

MODULE SPECIFICATION

1. **Title of the module**

Introduction to Contract Law

2. **School or partner institution which will be responsible for management of the module**

Pearson College London

3. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 5

4. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS)

5. **Which term(s) the module is to be taught in (or other teaching pattern)**

This module can be run in any term: Autumn, Spring, or Summer

6. **Prerequisite and co-requisite modules**

None

7. **The programmes of study to which the module contributes**

- | | |
|--|---------------|
| ● BA (Hons) Business Management | - core module |
| ● BA (Hons) Business Management with Entrepreneurship | - core module |
| ● BA (Hons) Business Management with Finance | - core module |
| ● BA (Hons) Business Management with Global Industries | - core module |
| ● BA (Hons) Business Management with Law | - core module |
| ● BA (Hons) Business Management with Marketing | - core module |
| ● BA (Hons) Applied Business Management | - core module |

8. **The intended subject specific learning outcomes.**

On successfully completing the module students will be able to demonstrate:

- 8.1 Knowledge and critical understanding of the essential principles and rules of contract formation, content (with terms distinguished from representations), execution, termination and remedies for breach.
- 8.2 The ability to apply the law of contract (in both statutory and common law form) to complex practical business situations, with a view to avoiding / pre-empting and solving related legal difficulties.
- 8.3 The ability to draw up basic contractual agreements which reflect the intention of the parties and make adequate provision for what will happen should one or more of the parties breach their terms.
- 8.4 A clear appreciation of the commercial risks inherent in poorly drafted contracts and the financial consequences of breach.

- 8.5 Critically evaluate the need to draw up contractual agreements which work for all parties concerned, limiting the potential scope for future disaffection and litigation.

9. **The intended generic learning outcomes.**

On successfully completing the module students will be able to:

- 9.1 Demonstrate the ability to work from primary and secondary sources and to use these efficiently to identify appropriate rules of law.
- 9.2 Demonstrate the ability to offer reasoned criticism from a business perspective and use this background to offer new or imaginative solutions or approaches to legal problems.
- 9.3 Critically analyse information using a range of established techniques.
- 9.4 Work with resilience under pressure, producing set outputs within a definite time-limited period.

10. **A synopsis of the curriculum**

Module Aims

The aim of this module is to give students a practical introduction to contract law.

It aims to introduce them to the key concepts involved in making a contract and the practical consequences when parties are in breach.

Crucially, the module aims to foster in students an understanding of the relevant law they will need to operate effectively in the commercial world, as well as to develop the associated skills, such as drafting and negotiation, with which they will be able to apply this knowledge to practical effect.

By the end of the module, students should have a solid grounding in the essential principles of contract law and a clear appreciation of how to apply these to practical business situations.

The focus will be on the law of England and Wales, although other jurisdictional variants of this module may be produced in the future.

Overview of syllabus

In the course of studying this module, students will cover the following ten topics:

1. Making a contract I – from adverts to making and accepting offers in a business context and associated formalities.
2. Making a contract II – understanding the nature of the bargain element of making a contract and associated technical requirements.

3. Content of a contract – distinguishing advertising hyperbole / representations from terms and express from implied terms and categorising terms in relation to their importance.
 4. Exempting and limiting liability I – how parties can use terms of a contract to restrict their liability for losses sustained by other contracting parties.
 5. Exempting and limiting liability II – the statutory and common law controls on restriction of liability.
 6. Avoiding misrepresentation – understanding how extra-contractual statements may incur liability if misleading and the financial consequences.
 7. Performance and breach – what you are expected to do to carry out your side of a bargain and what will be classified as breach.
 8. Frustration – when you will not be expected to carry out your side of the bargain because of unforeseen, extraneous events and the financial implications when this happens.
 9. The financial consequences of breach I – how compensation for breach is calculated, looking at both pre-agreed and court determined damages and how compensation is limited by factors such as causation and remoteness.
 10. Bringing and defending a claim – looking at relevant rules of procedure and the mechanics of litigation in the civil courts.
11. **Reading List (Indicative list, current at time of publication. Reading lists will be published annually)**

Core study text

- Contract Law by Catherine Elliott and Frances Quinn 11th Ed. (Pearson)(2017)
- Law for Business Students by Alix Adams 10th Ed (Pearson)
- Casebook on Contract Law by Jill Poole 10th Ed. (Oxford University Press)
- Treital on The Law of Contract by Edwin Peel 13th Ed. (Sweet and Maxwell)
- Blackstone's Statutes on Contract, Tort and Restitution 2013-14 (Oxford University Press)
- Gardner, 'Trashing with Trollope: a deconstruction of the postal rules in contract' (1992) 12 Oxford Journal of Legal Studies 170
- Hedley, 'Keeping contract in its place: Balfour v Balfour and the enforceability of informal agreements' (1985) 5 Oxford Journal of Legal Studies 391

Extensive reference will be made to case law, statute law and selected monographs available through the Online Learning Environment.

12. Learning and Teaching methods

For full details please see the teaching and learning strategy in the programme specification. Students can study this module in the interactive classes model or the mentored independent model. Those on the former will typically experience one lecture and one seminar each week.

MODULE SPECIFICATION

Scheduled Hours:	35
Placement Hours:	00
Independent Study Hours:	115
Total Study Hours:	150

13. Assessment methods.

13.1 Main assessment methods

The module will be assessed as follows:

- coursework of a maximum of 3,500 words (75% of grade);
- A 15 minute client briefing exercise (25% of grade).

A pass must be achieved in the coursework element of assessment in order to pass the module.

13.2 Reassessment methods

14. Map of Module Learning Outcomes (sections 8 & 9) to Learning and Teaching Methods (section 12) and methods of Assessment (section 13)

Module learning outcome		8.1	8.2	8.3	8.4	8.5	9.1	9.2	9.3	9.4
Learning/teaching method	Hours allocated									
Private Study	115									
Lectures	10	X			X	X				
Seminars	15	X	X	X	X	X	X	X	X	
Assessment method										
Coursework (23,500 words)		X	X	X	X	X	X	X	X	X
In class exercise (15 mins)			X					X		X

MODULE SPECIFICATION

15. Inclusive module design

The Collaborative Partner recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/ declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

- a) Accessible resources and curriculum
- b) Learning, teaching and assessment methods

16. Campus(es) or Centre(s) where module will be delivered:

Pearson College London

17. Internationalisation

Contract law in other international jurisdictions will be discussed as appropriate, e.g. geographical jurisdiction clauses, EU provisions, cross-border trade, etc.

If the module is part of a programme in a Partner College or Validated Institution, please complete sections 18 and 19. If the module is not part of a programme in a Partner College or Validated Institution these sections can be deleted.

18. Partner College/Validated Institution:

Pearson College London

19. University School responsible for the programme:

Kent Business School

MODULE SPECIFICATION

FACULTIES SUPPORT OFFICE USE ONLY

Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)