

LAW305 Contract and Civil Litigation

Level: 3

Credit Units: 10 Credit Units

Language: ENGLISH

Presentation Pattern: EVERY JAN

Synopsis:

LAW305 Contract Law and Civil Litigation introduces the Law Student to fundamental rules that govern the making of legally enforceable agreements between parties. Students will explore the formation of contracts, the vitiating factors that could render contracts voidable or void, the discharge of contracts as well as the enforcement of contracts. While exploring contract law, students will be introduced the rules of civil procedure, thereby bringing together the substantive subject and the procedural aspects of actually enforcing a contract. In this way, Contract Law, instead of just being merely a substantive subject, will be brought into an applied context where the student has to marry book learning with court rules and practice in order to arrive at a solution to a client's problems.

Topics:

- Formation of Contract
- Terms of Contract; Orders 38, 38A and 41 Rules of Court (ROC)
- Defeasible Contracts I – Formalities and Capacity
- Defeasible Contracts II – Mistake and Misrepresentation
- Defeasible Contracts III – Duress, Undue Influence, Illegality & Public Policy
- Civil Actions and Court Processes – Orders 1 – 16 and Orders 18 -21 ROC
- Privity of Contract and Rights of Third Parties
- Discharge of Contract
- Frustration
- Remedies, Damage and Quantification of Loss
- Civil Trial Process I – Pre-Trial: Orders 17, 22 – 29 and 32 – 39 Rules of Court; Post Trial: Orders 37 and 42 and Orders 45 – 53 Rules of Court
- Civil Trial Process II – Overview of Trial Stages; Preparation of Evidence and Trial Strategy

Textbooks:

Phang, A. B.: The Law of Contract in Singapore, 2nd Ed, 2022 (ISBN: 9789811835421) 2 Singapore: Academy Publishing
ISBN-13: 9789811835414

Learning Outcome:

- Indicate the various sources of the relevant law, how it is made and developed; of the institutions within which that law is administered and the personnel who practice law
- Demonstrate understanding of legal concepts, values, principles and procedures of Singapore law and explain the relationship between them in a number of subject areas, as well as to apply them
- Analyse fact patterns to identify relevant issues of law, fact and procedure
- Interpret the relevant rule of substantive law, procedure or evidence relevant to the issues identified
- Apply the relevant laws and principles to come to a conclusion on the issues
- Formulate an opinion, provide a solution and advise based on the conclusions
- Discuss critically, competing arguments in literature or in a group situation and make a reasoned choice between alternatives
- Examine ideas, concepts and arguments in the English language and legal terminology with care and accuracy
- Employ information technology in an office environment for the search for information, the preparation of documents and presentations

Assessment Strategies (Evening Class):

Components	Description	Weightage Allocation (%)
Overall Continuous Assessment	PRE-CLASS QUIZ 1	5
	TUTOR-MARKED ASSIGNMENT 1	5
	TUTOR-MARKED ASSIGNMENT 2	10
	TUTOR-MARKED ASSIGNMENT 3	15
	TUTOR-MARKED ASSIGNMENT 4	15
Overall Examinable Components	Written Exam	50
Total		100