LAW 1206 Law of Contract for Surveyors

Hours Per Week			Hours per Semester	Weighted Total Mark	Weighted Exam Mark	Weighted Continuous Assessment	Credit Units
LH	PH	TH	CH	WTM	WEM	WCM	CU
3	0	3	45	100	60	40	3

Course description

This course covers elements of contract law and its applicability, enforcement and relevance in Quantity Surveying and Land Economics projects.

Objective(s)

To give students general knowledge on law of contract and how it affects construction contracts both internationally and in the Ugandan legal context.

Course contents

1. **Outline of the law of contract [5 CH]**

- **Definition of a contract**
- **Law applicable**
- **Relevance of the law of contract to the professions**
- **Essentials of a valid contract**

2. **Offer [5 CH]**

- **Meaning of an offer**
- **Types of offers**
- **Rules/characteristics of a valid contract**
- **Distinction between an offer and an invitation to treat**
- **Termination of an offer**

3. **Acceptance [5 CH]**

- **Meaning of acceptance**

- **Rules/ Characteristics of valid acceptance**

4. **Consideration [5 CH]**

- **Meaning**
- **Types of consideration**
- **Rules/characteristics of valid consideration**

5. **Intention to create legal relations**

- **Commercial/business, social contracts**

6. **Contractual Capacity**

- **Minors, persons of unsound mind, drunkards, corporations**

7. **Free Consent/Vitiating Factors**

- **Meaning**
- **Mistake, misrepresentation, duress, undue influence; and their validity of a contract**

8. **Legality**

- **Illegal contracts**

9. **Terms of a contract**

- **Express and implied terms**
- **Conditions and warranties**
- **Exclusion clauses**

9. **Discharge of a contract [2 CH]**

- **Ways in which a contract may come to an end**

10. **Remedies for breach of contract [2 CH]**

Learning outcomes.

- **Understand the importance of law of contract in any business;**

[5 CH] [5 CH] [5 CH] effect on the [3 CH] [3 CH]

- **Understand the basic considerations in entering into contracts;**

- **Understand the remedies that accrue once confronted with different situations and how to pursue them;**
- **Know how to guard against illegal transactions and fraud in business transactions;**
- **Run businesses along contemporary legal principles and procedures; and**
- **Be knowledgeable in basic concepts and theories of contract law.**

Method of delivery.

The course will be conducted through a mixture of lectures, group discussions and reading assignments. Basic lecture materials and data will be provided by the Lecturer and this will be supplemented by individual reading effort by students.

Method of assessment.

Assessment will be done through continuous coursework and final written examination. Continuous assessment will include assignments and classroom tests. A final examination will be offered at the end of the semester and will carry 60% of the total mark. Coursework will carry a total of 40% and will be divided into: assignments 20%, and written tests 20%.

Reference books and materials.

1. **Major W.T. (Revised: Harvey, A) (1993), *Law of Contract,* Pitman, London.**
2. **Williams G. (1973), *Learning The Law,* Stevens and Sons, London. Frank, W.F. (1971), English Law.**
3. **Nditi, N.N.N.: 1986. *A Guide to the General Principles of Contract Law in East Africa.* (Manuscript for Student Use Only), Faculty of law, UDSM**
4. **Atiyah, P.S. 1977. *An Introduction to the law of Contract.* Clarendon Press, Oxford**
5. **John Parris. *Arbitration Principles and Practice.* Granada, London**