



## **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:** 2023-24

**UWE credit rating:** 30

**ECTS credit rating:** 15

**Faculty:** Faculty of Business & Law

**Department:** FBL Dept of Law

**Partner institutions:** None

**Delivery locations:** Not in use for Modules

**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:** 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:** In this module students will examine the Law relating to:

Part 1 – Banking Regulation: money and its development. History of banks and their regulation. The financial crisis of 2008 and regulatory changes following it.

Part 2 - Competition Law and commercial agreements: anti-competitive agreements, cartels in the banking industry, abuse of dominant market positions and sanctions for breach of competition law.

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.

Part 4 - 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.

2. 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.

3. 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.

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

**Teaching and learning methods:** 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.

The module will be delivered by weekly one hour lectures and weekly one and a half hour workshops. There is also a fortnightly one hour consolidation session for students to ask questions and discuss difficult concepts.

The 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.

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

**MO1** Synthesise and critically analyse primary and secondary legal sources of commercial law.

**MO2** Apply critical judgment to present reasoned arguments in legal scenarios.

**MO3** Apply enterprising and creative approaches to solve complex scenario-based problems.

**MO4** Communicate law and legal advice clearly and succinctly through a time-limited verbal presentation.

**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 components:

The first assessment (worth 60% of module mark) is an online exam consisting of multiple choice questions (MCQs) and two short answer questions (up to 2,000 words in total).

The MCQs will be based on Semester 1 topics and will assess knowledge and application of key principles. The short answer questions will test each student's written communication and legal reasoning skills and enable the student to achieve the learning outcomes covered in semester one, 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 following the online exam in a feedback lecture, in workshops and in one to one meetings.

The second assessment (worth 40% of module mark) is an individual 10 minute presentation supported by a written bibliography of sources (Final Assessment). The presentation will assess knowledge and understanding of Commercial Law, the ability to evaluate problems and identify solutions, the ability to apply knowledge to factual situations, competence in dealing with case law and communication skills under time pressure.

**Assessment components:****Examination (Online) (First Sit)**

Description: MCQ questions and two short answer questions of up to 1,000 words each

Weighting: 60 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2, MO3

**Presentation (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) (Resit)**

Description: Online examination with MCQs and two short answer questions

Weighting: 60 %

Final assessment: No

Group work: No

Learning outcomes tested:

**Presentation (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: