

Module : **Law of Contract I**
Theme : **Commercial Environment**
Credit Points : **7.5**

Aims

- To develop students' understanding of the fundamental doctrines and principles of the law of contract
- To familiarize students with the standard forms of contract
- To develop students' appreciation of the significance of express and implied contractual terms.

Syllabus

- Introduction to the law of contract
- Essential elements in contract
- Offer – rules and case law
- Acceptance – rules and case law
- The Doctrine of Consideration and Equitable Estoppel
- Intention to create legal relations – Domestic / Social v Commercial
- Contract Terms – conditions / warranties
- Exemption / Exclusion Clauses
- Privity of Contract – main exceptions to privity
- Statute Law – Sale of Goods & Supply of Services Act 1980
- Implied terms
- Statute of Frauds (Ireland) Act 1695
- Unfair Contract Terms (Regulation) 1995

Workload

Contact	60 hours
Directed Learning Time	50 hours
Independent Learning Time	25 hours
Assessment Time	15 hours
Total	150 hours

Teaching and Learning Methods

The module will be delivered by means of participative lectures. These will be supplemented by tutorials, where crucial issues or specific case law needs closer examination, analysis, and research. Class-work and directed assignments will be allocated on a weekly basis. Students will be required to complete a significant assignment throughout the module. This will encompass essential elements of a contract,

presented by way of a problem question. Students will be advised how to undertake the assignment both in terms of the research and the presentation tasks involved.

Integration and Linkage

Many of the relationships that graduates will encounter in their professional lives, be it legal or business, will be governed by the principles of Contract Law. The module is of enormous importance to any study of law. Specifically, an understanding of this particular module is necessary for the study of Employment Law (contracts of employment) in Stage II and Company Law I & II (*ultra vires* contracts) in Stage III.

Learning Outcomes

On successful completion of the module, students will:

- Identify what constitutes agreement for the purpose of the law of contract
- Appreciate how the concept of agreement interacts with other essential elements of a valid contract
- Appraise the doctrine of consideration
- Identify and distinguish between conditions and warranties
- Understand and explain the concept of privity of contract, and its interaction with the law of agency
- Analyse factual scenarios and apply their understanding of Irish Contract Law to them.

Assessment

This course will be assessed by means of a written assignment constituting 30% of the marks for this module, and a traditional closed-book examination constituting 70% of the marks for this module. The assignment will take the form of either an analytical essay question, requiring both an exposition and analysis of a particular issue in the law of contract, or a problem question requiring the identification of particular issues, the exposition of rules of law in relation to those issues, and the application of that law to the factual scenario provided. The examination will consist of a mixture of essay and problem questions.

Reading List

Essential

McDermott, *Contract Law*, (2001, Dublin; Butterworths)
Friel, *Law of Contract*, 2nd Edition, (2000, Dublin; Round Hall)
Clarke, *Contract Law*, 4th Edition, (1998, Round Hall Sweet & Maxwell)
Treitel, *The Law of Contract*, 9th Edition, (1995, London; Sweet & Maxwell)

Recommended

Clark & Clarke, *Contract Cases and Materials*, 2nd ed. (2000, Dublin; Gill & Macmillan)
Fitzsimons & Mulcahy, *Contract Law*, (2000, Dublin; Round Hall Nutshells Series)