CONSTRUCTION CONTRACT LAW

Subject Aim:

This subject is intended to:

1. Introduce aspects of law that have particular relevance to development and construction.
2. Provide a practical knowledge of modern development in construction contract law and application of laws and procedures relating to construction contracts and their administration.

Learning Outcomes:

Students will demonstrate their ability to:-

1. Evaluate the general principles of development control law and apply them in contract administration;
2. Analyse the legal issues in the modern development of law in contract and tort;
3. Apply the legal principles to conduct construction contract administration and to evaluate construction contract claims.
4. Communicate effectively.
5. Possess the ability to engage in life-long learning on Construction Contract Law.

Brief Syllabus Content:

Development control: development process, statutory and non-statutory control.

Construction contracts: modern development of law in contract and tort; legal interpretation and application in construction contract; bankruptcy and insurance.

Legal basis for Standard form of contract: characteristics of various standard form of local and international building contracts and sub-contract.

Duties and responsibilities of the parties to the contract: implications of contract clauses; legal implication in the procedures for instructions, variations, payments and certification.

Construction claims: evaluation and presentation of claims; contractual and common law remedies; dispute resolution methods.

Teaching activities: Lecture (LT)/Tutorial (TU)/Seminar (SM)/Drawing (DW)/Laboratory or Practical (LB)/Studio (ST)/Workshop (WS)/Project (PJ)/Field Study (FS)/Guided Study (GS)/Visit (VS)
Learning and Teaching Approach (tasks and activities designed to achieve learning outcomes):

Lectures and tutorials will be run throughout the semester period. The lectures and tutorials will not only disseminate the relevant knowledge but also provide guidance for students to search materials for self-study. Tutorial projects will also be set requiring the student to evaluate and apply the relevant law principles and deduce solution for the cases and also to analyze, critically appraise and resolve administrative, organizational and managerial problems.

Key topics will be set for groups of 4-5 students to carry out some research and prepare for presentation and discussion in tutorial class in order to encourage peer group learning and to clarify any difficulties found in lecture and reading. The work also will be set on an individual basis and seek to enhance verbal and written communication skills.

In order to encourage divergent and innovative thinking, the project work will be set as an interactive project based on changing circumstances. This encourages legal analysis and application and also efficient data management. The work will be based on the issues introduced by the teaching but will reward evidence of further reading and private study.

Contact hours include individual or group project supervision. I.T. will be deployed to support teaching.

Assessment strategy (assessment of student performance resulting from learning tasks):

Students will be assessed by:
(i) examination, including problem analysis and essay type question, accounting for 70% (one end of semester written paper) and
(ii) through the medium of coursework, including presentation in class of project assignments, accounting for 30% (1 coursework assignment and 1 short written test)

Reading List:

Recommended:

Supplementary: