

Module : **Law of Contract II**

Theme : **Commercial Environment**

Credit Points : **15**

Aims

- To provide students with the ability to identify and understand practical problems that arise in contracts
- To develop their understanding of the various vital factors and circumstances of contractual obligations
- To develop an appreciation of the balance achieved by the courts in protecting legitimate interests and individuals' freedom of exercise in trade and business
- To create a clear understanding of the performance of contractual obligations and the discharge of liability

Syllabus

- Misrepresentation
- Mistake – equitable remedies
- Duress & undue influence
- Void contracts
- Illegal contracts
- Discharge of contracts
- Damages & equitable remedies
- Limitation of damages
- Sale of Goods and Supply of Services Act 1980
- Unfair Contract Terms (Regulation) Act 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

Formal lectures, which encourage student participation, are taken at a pace that reflects the amount of case law involved. These lectures will be supported by seminars and tutorials, and will involve reviewing previous lecture material and complex case law.

Integration and Linkage

Students will build on the general principles established in Law of Contract I. Students will further examine specific areas of contract law which will impact on their study of later modules such as Employment Law, Company Law I & II and Intellectual Property Law.

Learning Outcomes

On successful completion of the module, students will be able to:

- Critically evaluate particular doctrines of contract law, such as mistake and undue influence
- Understand and apply the provisions of legislation relating to the sale of goods and supply of services to different fact situations
- Explain and assess the effect vitiating factors have on the validity of contracts
- Analyse factual scenarios and apply their understanding of Irish Contract Law to them
- Identify how a contract may be terminated
- Assess the role of damages in contract law.

Assessment

Coursework will account for 30% of the assessment marks. A written examination will also be held on completion of Law of Contract II and will cover the main elements of the modules' course work. This will account for 70% of the assessment marks, and consist of a mixture of theoretical essay questions and practical problem questions. The practical problem questions will assess the students' ability to apply legal rules and doctrines to different fact scenarios.

Reading List

Essential

McDermott, *Contract Law*, (2001, Dublin; Butterworths)
Friel, *Law of Contract*, 2nd Edition, (2000, Dublin; Round Hall)
Clark, *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)
Cheshire, Fifoot & Furmston, *Law of Contract*, (1996, Butterworth)
Burrows, *Remedies for Torts and Breach of Contract*, (1994, Butterworth)
Guest, *Chitty on Contracts*, (1994, Sweet and Maxwell)