

Module code	ULAW/5/CONLW/19/E	NQF level	5
Credit value	30	Study duration	18 weeks

Contract Law

Module description

This is a 30 credit level 5 module which forms part of the core of the LLB. All students must complete this part of the course. The module covers the principles of the law of contract and the application of such principles on an academic and practical basis.

This module aims to:

- Equip students with the knowledge to draft/ identify a legally enforceable contract, recognise unenforceability, correctly terminate a contract and list appropriate remedies
- Provide a starting point for students to undertake independent legal research on contract law related issues
- Provide students with the knowledge required enabling them to identify key legal issues in a problem/ scenario-based question and apply the law to solve the problem

Learning outcomes

On completion of this module, students will be able to:

- demonstrate a knowledge and critical understanding of:
 - the components of a legally enforceable contract
 - the factors which may render a contract unenforceable, including unfair terms, misrepresentation, mistake, duress and frustration
- the appropriate remedies for non-performance of or breach of contract
- research and analyse the law from primary resources on specific matters
- identify legal issues in familiar and unfamiliar scenarios
- effectively apply knowledge to a range of questions in a variety of legal contexts
- demonstrate the ability to identify legal sources in both paper and electronic formats
- to apply legal research findings to the solution of legal problems
- communicate ideas and arguments in a coherent and effective manner, organise and present information relevant to the intended audience and demonstrate the techniques of legal argument
- comprehend and use basic numerical information
- participate in group discussion of legal issues and reach a reasoned conclusion

Syllabus

- Introduction and theory of contract
- Offer and acceptance
- Intention to create legal relations
- Consideration
- Promissory estoppel
- Certainty
- Privity and third parties
- Terms: express, implied and incorporation
- Exclusion and limitation clauses
- Misrepresentation
- Mistake and unfair terms
- Duress and undue influence
- Termination: expiry, breach and frustration
- Remedies 1: Principles of compensation, including liquidated sums, penalties
- Remedies 2: Severity of breach and relationship with damages
- Remedies 3: Assessment of damages, including indemnities, guarantees and a duty to mitigate
- Remedies 4: specific performance and injunction
- Causation

Learning and teaching methods

Teaching will be delivered through the provision of specified reading materials that will be provided on the University of Essex Online learning platform, and will be supported by specified discussion forums, pre-recorded lecturecasts and biweekly live seminars (using synchronous communication software and application sharing facility).

Students will be provided with indicative guidance on and encouraged to look at relevant websites which are appropriate to the learning outcomes, and to identify and share appropriate web-based resources (as learning support references) with their fellow students.

The pre-recorded lecturecasts and the online question and answer sessions will include referenced use of selected case studies which will be drawn from the reading materials and the practice-based and professional/educational contexts and experience of the tutors.

There will be also provision for weekly meetings with tutors in their office hours supplementing online students' self-managed learning, discussing their individual queries, and directing them to require and indicative reading.

Description of unit of assessment	Length/Duration	Submission date	Weighting
2 assessed discussion activities	2 weeks	N/A	20%
Mid module assignments Written submission (skeleton arguments and bundle) and oral presentation	Written submission (skeleton argument 150 words and bundle up to 1,500 words) AND 12 to 15 mins oral presentation	Mid Term	40%
End of module project	2,500 words	End Term	40%