

**COURSE TITLE: LAW OF PROCUREMENT AND SUPPLY CHAIN
MANAGEMENT**

COURSE CODE: MBAP 7303

HOURS TAUGHT: 3 HRS PER WEEK

PREREQUISITES: NONE

PURPOSE OF COURSE

The unit aims to equip the student with the principles and practice of Law relating to procurement contracts and management in both the public and private sector institutions.

EXPECTED LEARNING OUTCOMES

By the end of the course unit students will be able to:

- Demonstrate the legal issues involved in procurement operations.
- Discuss the Make decisions on the legal options to take in case of buyer – supplier misunderstanding
- Explain the stakeholders on the legal position when executing contracts for supply of goods and services.

COURSE CONTENT

Unit 1 Formation of the contract

- The offer
- The acceptance
- The consideration
- The intention to create a legal relationship

Unit 2 the contents of the contract

- Representation and contractual terms
- Conditions and warranties.
- Expression and implied terms
- Collateral contracts
- Exclusion or exemption clauses
- Possible faults in the contract

- Misrepresentation
- Duress and undue influences.
- Mistake
- Mistake and equity

Unit 4 discharge of the contract

- By performance
- By agreement
- By impossibility or frustration
- By breach.

Unit 5

- Remedies for breach of contracts
- Damages
- Specific performance
- Injunction
- Quantum merits
- Loss of remedy

Unit 6

- Contracts and third parties
- Assignment
- The law of agency

Unit 7

The Uganda – public procurement and Disposal of public Assets Act (2003)

MODE OF DELIVERY

- Lectures
- Reading assignments
- Practical assignments
- Field trips
- Documentaries

INSTRUCTIONAL MATERIALS AND / OR EQUIPMENT

- Whiteboard and Markers
- Flip Charts
- LCD Projectors
- CDs, DVDs and Tapes

COURSE ASSESSMENT

- Continuous assessments tests 20%
- Group and individual project (course work) 20%
- End of Semester Examination 60%

READING MATERIALS / LIST

Law of contract in East Africa by R. W. Hodgkin (latest ed)

Procurement Law Guild, by Chartered Institute of Purchasing and supply.

PPDA Act 2003

