1. **KentVision code and Title of the module**

LAWS6500 (LW650): The Law of Contract

1. **Division and School or partner institution which will be responsible for management of the module**

Division for the Study of Law, Society and Social Justice (Kent Law School)

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

Level 5

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

15 credits (7.5 ECTS Credits)

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

Autumn term (term 1) or Spring term (term 2)

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

Prerequisite LAWS3150 Introduction to Contract and Tort

Co-requisite LAWS6510 Law of Tort

1. **The courses of study to which the module contributes**

All single and joint honours undergraduate Law courses.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Build on ‘Introduction to Contract and Tort’ and ‘Introduction to Property Law’ in developing an in-depth understanding of the nature of private law, its sub-divisions and development.
   2. Demonstrate a clear understanding of the main types of legal obligation arising from the law of contract and of the principles and rules of this area of law.
   3. Use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to engage with questions of policy, regulation and change.
   4. Demonstrate well-developed case reading skills, including an ability to understand and critique the arguments made and which may drive the outcome of a case, as well as policy and other considerations that may affect outcomes of cases.
   5. Use cases, including judicial quotation (including from dissenting judgments), to help support (or negate) an argument.
   6. Demonstrate a detailed understanding of the use of precedent while understanding the ability of judges to be creative, including an advanced ability to judge the weight of a case (or judgment) and provide critical and contextual comment.
   7. Conduct research into complex legal issues to discover the relevant rules and principles, relevant cases (or statutes), secondary or extra-legal sources and to use these to construct sophisticated arguments and legal opinions while recognising areas of uncertainty or contention.

1. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Use materials to evaluate legal solutions in terms of their consequences and theoretical coherence.
   2. Use library and web resources, including journal articles and policy documents, to conduct research on complex areas.
   3. Properly present material with correct citation and use of references where appropriate.
   4. Show an understanding of the differences in use and value of primary and secondary sources.
   5. Distinguish soundly-based knowledge and evidenced claims from unfounded assertions and to use evidence to support their own assertions and arguments.
2. **A synopsis of the curriculum**

This module will offer a one-week overview of Contract law doctrine by reviewing the essentials of contract law gained by students in Introduction to Contract and Tort and provide an overview of the lectures to follow.

Thereafter, students will spend the majority of the time on contract doctrine and problem-solving in contract law, comprised of doctrinal topics not covered in LAWS3150 Introduction to Contract and Tort e.g. breach of contract and remedies, contractual terms, misrepresentation, termination and frustration of contracts and policing bargaining behaviour.

The remainder of the module will focus on contract theory (e.g. freedom of contract, relational contract theory, contract and the vulnerable, contract and consumption). This section of the module will overlay the doctrine covered in the previous section with a basic theoretical framework, and ground students’ understanding of critical essay writing in contract law. It will also build on discussion of the purposes of contract law in Introduction to Contract and Tort.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

Koffman, L & MacDonald, E, *The Law of Contract* (OUP, 2018 or later edition if published)

O’Sullivan, J and Hilliard, J, *The Law of Contract* (9th ed) (OUP, 2020 or later edition if published)

Poole, J, *Textbook on Contract* (OUP, 2014 or later edition if published)

Poole, J, *Casebook on Contract* (OUP, 2014 or later edition if published)

Adams, J and Brownsword, R, *Understanding Contract Law* (5th ed.) (Sweet & Maxwell, 2007)

Mulcahy, L, *Contract Law in Perspective* (5th ed.) (Routledge-Cavendish, 2008)

Mulcahy, L & Wheeler, S, *Feminist Perspectives on Contract Law* (Glasshouse, 2005)

Smith, SA, *Contract Theory* (OUP, 2004)

Smith, SA, *Atiyah's Introduction to the Law of Contract* (OUP, 2006)

Wightman, J, *Contract: A Critical Commentary* (Pluto, 1996)

## The University is committed to ensuring that core reading materials are in accessible electronic format in line with the Kent Inclusive Practices.

## The most up to date reading list for each module can be found on the university's [reading list pages](https://kent.rl.talis.com/index.html).

1. **Learning and teaching methods**

Private Study Hours: 121

Contact hours: 29

Total Study Hours: 150

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by 40% coursework and 60% examination according to the following breakdown:

Coursework - Written assessment, (2000 words) - 40%

Examination unseen (2 hours) - 60%

13.2 Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

1. **Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)**

**Module learning outcomes against learning and teaching methods:**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 |
| Lectures | X | X | X | X | X | X | X | X |  |  |  |  |
| Seminars | X | X | X | X | X | X | X | X |  |  | X | X |
| Private study | X | X | X | X | X | X | X | X | X | X | X | X |

**Module learning outcomes against assessment methods:**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 | 9.5 |
| Written assessment - 40% |  | X |  | X | X | X | X |  | X | X | X | X |
| Exam - 60% | X | X | X | X | X | X | X | X | X | X | X | X |

1. The Division/School 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**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, lectures will be recorded to assist notetaking unless one or more of the lectures contains sensitive material. The module convenor will notify students in advance of any lectures that will not be recorded.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

There will be some comparative material included in this module however, as one of the Foundations of Legal Knowledge, this module has a direct contribution to qualification as a solicitor or barrister in England and Wales). Therefore, the content of this module is prescribed by the requirements of the Solicitors Regulation Authority and Bar Standards Board and serves to provide students with substantive knowledge of English contract law.

**DIVISIONAL 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) |
| 31/01/2018 | Major | September 2018 | 8, 12-14 | Yes |
| 30/11/2019 | Major | September 2020 | 12, 13 | No |
| 16/12/2021 | Major | September 2022 | 11, 13.1, 14 | No |