

## 6.1 Module 2: Law of Contract

<b>Module title</b>			
Law of Contract			
<b>Module NFQ level</b> (only if an NFQ level can be demonstrated)	<b>Module number / reference</b>	<b>ECTS Value</b>	<b>Duration</b>
Level 8 NFQ	LLBH - LC	15 ECTS	24 weeks
<b>Parent programme(s).</b> Principal programme title, and embedded(s) if relevant		<b>Stage of parent programme</b>	<b>Semester No.</b>
Bachelor of Laws (Honours)		1	1 and 2
Bachelor of Laws (Honours) in Criminal Justice		1	1 and 2
Bachelor of Laws (Honours) in Commercial Law		1	1 and 2
<b>Teaching and Learning modes</b>	<b>Proportion</b> (% of Total Directed Learning)		
Classroom / Face to Face	26%		
Workplace			
Online			
Other (Identify)	74% (Independent Research and Learning)		
<b>Entry requirements (statement of knowledge, skill and competence)</b>			
Please see section 4.2 for full details of entry requirements.			
<b>Maximum number of learners per instance of the module</b>	Sixty (60)		
<b>Average (over the duration of the module) of the contact hours<sup>1</sup> per week</b>	4		
<b>Pre-requisite module title(s) (if any)</b>	None		
<b>Co-requisite module title(s) (if any)</b>	No		
<b>Is this a capstone module? (Yes or No)</b>	No		
<b>Module-specific physical resources and support required per centre (or instance of the module)</b>			
Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in conjunction with Microsoft Office in order to record the lectures when the module is being delivered for block release or for the Blended Programme when organised in advance. Zoom will also be required for the seminars through which the module will be taught (block release).			
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module)</b>			
<b>Role e.g. Tutor, Mentor etc</b>	<b>Qualifications &amp; experience required:</b>		<b># of Staff with this profile (WTEs<sup>2</sup>)</b>
Lecturer	Lecturers are required to hold at least a level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College. Industry experience is beneficial but not a requirement.		0.25 WTE

<sup>1</sup> Effort while in contact with staff

<sup>2</sup> WTE is the whole-time equivalent number. The number 1 indicates a fulltime person fully dedicated to the programme. 0.5 indicates a part-time person available to this programme half of the time.

<b>Analysis of required learning effort</b>		
<b>*Effort while in contact with staff</b>	<b>Minimum ratio teacher / learner</b>	<b>Hours</b>
Classroom and demonstrations	1:60	96
Mentoring and small-group teaching	-	-
Other (specify)	-	-
<b>Independent Learning</b>		
Directed e-learning (hours)		-
Independent Learning (hours)		279
Other hours (specify)		-
Work-based learning hours of learning effort		-
<b>Total Effort (hours)</b>		<b>375</b>

<b>Allocation of Marks</b>					
	<b>Continuous Assessment</b>	<b>Supervised Project</b>	<b>Proctored Practical Exam.</b>	<b>Proctored Written Exam</b>	<b>Total</b>
<b>Percentage Contribution</b>	40			60	<b>100%</b>

### 6.2.1 Module aims and objectives

This module aims to develop the learner's understanding of the fundamental doctrines and principles of the law of contract and to equip the learner with the ability to identify and explain practical problems that arise in contracts. It also has as a principal objective to instil knowledge of contractual obligations, particularly their creation and enforcement, and the discharge of liability. In addition, it will enable learners to comprehend and apply the appropriate remedies for breach of contract. Finally, this module aims to develop awareness in learners of contemporary industry practice surrounding the drafting of contracts.

### 6.2.2 Minimum intended module learning outcomes

On successful completion of this module, learners will be able to:

- (i) Distinguish a legally binding agreement from a non-legally binding agreement in light of the legal requirements for the creation of a valid, enforceable contract;
- (ii) Differentiate between warranties and representations, express and implied terms, valid and invalid terms.
- (iii) Investigate various vitiating and voiding factors and the contractual consequences of the existence of such factors;
- (iv) Evaluate the remedy of damages for a breach of contract;
- (v) Research legal problems in Law of Contract using both hard copy sources and online legal databases.
- (vi) Apply basic contract law principles to practical, abstract scenarios arising in a legal context
- (vii) Engage in legal reasoning and predictive analysis demonstrating knowledge of the principles of contract law

### 6.2.3 Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

This module is foundational to the study of law, as contract theory and practicalities permeate fields of law such as private and public law, commercial law, and other areas which touch upon contractually

fixed relationships. Due to the importance and centrality of the knowledge learners acquire in this module, it is included in the general requirements of the first year of studies. It provides learners with an understanding of the central concepts of contract law generally, as well as the laws which govern contracts in the Irish context more particularly. The module learning outcomes are aligned to several the Programme Learning Outcomes including to critically analyse the theoretical and philosophical underpinnings of the law (iv) and to conceptualize and communicate legal arguments with clarity and precision (iii).

#### **6.2.4 Information provided to learners about the module**

At the start of the Academic Year, learners will receive their Faculty Handbooks. The Faculty Handbook provides general information about the faculty, its staffing, resources, and operation. Detailed programme information is supplied through Moodle, including copies of the approved module descriptors from the accredited programme (detailing related teaching, learning and assessment) along with a programme timetable.

During the first class of the Module, learners are given a detailed outline of the Module showing the schedule of delivery and the dates when assignments are released and due for submission.

Moodle is used to provide learners with ongoing access to module related information, from the handbooks and module outlines provided in advance of the module commencement, the lecture material and links to related resources provided on a scheduled basis in line with the module delivery.

