

MODULE DESCRIPTOR

Module Title

Contractual Approaches to Procurement

Reference	SUM409	Version	2
Created	May 2017	SCQF Level	SCQF 11
Approved	June 2012	SCQF Points	15
Amended	December 2017	ECTS Points	7.5

Aims of Module

To critically analyse contractual approaches to procurement, formal contractual documentation and liability for negligence in the energy sectors.

Learning Outcomes for Module

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

- 1 Critically evaluate appropriate contractual arrangements for the energy sectors.
- 2 Synthesise and critically analyse the content of contract documentation in the energy sectors.
- 3 Analyse liability for negligence in the energy sectors.

Indicative Module Content

Appropriate contractual arrangements: risk allocation, procurement strategy; supply chain code of practice; pre-contract considerations; first point assessment; traditional and non-traditional arrangements; partnering and alliancing; incentivisation; relevant legislation including the Bribery Act, etc. Content of contract documentation: bespoke contracts; standardisation; range and use of current standard forms of contract; structure and content of traditional contract forms; structure and content of collaborative arrangements; analysis of terms and conditions; contractual risk allocation; all risks insurance; resolution of claims and disputes. Liability for negligence: negligence, gross negligence and wilful misconduct; potential liability for human, environmental and financial consequences; indemnity and insurance; mutual hold harmless agreement; remoteness of loss; professional liability; collateral warranties.

Module Delivery

The module is delivered in Distance Learning Mode by self-directed web-based learning materials supported by on-line tutorial support and discussion forums.

Indicative Student Workload

	Full Time	Part Time
Contact Hours	N/A	70
Non-Contact Hours	N/A	80
Placement/Work-Based Learning Experience [Notional] Hours	N/A	N/A
TOTAL	N/A	150
<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:	40%	Outcomes Assessed:	1
Description:	Normally a longitudinal assessment involving topic discussion forums (20%) and a group presentation (20%).				

Component 2

Type:	Coursework	Weighting:	60%	Outcomes Assessed:	2, 3
Description:	An individual written piece of work.				

MODULE PERFORMANCE DESCRIPTOR**Explanatory Text**

In order to pass the module students must achieve 40% or greater in each component.

Module Grade	Minimum Requirements to achieve Module Grade:
A	70% or greater
B	60% or greater
C	50% or greater
D	40% or greater
E	35% or greater
F	Less than 35%
NS	Non-submission of work by published deadline or non-attendance for examination

Module Requirements

Prerequisites for Module	None in addition to course entry requirements or equivalent.
Corequisites for module	None.
Precluded Modules	None.

ADDITIONAL NOTES

This module is a core part of the MSc Commercial Practice for the Energy Sectors. The module may be taken as a stand-alone study package.

INDICATIVE BIBLIOGRAPHY

- 1 Birds, J., 2001. Birds' Modern Insurance Law. London: Sweet and Maxwell
- 2 Davidson, F., 2010. Arbitration (Scotland) Act 2010. London: Thomson Reuters (Legal)/W. Green
- 3 Leading Oil and Gas Industry Competitiveness, Standard Contracts for the UK Offshore Oil & Gas Industry. Available from <http://www.logic-oil.com>
- 4 Mackie, K., 2007. The ADR Practice Guide: Commercial Dispute Resolution. 3rd ed. Haywards Heath: Tottel
- 5 Macqueen, H., 2006, Contract Law in Scotland. 2nd ed. Haywards Heath: Tottel
- 6 Oil, Gas and Energy Law. Journal available from <http://www4.rgu.ac.uk/library/resources/>
- 7 Thomson, J. M., 2009. Delictual Liability. 4th ed. Haywards Heath: Tottel