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## MODULE DESCRIPTOR

### Module Title

Law of Obligations and Evidence

Reference	BSM743	Version	2
Created	February 2017	SCQF Level	SCQF 11
Approved	March 2017	SCQF Points	30
Amended	August 2017	ECTS Points	15

### Aims of Module

This course will introduce students to the study of law and the law of obligations. It will introduce discipline specific legal skills and methods, an exploration of the UK's divergent legal systems (English & Scots) and enable students to develop an analytical and critical approach to the application of the law of obligations in English and Scots law.

### Learning Outcomes for Module

On completion of this module, students are expected to be able to:

- 1 Demonstrate understanding and use of legal skills for legal research, argument and presentation.
- 2 Critically discuss the UK's legal systems within the wider EU & ECHR jurisdictions.
- 3 Critically analyse the legal principles relating to the law of obligations: including a comprehension of the similarity and differences between Scots and English law.
- 4 Undertake an analytical and critical approach to the application of the law of obligations and the law of evidence and to develop a basic understanding of how to use legal processes.
- 5 Critically discuss the laws of evidence relating to breaches in the law of obligations and how this evidence can be applied in a variety of dispute resolution contexts.

### Indicative Module Content

Legal skills & methods (including legal research, argument and citation); The UK's legal systems (common law and mixed); EU & ECHR; Sources of law; The UK courts and jurisdictions; Nature of contract; Offer and acceptance; Consideration; Error and restitution; Illegal contracts; Unfair contract terms; Interpretation; Third party rights; Remedies; Extinction of obligations; Reparation: Intentional delicts & Torts; Negligence: Duty of care; Breach of duty; Causation; Remoteness; Damages; Economic loss; Professional negligence; Vicarious liability; Property torts.

### Module Delivery

Lectures, seminars, assigned reading, case studies, group activities, directed reading/research; short answer assessment; multiple choice quizzes and a coursework assignment.

**Indicative Student Workload**

	Full Time	Part Time
Contact Hours	N/A	70
Non-Contact Hours	N/A	230
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	N/A	300
<i>Actual Placement hours for professional, statutory or regulatory body</i>		

**ASSESSMENT PLAN**

If a major/minor model is used and box is ticked, % weightings below are indicative only.

**Component 1**

Type:	Coursework	Weighting:	15%	Outcomes Assessed:	1, 2, 3, 4, 5
Description:	Multiple choice questions				

**Component 2**

Type:	Coursework	Weighting:	45%	Outcomes Assessed:	1, 2, 3, 4, 5
Description:	Timed Paper - computer-based short answer assessment				

**Component 3**

Type:	Coursework	Weighting:	40%	Outcomes Assessed:	1, 2, 3
Description:	Coursework assessment in the form of legal case study problem				

**MODULE PERFORMANCE DESCRIPTOR****Explanatory Text**

The Module is assessed by three components: C1 - Coursework - 15% weighting. C2 - Coursework - 45% weighting. C3 - Coursework - 40% weighting Module Pass Mark = Grade D (40%)

Module Grade	Minimum Requirements to achieve Module Grade:
<b>A</b>	At least 70% on weighted aggregate and at least 35% in each component
<b>B</b>	At least 60% on weighted aggregate and at least 35% in each component
<b>C</b>	At least 50% on weighted aggregate and at least 35% in each component
<b>D</b>	At least 40% on weighted aggregate and at least 35% in each component
<b>E</b>	At least 35% on weighted aggregate
<b>F</b>	Less than 35% on weighted aggregate
<b>NS</b>	Non-submission of work by published deadline or non-attendance for examination

**Module Requirements**

Prerequisites for Module	None.
Corequisites for module	None.
Precluded Modules	None.

**INDICATIVE BIBLIOGRAPHY**

- |   |  |
|---|--|
| 1 | Emily Finch & Stefan Fafinski, 2021. Legal Skills, 8th ed., Oxford: Oxford University Press  |
| 2 | Stone, R, and Devenney, J., 2017. The Modern Law of Contract, 12th Ed. Taylor and Francis (available through the RGU library as eBook)                   |
| 3 | Paula Giliker & Silas Beckwith, 2017. Tort, 6th ed., London: Sweet & Maxwell (available through the RGU library as eBook)                                |
| 4 | Sharon Hanson, 2015. Learning Legal Skills and Reasoning ,4th ed., Routledge. (Available through the RGU library as eBook)                               |
| 5 | Keane & McKeown, 2018. The Modern Law of Evidence , 12th ed., Oxford: Oxford University Press.   |
| 6 | Slorach, Embley, Goodchild and Shephard, 2017. Legal Systems and Skills , 3rd ed. Oxford: Oxford University Press.                                       |
| 7 | Claire-Michelle Smyth and Marcus Gatto, 2018. Contract Law: A Comparison of Civil Law and Common Law Jurisdictions, New York: Business Expert press LLC. |
| 8 | Cees van Dam, 2013. European Tort Law. 2nd ed. Oxford: Oxford University Press.  |