

## Course Outline

<b>Course number</b>	<b>RBB116</b>					
Course title	Comparative Contract Law					
Credit points	3 ECTS (2 CP)					
Total hours	30					
Lecture hours	15					
Seminar and other hours	15					
Course level	Bachelor					
Prerequisites	None					
Category	Mandatory	X	Restricted elective		Free elective	

### COURSE RESPONSIBLE AND TEACHER

<i><b>Name, Surname</b></i>	<i><b>Academic degree</b></i>	<i><b>Academic position</b></i>
Carlos Llorente	Ph.D (Hons.), LL.M. (Hons.)	Visiting Professor of Law

### COURSE ABSTRACT

The course is divided into two main subjects: comparative law and contract law. They are conceptually different but will be practically intertwined for the purposes of this course. During the first part we will work on learning the comparative law method which is essential for a proper analysis of contract law in a global world (both in the academia and in the legal profession). And in the second part we will study substantive contract law not from a domestic perspective but from a comparative, and international (or global), dimension. This is a course on fundamentals. So it has a strong theoretical background. Students will be requested to read and develop a critical thinking about what they have read. But also learning materials, and some of the activities we will perform in the classroom, will be aimed at gaining some valuable practical skills.

### COURSE OBJECTIVES

The aim of the course is to introduce the students to the legal problems arising out of contracts in a global world.

### GRADING CRITERIA

<b>Criteria</b>	<b>Weighting</b>
Final Exam	70%
Practical assignment during the course	30%

**COURSE PLAN – MAIN SUBJECTS**

<b>No.</b>	<b>Main subjects</b>	<b>Planned hours</b>
1	Comparative Law	12
2	Contract Law (Substantive)	18

**COURSE PLAN – SESSIONS**

<b>Session</b>	<b>Session subjects and readings</b>	<b>Lecture/seminar</b>
1	<b>Introduction to Comparative Law (I)</b> Zweigert & Kotz, Chapters 1-5	L
2	<b>Introduction to Comparative Law (II)</b> Zweigert & Kotz, Chapters 1-5	L
3	<b>Legal families: Romanistic</b> Zweigert & Kotz, Chapters 6-9	L
4	<b>Legal families: Germanic</b> Zweigert & Kotz, Chapters 10-13	L
5	<b>Legal Families: Anglo-American</b> Zweigert & Kotz, Chapters 14-18	L
6	<b>Class Debate: Stare decisis. The Leegin case</b> A copy of the majority and dissenting opinions issued in The Leegin case will be uploaded in the course intranet. Students shall read them in advance and be ready to brief and discuss them in class	S
7	<b>Unification of Contract Law in a Global World: Actors, Subject-Matters, Sources and Outcomes</b> This lesson will be based on the Professor's class notes. Students will be provided with samples of legal materials addressing this topic. They will be uploaded in the course intranet.	L/S
8	<b>Contracts: Introduction and sources of law</b> Smits, Part 1	L
9	<b>Contracts: The Formation of a Contract</b> Smits, Part 2	L
10	<b>Contracts: The Contents of a Contract</b> Smits, Part 3	L
11	<b>Class Debate: Selected topics of contract law (cases and materials)</b>	S
12	<b>Contracts: Vitiating factors</b> Smits, Part 4	L
13	<b>Contracts: Contractual Remedies</b> Smits, Part 5	L
14	<b>Contracts: Contracts and Third Parties</b>	L

<b>Session</b>	<b>Session subjects and readings</b>	<b>Lecture/seminar</b>
	Smits, Part 6	
15	<b>Class debate: selected topics of contract law (cases and materials)</b>	S

#### **COURSE LITERATURE**

<b>No.</b>	<b>Author, title, publisher</b>
1	<b>Required reading:</b> Konrad Zweigert and Hein Kötz, Introduction to Comparative Law, Clarendon Press, 3 <sup>rd</sup> ed., 1998
2	<b>Required reading:</b> Jan M. Smits, Contract Law. A Comparative Introduction, 2 <sup>nd</sup> edition, Edward Elgar Publishing 2017
3	Michael Bogdan, A Concise Introduction to Comparative Law, Europa Law Publishing 2013
4	Jaako Husa, A New Introduction to Comparative Law, Hart Publishing 2015
5	Mathias M. Siems, Comparative Law, Cambridge University Press, 2014
6	Geoffrey Samuel, An Introduction to Comparative Law Theory and Method, Hart Publishing 2014