

## CMG7201 Contracts Law and Management

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

The course teaches the student Uganda and English legal systems, Contract law, law of tort, business law, construction contracts and labour law.

### Objectives/Aims

- To teach the student law of contracts and tort
- To help the student analyse construction contracts

### Course Outline

1. **Introduction** [10 CH]
  - 1.1 Uganda and English legal systems
  - 1.2 passive, reactive and proactive characters.
  
2. **Contract law** [10 CH]
  - 2.1 Exportability of judgements,
  - 2.2 jurisdiction on bases of domicile,
  - 2.3 submission and propagation
  - 2.4 international arbitration,
  - 2.5 torts and trusts,
  - 2.6 laizzare faire,
  - 2.7 contract documentation,
  - 2.8 negligence
  - 2.9 FIDIC/ICE Conditions of contract,
  - 2.10 liquidated damages,
  - 2.11 extensions of time,
  - 2.12 money claims, damages, restitution, abortive contracts, indemnity, and arbitration.
  
3. **Business law** [10CH]
  - 3.1 Economic functions of companies,
  - 3.2 Types of companies, incorporation, limited liability; corporate
  - 3.3 Finance, raising capital; the stock exchange, insider dealing,
  - 3.4 Corporate directors, take-overs, floating charges, insolvency.
  
4. **Construction contracts, procedures and dispute resolution** [5CH]
  - 4.1 Contract promotion,
  - 4.2 tendering procedures, (client, engineer and contractor)
  - 4.3 Tender/contract documents; bills of quantities and methods of measurement
  - 4.4 Design-build practice

## 5 Labour law

[10 CH]

- 5.1 Forming contract of employment, employee's rights and obligations,
- 5.2 Dismissal, unfair dismissal, wrongful dismissal and redundancy/retrenchment
- 5.3 Industrial action and Trade Union policy Demand analysis

### Learning Outcomes

The course will enable the student to:

- Use law principals in the construction context
- Draft documents with legal issues in mind

### Method of Teaching/Delivery

The course will be conducted through lectures, tutorials and assignments. Basic lecture materials provided by the Lecturer will be supplemented by individual reading effort by students.

### Assessment Method

Continuous assessment through assignments and tests, and final written examination. The final examination carry 60% of the total mark., while continuous assessment will carry a total of 40%.

### Reading/ Reference Materials

- W. V. H. ROGERS, *Winfield & Jolowicz on Tort*, 16<sup>th</sup> Edition, London, Sweet & Maxwell, 2002/ 17<sup>th</sup> Edition, London, Sweet & Maxwell, 2006.
- JOHN MURPHY, *Street on Torts*, 12<sup>th</sup> Edition, Oxford University Press, Oxford, 2006.
- GRAHAM STEPHENSON, *Sourcebook on Torts*, 2<sup>nd</sup> Edition, Cavendish Publishing Ltd. 2000.
- MARKESINIS B. S. & DEAKIN S.F., *Tort Law*, 4<sup>th</sup> Edition, Clarendon Press, Oxford, 1999.
- JOHN G. FLEMMING, *The Law of Torts*, 9<sup>th</sup> Edition, 1998.
- *CLERK & LINDSELL On Torts*, The Common Law Library No.3, 17<sup>th</sup> Edition, London, Sweet & Maxwell, 1995.
- E. VEITCH, *East African cases on the Law of Tort*, London, Sweet & Maxwell, 1972.
- HEYDON J. D., *Economic Torts*, London, Sweet & Maxwell, 1973.
- PAGE KEETON & RORERT KEETON, *Tort Cases and Materials*, American Casebook Series, West Publishing Co.
- MUNKMAN JOHN, *Employer's Liability at Common Law*, 7<sup>th</sup> Edition, Butterworth 1971.