



## **Module Specification**

### **Commercial Law in Context**

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## **Part 1: Information**

**Module title:** Commercial Law in Context

**Module code:** UJUTK6-30-3

**Level:** Level 6

**For implementation from:** 2020-21

**UWE credit rating:** 30

**ECTS credit rating:** 15

**Faculty:** Faculty of Business & Law

**Department:** FBL Dept of Law

**Partner institutions:** None

**Delivery locations:** Frenchay Campus

**Field:** Law Undergraduate (Programmes)

**Module type:** Standard

**Pre-requisites:** None

**Excluded combinations:** None

**Co-requisites:** None

**Continuing professional development:** No

**Professional, statutory or regulatory body requirements:** None

## **Part 2: Description**

**Overview:** Not applicable

**Features:** Not applicable

**Educational aims:** This module will introduce students to some of the main areas of commercial law. Students will be advising fictional clients based on practical extended scenarios. They need to identify, analyse and creatively respond to

relevant opportunities by identifying multiple ideas and solutions to the established problems on the basis of their increasing subject expertise including application of Common Law and statutory rules. They will develop their appreciation of, and ability to demonstrate, flexibility and adaptability through identifying alternative perspectives and offering a choice of solutions suitable to the client's expectation and situation, thereby accommodating the continuous change, ambiguity, uncertainty and risk that comes with advising another person.

Students will be encouraged to develop an entrepreneurial mindset by becoming aware of themselves as creative or resourceful; as able to translate ideas into actions; or as prepared to challenge assumptions and to approach risk and uncertainty through investigation and research. Based on this, students will also be encouraged to start partaking in relevant pro bono activities or other co-curricular enterprise or entrepreneurial student activities across the faculty and university.

**Outline syllabus:** Students will examine the Law relating to:

Part 1 – Agency: the relationship between a principal, agent and third party and the rights, obligations and liabilities that exists between them. The contractual and fiduciary duties that exist between the principal and the agent as well as the different types of authority.

Part 2 – Partnerships: the general nature and types of partnerships, establishment, controls, capacity and the duty of good faith. Also the relationship between partners and outsiders; partners and each other and partnership property; insolvency as well as partnership taxation issues.

Part 3 - Sale of Goods and Contracts for Services: business to business contracts under the Sale of Goods Act 1979 and business to consumer contracts under the Consumer Rights Act 2015. Implied terms, the rules related to property and risk, delivery and acceptance and remedies. Unfair contract terms and exclusion clauses and how they are viewed both in business to business and business to consumer sales. Also contracts for services both under the Supply of Goods and Services Act 1982 in business to business contracts and Consumer Rights Act 2015 in business

to consumer contracts.

Part 4 - International Sale of Goods: the United Nations Convention on Contracts for the International Sale of Goods, including the buyer's and seller's respective obligations as well as remedies available for a breach of contract.

### **Part 3: Teaching and learning methods**

**Teaching and learning methods:** The module will be delivered by weekly two hour lectures and fortnightly two hour workshops. The related materials for the module will be made available via Blackboard. Students are expected to make full use of their independent learning time and reflect critically upon the subject, and develop their own ideas. Students will be directed towards the University Library online Study Skills resources for the development of skills appropriate to the level and style of the module.

The module team will adopt an innovative and student centred approach that seeks to encourage students to critically engage with the subject matter of the module. This will be based on interactive lectures and interactive discussions between the students and module team during workshops.

#### **Module Learning outcomes:**

**MO1** Use primary and secondary legal sources relevant to the topic under study and bring together information and materials from a variety of sources and rank appropriately.

**MO2** Make a critical judgment on the merits of particular arguments and make and present a reasoned choice between alternative solutions.

**MO3** Present knowledge or an argument in a way which is comprehensible to others; read and discuss legal materials which are written in technical and complex language.

**MO4** Display the ability to communicate effectively in both oral and written form and both individually and within seminar group discussion.

**Hours to be allocated:** 300

**Contact hours:**

Independent study/self-guided study = 228 hours

Face-to-face learning = 72 hours

Total = 300

**Reading list:** The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://uwe.rl.talis.com/modules/ujutk6-30-3.html) via the following link <https://uwe.rl.talis.com/modules/ujutk6-30-3.html>

## **Part 4: Assessment**

**Assessment strategy:** This module will be assessed via the following two components:

Component A (40% of module mark) is an individual 10 minute presentation supported by a written bibliography of sources.

The presentation will assess; knowledge and understanding of Commercial Law, the ability to evaluate problems and identify solutions, apply their knowledge to factual situations, competence in dealing with case law and communication skills under time pressure.

Component B (60% of module mark) comprises three elements:

Component B1 and B3 are two online tests, one each in semester one and two (10% of the overall module mark. per test). The tests assess knowledge and application of key principles.

Component B2 : (40% of module mark) A 2000-word written coursework based on a choice of topics from semester two.

This will test the student's written communication and legal reasoning skills and

enable the student to achieve the learning outcomes covered in semester two, namely their entrepreneurial mindset, for example their resourcefulness in translating ideas into actions through appropriate investigation and research.

The module team will provide formative feedback in workshops as well as in one to one meetings. The online test will also serve as an opportunity for formative assessment by prompting early feedback to students on the progress of their studies so far.

All Learning Outcomes will be assessed by the combination of coursework and presentation.

**Assessment components:**

**Written Assignment - Component B (First Sit)**

Description: Individual written piece of coursework

Weighting: 40 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

**Examination (Online) - Component B (First Sit)**

Description: Online test - first semester

Weighting: 10 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

**Presentation - Component A (First Sit)**

Description: Individual presentation and written bibliography

Weighting: 40 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

**Examination (Online) - Component B (First Sit)**

Description: Online test

Weighting: 10 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3, MO4

**Written Assignment - Component B (Resit)**

Description: Individual written piece of coursework

Weighting: 60 %

Final assessment: No

Group work: No

Learning outcomes tested:

**Presentation - Component A (Resit)**

Description: Individual presentation and written bibliography

Weighting: 40 %

Final assessment: Yes

Group work: No

Learning outcomes tested:

**Part 5: Contributes towards**

This module contributes towards the following programmes of study: