

LA247-15 Contract Law

23/24

Department

School of Law

Level

Undergraduate Level 2

Module leader

Christian Twigg-Flesner

Credit value

15

Module duration

10 weeks

Assessment

100% coursework

Study location

University of Warwick main campus, Coventry

Description

Introductory description

This core module will introduce you to the particular features of contracting, what is required for an agreement to be recognised as a legally enforceable contract, the main parameters of contract law (e.g., the importance of freedom of contract and self-reliance), consent and vitiation of consent, as well as performance of the contract and the main remedies for non-performance.

In addition to these essential elements, the module will also select elements of Contract Law dealing with the entire life-cycle of a contract. The topics covered year-on-year may change.

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.

Fixed topics:

1. What is distinctive about contract law? (Exploring the nature of contracting, the role of promising and agreeing; the role of objectivity)
2. 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)
3. 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)
4. Vitiating of consent (a thematic overview, with particular focus on misrepresentation and undue influence)
5. Performance, breach and termination (Primary and secondary obligations, availability of termination)
6. Damages (Purpose, calculation, limitations (remoteness/mitigation))

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

1. Variation and estoppel
2. Other vitiating factors
3. Frustration
4. Exclusion & limitation clauses
5. Anticipatory breach
6. Privity
7. 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.

Learning outcomes

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

- understand the nature of a “contract” and the role of Contract Law
- have knowledge and understanding of key themes and ideas in contract law
- show some awareness of how the historical, economic, or societal context has influenced the common law of contract
- demonstrate knowledge of key primary sources in selected areas of Contract Law
- analyse the law in its context on the basis of relevant primary and secondary sources

Indicative reading list

To be determined

Research element

Students will conduct research into legal cases, academic literature and other source material required for analysis of the topics covered within the module as well as the formative and final

assessment

Interdisciplinary

This module will be taught in Warwick's Law-in-Context tradition, and the discussion of doctrinal topics (legal rules and principles developed at common law) will include framing through a variety of approaches, such as critical approaches to contract law, feminist approaches, contract theory, law and economics, comparative contract law, or sociolegal approaches

International

Some comparison of and reference to other legal jurisdictions may be made within the module.

Subject specific skills

Legal writing
Case analysis

Transferable skills

Critical analysis
Presentation of work in written and oral form
Collaborative working
Problem solving

Study

Study time

Type	Required
Lectures	11 sessions of 1 hour (7%)
Seminars	5 sessions of 2 hours (7%)
Private study	103 hours (69%)
Assessment	26 hours (17%)
Total	150 hours

Private study description

Reading relevant to lectures (follow-up) and reading required for seminar preparation; recommended further reading.

Costs

No further costs have been identified for this module.

Assessment

You must pass all assessment components to pass the module.

Assessment group A1

	Weighting	Study time	Eligible for self-certification
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Assessment component	Weighting	Study time	Eligible for self-certification
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Contract Law Final assessment	100%	26 hours	No
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The assessment will consist of several sub-elements, such as a discursive essay element, analysis of a particular case, or a short problem scenario.

Reassessment component is the same

Feedback on assessment

Students will receive individual written feedback provided digitally using the relevant assessment system. In addition, cohort (generic) feedback will be provided via the Moodle page for this module. Student may raise specific queries arising from the individual and generic feedback at a defined point before the start of Term 3.

Availability

Post-requisite modules

If you pass this module, you can take:

- LA249-15 Contemporary Challenges in Contract Law

Courses

This module is Core for:

- Year 2 of ULAA-M130 Undergraduate Law
- Year 2 of ULAA-M131 Undergraduate Law (4 Year)

- Year 2 of ULAA-M132 Undergraduate Law (Year Abroad)
- Year 2 of ULAA-M135 Undergraduate Law and Sociology
- Year 2 of ULAA-M133 Undergraduate Law with French Law
- Year 2 of ULAA-M134 Undergraduate Law with German Law
- Year 2 of ULAA-M136 Undergraduate Law with Humanities (3 Year)

This module is Optional for:

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