

**UNIT 2: All Compulsory**

The syllabus lists what the Course must cover as a minimum, it is not set out in any order of importance, weight or otherwise. The course must always remain current, relevant and proportionate to the profession of the Costs Lawyer.

<b>Module 2(a)</b> <b>LAW OF CONTRACT &amp; COSTS</b> <b>10 Credits</b>	
<p><b>Minimum syllabus:</b>                      Nature of contracts                      Formation of contracts                      Privity of contracts                      Requirements re: form                      Express &amp; implied terms                      Exemption clauses &amp; limitation of liability                      Restraint of trade                      The Unfair Terms in Consumer Contract Regulation 1999                      Mistake                      Misrepresentation                      Duress &amp; undue influence                      Frustration                      Termination                      Discharge of contract                      Costs</p>	<p><b>Aim:</b> To enable Trainees to develop knowledge, understanding and critical awareness of contract law to enable a Trainee to apply this law accurately. Further, to introduce Trainees to the process of research, legal reasoning and analysis of the law of contracts.</p> <p><b>Outcome:</b> Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> <li>• Explain the fundamental principles of contract law.</li> <li>• Apply the relevant law accurately to a range of realistic scenarios.</li> <li>• Present their answers logically and coherently.</li> </ul>
<b>Module 2(b)</b> <b>LAW OF TORTS &amp; COSTS</b> <b>15 Credits</b>	
<p><b>Minimum Syllabus:</b>                      General principles                      Joint &amp; several tortfeasors                      Common law torts                      Statutory torts                      Negligence                      Nuisance                      Trespass to person                      Trespass to land                      Land &amp; premises                      Goods/interference with goods                      Defamation                      The Consumer Protection Act 1987                      Vicarious liability</p>	<p><b>Aim:</b> To enable Trainees to develop knowledge, understanding and critical awareness of the law of torts to enable a Trainee to apply this accurately law accurately. To introduce Trainees to the process of research, legal reasoning and analysis of the law of torts.</p> <p><b>Outcome:</b> Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> <li>• Explain the fundamental principles of the law of torts.</li> <li>• Apply the relevant law accurately to a range of realistic scenarios.</li> </ul>

<p>Defences Contributory negligence Limitation periods Exclusion clauses Remedies Costs</p>	<ul style="list-style-type: none"> <li>• Present their answers logically and coherently.</li> </ul>
<p><b>Module 2(c)</b> <b>SOLICITOR &amp; CLIENT COSTS</b> <b>10 Credits</b></p>	
<p><b>Minimum Syllabus:</b> Solicitors Act 1974 Reserved legal activities Duties and responsibilities of Solicitors Work done by unqualified persons inc. costs practitioners Offences Regulatory framework Different types of costs Non-contentious/contentious business agreement Indemnity basis assessment Solicitor/client assessment One fifth rule Estimates Interim on account bills/statute bills Assessment of costs Formalities Liens Charging orders Interest VAT</p>	<p><b>Aim:</b> To enable Trainees to develop knowledge, understanding and critical awareness of the law and practice in relation to Solicitor &amp; client costs.</p> <p><b>Outcome:</b> Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> <li>• Explain the legal and regulatory framework which applies to Solicitor and client costs.</li> <li>• Apply their knowledge in a range of problem based scenarios.</li> <li>• Present their answer logically and coherently.</li> </ul>
<p><b>Module 2(d)</b> <b>COSTS IN SPECIAL COURTS</b> <b>5 Credits</b></p>	
<p><b>Minimum Syllabus:</b> Prevailing law, process, appeals process, enforcement and costs in the following:</p> <ul style="list-style-type: none"> <li>• Arbitration</li> <li>• Tribunal</li> <li>• Court of Protection</li> <li>• Supreme Court</li> <li>• Office of the Public Guardian</li> <li>• Privy Council</li> <li>• European Court of Justice</li> </ul>	<p><b>Aim:</b> To enable Trainees to develop knowledge, understanding and critical awareness of the law, process, appeals and enforcement process in relation to costs matters in each of the special courts stated.</p> <p><b>Outcome:</b> Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> <li>• Explain the law, process and appeals process relating to costs in each special court listed.</li> <li>• Apply their knowledge in a range of</li> </ul>

	<p>problem based scenarios</p> <ul style="list-style-type: none"> <li>• Present their answers logically and coherently.</li> </ul>
<p><b>Module 2(e)</b> <b>LEGAL ACCOUNTS</b> <b>5 Credits</b></p>	
<p><b>Minimum Syllabus:</b> Principles of accounts Solicitors Account Rules Book keeping principles VAT Money laundering Financial services rules Principle 3.6</p>	<p><b>Aim:</b> To enable Trainees to develop knowledge and understanding of the law and practice relating to accounting/Solicitor accounts rules.</p> <p><b>Outcome:</b> Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> <li>• Explain basic principles on accounting/Solicitors Accounts.</li> <li>• Present their answers logically and coherently.</li> </ul>
<p><b>Module 2(f)</b> <b>FUNDING (LEGAL AID &amp; OTHER)</b> <b>15 Credits</b></p>	
<p><b>Minimum Syllabus:</b> Criminal legal aid Civil legal aid Inquests Process Recoupment The Legal Aid Agency (role &amp; powers) Timeframes Appeals Private funding Legal expense insurance Trade union funding Professional body funding Other third party funding Pro bono representation Contingency fees Conditional fee arrangement (CFA) After the event insurance (ATE) Damage based agreements (DBA) Referral fee, fee arrangements &amp; fee sharing Qualified one way costs shifting</p>	<p><b>Aim:</b> To enable Trainees to develop knowledge, understanding and critical awareness of all forms of funding arrangements and in respect of legal aid to understand the different process of presenting a Bill of Costs.</p> <p><b>Outcome:</b> Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> <li>• Explain the law and practice relating to legal aid funding arrangements.</li> <li>• Explain non-legally aided options for funding legal advice and assistance and the respective implications for the client of these.</li> <li>• Apply their knowledge to a range of client funding scenarios.</li> <li>• Present their answers logically and coherently.</li> </ul>