

Liverpool John Moores University

Title: Advanced Contract Law
Status: Definitive
Code: **6012LAWCL** (120907)
Version Start Date: 01-08-2020

Owning School/Faculty: Law
Teaching School/Faculty: Law

Team	Leader
Richard Ridyard	Y
Andrew Baker	

Academic Level: FHEQ6 **Credit Value:** 24 **Total Delivered Hours:** 46.5
Total Learning Hours: 240 **Private Study:** 193.5

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	20
Seminar	20
Tutorial	4

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Essay	AS1	Essay 2,500 words	30	
Exam	AS2	Exam	70	2.5

Aims

Develop a deeper, more critical understanding of contract law.

Develop a critical understanding of the importance and scope of unjust enrichment as well as its impact on other areas of law.

Identify what the right questions are.

Help students develop the ability to critically reassess contract law, in particular the

law of unjust enrichment.
Explore issues of clarification.

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate a deeper, more critical understanding of contract law.
- 2 Demonstrate a critical understanding of the philosophy of unjust enrichment.
- 3 Critically evaluate and rationalise the case law.
- 4 Demonstrate a critical understanding of and an ability to apply legal rules in their context.
- 5 Demonstrate critical application of the theories of contract law.
- 6 Demonstrate critical use of published material in the field of contract law.
- 7 Critically assess the issues in respect of the taxonomy of the law.

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

Essay 2,500 words	1	2	3	4	
Exam	3	4	5	6	7

Outline Syllabus

- *The Philosophy of Unjust Enrichment*
- *Enrichment of the Claimants's Expense*
- *Mistake*
- *Duress and Undue Influence*
- *Failure of Consideration*
- *Policy-Motivated Unjust Factors*
- *Absence of Basis*
- *Proprietary Restitution*
- *Defences*
- *The Relationship Between the Law of Unjust Enrichment and Equity*

Learning Activities

Lectures
Seminars
Tutorials
Self-directed study
Preparation and completion of module assessments

Notes

Students taking this course have the opportunity to participate in wide-ranging but analytically precise discussions of contract law, in particular the law of unjust enrichment. Through it students may expect to develop some of the skills and dispositions of professionals in the field. An acquaintance with the law of obligations is pre-supposed. This, in turn, facilitates a much deeper understanding of the subject.

"Restitution is an area of the law no smaller and no less important than, say, Contract, Tort, or Trusts. A series of intellectual and historical accidents has, however, scattered its raw material to the fringes of other subjects. Homes have been found for it under dishonest or opaque labels: quasi-contract...constructive trust, money had received, and so on. Dispersed in this way, Restitution has escaped the revolution in legal learning which has happened over the past century. It has been the age of the textbook. Successive editions have settled the case-law of other subjects into well tried and now familiar patterns. The case-law of Restitution remains disorganized: its textbooks have only just begun to be written...It is the last major area to be mapped and in some sense the most exciting subject in the modern canon. There is everything to play for." Peter Birks, *An Introduction to the Law of Restitution*