LAWS1200
Contracts
Session 1, Special circumstances 2021
Macquarie Law School

Contents

General Information .................................................. 2
Learning Outcomes .................................................. 2
General Assessment Information ................................. 3
Assessment Tasks .................................................... 3
Delivery and Resources ............................................. 5
Unit Schedule .......................................................... 6
Policies and Procedures ............................................. 7

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Notice
As part of Phase 3 of our return to campus plan, most units will now run tutorials, seminars and other small group activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face activities for your unit, please go to timetable viewer. To check detailed information on unit assessments visit your unit’s iLearn space or consult your unit convenor.
General Information

Unit convenor and teaching staff
Unit Convenor, Lecturer, Tutor
(Mr) Ilija Vickovich (ilija.vickovich@mq.edu.au)
ilija.vickovich@mq.edu.au
Contact via Contact through iLearn link
6 First Walk, Room 624
Mondays 4pm-5pm

Credit points
10

Prerequisites
LAWS1000 or LAW115

Corequisites

Co-badged status

Unit description
The law of contracts is a fundamental area of study for an undergraduate degree in law and serves as the basis for a variety of later core and elective units. This unit equips students with a knowledge of essential doctrinal principles of contract law and the capacity to apply legal problem solving skills to the resolution of contractual disputes. It covers the formation of contracts, the contents and interpretation of contractual terms, the vitiating factors affecting contract formation, the discharge of contractual liabilities and other related issues such as formal requirements, illegality and privity of contract. In addition, the unit conveys an understanding of the main competing philosophies of contract and the practical role of contracts in a broader social and historical context.

Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes
On successful completion of this unit, you will be able to:

ULO1: Describe the legal principles relating to contract law.
ULO2: Explain the main competing philosophies underpinning contract law and describe the role of contracts in a historical and social context.
ULO3: Formulate, present and evaluate oral and written arguments about contract law, drawing upon relevant precedent and policy considerations.

ULO4: Analyse hypothetical fact situations, identify legal and factual issues involving the law relating to contract law, and apply relevant principles to solve legal problems.

ULO5: Demonstrate research, writing and referencing skills appropriate to students undertaking a 100 level unit.

**General Assessment Information**

**Late Submission Penalty**

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

**Assessment Tasks**

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Hurdle</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class Participation</td>
<td>10%</td>
<td>No</td>
<td>Weekly</td>
</tr>
<tr>
<td>Problem Question</td>
<td>20%</td>
<td>No</td>
<td>6 April</td>
</tr>
<tr>
<td>Multiple Choice Quiz</td>
<td>30%</td>
<td>No</td>
<td>Weeks 4, 8, 12</td>
</tr>
<tr>
<td>Take Home Test</td>
<td>40%</td>
<td>No</td>
<td>15 June</td>
</tr>
</tbody>
</table>

**Class Participation**

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 13 hours

Due: *Weekly*

Weighting: *10%*

Students will participate in a one-hour tutorial every week that will provide the opportunity to explore, analyse and apply the principal doctrinal rules covered in lectures.

On successful completion you will be able to:

- Describe the legal principles relating to contract law.
- Explain the main competing philosophies underpinning contract law and describe the
role of contracts in a historical and social context.
- Formulate, present and evaluate oral and written arguments about contract law, drawing upon relevant precedent and policy considerations.

Problem Question
Assessment Type 1: Quiz/Test
Indicative Time on Task 2: 5 hours
Due: 6 April
Weighting: 20%

The Assignment in this unit will be a hypothetical problem question.

On successful completion you will be able to:
- Describe the legal principles relating to contract law.
- Demonstrate research, writing and referencing skills appropriate to students undertaking a 100 level unit.

Multiple Choice Quiz
Assessment Type 1: Quiz/Test
Indicative Time on Task 2: 3 hours
Due: Weeks 4, 8, 12
Weighting: 30%

Students will complete three online quizzes across the semester testing material covered in the weekly tutorials and lectures.

