

Higher National Unit Specification

General information for centres

Unit title: Retail Law

Unit code: DL32 34

Unit purpose: This Unit is designed to enable candidates to recognise and understand the main legal issues which affect retailers in their dealings/transactions with consumers.

On completion of the Unit the candidate should be able to:

1. Explain the Law of Contract in relation to retail transactions.
2. Explain current Sale of Goods legislation.
3. Explain other relevant areas of current consumer legislation.

Credit points and level: 1 HN Credit at SCQF level 7: (8 SCQF credit points at SCQF level 7*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Recommended prior knowledge and skills: It would be beneficial if the candidate has a good level of communication skills. This could be evidenced by NQ Unit Communication 3 or a similar qualification. Previous knowledge of law would be an advantage but no prior knowledge of the subject area is required. Access is at the discretion of the centre.

Core skills: There may be opportunities to gather evidence towards core skills in this Unit, although there is no automatic certification of core skills or core skills components in this Unit.

Context for delivery: If this Unit is delivered as part of a group award, it is recommended that it should be taught and assessed within the subject area of the group award to which it contributes.

Assessment: This Unit could be assessed by use of three separate assessment instruments which assess each outcome or a retail case study incorporating a scenario that draws upon the different areas of legislation. The case study could be supplemented by a number of restricted response questions where necessary. The assessments should be carried out in controlled conditions. Candidates should also have access to their lecture notes/handouts and/or textbooks during assessments.

Higher National Unit specification: statement of standards

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The sections of the Unit stating the Outcomes, knowledge and/or skills, and evidence requirements are mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the knowledge and/or skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Explain the Law of Contract in relation to retail transactions

Knowledge and/or skills

- ◆ Formation of a valid contract – offer and acceptance
- ◆ Invitations to treat
- ◆ Factors that may affect the validity of a contract
- ◆ Exclusion clauses
- ◆ Breach of contract
- ◆ Termination of contractual obligations

Evidence requirements

Candidates will be required to produce evidence to demonstrate their knowledge and/or skills in four out of the above six areas, by correctly answering a series of case studies and/or short answer restricted response questions relating to each of the above areas of the law of contract. When case studies are used, the candidate should be able to accurately identify the area of law, explain it and correctly apply that law to the given situation.

The assessment should be open book and completed in controlled conditions. Candidates may have access to their lecture notes, handouts and textbooks.

Assessment guidelines

Ideally this Outcome could be assessed primarily by the use of case studies (to demonstrate that the candidate has sufficient understanding of the law of contract and can apply it to a given situation supplemented by restricted response questions if necessary). This should be administered as a single assessment event. It should be open book and carried out in controlled conditions lasting approximately one hour to one and a half hours.

Candidates may have access to their lecture notes/handouts and textbooks.

Higher National Unit specification: statement of standards (cont)

Unit title: Retail Law

Outcome 2

Explain current Sale of Goods Legislation

Knowledge and/or skills

- ◆ Specific goods and unascertained goods
- ◆ Implied terms
- ◆ Transfer of ownership and risk
- ◆ Remedies for breach of a sale of goods contract

Evidence requirements

Candidates will be required to produce evidence to demonstrate their knowledge and/or skills by correctly answering a series of case studies and/or short answer restricted response questions covering each of the above areas of sale of goods legislation.

When case studies are used, the candidate should be able to accurately identify the area of law, explain it and correctly apply that law to the given situation.

The assessment should be open book and completed in controlled conditions. Candidates may have access to their lecture notes/handouts and textbooks.

Assessment guidelines

This Outcome is best assessed by use of mainly case studies with possibly a few short answer restricted response questions as a single assessment event. It should be open book and carried out in controlled conditions lasting approximately one hour to one and a half hours. Candidates may have access to their lecture notes / handouts and textbooks.

Outcome 3

Explain other relevant areas of current consumer legislation

Knowledge and/or skills

- ◆ False trade descriptions with regards to goods
- ◆ Misleading price indications
- ◆ Consumer credit
- ◆ Product liability

Higher National Unit specification: statement of standards (cont)

Unit title: Retail Law

Evidence requirements

Candidates will be required to show evidence to demonstrate their knowledge and/or skills by correctly answering a series of case studies and /or short answer restricted response questions covering each of the above areas of law. When case studies are used, the candidate should be able to accurately identify the area of law, explain it and correctly apply that law to the given situation.

The assessment should be open book and completed in controlled conditions. Candidates may have access to their lecture notes, handouts and textbooks.

Assessment guidelines

This Outcome is best assessed by use of mainly case studies supplemented by short answer restricted response questions where necessary as a single assessment event. It should be open book and carried out in controlled conditions lasting approximately one hour to one and a half hours. Candidates may have access to their lecture notes / handouts and textbooks.

Administrative Information

Unit code:	DL32 34
Unit title:	Retail Law
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Higher National Unit specification: support notes

Unit title: Retail Law

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

This Unit is a core unit in the framework of the HNC Retail Management group award. It is designed as an introduction to retail law and to enable candidates to recognise and have a basic understanding of the main legal issues which may affect retailers in their day to day transactions with consumers.

Guidance on the delivery and assessment of this Unit

This unit forms part of the group award of HNC/D Retail Management and will provide candidates with basic knowledge of the legal issues which affect retailers in their dealings/ transactions with consumers.

Assessment should be by three separate assessment instruments, each of which would be undertaken at the end of delivery of each Outcome. It is desirable that the outcomes are delivered and assessed in order. Each assessment should be open book and completed in controlled conditions lasting approximately one to one and a half hours. Candidates may have access to their lecture notes/handouts and textbooks.

Open learning

This unit could be delivered by open learning. However, this would be at the discretion of the individual centre, who would have to ensure that there was satisfactory arrangements for assessment to ensure authenticity.

Candidates with additional support needs

This Unit specification is intended to ensure that there are no artificial barriers to learning or assessment. The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments or considering alternative Outcomes for Units. For information on these, please refer to the SQA document *Guidance on Special Assessment Arrangements for Candidates with Additional Support Needs* (BA 2399, SQA, due 2004).

General information for candidates

Unit title: Retail Law

This unit has been developed to enable you to recognise and understand the main legal issues that are likely to affect retailers in their day to day dealings/transactions with consumers.

This unit has three main areas/Outcomes, each of which is covered by a separate outcome assessment. Firstly, in Outcome 1, you will learn about the general law of contract (concentrating on the main areas that affect retailers and consumers). This is because every time a retailer sells goods – it is a contract.

In Outcome 2, you will look at current Sale of Goods legislation which gives the consumer certain legal rights when buying goods.

Finally, in Outcome 3 you will look at some of the other main pieces of legislation that affect retailers and consumers including consumer credit, false trade descriptions and liability for defective products.

In order to complete this unit successfully, you will be required to achieve a satisfactory level of performance in three separate assessments. These three assessments will cover each of the above outcomes and will be undertaken at the end of delivery of each outcome. Each assessment will be class based and open book (ie. you may bring in your lecture notes/handouts and /or textbooks during assessment).