



LAWS1200

Contracts

Session 2, Special circumstances 2021

Macquarie Law School

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Session 2 Learning and Teaching Update

The decision has been made to conduct study online for the remainder of Session 2 for all units WITHOUT mandatory on-campus learning activities. Exams for Session 2 will also be online where possible to do so.

This is due to the extension of the lockdown orders and to provide certainty around arrangements for the remainder of Session 2. We hope to return to campus beyond Session 2 as soon as it is safe and appropriate to do so.

Some classes/teaching activities cannot be moved online and must be taught on campus. You should already know if you are in one of these classes/teaching activities and your unit convenor will provide you with more information via iLearn. If you want to confirm, see the list of [units with mandatory on-campus classes/teaching activities](#).

Visit the [MQ COVID-19 information page](#) for more detail.

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

Thursdays 1.30pm-2.30pm

Tutor

Julian Dight

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Tutor

Liza Rybak

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Tutor

Rod Smith

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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 Disruption to Studies request has been submitted and approved, (a) a penalty for lateness will apply – 10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven days (incl. weekends) after the original submission deadline.

Assessment Tasks

Name	Weighting	Hurdle	Due
Class Participation	10%	No	Continuing
Multiple Choice Quiz	30%	No	23:59 22/08/2021; 23:59 03/10/2021; 23:59 31/10/2021
Take Home Test	40%	No	17:00 12/11/2021
Problem Question	20%	No	23:59 06/09/2021

Class Participation

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 13 hours

Due: **Continuing**

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.

Multiple Choice Quiz

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 3 hours

Due: **23:59 22/08/2021; 23:59 03/10/2021; 23:59 31/10/2021**

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 ²: 48 hours

Due: **17:00 12/11/2021**

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.

Problem Question

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 5 hours

Due: **23:59 06/09/2021**

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.

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 [Writing Centre](#) 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

P Radan, J Gooley & I Vickovich, *Principles of Australian Contract Law*, 5th ed, LexisNexis, Sydney, 2021

P Radan, J Gooley & I Vickovich, *Principles of Australian Contract Law: Cases & Materials*, 5th ed, LexisNexis, Sydney, 2021

Notes and other additional materials available on iLearn and Leganto.

Recommended Texts

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

N Seddon & R Bigwood, *Cheshire & Fifoot Law of Contract*, 11th ed, LexisNexis, 2017

J D Heydon, *Heydon on Contract*, Thompson Reuters, 2019

J Robertson & A Paterson, *Principles of Contract Law*, 6th ed, Thompson Reuters, 2020.

Unit Schedule

LECTURE SCHEDULE

Session 1, 2021

Week	Week Commencing	Lecture Topic	Tutorial Topic
1	26 July	Introduction to Contracts; Overview of Contract Remedies	Legal Problem-Solving Model
2	31 July	Agreement – Offer and Acceptance	Introduction to Contracts; Overview of Contract Remedies
3	7 Aug	Consideration; Equitable Estoppel; Intention	Agreement – Offer and Acceptance
4	14 Aug	Certainty and Completeness; Capacity; Requirement of Writing	Consideration; Equitable Estoppel; Intention
5	21 Aug	Express Terms	Certainty and Completeness; Capacity; Requirement of Writing
6	28 Aug	Implied Terms; Construction of Terms; Exclusion Clauses	Express Terms

7	4 Sep	Misrepresentation; Misleading or Deceptive Conduct; Mistake	Implied Terms; Construction of Terms; Exclusion Clauses
		MID-SESSION BREAK	
8	25 Sep	Duress; Undue Influence; Unconscionability	Misrepresentation; Misleading or Deceptive Conduct; Mistake
9	2 Oct	Discharge by Agreement; Discharge by Performance	Duress; Undue Influence; Unconscionability
10	9 Oct	Discharge by Breach; Discharge by Frustration	Discharge by Agreement; Discharge by Performance
11	16 Oct	Illegality	Discharge by Breach; Discharge by Frustration
12	23 Oct	Privity of Contract; Contracts in Context	Illegality
13	30 Oct	Contract Theory; Exam Preparation	Privity of Contract

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](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 \(https://students.mq.edu.au/support/study/policies\)](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 \(https://policies.mq.edu.au\)](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>

Results

Results published on platform other than [eStudent](#), (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 Services and 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.

Student Enquiries

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

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.