LAWS1200

Contracts

Session 2, In person-scheduled-weekday, North Ryde 2023

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff
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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.

Assessment Tasks

Name	Weighting	Hurdle	Due
Problem Question	30%	No	Monday 4 September 2023 11.55PM (Sydney time)
Class Participation	20%	No	Weeks 1-13
Take Home Test	50%	No	Monday 6 November 2023 10:00AM-1:00PM (Sydney time)

Problem Question

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 5 hours
Due: **Monday 4 September 2023 11.55PM (Sydney time)**
Weighting: **30%**

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.

Class Participation

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 0 hours
Due: **Weeks 1-13**
Weighting: **20%**

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.

Take Home Test

Assessment Type [1]: Quiz/Test
Indicative Time on Task [2]: 25 hours
Due: **Monday 6 November 2023 10:00AM-1:00PM (Sydney time)**
Weighting: **50%**

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 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

Unit Schedule

Week	Beginning	Lecture Topic	Tutorial Topic
1	24 July	Introduction to Contracts; International Contract Law Aims, Applicability & Interpretation; Agreement - Offer Part 1	Introduction to Contract; International Contract Law Applicability; Offer Part 1
2	31 July	Agreement – Agreement - Offer Part 2 and Acceptance; Consideration	Agreement – Offer Part 2 and Acceptance
3	7 August	Equitable Estoppel; Intention; Certainty & Completeness; Capacity	Consideration; Equitable Estoppel; Intention
4	14 August	Express Terms	Certainty and Completeness; Capacity; Capacity
5	21 August	Implied Terms; Construction of Terms	Express Terms;
6	28 August	Discharge by Agreement; Discharge by Performance	Implied Terms (including ACL Consumer Guarantees); Construction of Terms; Exclusion clauses
7	4 September	Discharge by Termination for Breach Part 1	Discharge by Agreement; Discharge by Performance;
	11-22 Sept	**Mid-Session Break**	
8	25 Sept	Discharge by Termination for Breach Part 2; Discharge by Frustration	Discharge by Termination for Breach
9	2 October	Mistake; Misrepresentation; Misleading or Deceptive Conduct; Unfair Terms	Discharge by Termination for Breach; Discharge for Frustration
10	9 October	Duress; Undue Influence; Unconscionability	Misleading or Deceptive Conduct; Misrepresentation

11	16 October	Writing Requirements; Illegality	Duress; Undue Influence; Unconscionability; Unfair Terms
12	23 October	Privity	Writing Requirements; Illegality
13	30 October	Contract Theory & Context; Exam Preparation	Privity

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
- Assessment Procedure
- Complaints Resolution 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

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

Academic Integrity

At Macquarie, we believe academic integrity – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free online writing an d maths support, academic skills development and wellbeing consultations.

Student Support

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

The Writing Centre

The Writing Centre provides resources to develop your English language proficiency, academic writing, and communication skills.

- Workshops
- Chat with a WriteWISE peer writing leader
- Access StudyWISE
- Upload an assignment to Studiosity
- Complete the 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

Macquarie University offers a range of Student Support Services including:

- IT Support
- Accessibility and disability support with study
- Mental health support
- Safety support to respond to bullying, harassment, sexual harassment and sexual assault
- Social support including information about finances, tenancy and legal issues
- Student Advocacy provides independent advice on MQ policies, procedures, and processes

Student Enquiries

Got a question? Ask us via AskMQ, or contact Service Connect.

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.