

## 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 7	DLSP-LC	5 ECTS	8 weeks
<b>Parent programme(s).</b> Principal programme title, and embedded(s) if relevant		<b>Stage of parent programme</b>	<b>Semester No.</b>
Diploma in Legal Studies and Practice		Award Stage	Block 1
Certificate in Legal Studies		Award Stage	Block 1
<b>Teaching and Learning modes</b>	<b>Proportion</b> (% of Total Directed Learning)		
Classroom / Face to Face	20%		
Workplace	n/a		
Online	n/a		
Other (Identify)	80%		
<b>Entry requirements (statement of knowledge, skill and competence)</b>			
Learners must comply with and meet programme entry requirements.			
<b>Maximum number of learners per instance of the module</b>	80 learners		
<b>Average (over the duration of the module) of the contact hours per week</b>	4 hours		
<b>Pre-requisite module title(s) (if any)</b>	n/a		
<b>Co-requisite module title(s) (if any)</b>	n/a		
<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>			
Lecture room with Wi-Fi access, digital recording facilities, Zoom access and digital projector.			
<b>Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.</b> (Staff includes workplace personnel who are responsible for learners such as apprentices, trainees and learners in clinical placements)			
<b>Role e.g. Tutor, Mentor etc</b>	<b>Qualifications &amp; experience required:</b>	<b># of Staff with this profile (WTEs)</b>	
Lecturer	Lecturers expected to hold at minimum 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.	0.2 WTE	

<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	1:80	21
Mentoring and small-group teaching	-	-
Other (specify)	-	-
<b>Independent Learning</b>		
Directed e-learning (hours)		-

Independent Learning (hours)	104
Other hours (specify)	-
Work-based learning hours of learning effort	-
<b>Total Effort (hours)</b>	<b>125</b>

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

### 6.1.1 Module aims and objectives

The purpose of the Law of Contract module is to provide learners with an appreciation of key legal principles and an understanding of the Contract Law in Ireland and how it operates. It develops learners' understanding of the fundamental doctrines and principles of the law of contract. The module informs the learners of what is required for the basic formation of a contract, other terms which may be included, how contracts can be rendered void/voidable, how they may be brought to an end and the remedies available for breach of contract. It promotes an appreciation of the balance achieved by the courts in protecting legitimate interests and individual's freedom of exercise in trade and business.

It evolves a clear understanding of the performance of contractual obligations and the discharge of liability. Learners develop a working knowledge of the remedies available in contract law and it enables the learners to apply contract law theory to different factual situations. The module covers foundational concepts which learners require to progress through the programme, including: an appreciation for the different areas of Contract law; how to interpret said sources; legal research; academic writing; the concept of precedent and its effects;

Learners are taught how to navigate research platforms such as JustisOne, Westlaw, Westlaw UK, LexisNexis etc.; how to record methods of research; how to engage with hard-copy resources (e.g. textbooks, law reports etc); how to engage with e-resources (e.g. e-journals, the Irish Statute Book, reports etc); how to employ their knowledge of precedent to locate relevant case law; how to analyse and solve legal issues through application of precedent and other primary/secondary sources; and how to cite effectively using OSCOLA.

### 6.1.2 Minimum intended module learning outcomes

On successful completion of this module, learners are able to:

- (i) Discuss the fundamental doctrines and principles of the law of contract.
- (ii) Define the terms which can constitute the contents of a contract including the role of the Constitution with regard to implied terms.
- (iii) Define what factors may render an otherwise valid contract void or voidable.
- (iv) Identify how a contract may be terminated.
- (v) Explain the remedies available within the Law of Contract.

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

Contract Law provides learners with an overview of key legal principles of Contract Law in Ireland and an understanding of the fundamental doctrines and principles of the law of contract. It is a core module that provides a critical foundation, it learners to develop a working knowledge of the remedies available in contract law. It also covers the practical, research and legal writing skills that learners will require if they choose to embark on or continue their legal careers.

It is a core module that provides an in depth analysis of the formation and contents of a contract; void and voidable contracts; the termination of a contract; and remedies available to those who have suffered a breach of contract. In that context this module supports the achievement of MIPLO I.

It also challenges learners to form legal arguments to summative and formative legal problems, both abstract and practical. In that context this module supports the achievement of MIPLO II.

The module examines relevant legislation, case law and applicable Constitutional provisions and encourages learners, through both formative and summative assessment to evaluate same in the context of abstract and practical legal problems. In that context this module supports the achievement of MIPLO IV.

The module employs formative group work in all lectures, encouraging learners to work effectively in group environments. By receiving feedback on all summative and formative assessments, learners are enabled to evaluate and reflect on their work, thereby facilitating improvement. In that context this module supports the achievement of MIPLOs VI and VII.

