

Module Descriptor

Contract Law

Module Overview	
<p>At the outset of the module, students will be provided with an understanding as to what constitutes a valid enforceable contract. Students will then explore and gain an understanding in resulting obligations, the rights of third parties, terms and the interpretation of contracts. Students will build upon this knowledge and explore vitiating factors, the discharge of contractual obligations and the remedies available at both common law and equity. Students will also be introduced to the role of tortious liability and will recognise the importance of the law of restitution. Finally, students will be introduced to the various stages of bringing a contract claim through the civil law system.</p>	
Aim	
<p>To enable trainees to develop knowledge, understanding and critical awareness of contract law to enable them to apply this law accurately. Further, to introduce trainees to the process of research, legal reasoning and analysis of the law of contracts.</p>	
Module Size and Credits	
Academic Year:	2020
Credits:	10
Total Trainee study hours:	100
Learning Outcomes	
<p>Upon completion of this Module a Trainee should be able to:</p> <ol style="list-style-type: none"> 1. Explain the fundamental principles of contract law. 2. Identify, apply and evaluate the rules relating to offer, acceptance, consideration and the intention to create legal relations. 3. Describe the rule on privity of contract with reference to the law of tort. 4. Recognise the circumstances in which the courts or Parliament will interfere with the freedom of the parties to make their own contractual agreements upon their own terms. 5. Explain how terms are incorporated into a contract and how these terms may be categorised. 6. Apply the law regarding the vitiating factors with the ability to explain their effect on agreements. 7. Explain the consequence and remedies available upon breach of contract. 	
Indicative Content	
Nature of contracts	Restraint of trade
Formation of contracts	The Unfair Terms in Consumer Contracts Regulations
Privity of contracts	1999
Requirements re: form	Mistake

Express & implied terms Exemption clauses & limitation of liability Termination Discharge of contract	Misrepresentation Duress & undue influence Frustration								
Assessment strategy									
<p>The intended learning outcomes will be assessed by a written assignment on Contract Law. Word limit 1500 words. Reassessment will require the completion of a comparable piece of work.</p> <p>The grades for assignments from all modules in the unit will be accumulated (based on credit value) and will constitute 40% of the overall unit grade. Except for the Professional Development Planning Module (Foundation), which is graded as pass or fail.</p> <p>In addition to the assignments candidates must attend the compulsory seminar and pass the end of unit examination. The end of unit examination will further assess learning outcomes from the compulsory modules within the unit by an unseen synoptic paper constituting 60% of the overall unit grade.</p> <p>Where students have been granted exemptions in relation to a module assignment their applications have been made on the basis they are confident that they could pass the assessment for any of the modules from which they applied for the exemption.</p>									
Pass requirements									
<p>The pass mark for all Assessment Components is 50%:</p> <table> <tr> <td>49% (inclusive) and below:</td> <td>Fail</td> </tr> <tr> <td>50% (inclusive) to 59% (inclusive):</td> <td>Pass</td> </tr> <tr> <td>60% (inclusive) to 69% (inclusive):</td> <td>Pass with merit</td> </tr> <tr> <td>70% (inclusive) and over:</td> <td>Pass with distinction</td> </tr> </table>		49% (inclusive) and below:	Fail	50% (inclusive) to 59% (inclusive):	Pass	60% (inclusive) to 69% (inclusive):	Pass with merit	70% (inclusive) and over:	Pass with distinction
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Teaching and Learning									
<p>To enable Trainees to develop knowledge, understanding and critical awareness of the English legal system and introduce them to a range of legal resources available electronically and paper based to encourage and support their legal research and understanding.</p> <p>Teaching, learning and assessment at ACL Training offers Trainees the ability to develop their knowledge, skills and competences through a curriculum that is purposely designed to provide both an exceptional learning experience and also engage them with relevant professional qualifications.</p> <p>All modules will be available to Trainees via distance learning, supported by a learning management system which directs their study. All teaching, learning and assessment materials will be available to both staff and Trainees via the system in a consistent and user-friendly manner. Trainees will engage primarily via a number of learning opportunities in each module:</p> <p>Knowledge & Understanding; is concerned with the analysis of academic theory and concepts to ensure Trainees have mastered a critical appreciation of current and relevant research in the subject area.</p> <p>Application; brings the knowledge and understanding 'to life' by relating it to current practice. It takes a critical view of the theory and concepts as they are employed in the workplace in order to encourage Trainees to evaluate their application, significance and merit in practice.</p> <p>Analysis & Problem Solving; requires Trainees to develop and demonstrate their essential analytical</p>									

skills in order to respond to employer related problems by making a set of clearly evaluated recommendations.

Assessment is explicitly related to both the module and programme learning outcomes detailed above.

Trainee activity and time spent on each activity comprises:

Online Tutorials	4 hours attendance and 4 hours preparation
Exam Prep	20 hours
Coursework	15 hours
Compulsory Seminar	2 hours
Materials/Activities	15 hours
Self Guided Learning	40 hours
Total Hours	100

MODULE RESOURCES

Recommended Reading

Chen-Wishart, M. (2018) *Contract Law*. 6th edn. Oxford: Oxford University Press

Aim

www.lawcommission.justice.gov.uk
www.parliament.uk
www.legislation.gov.uk
www.justice.gov.uk

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Trainees must have access to the Internet and a word-processing package.