

LAW OF SPECIAL CONTRACTS COURSE SYLLABUS

Course Title	Law of Special Contracts					
Course Information	Course Code: Laws3032 Credit Hours: 4 Credit Hours Course Status: Mandatory Prerequisite: Contract I and II Academic Year: III Semester: I Class Schedule: Mon 2 – 4 and Friday 8 – 10 Local Time					
Instructor Information	Name and Title: Surafel Demelash, Lecturer Office Location: CSSH 021 Consultation Hour: Monday 8 – 10 and Thursday 8 – 10 Local T. Phone Number: 0913858387 Email Address: surafel.demelash@amu.edu.et					
ECTS	7					
Student Work Load	Lectures	Tutorials, Problem-solving sessions	Project works	Presentation	Independent study	Total
42	28	42	21	49	7	189
Course Description	The Special Contracts incorporates agency law, laws of sales and security device. The law of agency covers rules applicable when one acts through another in juridical relations either because the agent's expertise is called for or because the principal cannot act himself. The relationship that gives rise to the power of acting on behalf of another, the relationship that the representative creates in dealing with third parties on behalf of the principal and the rules governing this complex two-tier relationship would be the central focus. Law of Sales is designed to deal with rules and principles formulated to foster and regulate the smooth functioning of various business transactions involving the sale of goods. Law of sales regulates the relationship between the buyer and seller of goods. It is a collection of rules pertaining to the formation, performance and breach of contract of sale. It imposes certain duties on the buyers and sellers the breach of which gives rise to remedy. The law of security on the other hand is designed to deal with the features and regulations of the relationship between creditors and debtors regarding the performance of various obligations.					
Course Objective	By the end of this course, it is expected that students will be able to: ✓ Explain how agency relationship is created,					

	✓ Distinguish between different types of agents, ✓ Grasp the role and nature of agency, the legal rules governing contract of agency, the rights and duties of parties involved in agency, and the extinction of agency; ✓ develop the required professional skills for drafting and preparing contracts of agency and for solving problems emanating from the interpretation and enforcement of laws and contracts of agency; ✓ comprehend the basic rules regulating contracts of sales of goods and contracts for creating securities of obligations;
Chapters to be Covered	Part 1: Law of Agency Chapter 1: The Concept of Agency 1.1. Definition of agency 1.2. Theories and Historical development of agency 1.3. Importance of agency 1.4. Source of Agency Chapter 2: Contractual Agency under Ethiopian Law 2.1. Scope of authority 2.2. Authorities of an Agent 2.3. Modes of representation Chapter 3: Effects of Agency 3.1. Rights and duties of the agent and the principal 3.2. The interrelationships between the principal, the agent and third parties Chapter 4: Extinction of Agency Relationship 4.1. Termination by act of the parties 4.2. Termination by the operation of the law 4.3. Liability to one another and to third parties Chapter 5: Special Agency / Agency in Trade 5.1. Commission agent 5.2. Forwarding agent 5.3. Commercial travelers

	Part 2: Law of Sales Chapter 6: Contract for Sale of Goods 6.1.The Subject matter of law of sales 6.2. Scope of law of sales 6.3.Formation of Contract of Sales Chapter 7: Effects of Contract of sales 7.1.Performance 7.1.1. Obligation of the seller 7.1.2. Obligation of the buyer 7.1.3. Common obligations 7.2. Transfer of risk under contract of sale 7.3. Non - performance and its legal effects Part 3: Law of Security Devices Chapter 8: Introduction to Security Devices 8.1.Nature and Subject matter of law of security devices 8.2.Importance of security devices Chapter 9: Types of security devices 9.1.Introduction 9.2.Pledge (Security on Movables) 9.2.1. Definition, subject matter and nature of pledge 9.2.2. Requirements for a valid creation of contract of pledge 9.2.3. Rights and Duties of the parties to the contract of pledge 9.2.4. Execution of pledge - Sale of pledge 9.3.Mortgage 9.3.1. Definition, subject matter, and nature of mortgage 9.3.2. The essential requirements for the creation and enforcement of mortgage 9.3.3. Types of Mortgage 9.3.4. Effects of mortgage 9.3.5. Extinction of mortgage 9.4. Antichresis
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	Methods of Delivery Lectures, Seminars, group discussions, tutorials, assignments and presentations. Assessment • Quizzes and mid exam (30%) • Assignment and presentations (15%) • Class participation (5%) • Final exam (50%)
References	Laws • The Commercial Code of Ethiopia, Proclamation No. 1243/2021 • The Commercial Code of Ethiopia, Proclamation No. 166/1960 • The Federal Negarit Gazeta Year 4 No. 16, Proclamation to Provide for Properties Mortgaged/Pledged with Banks, Proclamation No. 97/98 • The Federal Negarit Gazeta Year 4, No. 17, Proclamation to Provide for Business Mortgage, Proclamation No. 98/98 Books and articles • Barnes, A. James, et. al Law for Business , 7th ed., 2000 • Davidson, et al, Business Law Principles and Cases in the Legal Environment, 8th ed., 2004 • David, Rene, Commentary on Contracts in Ethiopia, Hailesellase I University, Addis Ababa, 1973 • Dobson A. P., Sales of Goods and Consumer Credit, 3rd Ed • Eric Rasmusen, The Economics of Agency Law and Contract Formation, Indiana University, 1995 • Krzeczunowicz, George, Formation and Effect of Contracts in Ethiopian Law, Addis Ababa University, 1983 • Lynda, J Oswald, The Law of Marketing, West Thomson Learning, Australia, 2000 • Marion W. Benfield, Sales: Cases and Materials, 4th ed., Foundation Press, New York, 2004 • MekbibTsegaw, Contracts Relating to an Immovable and Question of Form: Current Issues, Ethiopian Bar Review Vol. 2 No. 1, 2007 • Mulugeta M. Ayalew, Commentary on the Ethiopian Law of Contracts, Walters Klawer, 2010 • Professor Michael Furmsto, Sale and Supply of Goods, 3rded, Cavendish Publishing Limited, 2000.

	• Paula J. Dalley, Theory of Agency Law, University of Pittsburgh Law Review, Vol.72, 2001 • TilahunTeshome, Basic Principles of Ethiopian Contract Law (in Amharic), • Willaim L. Church, A Commentary on the Law of Agency Representation in Ethiopia, JEL Vol.3, No.1 • ZekariasKeneaa, Basic Features of the Ethiopian Law on Commission Agency, JEL Vol. XXII, No. 2, 2008 • Zekarias Kenna, Material for the Study of Law of Sales and Security Devices (compilation), Addis Ababa University.
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