

GCE

# LAW: Discharge of contract

## SUGGESTED IDEAS FOR TEACHING AND LEARNING



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Teacher /Lecturer:	
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Course:	A Level Law
Topic:	Discharge of contract
Session:	

Unit:	Component 2 and 3
Ref. to specification:	The law of contract
Suggested time allocation:	

**Aims & Objectives:** At the end of these sessions the student will be able to:

- **Explain** what is meant by discharge of contract.
- **Explain** what is mean by discharge by agreement, including bilateral and unilateral agreements.
- **Explain** what is meant by discharge by breach, including anticipatory breach.
- **Explain** what is meant by discharge by frustration.
- **Explain** what is meant by discharge by performance.

### **Main Teaching and Learning Activities**

#### **Teacher/Lecturer Activities:**

- Introduce the topic with reference to the aims and objectives set out above.
  - Explain that there are four ways a contract can be discharged:  
A – discharge by performance  
B – discharge by agreement  
C – discharge by breach  
D – discharge by frustration
  - Explain what is meant by discharge by performance using *Cutter v Powell (1795)* as a starting point for discussion.
  - Explain what is meant by discharge by frustration using *Taylor v Caldwell (1863)* as a starting point for discussion. The doctrine will operate in three main types of circumstance: impossibility, illegality and commercial sterilisation.
- Activity:** Discuss scenarios in PowerPoint presentation and whether they involve frustrating events.
- Explain what is meant by discharge by agreement making reference to bilateral discharge and unilateral discharge.
  - Explain what is meant by discharge by breach making reference to actual breach and anticipatory breach.
- Research Activity:** Research case of *Martin-Smith v Williams (1999)* and discuss the questions listed in the PowerPoint.

### **Student Activities:**

- Group work – application of the rules on discharge of contract to small scenario type questions.
- Research activity – recent case of *Martin-Smith v Williams (1999)*.
- Glossary – Record key terms relating to discharge of contract..

### **Suggested links / resources:**

- PowerPoint presentation
- Teacher Guide for Glossary template.
- Cases

### **Assessment of Learning**

During the lesson

Group exercises and direct questioning show how much the students have understood the four ways a contract can be discharged.

Subsequent to lesson

TOPIC:

Questions:		Expected answers:
1.		
2.		
3.		
4.		
5.		
6.		
7.		