

## COURSE: DSM II

### LEGAL ASPECTS IN SALES AND MARKETING

#### INTRODUCTION

This module unit is intended to equip the trainee with knowledge, skills and attitudes that will enable him/her to understand the legal knowledge applicable to sales and marketing.

#### GENERAL OBJECTIVES

By the end of this module unit, the trainee should be able to:

- a. Demonstrate a clear understanding of law of contract
- b. Understand the legal principles relating to law of sale of goods
- c. Understand the legal principles applied in the law of agency and law of insurance
- d. Appreciate the legal principles governing negotiable instruments and carriage of goods
- e. Understand the legal principles relating to consumer credit and consumer protection
- f. Demonstrate a clear understanding of emerging legal issues in sales and marketing

#### COURSE UNIT SUMMARY AND TIME ALLOCATION

CODE	TOPIC	SUB-TOPIC	TIME IN HOURS		
			T	T	TOTAL
14.2.1	LAW OF CONTRACT	<ul style="list-style-type: none"><li>• Meaning of contract</li><li>• Types of contracts</li><li>• Essentials of a valid contract</li><li>• Formation of a contract</li><li>• Terms of a contract</li><li>• Vitiating factors</li><li>• Process of discharge a contract</li><li>• Ways of discharging a contract</li><li>• Remedies for breach of contract</li><li>•</li></ul>	16	4	20
14.2.2	SALE OF GOODS	<ul style="list-style-type: none"><li>• Meaning of goods</li><li>• Definition of a contract of sale</li><li>• Distinction between an agreement to sell and contract of sale</li><li>• Doctrine of caveat emptor and its exceptions</li><li>• Rules under which title to goods and transfer of property in goods</li><li>• Conditions and warranties in the sale of goods</li><li>• Rights and duties of seller and buyer in a sale of goods contract</li><li>• Terms of sale</li><li>• Remedies of breach of contract of sale of</li></ul>	10	10	20

		goods.			
14.2.3	LAW OF AGENCY	<ul style="list-style-type: none"> <li>• Meaning of agency</li> <li>• Creation of agency</li> <li>• Types of agents</li> <li>• Rights and duties of agents and principle</li> <li>• Relationships between agent and third parties</li> <li>• Termination of agency</li> </ul>	6	6	12
14.2.4	LAW OF INSURANCE	<ul style="list-style-type: none"> <li>• Meaning of insurance</li> <li>• Basic terminologies used in insurance</li> <li>• Insurance principles</li> <li>• Types of insurance</li> </ul>	6	6	12
14.2.5	NEGOTIABLE INSTRUMENTS	<ul style="list-style-type: none"> <li>• Meaning of negotiable instruments</li> <li>• Characteristics of negotiable instruments</li> <li>• Types of negotiable instruments</li> <li>• Types of endorsement</li> <li>• Discharge of bills</li> <li>• Relationship between the banker and the customer</li> </ul>	6	6	12
14.2.6	<b>CARRIAGE OF GOODS</b>	<ul style="list-style-type: none"> <li>• Meaning of carriage of goods</li> <li>• Types of common carriers</li> <li>• Rights, duties and immunities of carriers</li> <li>• Documentation in carriage of goods</li> <li>• Remedies available for breach of contract</li> <li>• Distinction between a bill of lading and charter party</li> </ul>	6	4	10
14.2.7	<b>CONSUMER CREDIT</b>	<ul style="list-style-type: none"> <li>• principles of hire purchase contract</li> <li>• principles contract of guarantee</li> <li>• principles contract of bailment</li> </ul>	6	4	10
14.2.8	<b>CONSUMER PROTECTION</b>	<ul style="list-style-type: none"> <li>• nature of consumer protection</li> <li>• fair trade practices</li> <li>• manufacturers and sellers liability</li> <li>• remedies available to a consumers</li> </ul>	6	4	10
14.2.9	<b>DISPUTE RESOLUTION</b>	<ul style="list-style-type: none"> <li>• nature of commercial litigation</li> <li>• challenges of commercial litigation</li> <li>• nature of arbitration</li> <li>• merits and demerits of arbitration</li> </ul>	6	4	10
14.2.10	<b>EMERGING LEGAL ISSUES IN SALES AND MARKETING</b>	<ul style="list-style-type: none"> <li>• emerging legal trends and issues in sales and marketing</li> <li>• challenges posed by the emerging trends and issues</li> <li>• coping with the challenges posed by the emerging trends and issues</li> </ul>	2	2	4

