

# LA243-30 Contract Law

**23/24**

**Department**

School of Law

**Level**

Undergraduate Level 2

**Module leader**

Christopher Mills

**Credit value**

30

**Assessment**

Multiple

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

This full module aims to introduce you to the fundamental notions of contract law, which is one of the “building blocks” of the common law and which underlies much of commercial and consumer law.

[Module web page](#)

### Module aims

This full module aims to introduce you to the fundamental notions of contract law, which is one of the "building blocks" of the common law and which underlies much of commercial and consumer law.

### 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.

Term 1:

Fixed topics:

What is distinctive about contract law? (Exploring the nature of contracting, the role of promising and agreeing; the role of objectivity)

How is contract law engaged? (Contract formation (offer/acceptance/intention/consideration), the

purpose of contract law, the idea of consent to the application of contract law)

What are the parameters of contract law? (Freedom of contract, self-reliance over co-operation, onus on parties to draft contracts carefully and the role of standard form contracts, consent to terms of contract)

Vitiation of consent (a thematic overview, with particular focus on misrepresentation and undue influence)

Performance, breach and termination (Primary and secondary obligations, availability of termination)

Damages (Purpose, calculation, limitations (remoteness/mitigation))

Variable topics (a selection of these will be covered , dependent on current developments, staff research interests etc):

Variation and estoppel

Other vitiating factors

Frustration

Exclusion & limitation clauses

Anticipatory breach

Privity

Language, interpretation and implication

A range of thematic approaches may be deployed. These might include critical approaches to contract law, feminist approaches, contract theory, law and economics, comparative contract law, or sociolegal approaches.

Term 2:

Particular topics will depend on staff expertise and interests, but might include:

Conflicting Ideologies in contract law;

Distinguishing common law from regulated transactions (consumer, employment)

Contract terms and Contract Law – common contract terms (“boilerplate”), such as force majeure clauses, liquidated damages clauses, MAC clauses, unilateral variation clauses, contractual terms requiring “good faith”, or terms granting discretion etc

Privatising ethics – global value chains, sustainability, corporate social responsibility and ethics clauses

Fairness in contracting

Digital automation of the contract lifecycle

Music industry contracts

## **Learning outcomes**

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

- Understand and explain the general principles of contract law.
- Analyse cases.
- 'Get behind the cases' to work out what the courts appear actually to be doing
- Synthesize the law from a series of cases, analyse the inter-relationship of case-law and statute; analyse a problem and apply the law to the facts
- Demonstrate legal writing skills
- Employ some basic theoretical analysis, in particular some economic analysis

- Understand the social contexts and evaluate the policy behind the law
- Participate effectively in team work
- Carry out basic contract drafting

## Indicative reading list

Mckendrick: "English Contract Law: A Rich Past, an Uncertain Future" [1997] Current Legal Problems 25

Beale & Dugdale: 'Contracts between Businessmen: Planning and the Use of Contract Remedies' (1975) 2(1) British Journal of Law & Society 45

[View reading list on Talis Aspire](#)

## Subject specific skills

No subject specific skills defined for this module.

## Transferable skills

No transferable skills defined for this module.

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## Study

### Study time

Type	Required
Lectures	22 sessions of 1 hour (52%)
Seminars	10 sessions of 2 hours (48%)
Total	42 hours

### Private study description

No private study requirements defined for this module.

## Costs

No further costs have been identified for this module.

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## Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

## Assessment group B2

	Weighting	Study time
Online Examination ~Platforms - WAS	100%	

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- Online examination: No Answerbook required
- LA004: Sale of Goods Act 1979 (Commercial & Consumer Contracting)
- LA005: Unfair Contract Terms Act 1977
- LA007: Contracts (Right of Third Parties) Act 1999
- LA033: Law Reform (Frustrated Contracts) Act 1943
- LA041: Consumer Rights Act 2015 (for LA243)

## Assessment group S

	Weighting	Study time
Online Examination	100%	

- Online examination: No Answerbook required
- LA004: Sale of Goods Act 1979 (Commercial & Consumer Contracting)
- LA005: Unfair Contract Terms Act 1977
- LA007: Contracts (Right of Third Parties) Act 1999
- LA033: Law Reform (Frustrated Contracts) Act 1943
- LA041: Consumer Rights Act 2015 (for LA243)

## Feedback on assessment

Generic feedback will be provided on Moodle. One to one feedback is available by student request in October.

[Past exam papers for LA243](#)

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## Availability

### Post-requisite modules

If you pass this module, you can take:

- LA372-15 Foundations of Commercial Law

## Courses

This module is Core for:

- Year 2 of ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
- Year 2 of ULAA-M300 Undergraduate Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)
- Year 2 of ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
- Year 2 of ULAA-M104 Undergraduate Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 2 of UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
- Year 2 of UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
- Year 2 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 2 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- Year 2 of ULAA-M111 Undergraduate Law with Humanities (3 Year) (Qualifying Degree)
- Year 2 of ULAA-M112 Undergraduate Law with Humanities (4 Year)
- Year 2 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- Year 2 of ULAA-M114 Undergraduate Law with Social Sciences (3 Year)
- ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
  - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
  - Year 2 of M115 Law with Social Sciences (3 year) (Qualifying Degree)
- Year 2 of ULAA-M116 Undergraduate Law with Social Sciences (4 Year)

This module is Unusual option for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law
  - Year 3 of V7MW Politics, Philosophy and Law
  - Year 3 of V7MW Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Option list E for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law