

Business Contractual Relationships

HIGHER NATIONAL DIPLOMA

商务契约关系

【英】苏格兰学历管理委员会 (SQA)

Unit Student Guide

BUSINESS

DE3F 34



 中国时代经济出版社


SCOTTISH
QUALIFICATIONS
AUTHORITY

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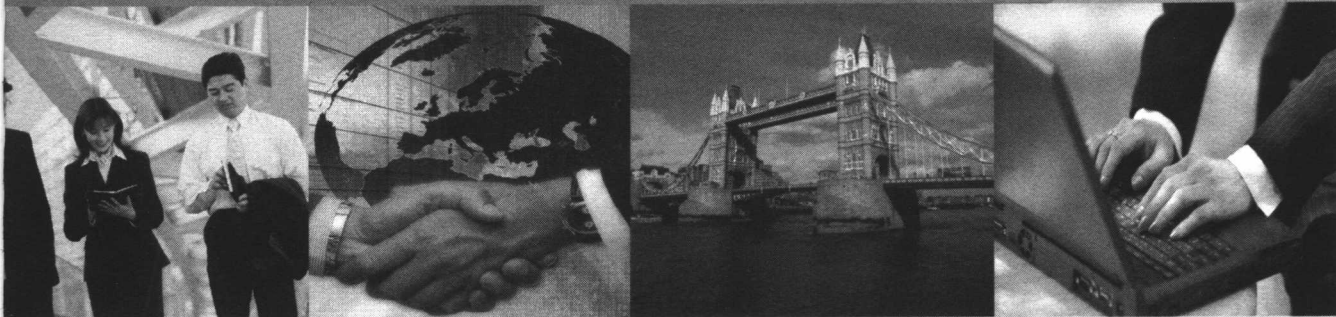
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Business Contractual Relationships

商务契约关系

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1

Introduction to the Scottish Qualifications Authority

This Unit **DE3F 34 Business Contractual Relationships** has been devised and developed by the Scottish Qualifications Authority (SQA). Here is an explanation of the SQA and its work:

The SQA is the national body in Scotland responsible for the development, accreditation, assessment, and certification of qualifications other than degrees.

Its website can be viewed on: www.sqa.org.uk

SQA's functions are to:

- devise, develop and validate qualifications, and keep them under review
- accredit qualifications
- approve education and training establishments as being suitable for entering people for these qualifications
- arrange for, assist in, and carry out, the assessment of people taking SQA qualifications

- quality assure education and training establishments which offer SQA qualifications
- issue certificates to candidates.

In order to pass SQA units, students must complete prescribed assessments. These assessments must meet certain standards.

The Unit Specification outlines the three Outcomes that students must complete in order to achieve this unit. The Specification also details the knowledge and/or skills required to achieve the outcome or outcomes. The Evidence Requirements prescribe the type, standard and amount of evidence required for each outcome or outcomes.

2

Introduction to the Unit

2.1
What is the
Purpose of
this Unit?

This Unit is designed to expand your knowledge of the law as it applies within the business environment. The unit will expand on the knowledge gained in **Business Law: An Introduction**.

This specialist Unit will examine consumer legislation, the agency relationship and the law of obligations as it relates to the contractual relationships between the business, its customers and its employees.

2.2
What are the
Outcomes of
this Unit?

Outcome 1: Describe the key statutory provisions relating to consumer protection.

Outcome 2: Identify and explain the law of agency.

Outcome 3: Explain the key elements of the Law of Obligations.

Further details can be found in Appendix 1 — Unit Specifications.

2.3

What do I
Need to be
Able to do in
Order to
Achieve this
Unit?

You must provide evidence (in the form of your assessments) which demonstrates you can:

Outcome 1

- Explain the rights available to a consumer as offered by the Sale of Goods Act 1979 as amended
- Explain the protection available to consumers arising from the Unfair Contract Terms Act 1977 as amended
- Briefly outline the terms of the Consumer Credit Act 1974, providing examples of how the legislation operates in day-to-day transactions for the purchase of goods and services
- Explain, briefly, the Trades Description Act 1968, as amended, and its implication for consumer protection.

Outcome 2

- Explain the concept of Agency as it relates to the “three way relationship” and the ability of the Agent to commit the principal to a contractual relationship
- Explain the Agent’s duties to the Principal and rights against the Principal to maintain a stable and legal relationship

- Explain the rights and liabilities of the consumer i.e. third party against the Principal and/or Agent
- Briefly explain the methods available to terminate the relationship.

Outcome 3

- Describe the concept of Delict and the obligation placed upon individuals and/or business not to harm other individuals and/or businesses or their property
- Explain, accurately, the act of negligence and the liability which may arise as a result of acting negligently
- Explain the defences available to the accused party, in an attempt to mitigate the level of liability
- Describe the settlement of “damages” in negligence cases as a means of awarding any financial compensation to the innocent party
- Explain the forms of business liability and the implications on both parties.

2.4
Approximate
Study Time
for this Unit

The notional study time for this Unit is 40 hours but actual time allocated is at the discretion of the centre.

2.5
Equipment/
Material
Required for
this Unit

None specifically required, but may wish to refer to text books listed in Section 6.

It is important that you have completed unit **Business Law: An Introduction** before you start this unit.

2.6
Symbols
Used in this
Unit

The various Learning Materials sections are designed so that you can work at your own pace, with tutor support. As you work through the Learning Materials (see Section 5), you will encounter symbols. These symbols indicate that you are expected to do a task. **These tasks are not Outcome Assessments.** They are exercises designed to consolidate learning or encourage thought, in preparation for the Outcome Assessment (see Section 3 — Assessment Information for this Unit).

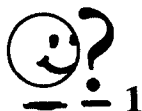
Activity



This symbol indicates an Activity (A). Usually, activities are used to improve or consolidate your understanding of the subject in general or a particular feature of it.

In this unit, you are asked to undertake several Activities designed to consolidate your learning.

Self-Assessed Question



This symbol indicates a Self-Assessed Question. Using a Self-Assessed Question helps you check your understanding of the content that you have already covered. The Self-Assessed Questions in this guide will often take the form of problem solving questions asking you to apply the legal knowledge you have gained from the Unit to different situations.

Everything is provided for you to check your own responses. Answers to the Self-Assessed Questions are to be found at the back of the Unit Student Guide. Where suggested responses to questions are provided in the Unit Student Guide, students are strongly discouraged from looking at these responses before they attempt the question. The questions throughout the Unit Student Guide will help you to prepare yourself for the formal assessments, and to identify topic areas in which you will require clarification and additional tutor support. The questions will not serve this purpose if you look at the answers before trying the activity!

Self-Assessed Questions and activities are designed to be checked by you where relevant. No tutor input is necessary at this stage unless special help is requested, although from time to time your tutor may wish to view your responses to Self-Assessed Questions to see how you are progressing.

3

Assessment Information for this Unit

3.1
What Do I
Have to Do to
Achieve this
Unit?

Details can be found in Appendix 1 — Unit Specifications.

4

Suggested Lesson Plan

The Learning Materials (see Section 5) are designed to lead you through a series of activities which will allow you to consolidate your learning and check on your own progress.

The Unit should take up to eleven weeks to complete and the Unit is divided into ten separate Topics.

Each separate Topic should take one week to complete, with the exception of Topic 8 which may be covered in two weeks.

