

Course outline

Code: LAW203 Title: Contracts A

Faculty of Arts, Business and Law

USC Law School

Teaching Session: Semester 1

Year: 2017

Course Coordinator: **Drossos Stamboulakis**

Office No: JG.11

Phone No: +61 7 5456 3484

Email: dstambou@usc.edu.au

1. What is this course about?

1.1 Course description

The law of contracts underpins commercial life and hence this course is essential to your understanding of the way the law protects economic activity and as a foundation for some of your later courses. Contracts A is the first of two courses examining the Australian law of contract. Taken together, they cover the 'life-cycle' of contracts from their formation to their performance or breach. In this course you will consider rules concerning the formation of contracts, their terms and meaning. You will develop your skills of case reading and analysis.

1.2 Course content

- Formation (Offer and Acceptance, Intention, Consideration, Certainty, Formalities)
- Estoppel
- Parties (Capacity, Privity, Assignment)
- Terms ((Express and Implied) and Construction)
- The nature of contract and theories of contract law

2. Unit value

12 units

3. How does this course contribute to my learning?

Specific Learning Outcomes	Assessment Tasks	Graduate Qualities
On successful completion of this course you should be able to:	You will be assessed on the learning outcome in task/s:	Completing these tasks successfully will contribute to you becoming:
Analyse facts to identify legal issues raised by those facts.	1, 2 and 3	Empowered.

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Explain the correct principle(s) of law to resolve a factual problem.	2 and 3	Knowledgeable.
Apply skill of legal reasoning utilising case law and knowledge of Australian contract law to resolve contract disputes based on real world fact scenarios.	1, 2 and 3	Empowered.

4. Am I eligible to enrol in this course?

Refer to the **Coursework Programs and Awards - Academic Policy** for definitions of “pre-requisites, co-requisites and anti-requisites”

4.1 Enrolment restrictions

Enrolled in any Law program

4.2 Pre-requisites

(LAW102 and enrolled in any Law Program except AR391) or

4.3 Co-requisites

LAW101 and enrolled in AR391

4.4 Anti-requisites

Nil

4.5 Specific assumed prior knowledge and skills

Nil

5. How am I going to be assessed?**5.1 Grading scale**

Standard – High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL)

5.2 Assessment tasks

Task No.	Assessment Tasks	Individual or Group	Weighting %	What is the duration / length?	When should I submit?	Where should I submit it?
1	Contract law online quiz	Individual	10%	30 minutes	Friday, Week 4, 4pm	SafeAssign
2	Contract law advice	Individual	40%	2000 words	Friday, Week 10, 4pm	SafeAssign
3	Open book examination	Individual	50%	2 hours plus 30 minutes preparation time	Central examination period	In exam venue
			100%			

Assessment Task 1: Contract law online quiz

Goal:	The goal of this assessment is to assess your ability to engage in legal analysis of simple fact scenarios based on your understanding of the legal principles governing the first three weeks of material on contract formation.	
Product:	Quiz (online).	
Format:	Blackboard Quiz – to be made available in Week 4.	
Criteria	<ul style="list-style-type: none"> • Demonstrates a capacity to identify legal issues; • Applies principles derived from case law and/or statute to provide appropriate legal advice by selecting the most appropriate response. 	
Generic skill assessed		Skill assessment level
Problem solving		Introductory

Assessment Task 2: Contract law advice

Goal:	The goal of this assessment is to mirror real world practice by testing your ability to resolve a multi-issue legal problem using the knowledge learnt so far in the course, as well as your skills of legal reasoning involving case analysis and statutory interpretation (if relevant).	
Product:	Written legal advice.	
Format:	This is an individual assignment of 2000 words presented in the format of a memorandum to a senior partner.	
Criteria	<ul style="list-style-type: none"> • Correct identification of legal issues; • Identification and application of correct principles and rules of law derived from case analysis and statute; • Succinctly and accurately written using language appropriate to addressing a senior colleague. 	
Generic skill assessed		Skill assessment level
Problem solving		Developing
Organisation		Developing

Assessment Task 3: Open book examination

Goal:	The goal of the examination is to assess your understanding of the nature, theories and rules governing contract formation, terms, and their interpretation. You will be assessed on your capacity to apply that understanding to problem scenarios, as well as via a theory component.	
Product:	Exam.	
Format:	<p>This is an individual assessment. You will have two hours plus 30 minutes preparation time to complete the assessment. You may use any materials to construct an answer to two unseen legal problems drawn from any part of the course.</p> <p>There will be a 'problem' component focusing on practical problem solving, and a 'theory' component focusing on your understanding of the principles and theories underlying Australian contract law.</p>	
Criteria	<ul style="list-style-type: none"> • Correct identification of legal issues and case law appropriate to resolve issues; • Able to organise an answer that demonstrates the skill of legal analysis; • Demonstrates a developed understanding of the theories and principles governing and underlying Australian contract law. 	

