

LAW172 CONTRACT LAW

Please note that these *sample* essays were assessed as being High Distinction level according to the marking criteria specific to this assignment, and as per the unit coordinator's (UC) specifications and guidance to students. It is possible that UC specifications may vary to some degree across assessment tasks. These *sample* essays, made available with the kind permission of the relevant students, are not intended to be read as 'perfect' answers, nor as offering, for example, perfect AGLC4-compliance or formatting layout. Students must apply their own discretion in using these *sample* essays for guidance in legal writing – none of these *samples* provides a strict template for a legal essay.

MAJOR ASSIGNMENT (Sample question: Trimester 3 2022)

Below is a *summary scenario* to assist with general context when reading the sample essays. A *detailed scenario*, with additional relevant information (mentioned in these sample essays), was provided to students as part of the assignment question:

Summary Scenario:

A semi-professional soccer/football club known as the Central Coast Sailors ('the Sailors', 'the club') signed a four-year agreement with a sports field maintenance business, Errigal Pitch maintenance Ltd, ('Errigal'). The Sailors stated to Errigal that they had specific maintenance requirements to achieve their goal of reaching the professional competition level by 2025. This relied on modernising the training facilities, including attention to detail for the club's playing pitch and home ground. The Sailors' performance manager, 'Eric', informed Errigal that the club had limited financial resources, so it was a financial risk to employ a specialist grounds maintenance contractor, but it was felt necessary to achieve the club's goal of achieving professional level. Therefore, it was critical that the Sailors' exact specifications were executed by Errigal. The Sailors would make quarterly payments to Errigal. Other influencing factors were provided in the *detailed scenario*, including that the star player, Jordan Sanchez, slipped on the new surface and was injured, meaning he was out for the 2022-2023 season. This would potentially impact the Sailors' season results and the club's move up to professional level.

Assignment tasks:

Students were told to assume a valid contract had been formed and were asked to provide a legal opinion on:

1. Can the Sailors sue Errigal for the injury suffered by Jordan Sanchez? (Do not explain or refer to torts for the purposes of this question.)
2. Has Errigal breached any of the terms of its contract with the Sailors?
3. Can the Sailors terminate the contract with Errigal by mid-2023?

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assumption of both Parties are bound not because liability has been imposed upon them by law as a result of their having entered into a contract but because in the act of assuming they have imposed it upon themselves Contract provides a facility the purpose of which is to enable this to be done within the limits prescribed by law The implication of these premises are much more significant than might be supposed when applied to such areas of contract as formation consideration intention to contract exception clauses privity and damages The book concludes with a treatment of the role of assumption in tort Because of the importance of its subject matter and its wide ranging treatment this book should appeal not only to teachers and postgraduate students of contract but also to practitioners in the field and to anyone else with an interest in contract theory

Unlocking Contract Law, Third Edition Chris Turner, 2013-08-29 Contract law is an essential element of all law degrees Unlocking Contract Law will ensure that you grasp the main concepts with ease providing you with an indispensable foundation in contract law This third edition is fully up to date with the latest changes in the law and includes discussion of the Consumer Protection from Unfair Trading Regulations as well as all the major new cases The Unlocking the Law series is designed specifically to make the law accessible Each chapter opens with aims and objectives and contains activities such as quick quizzes and self test questions key facts charts diagrams to aid learning and numerous headings and sub headings to make the subject manageable New features include summaries to check your understanding of each chapter a glossary of legal terminology essay questions with answer plans and exam questions with guidance on answering All titles in the series follow the same formula and include the same features so students can move easily from one subject to another The series covers all the core subjects required by the Bar Council and the Law Society for entry onto professional qualifications as well as popular option units Resources supporting this book are available online at www.unlockingthelaw.co.uk These include multiple choice questions key questions and answers revision mp3s available for free download interactive glossary and flashcards

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Cheshire, Fifoot, and Furmston's Law of Contract M. P. Furmston, Geoffrey Chevalier Cheshire, Cecil Herbert Stuart Fifoot, 2017 This book provides an account of the principles of the law of contract with analysis and insights Each topic is clearly signposted with summaries introductory text and sub headings for ease of navigation throughout the book Numerous references to additional primary and secondary sources take the reader even further into the subject

Contract Law and Economics Gerrit de Geest, 2010-10 This unique and timely book offers an up to date clear and comprehensive review of the economic literature on contract law The topical chapters written by leading international scholars include precontractual liability misrepresentation duress gratuitous promises gifts standard form contracts interpretation contract remedies penalty clauses impracticability and foreseeability Option contracts warranties long term contracts marriage contracts franchise contracts quasi contracts behavioral approaches and civil contract law are also discussed This excellent resource on contract law and economics will be particularly suited to contract law scholars law teachers policy makers and judges For experts in and practitioners of contract law this will be a key book to buy

Commercial Contract Law Larry A. DiMatteo, Qi Zhou, Severine Saintier, Keith Rowley, 2013-01-31 This book focuses on the law of commercial contracts as constructed by the US and UK legal systems Leading scholars from both sides of the Atlantic provide works of original scholarship focusing on current debates and trends from the two dominant common law systems The chapters approach the subject areas from a variety of perspectives doctrinal analysis law and economic analysis and social legal studies as well as other theoretical perspectives The book covers the major themes that underlie the key debates relating to commercial contract law role of consent normative theories of contract law contract design and good faith implied terms and interpretation policing contract behavior misrepresentation breach and remedies and the regional and international harmonization of contract law Contributors provide insights on the many commonalities but more interestingly on the key divergences of the United States and United Kingdom's approaches to numerous areas of contract law

Revisiting the Contracts Scholarship of Stewart Macaulay Jean Braucher, John Kidwell, William C. Whitford, 2013-01-14 This book contains the papers prepared for a conference held at the Wisconsin Law School in 2011 to honour the work of Stewart Macaulay one of the most famous contracts scholars of his generation Macaulay has been writing about contracts and contract law for over 50 years the 1960s were particularly productive years for him when he introduced many novel ideas into the scholarly world Macaulay's foundational work for what is now called relational contract theory was published during this period Macaulay is also known for his use of empirical research and interdisciplinary theories to illuminate our knowledge of contracting practices The papers in this volume reflect in diverse ways on the subsequent influence and the

contemporary relevance of Macaulay's work. All the contributors are important contracts scholars in their own right: David Campbell and John Wightman from the UK; Brian Bix, Jay Feinman, Robert Gordon, Claire Hill, Charles Knapp, Ethan Leib, Deborah Post, Edward Rubin, Carol Sanger, Robert Scott, Gordon Smith, Josh Whitford, with Li Wen Lin and William Woodward from the USA. The volume also reproduces Macaulay's most cited paper, 'Non-Contractual Relations in Business', and excerpts from two other important papers of his, 'Private Legislation' and 'The Duty to Read Business Run by IBM Machine'. The Law of Contracts and Credit Cards and The Real and The Paper Deal. Empirical Pictures of Relationships Complexity and the Urge for Transparent Simple Rules. **Contract Law**, 1986. **The Law of Contract** Hugh Collins, 2003-07. This volume provides an advanced analysis of the law of contract for undergraduate courses covering the law of contract and the law of obligations.

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