

Course Title: **Unjust Enrichment**

Course Code: **LAWS735**

Descriptor Start Date: **01/01/2021**

POINTS: **15.00**

LEVEL: **7**

PREREQUISITE/S: **75 points from Part II**

COREQUISITE/S: **None**

RESTRICTION/S: **417545**

## LEARNING HOURS

Hours may include lectures, tutorials, online forums, laboratories. Refer to your timetable and course information in Canvas for detailed information.

**Total learning hours: 150**

## PRESCRIPTOR

An examination of the actionability of unjust gains made by one party at another's expense including selected applications of restitutionary principle for recovery where there has been mistake, a failure of contract, undue influence, commercial fraud, infringement of intellectual property rights, illegal demands and tortious wrongdoing.

## LEARNING OUTCOMES

1. Explain, analyse and critically evaluate the main principles of the law of unjust enrichment.
2. Research and apply relevant principles to a range of contemporary questions within the area.
3. Evaluate the relationship between unjust enrichment and other aspects of private law, identifying connections with the application of contract, property and tort.
4. Demonstrate a sound capacity for legal analysis and problem solving.

**Disclaimer: Course descriptors may be amended between teaching periods/semesters**

## CONTENT

The history and context of the law of unjust enrichment, particularly its interaction with contract, property and tort;  
The debates about the better doctrinal approach to civil liability for unjust enrichments, particularly as articulated in common law and civil law systems;  
The theoretical foundations of the law of unjust enrichment as generally articulated in the common law, particularly the concept of a "gain" or "enrichment", the nature of an "unjust" gain and the difference between subtractive unjust enrichment arising from wrongs;  
Consideration of specific circumstances giving rise to unjust gains;  
The availability of personal and proprietary remedies for unjust enrichment;  
Defences to claims of unjust enrichment.

## LEARNING & TEACHING STRATEGIES

An appropriate range of strategies that may include lectures, workshops & online learning.

## ASSESSMENT PLAN

Assessment Event	Weighting %	Learning Outcomes
Examination: A maximum of	100.00	-
Coursework: A maximum of	40.00	-

<b>Grade Map</b>	<b>MAP1</b>
	A+ A A- Pass with Distinction
	B+ B B- Pass with Merit
	C+ C C- Pass
	D Fail

**Overall requirement/s to pass the course:**

## LEARNING RESOURCES

Details of all learning resources (including journals, databases, websites etc) are available on Canvas. Required Text(s): If there is a required text, details are available by searching the University Bookshop's website: [www.ubs.co.nz](http://www.ubs.co.nz)

**For further information, contact:** Te Ara Pakihi, Te Ohanga Me Te Ture - Faculty of Business, Economics and Law

<b>Principal Programme:</b>	<b>AK1008, Bachelor of Laws</b>
<b>Related Programme/s:</b>	<b>AK1009 LLB(Hons), AK2601 CertLegalSt</b>

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