On successful completion you will be able to:
- Describe the legal principles relating to contract law.
- Explain the main competing philosophies underpinning contract law and describe the role of contracts in a historical and social context.
- Formulate, present and evaluate oral and written arguments about contract law, drawing upon relevant precedent and policy considerations.

Take Home Test
Assessment Type 1: Quiz/Test
Indicative Time on Task: 48 hours
Due: 15 June
Weighting: 40%

Students will complete a time limited take home test based on material covered in the unit.

On successful completion you will be able to:

• Describe the legal principles relating to contract law.
• Explain the main competing philosophies underpinning contract law and describe the role of contracts in a historical and social context.
• Formulate, present and evaluate oral and written arguments about contract law, drawing upon relevant precedent and policy considerations.
• Analyse hypothetical fact situations, identify legal and factual issues involving the law relating to contract law, and apply relevant principles to solve legal problems.
• Demonstrate research, writing and referencing skills appropriate to students undertaking a 100 level unit.

1 If you need help with your assignment, please contact:

• the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
• the Learning Skills Unit for academic skills support.

2 Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Prescribed Texts


Notes and other additional materials available on iLearn and Leganto.

Recommended Texts

J W Carter, *Contract Law in Australia*, 7th ed, LexisNexis, 2018

## Unit Schedule

### LECTURE SCHEDULE

#### Session 1, 2021

<table>
<thead>
<tr>
<th>Week</th>
<th>Week Commencing</th>
<th>Lecture Topic</th>
<th>Tutorial Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>22 Feb</td>
<td>Introduction to Contracts; Overview of Contract Remedies</td>
<td>Legal Problem-Solving Model</td>
</tr>
<tr>
<td>2</td>
<td>1 Mar</td>
<td>Agreement – Offer and Acceptance</td>
<td>Introduction to Contracts; Overview of Contract Remedies</td>
</tr>
<tr>
<td>3</td>
<td>8 Mar</td>
<td>Consideration; Equitable Estoppel; Intention</td>
<td>Agreement – Offer and Acceptance</td>
</tr>
<tr>
<td>4</td>
<td>15 Mar</td>
<td>Certainty and Completeness; Capacity; Requirement of Writing</td>
<td>Consideration; Equitable Estoppel; Intention</td>
</tr>
<tr>
<td>5</td>
<td>22 Mar</td>
<td>Express Terms</td>
<td>Certainty and Completeness; Capacity; Requirement of Writing</td>
</tr>
<tr>
<td>6</td>
<td>29 Mar</td>
<td>Implied Terms; Construction of Terms; Exclusion Clauses</td>
<td>Express Terms</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Mid-Semester Break</strong></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>19 Apr</td>
<td>Misrepresentation; Misleading or Deceptive Conduct; Mistake</td>
<td>Implied Terms; Construction of Terms; Exclusion Clauses</td>
</tr>
<tr>
<td>8</td>
<td>26 Apr</td>
<td>Duress; Undue Influence; Unconscionability</td>
<td>Misrepresentation; Misleading or Deceptive Conduct; Mistake</td>
</tr>
</tbody>
</table>
### Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- **Academic Appeals Policy**
- **Academic Integrity Policy**
- **Academic Progression Policy**
- **Assessment Policy**
- **Fitness to Practice Procedure**
- **Grade Appeal Policy**
- **Complaint Management Procedure for Students and Members of the Public**
- **Special Consideration Policy**

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) and use the search tool.

#### Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/admin/other-resources/student-conduct](https://students.mq.edu.au/admin/other-resources/student-conduct)

#### Results

Results published on platform other than [eStudent](https://es.mq.edu.au), (eg. iLearn, Coursera etc.) or released
directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- Getting help with your assignment
- Workshops
- StudyWise
- Academic Integrity Module

The Library provides online and face to face support to help you find and use relevant information resources.

- Subject and Research Guides
- Ask a Librarian

Student Enquiry Service

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

Equity Support

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy. The policy applies to all who connect to the MQ network including students.