

LA372-15 Foundations of Commercial Law

20/21

Department

School of Law

Level

Undergraduate Level 3

Module leader

Christian Twigg-Flesner

Credit value

15

Module duration

10 weeks

Assessment

100% exam

Study location

University of Warwick main campus, Coventry

Description

Introductory description

Deals with basic concepts of commercial law such as agency, assignment, negotiability and property and looks at how these are used by the courts and by practitioners to achieve the results commercial lawyers and their clients need, in the particular context of providing businesses with credit finance.

[Module web page](#)

Module aims

Foundations of Commercial Law deals with basic concepts of commercial law such as agency, assignment, negotiability and property and looks at how these are used by the courts and by practitioners to achieve the results commercial lawyers and their clients need, in the particular context of providing businesses with credit finance. It aims to develop the techniques and skills involved, in particular the skill of manipulating legal concepts to achieve practical ends, both in dispute resolution but more particularly in the planning of commercial transactions. It will thus build on the skills and knowledge acquired in the core modules of Tort Law and Contract Law, and will enable students to apply the concepts learned there, plus the further concepts mentioned above,

to the particular context of commercial transactions. It will also add further to skills of research, analysis, synthesis, and oral and written presentation as well. Students will be encouraged to think critically about the concepts, the legislation and the case law in the commercial context. By way of comparison there will be limited reference to the context of consumer contracting, where the needs are often very different.

Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Sale of Goods: obligations and remedies in respect of defective goods (revision of material covered in contract law)
Sale of Goods: the passing of property between seller and buyer and the passing of risk
Transfer of title by non-owners
Agency
Assignment of debts and similar obligations
Real security over personal property

Learning outcomes

By the end of the module, students should be able to:

- Have a thorough knowledge and understanding of the general principles of commercial law.
- Demonstrate transferable and cross-curricular skills, such as those of interpersonal communication and collaborative group-working.
- Demonstrate high-level skills of written and oral communication of complex legal issues.
- Analyse and appraise a complicated legal scenario, and offer appropriate legal advice.
- Demonstrate effective use of legal research skills and methods, applicable both to academic studies and to the practical resolution of commercial disputes
- Critically appraise the current law in the context of a wide range of commercial transactions and disputes.

Indicative reading list

Sealy and Hooley, Commercial Law: texts, cases and materials (4th ed, 2008)
McKendrick (ed), Goode on Commercial Law (5th ed by, 2016)
Atiyah and Adams' Sale of Goods (13th ed, 2016)
Chitty on Contracts (32nd ed, 2015) Vols I & II (available on Westlaw)
Benjamin's Sale of Goods (9th ed, 2014) (available via Westlaw)
Beale, Bridge, Gullifer and Lomnicka, Law of Security and Title-based Finance (2nd ed, 2012)

Subject specific skills

No subject specific skills defined for this module.

Transferable skills

No transferable skills defined for this module.

Study

Study time

Type	Required
Lectures	18 sessions of 1 hour (12%)
Seminars	7 sessions of 1 hour (5%)
Private study	125 hours (83%)
Total	150 hours

Private study description

No private study requirements defined for this module.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

Assessment group B1

	Weighting	Study time	Eligible for self-certification
Assessment component			
Online Examination	100%		No

Weighting Study time Eligible for self-certification

This is a 2hr exam to be completed within the given 24hr period.

~Platforms - AEP

- Online examination: No Answerbook required
- LA035: Booklet of Selected Statutes for Commercial Law

Reassessment component is the same

Feedback on assessment

Generic feedback via Moodle, with the option for one to one feedback in October by student request.

[Past exam papers for LA372](#)

Availability

Pre-requisites

To take this module, you must have passed:

- All of
 - [LA243-30 Contract Law](#)

Courses

This module is Optional for:

- UIBA-MN34 Law and Business Four Year (Qualifying Degree)
 - Year 3 of MN34 Law and Business Studies Four Year (Qualifying Degree)
 - Year 4 of MN34 Law and Business Studies Four Year (Qualifying Degree)
- Year 3 of ULAA-M300 Undergraduate Law
- Year 3 of ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
 - Year 3 of M106 Law (4 year) (Qualifying Degree)
 - Year 4 of M106 Law (4 year) (Qualifying Degree)
- Year 4 of ULAA-M104 Undergraduate Law (Year Abroad)
- Year 4 of ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
- Year 3 of UIBA-MN31 Undergraduate Law and Business Studies
- UIBA-MN32 Undergraduate Law and Business Studies

- Year 3 of MN32 Law and Business Studies (Four-Year)
- Year 4 of MN32 Law and Business Studies (Four-Year)
- UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
 - Year 4 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
 - Year 5 of MN37 Law and Business Studies (Qualifying Degree) with Intercalated Year
- UIBA-MN35 Undergraduate Law and Business Studies with Intercalated Year (3+1)
 - Year 3 of MN35 Law and Business Studies with Intercalated Year (3+1)
 - Year 4 of MN35 Law and Business Studies with Intercalated Year (3+1)
- UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
 - Year 4 of MN36 Law and Business Studies with Intercalated Year (4+1)
 - Year 5 of MN36 Law and Business Studies with Intercalated Year (4+1)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- Year 3 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)

This module is Option list A for:

- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- Year 3 of ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
 - Year 3 of ML34 Law and Sociology (Qualifying Degree)
 - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology