



THE FEDERAL UNIVERSITY OF TECHNOLOGY, AKURE

Department of Architecture

ARC 510 – Building Law

COURSE PARTICULARS

Course Code: ARC 510

Course Title: Building Law

No. of Units: 2

Course Duration: Two hours of theory per week for 15 weeks.

Status: Compulsory

Course Email Address:

Course Webpage:

Prerequisite: Core course

COURSE INSTRUCTORS

Professor O. O. Ogunsote

Room 007 ,

Dept. of Architecture,

School of Environmental Technology,

Federal University of Technology, Akure, Nigeria.

Phone: +2348034735611

Email: ooogunsote@futa.edu.ng

and

Arc. R. P. Omale

Room 204,

Dept. of Architecture,

School of Environmental Technology,

Federal University of Technology, Akure, Nigeria.

Phone: +2348033514401

Email: rpomale@futa.edu.ng

COURSE DESCRIPTION

This course introduces the final year undergraduate students of the Department of Architecture to Laws that govern contracts. It deals with the nitty-gritties of contracts and how they are awarded, the role of the architect after being commissioned for a project, and his relationship with the Client and other building professionals on site. This course is very timely, because in 400 level students are expected to have spent one semester on site acquiring practical knowledge. Introducing the course at this level helps the students in knowing the rights, responsibilities and liabilities of architects and prepares them for the masters programme ahead, which is an integral

part of Professional Practice Procedures at masters level. Topics to be covered include types of contracts, formation of contracts, laws relating to the interpretation of contracts, legal rights and obligations of Clients, Architects, Surveyors, Clerk of Works and other building professionals. The old conditions of engagement of building professionals and the new conditions of engagement of Architects.

COURSE OBJECTIVES

The objectives of this course are to:

- Introduce students to the laws governing building contracts and;
- Prepare students for professional practice procedures at higher levels.

COURSE LEARNING OUTCOMES / COMPETENCIES

Upon successful completion of this course, the student will be able to:

(Knowledge based)

- define what a contract is and know the types of contracts, and the various classification of contracts;
- Know what an offer is and the difference between an offer and an invitation to treat;
- Differentiate between an advertisement and a tender; and how offers can be terminated;
- Know what acceptance is and how it can be revoked;
- Know what consideration is and its various forms;
- Know the contractual capacity of infants, corporations, illiterates, mentally disordered, drunks and married women;
- Know how contracts are discharged and remedies for breach of contract;
- Know the old conditions of engagement and remuneration of building professionals;
- Know the new NIA (Nigerian Institute of Architects) conditions of engagement and consultancy services agreement; and
- The standard form of building contracts in Nigeria.

GRADING SYSTEM FOR THE COURSE

This course will be graded as follows:

Class Attendance	5%
Assignments	35%
Test(s)	0%
<u>Final Examination</u>	<u>60%</u>
<u>TOTAL</u>	<u>100%</u>

GENERAL INSTRUCTIONS

Attendance: It is expected that every student will be in class for lectures. Attendance records will be kept and used to determine each person's qualification to sit for the final examination. In case of illness or other unavoidable cause of absence, the student must communicate as soon as possible with any of the instructors, indicating the reason for the absence.

Lecture materials: All lecture materials will be made available to the course representative in advance before the lectures commence. It is expected that all students offering the course will make copies (either soft or hard) and bring such along for the lecture. Failure to do so, such a student will not participate in the lecture.

Academic Integrity: Violations of academic integrity, including dishonesty in assignments, examinations, or other academic performances are prohibited. Students are not allowed to make copies of another person's work and submit same as theirs; that is plagiarism. All cases of academic dishonesty will be reported to the University Management for appropriate sanctions in accordance with the guidelines for handling students' misconduct as spelt out in the Students' Handbook.

Assignments and Group Work: Students are expected to submit assignments as scheduled. Failure to submit an assignment as at when due will earn the student zero for that assignment. Only under extenuating circumstances, for which a student has notified any of the instructors in advance, will late submission of assignments be permitted.

Code of Conduct in Lecture Rooms: Students should turn off their cell phones during lectures. Students are prohibited from engaging in other activities (such as texting, watching videos, *etc.*) during lectures. Foods and drinks are not permitted during lecture hours.

READING LIST

Legend

- 1- Available in the University Library
- 2- Available in Departmental/School Libraries
- 3- Available on the Internet.
- 4- Available as Personal Collection
- 5- Available in local bookshops.

COURSE OUTLINE

Week	Topic	Remarks
1	What is a contract? <ul style="list-style-type: none"> • Definition of a contract. • Classification of contracts. • Elements of a valid contract. 	
2 & 3	Offer. <ul style="list-style-type: none"> • What is an offer? • Offer and invitation to treat. • Specific and general offer. • Advertisement and tender. • Knowledge of an offer. • Certainty of expression. • Cross offers. • Termination of offer. 	
4 & 5	Acceptance <ul style="list-style-type: none"> • What is acceptance? • correspondence between offer and acceptance • acceptance inferred from conduct • prescribed method of acceptance • requirement of communication • Mistake in transmission • Incomplete agreement • Revocation of acceptance 	
6	Consideration <ul style="list-style-type: none"> • what is consideration? • Forms of consideration • Adequacy of consideration 	
7	Intention to create legal relations. <ul style="list-style-type: none"> • Intended Legal Consequence 	MID-SEMESTER TEST
8	Contractual capacity of Parties <ul style="list-style-type: none"> • Contractual Capacity. • Contractual Capacity of Infants. • Contractual Capacity of Corporations. • Contractual Capacity of Illiterates. • Contractual Capacity of Mentally Disordered Persons. • Contractual Capacity of Drunken Persons. • Contractual Capacity of Married Women. 	
9	Discharge of contracts. <ul style="list-style-type: none"> • Methods of Discharging Contracts • Discharge by Performance • Discharge by Agreement • Discharge by Impossibility or Frustration • Discharge by Breach • Exemption or Exclusion Clauses 	

	<ul style="list-style-type: none"> • Assignment • Agency 	
10	<ul style="list-style-type: none"> • Remedies for breach of contract. • Forms of equitable relief 	
11	Insurance law.	
12	Duties and responsibilities in building contracts.	
13	The NIA conditions of engagement and consultancy services agreement.	
14	The standard form of building contract in Nigeria.	
15	REVISION	This is the week preceding the final examination. At this time, evaluation will be done to assess how far the students' expectations for the course have been met.