



Unit Information 2009-10

128 Elements of the law of contract

Prerequisite

None apply

Note

The subject will also take account of relevant European Union legislation and how this is applied in the UK.

Students are permitted to bring into the examination room the following specified document: **either** one copy of *Blackstone's Statutes on Contract, Tort & Restitution* (OUP) **or** one copy of *Core Statutes on Contract, Tort & Restitution* (Palgrave Macmillan).

Syllabus

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| <p>a. <i>The formation of contracts</i>. Offer and acceptance. Consideration. Certainty of agreement. Intention to create legal relations
[Note: Questions will not be set on requirements as to the form of contracts.]</p> <p>b. <i>The content of the contract</i>. Conditions, warranties and intermediate terms. Exemption clauses. Implied terms at common law. Collateral contracts. Statutory implied terms with regard to the quality of goods sold and goods or services supplied.</p> <p>c. <i>Vitiating factors</i>. Mistake. Misrepresentation. Duress and undue influence.</p> <p>d. <i>Illegality and public policy (excluding gaming and wagering)</i>. Contracts illegal at common law. Consequences of illegality. Contracts in restraint of trade.</p> | <p>e. <i>Capacity to contract, with particular reference to the capacity of minors</i></p> <p>f. <i>Privity of contract (excluding agency and assignment)</i></p> <p>g. <i>Performance and breach</i>. Substantial performance. Repudiation and anticipatory breach. Discharge by breach. Discharge under the doctrine of frustration.</p> <p>h. <i>Remedies for breach of contract</i>. General principles governing the assessment of damages. Remoteness of damage. Damages for non-financial loss. Mitigation. Restitutory remedies. Liquidated damages and penalties. Specific performance.</p> |
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Students should consult the *Programme Regulations for degrees and diplomas in Economics, Management, Finance and the Social Sciences* that are reviewed annually. The Prerequisites, Exclusions, and Syllabus are subject to confirmation in the *Regulations*. Notice is also given in the *Regulations* of any units which are being phased out and students are advised to check unit availability.