

## Face-To-Face Module 2

### Law of Obligations

#### What is the aim of the course?

To provide an understanding of the relevant principles in the law of tort and the law of contract in the context of how disputes may arise and be resolved. This course is designed to consider both common and civil law jurisdictional principles to give a solid grounding to all practitioners.

This course is intended for individuals who may not have studied law previously and wish to gain an understanding of the elements of the law of obligations that affect matters in civil and commercial disputes in a variety of different jurisdictions. It is suitable for anyone with a general interest in dispute resolution and is essential for individuals who wish to go on to become qualified Arbitrators, Adjudicators or Mediators. It is also suitable for those from either system of law wishing to improve or refresh their knowledge of the more unfamiliar system of law.

#### What are the learning outcomes?

On successful completion of this course, candidates will be able to demonstrate sound conceptual, technical and/or practical knowledge of:

- the sources of law and demonstrate how these are used in a common/civil law,
- the nature and significance of the different types of obligations,
- the ability to evaluate and apply contractual and tortious remedies,
- analytical skills on problems using the law of contract and the law of tort.

## What is covered within the syllabus?

### Contract:

- Types of contract
- Formation of a valid contract
- Content of contract
- Vitiating factors
- Privity and third parties
- Discharge of a contract
- Limitations
- Agency
- Disputes

### Tort:

- Primary and vicarious liability
- Negligence
- Damage
- Occupiers' liability
- Direct and indirect interference
- Defences
- Limitations
- Remedies: damages, injunctions

## How is the course delivered?

The course is delivered over a period of six months, with a combination of private study and 5 face-to-face tutorials.

The course date advertised is the start date of the course when candidates will be required to start their private study of reading **NOT** when they attend tutorials. The face-to-face tutorial dates are listed on the Course Schedule.

## Will the Tutorials be recorded?

Due to data protection laws, we do not guarantee that face-to-face tutorials will be recorded.

CIARB is committed to supporting candidates to be successful in their courses and to achieve successful outcomes in their assessments. **We therefore strongly recommend candidates attend all scheduled face-to-face tutorials.**

Our face-to-face tutorials are designed to be interactive teaching and learning experiences taught by Senior Tutors who will assess your individual needs. Candidates therefore will be at a disadvantage if they do not attend all tutorials.

## How will I be assessed?

This assessment is completed via LearnADR, CIARB's online learning platform. Candidates will be given 48 consecutive hours within a 5-day window to submit their answers online. Candidates must achieve a minimum overall mark of 65% to pass the assessment.

Assessment of this course is split into two parts to assess your knowledge:

- **Contract:** counts as 65% towards the overall mark
- **Tort:** counts as 35% towards the overall mark

**The assessment fee is not included in the course fee.** It must be registered and paid for separately. The assessment fee is £342 inclusive of VAT.

## What are the entry requirements?

- Candidates must have successfully completed and passed Module 1 – Law, Practice and Procedure
- Applicants who have a recognised law degree or practicing law certificate may be eligible for the Module 2 Online Exemption Test

Candidates enrolling on any Ciarb course/assessment are required to ensure that their command of spoken and written English is adequate for the course/assessment for which they have applied. Ciarb does not require any evidence of this standard prior to enrolment on a course/assessment. However, it is the candidate's responsibility to ensure their English language skills are at a Professional Working Proficiency level, in order to meet the required standard when enrolling for any Ciarb course/assessment. It is recommended that candidates have achieved a standard that is, as a minimum, equivalent to the

International English Language Testing System (IELTS) level 7 or a score of 94-101 in the Test of English as a Foreign Language (TOEFL) system. *(Please note that we do not require an official IELTS or TOEFL result).*

Please contact the British Council for further details on how to improve your English skills:

<https://learnenglish.britishcouncil.org/>

## What is the course fee and what does it include?

The course fee is RM4,158.00 for Ciarb members and RM4,989.60 for non-members. The fee includes registration on the course, study materials and refreshments throughout the day.

## What happens when I register for the course?

Upon successful registration on the course, candidates will receive confirmation they are booked on the course. Candidates will receive their course materials approximately 2 weeks before the course start date by email on the condition that 70% of the course fee has been received. The balance is payable before the course start date.

## What is CI Arb's policy on cancellation of courses?

CI Arb reserves the right to cancel or change the date, venue or content of programmes and the names of speakers, lecturers and tutors. Candidates will be provided with adequate notice of any change. If CI Arb has to cancel a course, candidates will be provided with a full refund or the opportunity to transfer their registration to the next course. Should a candidate wish to cancel/defer their registration of a course, notification must be received in writing to [ciarbmb@gmail.com](mailto:ciarbmb@gmail.com). Deferral charges apply. Please refer to the Fee Terms and Conditions for full details.

## What is my next step when I complete the course?

On successful completion of this course and its corresponding assessment, candidates:

- may progress onto Module 3 of the International Arbitration, Domestic Arbitration, Construction Adjudication or Mediation pathway. (eligibility dependent)