Finally, the module includes analysis of the changing landscape of contract law from its early iterations, which were highly influenced by the English Common Law, to the new and emerging areas of the discipline which incorporate an increasingly European-centric flavour. Learners are required to discuss and analyse the social and political ramifications of these reforms and changes. In that context this module supports MIPLO VIII.

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

Learners enrolled on this module initially receive a copy of the module descriptor, assessment briefs and assessment strategy. These materials are given directly by the lecturer and also by the Programme Director as part of the Learner Handbook for award stage modules of the programme. All content is provided on Moodle as well as access to additional content through the library and online resources.

Online (via Moodle) learners are provided with video recording of each lecture, copy of PowerPoint slides, a module specific manual, extensive reading list, incorporating professional and academic and non-academic sources. Guest lectures will be introduced to ensure practical knowledge and real-life examples will keep the content relevant.

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

This is a 5 ECTS credit module taught over an 8 week Block. This Block includes 5 lectures (of 4 hour duration); one revision class; two reading weeks; and an exam week. Specifically, the topics covered are as follows:

<b>TOPIC</b>	<b>DISCUSSION</b>
<b>Formation of a Contract 4 hours , 19%</b>	Offer, acceptance, intention to create legal relations, consideration, capacity to contract.

<b>Contents of a Contract</b> 4 hours , 19%	The Constitution and implied terms; express terms, conditions, warranties, exclusion and limitation clauses.
<b>Void and Voidable Contracts</b> 4 hours , 19%	Illegal contracts, void contracts, duress, undue influence, misrepresentation, and mistake.
<b>Termination of Contract</b> 4 hours , 19%	Performance, breach, frustration
<b>Remedies</b> 4 hours , 19%	Damages, specific performance, rescission.
<b>Revision &amp; Preparation</b> 1 hour, 5%	This session will provide a revision class for learners with exam preparation guidance and assistance.

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

This module is delivered through a series of lectures. Learners engage with the module either in class; online via the online streaming option or via recorded lectures. On Moodle, virtual learning environment, the lecturer can interact with learners via the class discussion forum and upload relevant additional learning material e.g. legal articles, case law, study aids and relevant multimedia. The module comprises of 21 contact hours, being 20 lecture hours and one revision/exam preparation class. Formative assessment is provided in the form of interactive exercises such as tutorial style discussions, quizzes, directed class discussion topics and collaborative group work.

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

There is no work-based learning or practical placement in the module.

### **6.1.8 E-learning**

Griffith College uses Moodle, a virtual learning environment, to support its delivery of e-learning activities in the form of peer-to-peer support based around activities where learners give and receive feedback, forums where learners must contribute, formative quizzes and video links.

### **6.1.9 Module physical resource requirements**

Requirements are for a fully equipped classroom. The classroom has Wi-Fi access and is equipped with a PC with Zoom and Microsoft Office. In addition the classroom has digital recording facilities and digital projector. No other software is required for this module. The College library has a dedicated law section and also online legal research tools including Justice One, Westlaw, Hein Online.

### **6.1.10 Reading lists and other information resources**

#### **Primary reading**

Griffith College Manual, *Contract Law* (Dublin: Clarus Press, updated annually)  
Cheshire, Fifoot and Furmston, *Law of Contract* (2012, Oxford; Oxford University Press)  
Clark, *Contract Law in Ireland* (2016, Dublin; Round Hall);  
Enright, *Principles of Irish Contract Law* (2007, Dublin; Clarus Press);  
Friel, *The Law of Contract* (2000, Dublin; Round Hall)  
McDermott, *Contract Law* (2017, Dublin; Bloomsbury Professional)  
Molloy, *Contract Law for Students* (2020, Dublin; Bloomsbury Professional)

#### **6.1.11 Specifications for module staffing requirements**

Lecturers expected to hold at minimum 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.

#### **6.1.12 Module summative assessment strategy**

Theoretical knowledge is assessed at the end of the module by examination (worth 60% of overall grade), the purpose of which is to enable learners to become accustomed to undertaking extended examinations which are a traditional method of assessment commonly used in law-based degrees on the NFQ and in the sphere of professional legal training.

The examination consists of a mixture of essay-style questions and problem-style questions. The former emphasises the demonstration of effective academic writing and an analysis of key concepts or topics on the programme. Problem-style questions are aimed at assessing the learner's ability to apply the law to practical, factual scenarios.

The examination is supplemented by an assignment (40% of overall grade). The assessment components are aimed at enabling learners to use the legal research and academic writing skills taught in class and to apply same in a practical way. The following table indicates the module's learning outcomes' alignment with the assessment used for the module:

No.	Description	MIMLOs	Weighting
1	Exam	(i) to (v)	60
2	Essay	(i), (ii), (v)	40

**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 the case brief or research record required of this module, they will be required to submit a new, individual, repeat attempt which will be made available on Moodle to learners, and 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.

**6.1.13 Sample assessment materials**

Please see sample assessment supplementary document.