

# Suggested Scheme of Work

## Law of Contract (G145)

This is merely a suggestion as to the order of topics to be covered and also includes examples of classroom activities and internal assessments.

Weeks	Topic	Specification	Comments
1 - 3	Offer and acceptance	Principles and evidence of agreement. Offer, invitation to treat, counter offer, request for information, termination, acceptance, auctions, tenders, collateral contracts, multipartite agreements, dealing with machines.	Introduction of principles and approach to contract law. Developments of techniques for learning case law (case tests, student's own case books). Introduction of techniques for answering problem style questions.
4 - 5	Consideration	Nature, function, sufficiency, adequacy, past consideration, forbearance to sue, performance of an existing duty, part payment of a debt, promissory estoppel.	Introduction of AO2 aspects for essay style questions. Differentiation required for estoppel (outline only for some students)
6	Intention	Reasons for the requirement, presumption and rebuttal in domestic, commercial and social agreements	Start with the relationship between policy, presumption and rebuttals.
7 - 8	Terms – incorporation and classification	Express, implied (common law and Sale of Goods Act 1979 as amended) protection of consumers. Conditions, warranties, innominate terms, effects of breach.	Classification can be complex and so benefits from a whole topic overview before studying the detail.
9 - 10	Exemption clauses	Statutory controls, Unfair Contract Terms Act, Unfair Terms in Consumer Contracts regulations 1999, and common law controls of exemption clauses.	Divide up into stages; incorporation / common law controls / statutory controls (UCTA) / 'new' regulations. Apply each stage to a problem question as it is studied.
11 - 12	Privity	Nature, function, established exceptions (not including details of agency or assignment) attempts to avoid the doctrine, statutory reform.	Students need to be aware of which of the pre 1999 exceptions and methods of avoidance are still relevant today.

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13 - 14	Misrepresentation	Pre-contractual statements, types of misrepresentation, inducement, remedies, Misrepresentation Act 1967, rescission and bars.	<p>Can be complex; divide up into stages elements of misrep / kinds of misrep / remedies.</p> <p>Under the new specification students should be aware of pre-contractual statements as potentially both terms and representations.</p>
15 - 16	Mistake	Different types, common, mutual, unilateral, identity, rectification, non est factum.	All aspects of this topic boil down to basic principles of fundamental difference and exceptional circumstances, good idea to start with this and relate back to them throughout.
17 - 18	Duress Undue influence	Common law and economic duress. Equitable nature of undue influence, proved presumed.	Students need to be up to date with undue influence, particularly in relation to the Royal Bank of Scotland case.
19	Restraint of trade	The enforceability of terms that are to prevent a person from undertaking certain business.	As with exclusion clauses, emphasise the structure of the topic so that students are equipped to deal with a problem question with clarity.
20 - 21	Discharge by performance and breach	Variation and ending of obligations, connection with consideration. Actual and anticipatory, repudiatory and non repudiatory Exact and complete, substantial, partial, tender, prevention, time and vicarious performance.	Start with the main principles of full performance and then study the exceptions. Link breach to classification of terms (with a revision of that topic to start with).
22 - 25	Frustration and Special study materials	Nature and purpose, impossibility, illegality, radical difference, limits, effects, Law Reform (Frustrated Contracts) Act 1943.	Leaving this topic and the pre-release materials to the end means students have developed their AO2 abilities throughout the course and are well equipped to deal with the style of questions in the synoptic paper.

## Dealing with a January entry

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The scheme of work above can be varied by introducing the synoptic materials after 'intention' in order to prepare for a January entry in the synoptic paper. By this time students will have gained a basic appreciation of problem technique and AO2 approach in essay style questions. As an understanding of offer and acceptance and consideration underpins much of contract law students may have difficulty in starting from scratch with the synoptic materials.