

Valid for 2024.FS

Module Name: Contract Formation and Succession Planning		
Module Code	w.BA.XX.3VVG-BL.XX	
Module Description	Students will gain an overview of the legal possibilities and limitations of contractual drafting in the field of the law of obligations. They will acquire the competence to check draft contracts for their legal admissibility and conformity to objectives as well as to independently edit individual contract clauses and entire contract texts. Students will be given an in-depth insight into special aspects of the law of obligations and recognize their practical relevance.	
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: Compulsory	Program Phase: Main Study Period
ECTS	6	
Organizational Unit	W Zentrum für Unternehmensrecht	
Module Coordinator	Ivo Zuberbühler (zubr)	
Deputy Module Coordinator	Nicolas Keller (keec)	
Prerequisite Knowledge	"Anspruchsgrundlagen im Privatrecht" "Rechtsgeschäfte im Privatrecht" "Gesellschaftsrecht"	
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... § can differentiate between the individual elements of contract formation and recognize their practical significance in the case of special problems under the law of obligations. § can apply the elements of contract formation based on concrete issues of the law of obligations. § can review and critically assess draft contracts for their legal and factual conformity with objectives. § can differentiate between the elements of the individual types of contract (lege artis) in the law of sales, law of contracts for work and services, contract law, and selected important innominate contracts, such as license agreements. They can independently assess the legally permissible scope for structuring these types of contracts. § can find their way around the general part of the Swiss Code of Obligations at an adequate level and understand the interaction of OR AT and OR BT. § can independently acquire the required knowledge of the law of obligations using the relevant specialist literature and various e-learning tools.	

Module Content	§ Principles of planning, drafting, and editing contracts § Principles of contractual and non-contractual liability and contractual release from liability § In-depth discussion of the purchase contract, contract for work and services, and contract law § Important innominate contracts (leasing agreement, license agreement) § The law of general terms and conditions § Special aspects of contract law (e.g., contracts in the event of death or bankruptcy of the contracting party)		
Links to other modules	The content of this module is linked to the following module: w.BA.XX.3RGPR-BL.XX		
Methods of Instruction	§ Lecture § Application Tasks § Case Studies § Exercises	Social Settings Used: -	
Digital Resources	§ Reader § 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	74 h
Performance Assessment			
End-of-module exam	Form	Length (min.)	Weighting
Written exam	Specified documentation	90	100,00 %
Permitted Resources	No calculator	With dictionary	
Others	Assessment	Length (min.)	Weighting
-	-	-	-
Classroom Attendance Requirement	Mandatory Attendance: None		
Language of Instruction/Examination	German		
Compulsory Reading	-		
Recommended Reading	Huguenin, C. (2019). 3rd edition. Zürich: Schulthess. ISBN 978-3-7255-7678-4.		
Comments	Required reading will be made available on Moodle (scans). As a comprehensive standard work on the relevant Swiss codes, we recommend Huguenin Claire, Obligationenrecht, 3rd edition, Zurich 2019.		