#### **6.2.5 Module content, organisation and structure**

Law of Contract is a 15 ECTS credit module taught and assessed over one academic semester. The module is delivered over 24 lecture sessions of 4 hours duration for Full Time learners, 2 hours duration for Part Time learners and weekly pre-recorded lectures that will be supplemented with evening seminars and Live Days for the Blended learners.

The Learning Outcomes for this programme have been aligned with the knowledge, skills and competencies indicated as appropriate for Level 6 on the NFQ. They have been explicitly articulated using the Quality and Qualifications Ireland (QQI) Generic Awards Standards.

- Introduction to the Law of Contract
  - Formation of the Contract
  - Offer, acceptance, consideration, intention to create legal relations
- Formalities in the creation of contracts
- Consumer protection
- Terms of a contract
  - Express terms, parole evidence rule, terms implied in law, terms implied in fact.
- Third party rights
  - Privity of contract
- Capacity to contract
  - Capacity of minors, companies, drunk persons, persons suffering from mental incompetence.
- Vitiating and voiding factors
  - Misrepresentation, mistake, undue influence.
- Discharge of a contract
  - Performance, breach, frustration
- Damages

#### **6.2.6 Module teaching and learning (including formative assessment) strategy**

The module is delivered by means of participative lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources

and directed reading. Formative assessment is provided through tutorial-style discussion, group work and exercises focused on specific case law and problem-based learning requiring the learner to analyse the law and apply it to concrete contractual problems. The lectures are supplemented by structured on-line resources and reading.

Learners undertaking the course via blended learning benefit from varied and additional options for engagement to compensate their reduced attendance of campus. These include webinars, screencasts (recorded lectures), discussion fora, and increased use of the College's VLE (Virtual Learning Environment), Moodle.

In order to support learners through the exam process, they engage in answering of sample exam questions and correction of their own and peers' papers, thereby familiarising themselves with the module learning outcomes and marking criteria. Learners also engage in workshops and online discussion forums to complement and reinforce their learning.

In addition to what has been stated, classroom assessment and benchmarking techniques are deployed to encourage learners to develop more agency in terms of their own learning including in-class presentations, group work, peer-review exercises and reflective practice. The variety of teaching, learning and assessment techniques reflect an enhanced emphasis on skills acquisition to deepen practical knowledge. Finally, the attention of learners is drawn to current industry practice and technology used in the specific area of law to add a further dimension to learning, tracking the actual practice of legal professionals.

### **6.2.7 Work-based learning and practice-placement**

The Law of Contract is a classroom-based 15 ETC credit module and does not require work-based learning and practice elements.

### **6.2.8 E-learning**

Moodle, the College Virtual Learning Environment is used to disseminate notes, advice, and online resources to support the learners. E-learning activities include learner feedback, forums where learners contribute, formative quizzes and video links. The learners will also have access to a number of other online resources through the library such as access to databases and research tools (Westlaw.ie, Westlaw.uk, JustisOne (vLex) and Hein Online) as well as access to online copies of books published from Bloomsbury Online.

### **6.2.9 Module physical resource requirements**

Requirements are for the lecturer to utilise a PC with Microsoft Office, Zoom and access to the internet through which an individual can gain access to the Griffith College student intranet: Moodle. There are no further software requirements for this module. In relation to Microsoft Office the lecturer will require to use PowerPoint or Word to present the information to the learners. Zoom will be required in order to deliver or record lectures when the module is being delivered via the Blended Learning modality (options 1 and 2).

Reading lists and other information resources

#### **Primary Reading**

- *Clark, R. (2022) Contract Law in Ireland. Dublin: Roundhall Press*
- *McDermott, P.A., McDermott, J. (2017) Contract Law. Bloomsbury Professional*
- *Molloy, C.E. (2020) Contract Law For Students. Bloomsbury Professional*
- *Furmston, M.P. (2017) Cheshire, Fifoot and Furmston's Law of Contract. Oxford: OUP*

### Secondary Reading:

- *McKendrick, E. (2018) Contract Law: Text, Cases, and Materials. Oxford: OUP*
- *Enright, M. (2007) Principles of Irish Contract Law. Dublin: Clarus Press*
- *Beale, H.G., Bishop, W.D. & Furmston, M.P. (2007) Contract: Cases and Materials. Oxford: OUP*

### eResources

- *Bloomsbury Professional Online*
- *JustisOne – Vlex*
- *Westlaw.ie*
- *Westlaw UK*
- *Heinonline*
- *Griffith College Library Website*

### 6.2.10 Specifications for module staffing requirements

Lecturers qualified to at least a Level 8 legal qualification (LLB (Honours), preferably with a professional legal qualification and a third level teaching qualification (e.g. Certificate in Education, Learning and Development offered by Griffith College). Learners also benefit from the support of the Programme Director, Faculty Administrators, a dedicated Learning Technologist Office, the Learning Supports Office, at least one Learner Representative for each Stage, the Students' Union and a free (off campus) Counselling Service.

### 6.2.11 Module summative assessment strategy

Theoretical knowledge will be assessed through continuous assessment and through a written final examination. The continuous assessment will take the form of a written assignment.

The examination will consist of both essay and problem-style questions. The essay style questions will place emphasis on the demonstration of understanding pertaining to Contract Law. By contrast, problem-style questions enable learners to apply the principles of contract law to factual scenarios.

The following table indicates the module's learning outcomes' alignment with the assessment used for the module:

No.	Description	MIMLOs	Weighting
1	Assignment (2,500 words)	vi, vii, vii	40%
2	Exam	i-vii	60%

**Reassessment/Repeat assessment strategy:** Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

- In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
- In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
- In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

### 6.2.12 Sample assessment materials

Please see sample assessment supplementary document.

