Zurich University of Applied Sciences
School of Management and Law

**Valid from** 2024.HS

# Module description: Legal Remedies in Private Law

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| **Module Code** | w.BA.XX.3AGPR-BL.XX |
| **ECTS Credits** | 6 |
| **Language of Instruction/Examination** | German |
| **Module Description** | Students are able to distinguish the legal remedies of the private law system and how they apply to specific problem areas of business law. They are able to find and interpret the relevant legal provisions of different private law areas and apply them to specific case constellations. Students acquire the methodological know-how to analyze private law terminology and standards and implement them in the context of practical legal problems. They recognize the interrelationships of the various legal remedies and develop the ability to use their specialist knowledge in dealing with complex legal cases in an integrated and interdisciplinary manner. |
| **Organizational Unit** | IUR Ltg. |
| **Module Coordinator** | Roger Müller |
| **Program and Specialization** | • Business Law |
| **Legal Framework** | Academic Regulations BSc dated 29.01.2009, for the degree programs in Business Administration, International Management, Business Information Technology, Business Law, Business Law and Applied Law, first adopted on 12.05.2009 |
| **Module Category** | **Module Type**<br>Compulsory<br>**Program Phase**<br>First Year-Studies |
| **Prerequisite Knowledge** | No special knowledge required. |
| **Contribution to Program Learning Objectives (by the concerned Module)** | • Professional Competence<br>• Methodological Competence<br>• Social Competence<br>• Self-Competence |
| **Contribution to Program Learning Objectives** | **Professional Competence**<br>• Knowing and Understanding Content of Theoretical and Practical Relevance<br>• Apply, Analyze, and Synthesize Content of Theoretical and Practical Relevance<br>• Evaluate Content of Theoretical and Practical Relevance<br>**Methodological Competence**<br>• Problem-Solving & Critical Thinking<br>• Scientific Methodology<br>• Work Methods, Techniques, and Procedures<br>• Information Literacy<br>• Creativity & Innovation<br>**Social Competence**<br>• Written Communication<br>• Oral Communication<br>• Teamwork & Conflict Management<br>**Self-Competence**<br>• Self-Management & Self-Reflection<br>• Ethical & Social Responsibility<br>• Learning & Change |

# Module description: Legal Remedies in Private Law

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|---|---|
| **Module Learning Objectives** | Students...<br>• are able to distinguish different legal remedies and understand which area of private law they apply to.<br>• are able to list the fundamental principles and key standards of different areas of private law, in particular liability law, property law, the law on unjust enrichment, and the rights of individuals (civil law).<br>• are able to explain the basic principles of legal methodology and their practical significance in solving legal cases and to apply these specifically to concrete issues.<br>• are able to apply the main principles and standards of different legal areas, in particular liability law, property law, the law on unjust enrichment, and the rights of individuals (civil law), to legal case constellations.<br>• are able to understand complex legal issues of business law practice in terms of the legal problem involved and to identify the legal provisions that apply to them.<br>• are able to develop and evaluate different legal remedies of private law in the context of complex legal facts and circumstances.<br>• are able to produce written case notes on various areas of private law that are correct in terms of format and content.<br>• are able to produce clear, convincing legal arguments in verbal and written discussions.<br>• are able to deal independently with legal private law cases and find appropriate solutions.<br>• are able to use their textbooks and various e-learning tools to acquire for themselves the specialist knowledge they need in the field of private law. |
| **Module Content** | • The legal remedies available in private law<br>• The procedure of using legal remedies in solving legal cases<br>• Liability in tort: Liability law<br>• General extra-contractual fault-based liability<br>• Strict liability: principal's liability, factory-owner liability, product liability, animal owner liability<br>• Liability from culpa in contrahendo and trust guarantee<br>• Identity protection<br>• Unjust enrichment and actions performed without due authority<br>• System and basic terminology of property law<br>• Key institutions of property law: Ownership, property, and rights of lien<br>• Basic principles of property law |
| **Links to other modules** | This module is linked to the following modules:<br>• w.BA.XX.2WIGR-BL.XX<br>• w.BA.XX.2RGPR-BL.XX<br>• w.BA.XX.2JM-BL.XX<br>• w.BA.XX.2ZPR-BL.XX<br>• w.BA.XX.2GR-BL.XX |
| **Digital Learning Resources** | • Reader<br>• Teaching Videos<br>• Teaching Materials<br>• Practice and Application Exercises (with Key)<br>• Case Studies (with Key)<br>• Multiple Choice Tests |
| **Methods of Instruction** | • Application Tasks<br>• Lecture<br>• Problem-Oriented Teaching<br>• Interactive Instruction<br>• Literature Review<br>• Exercises<br>• Case Studies<br>• Discussion<br><br>Social Settings Used:<br>• Individual Work |

# Module description: Legal Remedies in Private Law

**Type of Instruction**

| | Classroom Instruction | Guided Self-Study | Autonomous Self-Study |
|---|---|---|---|
| Large Class | 28 h | - | |
| Small Class | 28 h | 40 h | |
| Group Instruction | - | - | |
| Practical Work | - | - | |
| Seminar | - | - | |
| **Total** | **56 h** | **40 h** | **84 h** |

**Performance Assessment**

| End-of-module exam | Form | Length (min.) | Weighting |
|---|---|---|---|
| Written exam | Specified documentation | 120 | 100.00 |
| **Permitted Resources** | No calculator | With dictionary | |

| Others | Assessment | Format | Length (min.) | Weighting |
|---|---|---|---|---|
| Written Assignment | Pass/Fail | Einzelarbeit | 0 | 0.00 |

**Classroom Attendance Requirement**

None

None

**Compulsory Reading**

- Börhinger, P., Münch, P. & Waltenspühl, A. (2020). Prinzipien des Vertragsrechts. 4th edition. Zürich: Schulthess. ISBN 978-3-7255-7632-6.
- Münch, P., Bortolani-Slongo, M. & Müller, R. (2020). Praxisorientierte Einführung ins Privatrecht. 6th edition. Zürich: Schulthess. ISBN 978-3-7255-8108-5.
- Aeppli, S., Hrubesch-Millauer, S. & Sieber, P. (2022). ZGB/OR mit Verweisen. 43rd edition. Orell Füssli Verlag. ISBN 978-3-280-07478-7.

**Recommended Reading**

**Comments**

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