



### MODULE SPECIFICATION

Part 1: Information			
Module Title	Law of Contract		
Module Code	UJUTN3-30-1	Level	1
For implementation from	1 September 2019		
UWE Credit Rating	30	ECTS Credit Rating	15
Faculty	FBL	Field	Undergraduate
Department	Law		
Contributes towards	LLB (Hons); LLB (Hons) Commercial Law; LLB (Hons) European and International Law; LLB Law with Criminology; BA (Hons) Criminology and Law; BA (Hons) Criminology with Law; LLB (Hons) Law with Business; BA (Hons) Business and Law; BA (Hons) Business Management with Law		
Module type:	Standard,		
Pre-requisites	None		
Excluded Combinations	None		
Co- requisites	None		
Module Entry requirements	None		

Part 2: Description
<p>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.</p> <p>You will cover:</p> <ol style="list-style-type: none"> <li>1. 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 <u>European Union</u>; the links to tort (economic torts, co-extensive remedies etc).</li> <li>2. Formation of Contract: Invitations to treat, offer and acceptance – communication and revocation; impact of technology; unilateral contracts.</li> <li>3. Legal intent; good faith, lock-out agreements and letters of comfort; formality/procedure v intent/expectation</li> <li>4. 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 <u>Land Law</u> and <u>Equity &amp; Trusts</u>), role of privity and effect of Rights of Third Parties Act 1999</li> </ol>

<ol style="list-style-type: none"> <li>5. Terms: Parol evidence, representations, collateral contracts; terms implied by statute and courts; and, the classification of terms.</li> <li>6. Exclusion clauses: Common law, Unfair Contract Terms Act 1977; Unfair Terms in Consumer Contracts Regulations 1999 (linked to <a href="#">European Union Law</a>).</li> <li>7. 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 <a href="#">Law of Torts</a>)</li> <li>8. 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 <a href="#">Law of Torts</a>, <a href="#">Land Law</a> and <a href="#">Equity &amp; Trusts</a>).</li> <li>9. Mistake: agreement mistake, quality v substance; possibility mistake; mistaken signatures and competence.</li> <li>10. Illegality: restraint of trade – non-solicitation of former clients &amp; geographical restraints on future employment; use of injunctions and role of specific performance</li> <li>11. Risk allocation and contract discharge; force majeure, frustration and unplanned contingencies; fairness v construction; Law Reform (Frustrated Contracts) Act 1943, apportionment and unjust enrichment.</li> <li>12. Breach of contract: remoteness (<a href="#">Contract v Tort</a>); special damages, mitigation and measure; agreed sums and penalty clauses; injunctions and specific performance</li> </ol>
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### Part 3: Assessment

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

Component A Examination 40% (1.5 hours)

The end of year examination assesses all material covered in the module, using both MCQ and problem solving scenarios.

Component B Coursework 60%

B1 Group Portfolio (60%)


The portfolio will consist of a group annotated portfolio (600 words) 60%.

The group will identify three contract law principles and evaluate their application in society, using a portfolio of annotated evidence drawn from a variety of media.

B2: Multiple Choice Test (40%)

This will focus on developing and refining analytical skills via a multiple-choice question format based on a series of factual scenarios.

Identify final timetabled piece of assessment (component and element)	Component A1	
% weighting between components A and B (Standard modules only)	<b>A:</b>	<b>B:</b>
	<b>40</b>	<b>60</b>
<b>First Sit</b>		
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b>	
1. Open Book Examination (1.5 Hours)	100	
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b>	
1. Group Portfolio	60	
2. MCQ Test	40	

Resit (further attendance at taught classes is not required)											
<b>Component A</b> (controlled conditions) <b>Description of each element</b>	<b>Element weighting</b>										
1. Open Book Examination (1.5 hours)	100										
<b>Component B</b> <b>Description of each element</b>	<b>Element weighting</b>										
1. Individual Problem scenario analysis (1200 words)	60										
2. Reflective statement	40										
<b>Part 4: Learning Outcomes &amp; KIS Data</b>											
Learning Outcomes	On successful completion of this module students will be able to: <ol style="list-style-type: none"> <li>1. Demonstrate a sound knowledge of the principles of the law of contract. (A, B)</li> <li>2. Apply these principles to a variety of factual situations. (A, B)</li> <li>3. Appreciate the social, economic and historical context in which these principles were and are being developed. (A, B)</li> <li>4. Subject these principles to informed, constructive criticism, and thereby develop models more attuned to current legal and socio-economic circumstances. (A, B)</li> </ol>										
Key Information Sets Information (KIS)	<p style="text-align: center;"><b><u>Key Information Set - Module data</u></b></p> <p style="text-align: right;"><i>Number of credits for this module</i> <span style="border: 1px solid black; padding: 2px;">30</span></p> <table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th>Hours to be allocated</th> <th>Scheduled learning and teaching study hours</th> <th>Independent study hours</th> <th>Placement study hours</th> <th>Allocated Hours</th> </tr> </thead> <tbody> <tr> <td>300</td> <td>68</td> <td>232</td> <td>0</td> <td>300</td> </tr> </tbody> </table> 	Hours to be allocated	Scheduled learning and teaching study hours	Independent study hours	Placement study hours	Allocated Hours	300	68	232	0	300
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300	68	232	0	300							
Contact Hours	<p>The table below indicates as a percentage the total assessment of the module which constitutes a;</p> <p><b>Written Exam:</b> Unseen or open book written exam  <b>Coursework:</b> Written assignment or essay, report, dissertation, portfolio, project or in class test  <b>Practical Exam:</b> Oral Assessment and/or presentation, practical skills assessment, practical exam (i.e. an exam determining mastery of a technique)</p>										
Total Assessment	<table border="1" style="width: 100%; text-align: center;"> <thead> <tr> <th colspan="2">Total assessment of the module:</th> </tr> </thead> <tbody> <tr> <td>Written exam assessment percentage</td> <td>40%</td> </tr> <tr> <td>Coursework assessment percentage</td> <td>60%</td> </tr> <tr> <td>Practical exam assessment percentage</td> <td>0%</td> </tr> <tr> <td colspan="2">100%</td> </tr> </tbody> </table>	Total assessment of the module:		Written exam assessment percentage	40%	Coursework assessment percentage	60%	Practical exam assessment percentage	0%	100%	
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Reading List	Please see Reading List available through library and Law of Contract Blackboard pages. <a href="https://rl.talis.com/3/uwe/lists/F23C3929-677F-D212-035C-02B4A37B7481.html">https://rl.talis.com/3/uwe/lists/F23C3929-677F-D212-035C-02B4A37B7481.html</a>										

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First Approval Date (and panel type)	1/05/2012 CAP			
Revision CAP Approval Date	12/11/2012 24/05/2014	Version	4.1 4.2	<a href="#"><u>Link to RIA</u></a>
Revision ASQC Approval Date	12/08/2019		5	<a href="#"><u>Link to RIA</u></a>