

Valid for 2021.FS

Module Name: Contract Formation and Succession Planning	
Module Code	w.BA.XX.2VVG-BL.XX
Module Description	Students are able to review the legal possibilities and limitations of contractual design in the field of the law of obligations. They acquire the specialist know-how to check draft contracts for their legal admissibility and conformity as well as to edit individual contract clauses and whole sections of text independently. Students gain a deep insight into particular aspects of the law of obligations and recognize their practical significance in contract formation.
Program and Specialization	Business Law
Legal Framework	Academic Regulations BSc dated 29.01.2009, Appendix to the Academic Regulations for the degree programs in Business Administration, Business Information Technology, and Business Law, first adopted on 12.05.2009
Module Category	Module Type: Compulsory
	Program Phase: Main Study Period
ECTS	6
Organizational Unit	W Abteilung Business Law
Module Coordinator	Ivo Zuberbühler (zubr)
Deputy Module Coordinator	Nicolas Keller (keec)
Prerequisite Knowledge	Bases for claims in civil law Legal transactions in civil law Company law
Contribution to Program Learning Goals (Affected by Module)	§ Professional Competence § Methodological Competence § Social Competence § Self-Competence
Contribution to Program Learning Objectives	Professional Competence § Knowing and Understanding Content of Theoretical and Practical Relevance § Apply, Analyze, and Synthesize Content of Theoretical and Practical Relevance § Evaluate Content of Theoretical and Practical Relevance Methodological Competence § Problem-Solving & Critical Thinking § Scientific Methodology § Work Methods, Techniques, and Procedures § Information Literacy § Creativity & Innovation Social Competence § Written Communication § Oral Communication § Teamwork & Conflict Management § Intercultural Insight & Ability to Change Perspective Self-Competence § Self-Management & Self-Reflection § Ethical & Social Responsibility § Learning & Change
Module Learning Objectives	Students... § are able to differentiate between individual elements of contract formation and their practical significance in special, law of obligation problem areas. § are able to apply the elements of contract formation practically on the basis of specific law of obligation problem areas. § are able to edit contractual clauses correctly based on economic law issues. § are able to determine the practical problems associated with contract formation and develop target-oriented solutions. § are able to review draft contracts for their legal admissibility and conformity with goals and to evaluate these critically. § are able to draw up contract wording which is correct in terms of content and style. § are able to independently assess the elements of the individual contract types lege artis in terms of purchase law, contract law for work and services, contract law, as well as for selected important innominate contracts such as the license agreement and, in particular, the legally permissible scope of action for these contract types. § are able to independently utilize the General Part of the Swiss Code of Obligations at an adequate level and understand the interaction between OR AT and OR BT.

	§ are able to acquire the necessary specialist knowledge in the field of the law of obligation independently by means of relevant literature and various e-learning tools.		
Module Content	§ Basic principles of planning, design, and editing of contracts § Liability clauses for important types of contract § Legal evaluation of general conditions of business and incoterms § Special features in the design of innominate contracts § Planning and design of corporate succession § Taking account of the essential Elements of the General Part of the Swiss Code of Obligations		
Links to other modules	The content of this module is linked to the following modules: w.BA.XX.2AGPR-BL.XX w.BA.XX.2GR-BL.XX w.BA.XX.2RGPR-BL.XX		
Methods of Instruction	§ Lecture § Interactive Instruction § Case Studies § Exercises § Literature Review § Discussion § Simulation(s)	Social Settings Used: Individual Work	
Digital Resources	§ Reader § Teaching Videos § Teaching Materials § Practice and Application Exercises (with Key)		
Type of Instruction	Classroom Instruction	Guided Self-Study	Autonomous Self-Study
Large Class	28 h	-	
Small Class	28 h	50 h	
Group Instruction	-	-	
Practical Work	-	-	
Seminar	-	-	
Total	56 h	50 h	
Performance Assessment			
End-of-module exam	Form	Length (min.)	Weighting
Written exam	Specified documentation	90	100,00 %
Permitted Resources	No calculator		
Others			
	Assessment	Length (min.)	Weighting
	-	-	-
Classroom Attendance Requirement	Mandatory Attendance: None None		
Language of Instruction/Examination	German		
Compulsory Reading	-		
Recommended Reading	§ Berger, B. (2018). Allgemeines Schuldrecht. 3rd edition. Bern. ISBN 978-3-7272-4598-5. § Huguenin, C. (2019). Obligationenrecht: Allgemeiner und Besonderer Teil. 3rd edition. Zürich: Schulthess. ISBN 978-3-7255-7678-4. § Münch, P., Kasper Lehne, S. & Probst, F. (2018). Schweizer Vertragshandbuch. 3rd edition. Basel: Helbing Lichtenhahn. ISBN 978-3-7190-3272-2.		
Comments	-		