinion.
Syllabus Outline	<p><i>Session 1</i></p> <p>Revision of basic contract law principles, introduction to the Sale of Goods Act 1979 and Consumer Rights Act 2015. Consideration of the concept of implied terms; understanding the concept of passing of title and risk; consideration of a case study dealing with sale of goods; students to advise in conference and draft Particulars of Claim</p> <p><i>Session 2</i></p> <p>Understanding of a seller's terms and conditions of sale, including consideration of exclusion & boilerplate clauses; within the workshop, students to analyse the effectiveness of boilerplate provisions in small/whole group discussion; students to draft a Defence.</p> <p><i>Session 3</i></p> <p>Consideration of the Law governing the sale of goods over the Internet; consideration of the need to elect a choice of law and jurisdiction in International sale of goods contracts & the implications of not doing so; consideration of a case study in relation to the International sale of goods, with students drafting a Legal Opinion on legal & commercial issues identified in the case study</p> <p><i>Session 4</i></p> <p>Consideration of the principles of agency and distribution, to include consideration of the Commercial Agents Regulations 1993; consideration of a case study based around the Commercial Agents Regulations. al merits of the issues arising from that case study.</p> <p><i>Session 5</i></p> <p>A Practice Assessment revision session in which students revisit the legal principles addressed in sessions 1 – 4, to include research, preparation and writing of a Legal Opinion and Advice in Conference on a detailed factual scenario requiring consideration of the legal and commercial issues addressed in sessions 1 – 4.</p> <p><i>Session 6</i></p> <p>Individual feedback will be given to students on their performance of in SGS 5 with analysis of their written Legal Opinion.</p>
Contact Hours	Each Session is 3.5 hours of interactive working. In addition, there is 1 tutor led Large Group Session of 1. 5 hours. This is a total of 22.5 contact hours.
Teaching and Learning Methods	<p>Teaching and learning methods:</p> <ul style="list-style-type: none"> • Students undertake Independent Learning in preparation for their workshops, with essential reading (from a designated textbook), and case study preparation. • Students undertake Scheduled Learning through their tutor led workshops

	<p>in which students predominantly spend time working in small groups analysing the case study problems undertaking skills exercises & with whole group review of learning outcomes with their tutor.</p> <ul style="list-style-type: none"> Students will undertake Consolidation Work, comprising review of workshop activities, sometimes supplemented by additional case study exercises which will be reviewed in subsequent workshops &/or by reference to online answer guides on Blackboard.
Reading Strategy	Students will undertake preparatory reading from a designated text supplemented by further suggested reading and online research.
Indicative Reading List	<p>Indicative Reading List:</p> <ul style="list-style-type: none"> Code of Conduct of the Bar of England and Wales. Commercial and Intellectual Property Law and Practice (CLP- Bamford; Embley and Hancock) Blackstone's Commercial and Consumer Law statutes (Rose) OUP Goode on Commercial Law (Penguin edited by McKendrick) Website resources as referred to above including <ul style="list-style-type: none"> www.opsi.gov.uk - for statutes and statutory instruments https://www.gov.uk/government/organisations/department-for-business-innovation-skills - for publications on sale of goods and consumer rights http://www.businesscompanion.info/en/quick-guides/goods/the-sale-and-supply-of-goods,

Part 3: Assessment

Assessment Strategy	<p>There is one component which must be passed/complied with:</p> <p>There is an invigilated assessment of 3 hours</p>
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% weighting between components A and B	A:	B:
		100%
First Sit		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
1. Invigilated assessment of 3 hours	100%	
Component B Description of each element	Element weighting (as % of component)	
1.N/A		

Resit (further attendance at taught classes is not required)		
Component A (controlled conditions) Description of each element	Element weighting (as % of component)	
1. Invigilated assessment of 3 hours	100%	

Component B Description of each element	Element weighting (as % of component)
1.N/A	
If a student is permitted a retake of the module under the University Regulations and Procedures, the assessment will be that indicated by the Module Description at the time that retake commences.	