

The Institute of Commercial Management

SUBJECT SYLLABUS



PURCHASING AND SUPPLY LAW

(0706)

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Law of Contract

Contract Formation

- Offer & Acceptance
- Invitations to Treat
- Status of Tenders
- Consideration
- Intention to Create Legal Relations
- Contractual Capacity
- Privity of Contract

Contractual Terms & Formalities

- Formalities
- Terms of Contract
- Express & Implied Terms
- Conditions, Innominate Terms & Warranties

Vitiating Factors

- Mistake
- Misrepresentation
- Duress & Undue Influence
- Illegality & Invalidity

Exclusion Clauses

- Common Law Control
- Statutory Control
- Unfair Contract Terms
- Criminal Control

Termination & Remedies

- Performance
- Agreement
- Frustration
- Breach
- Remedies

Law of Agency

- Role of an Agent
- Creation of an Agency
- Authority
- Duties Arising from Agency
- Principal/Agent Relationship
- Principal/Third Party Relationship
- Agency/Third Party Relationship
- Termination of Agency
- Commercial Agents

Supply of Goods & Services

Implied Conditions

- Contract of Sale
- Right to Sell
- Sale by Description
- Satisfactory Quality
- Fitness for Purpose
- Sale by Sample

- Acceptance
- Modification of Remedies
- Exclusion of Liability

Supply of Goods & Services

- Implied Conditions
- Implied Conditions in Services

Delivery & Payment

- Delivery & Payment
- Remedies

Passage of Title & Risk

- Specific, Ascertained & Unascertained Goods
- Passage of Title
- Passage of Risk
- Sale by a Non-Owner

Law of Tort

Negligence

- Duty of Care
- Causation
- Defences
- Recoverable Damage
- Negligent Misstatement
- Vicarious Liability

Product Liability

- American Experience
- Consumer Protection Legislation

Consumer Protection

Criminal Liability for False Statements

- Trade Descriptions Legislation
- Prices
- Property Misdemeanors

Product Safety

- General Product Safety Regulations
- Consumer Protection Legislation
- Health & Safety
- Legislation

Food Safety

- Food
- Sale & Commercial Operations
- Food Safety Offences
- Notices & Orders
- Consumer Protection
- Regulation
- Codes of Practice
- Defences
- Enforcement

Weights & Measures

- Offences of Short Weight or Measure
- Regulated Packages

Related Legislation

Legal Aspects of Outsourcing

- Tenders
- Letters of Intent & Comfort
- Procurement Directives
- Compulsory Competitive Tendering
- Transfer of Undertakings

Competition Law

- Competition Acts
- Fair Trading Legislation

Intellectual Property

- Breach of Confidence & Passing Off
- Patents
- Copyright
- Designs
- Trade Marks

International Trade

- Bills of Lading
- CIF & FOB Contracts
- Documentary Credits

Insurance

- Types of insurance
- Insurable Interest
- The Contract
- Role of Agents
- Claims
- Subrogation

Reading List

Main Text:

Law for Purchasing & Supply - M Griffiths & I Griffiths (Prentice Hall)