



<b>Course Code</b> LAW-266	<b>Course Title</b> Commercial Law II	<b>ECTS Credits</b> 6
<b>Department</b> Law	<b>Semester</b> Spring	<b>Prerequisites</b> LAW-265
<b>Type of Course</b> Law Elective	<b>Field</b> Law	<b>Language of Instruction</b> English
<b>Level of Course</b> 1 <sup>st</sup> Cycle	<b>Year of Study</b> 2 <sup>nd</sup> / 3 <sup>rd</sup> / 4 <sup>th</sup>	<b>Lecturer(s)</b> Mrs Koula Michaelidou
<b>Mode of Delivery</b> Face-to-face	<b>Work Placement</b> N/A	<b>Co-requisites</b> None

### **Objectives of the Course:**

To further acquire a thorough understanding of mainstream aspects of commercial law, building where relevant upon knowledge previously acquired from study of the law of contract and Commercial law I. After sale of goods and agency in the first part, part II will focus on the rules governing personal property, as well as commercial credit and protection.

### **Learning Outcomes:**

After completion of the course students are expected to be able to:

1. State the interests in Personal Property
2. Analyze the various interests in Personal Property
3. Distinguish between ownership and possession
4. Discuss the specific legal issues arising in the areas of credit and security
5. Explain the different securities for credit transactions
6. Demonstrate the function of negotiable instruments
7. Evaluate the concept “trespass to goods”
8. Assess the importance of the above areas in the legal world.

### **Course Content:**

#### **1. Personal Property**

Personal Property and Interests in Personal Property

Types of Personal Property - Chose in Action - Chose in Possession -

Ownership (especially mere equities) - Possession (finders’ possessory interests) - Bailment;

Credit and Security

Security Interests - Different Forms of Security Interests - Pledges -

Possessory Liens – Mortgages - Fixed Charges - Floating Charges -

Retention of Title (*Romalpa*) Clauses - Set-off;  
 Non-sale acquisitions: *nemo dat* and gifts  
*Nemo dat* and exceptions – Gifts - Conditional Gifts - Gifts of Future Property;  
 Assignments of Chose in Action  
 Assignments of Chose in Action – Assignments of Legal and Equitable Chose in Action – Assignments of Future Chose in Action – Assignments of Part of an Identified Bulk - Particular Focus on Share Acquisition & Equitable Assignment;  
 Trespass to Goods, Conversion, and Detinue;  
 Bills of exchange and negotiable instruments;  
**2. Consumer Credit and Protection**  
 Relevant local Ordinances for the drafting of Commercial Contracts  
 Unconscionable Contracts Ordinance - Control of Exemption Clauses Ordinance - Moneylenders Ordinance - Supply of Services (Implied Terms) Ordinance;  
 Doctrine of relation back and fraudulent preference.

**Learning Activities and Teaching Methods:**

Interactive lectures, tutorials, written examinations and assignments

**Assessment Methods:**

Mid Term Test, Final Exam, Class Participation. Homework

**Required Textbooks/Reading:**

Authors	Title	Publisher	Year
ROBERT BRADGATE	COMMERCIAL LAW	OXFORD UNIVERSITY PRESS	3 <sup>rd</sup> edition

**Recommended Textbooks/Reading:**

Authors	Title	Publisher	Year
PS Atiyah , John Adams & hector MacQueen	“The Sale of Goods”	Penguin	12 <sup>th</sup> edition
Roy Goode	“Commercial Law”	Penguin	4 <sup>th</sup> edition