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Generic skill assessed	Skill assessment level
Problem solving	Developing
Organisation	Developing

5.3 Additional assessment requirements

Plagiarism

In order to minimise incidents of plagiarism and collusion, this course may require that some of its assessment tasks, when submitted to Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

- The final mark is in the percentage range 47% to 49.4%
- The course is graded using the Standard Grading scale
- You have not failed an assessment task in the course due to academic misconduct

5.4 Submission penalties

- Five per cent (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task
- 10 per cent (of the assessment task's identified value) for the third day
- 20 per cent (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.
- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task.

Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

6. How is the course offered?

6.1 Directed study hours

On campus Lecture: 2 hours per week (Weeks 1 – 13)

On campus Tutorial: 1 hour per week (Weeks 2 – 13)

6.2 Teaching semester/session(s) offered

Semester 1

6.3 Course activities

Teaching Week / Module	What key concepts/content will I learn?	What activities will I engage in to learn the concepts/content?	
		Directed Study Activities	Independent Study Activities
1	Overview of contract law; its history and purpose	Lecture	WCBD and Casebook Ch 1
2	Formation – Agreement	Lecture and tutorial	WCBD and Casebook Chs 2 and 3
3	Formation – Complete Agreement; Intention to Create Legal Relations	Lecture and tutorial	WCBD and Casebook Chs 3 and 5

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4	Formation – Certainty and Formalities	Lecture and tutorial	WCBD and Casebook Chs 4 and 11
5	Formation – Consideration	Lecture and tutorial	WCBD and Casebook Ch 6
6	Estoppel	Lecture and Tutorial	WCBD and Casebook Ch 7
Mid Semester Break			
7 <i>Monday, 17th April Easter Monday Public Holiday</i>	Parties: Capacity, Privity and Assignment	Lecture and tutorial	WCBD and Casebook Chs 10 and 12
8 <i>Tuesday, 25th April Anzac Day Public Holiday</i>	Content – Express Terms	Lecture and tutorial	WCBD and Casebook Ch 8
9 <i>Monday, 1st May Labour Day Public Holiday</i>	Content – Implied Terms and Consumer Guarantees	Lecture and tutorial	WCBD and Casebook Ch 8
10	Content – Interpretation, Classification of Terms, and Exclusion Clauses	Lecture and tutorial	WCBD and Casebook Ch 9
11	Content – Interpretation, Classification of Terms, and Exclusion Clauses (cont.)	Lecture and tutorial	WCBD and Casebook Ch 9
12	The nature of contract and theories of contract law	Lecture and tutorial	WCBD Ch 29 and see extracts on Blackboard
13	Revision and Examination preparation	Lecture and tutorial	To be posted on Blackboard
Study Period			
Central Examination Period			
End of Semester Break			

Please note that the course activities may be subject to variation.

7. What resources do I need to undertake this course?

7.1 Prescribed text(s)

Please note that you need to have regular access to both the Casebook and the Textbook (WCBD).

Author	Year	Title	Publisher
Willmott, Christensen, Butler, Dixon [Textbook / WCBD]	2013	<i>Contract Law</i>	Oxford University Press
Willmott, Christensen, Butler, Dixon [Casebook]	2013	<i>Contract Law Casebook</i>	Oxford University Press

7.2 Required and recommended readings

Lists of required and recommended readings may be found for this course on its Blackboard site. These materials/readings will assist you in preparing for tutorials and assignments, and will provide further information regarding particular aspects of your course.

7.3 Specific requirements

Nil

7.4 Risk management

Health and safety risks have been assessed as low. It is your responsibility to research and understand risks of specific courses and to review the USC's health and safety principles by viewing the online induction training for students.

8. How can I obtain help with my studies?

In the first instance you should contact your tutor, then the Course Coordinator. Additional assistance is provided to all students through Peer Advisors and Academic Skills Advisors. You can drop in or book an appointment. To book: Tel: +61 7 5430 2890 or Email: studentcentral@usc.edu.au

9. Links to relevant University policies and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

<http://www.usc.edu.au/university/governance-and-executive/policies-and-procedures#academic-learning-and-teaching>

10. General enquiries

In person:

- **Sippy Downs** - Student Central, Ground Floor, Building C
- **USC SouthBank** - Student Central, Building B, Ground floor (level 1)
- **USC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **USC Fraser Coast** - Student Central, Building A

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au