Hashemite University
Faculty of Economics and Administrative Sciences
Accounting Department
Accounting and Commercial Law Program

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| ***Unit Name*** | Provisions of commitment |
| ***Unit Code*** | 1802022363 |
| ***Prerequisite Unit*** | Sources of Obligation |
| ***Prerequisite Code*** | 1802022362 |
| ***Credit*** | 3 |
| ***Theory Credit*** | 3 |
| ***Practical Credit*** | 0 |

| ***Assessment*** | | | | | |
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| *Assessment* | *Assessment Type* | *Weighting Factor* | *Pass Mark* | *Description* | *date* |
| Midterm Exam | Examination | 30.0% | ---------- | 50 Minutes | -------- |
| Quiz 1 | Examination | 5.0% | ---------- | | -------- |
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| Participation | Short project<br>Attendance<br>Engagement<br>Quiz | 5.0% | ----------<br>----------<br>----------<br>---- | University<br>regulation<br>Student Handbook<br>Other instructions | --------<br>--------<br>--------<br>-------- |
| Final Exam | Examination | 50.0% | ---------- | 2 hours | -------- |
| Total | ---------- | 100.0% | 50.0% | ---------- | -------- |

***Indicative Reading***

- English version of the Jordanian civil law of 1976
- English texts, materials and case law in relation to contract under the Jordanian legal system
- Dr. abed alqader alfar, Provisions of commitments, Dar Althaqafa • Other English text materials will be provided
- Dr. Ali Hadi Al-Obidi, Explanation of the Contract of Sale, Amman, Dar Althaqafah Walnasher, 2016
- Dr. Abd Alrahman Jomua, Contract of Sale, Dar Wael, Amman
- Dr. Abbas Al-Abody, Explination of the Nominated Contract: Comparative study with judicial Appliactions, Dar Althaqafa Walnasher, Amman 2015
- Abdelrazaq Alsonhory, EExplination of Civil Law, Available on the Internet

***Aims***

- To provide students with an in-depth knowledge and understanding of substantive Jordanian legal system in relation to the legal obligation, duties, commitments and the application of the related provision and resulted legal effect
- To understand effects of obligations (Natural and civil obligation and Obligatory implementation of the obligation)
- To understand the sources of obligation how its legal effect can be created
- To determine all legal effect and the way to apply them on certain obligations
- To understand the different legal way to fulfil the legal obligation

- To understand the alternative way to fulfil legal obligation
- To understand all types of legal obligations and their different legal effect
- To enable students to appreciate the political, social and economic reasons for the importance of the governance system of the rules that cover commercial and civil obligation and the various influences on legislators when developing legislation.
- To examine the effectiveness of current Jordanian civil and commercial law in relation with the legal effect resulted from obligation, commitment and duty
- To develop students' ability to analyze the law by applying it to problem scenarios and discussion based questions.

***Outcomes***

- Demonstrate an in-depth knowledge of substantive Jordanian civil Law and the impact of the rules that govern obligation
- To develop students' ability to deal and analyze case law and scenario and apply related rules
- To develop students' ability to deal with different form of obligations
- Develop legal skills to deal with the provisions of commitments
- Critically evaluate the effectiveness of the different forms of obligations and duties and making a clear distinction between each legal effect resulted from legal obligation
- Develop logical and coherent arguments to support reasoned conclusions when answering problem or discussion based questions
- Critically analyze the role of the Jordanian legislator in tackling and governing the contract of sale
- Demonstrate an in-depth knowledge of substantive Jordanian civil Law and the impact of the rules that govern obligation
- To develop students' ability to deal and analyze case law and scenario and apply related rules

***Syllabus Outline***

- Obligation (definition, elements … etc.)
- Sources, types and divisions of obligations
- Subjects of obligation
- Effects of simple and pure obligation
- Creditor and debtor
- Execution
- Fulfilment
- Subject of fulfilment
- Rejection of discharge
- Time, place, expenses and proof of execution
- Alternative way of execution
- Equivalent performance
- Substitute settlement
- Set-off
- Merger
- Compensation
- Suspended obligation
- Terms
- Conditions
- Penal clause
- Deposit
- Single obligation
- Multiple obligation
- Alternative obligation

- Optional obligation
- Joint obligation
- Solidarity

| ***Learning and Teaching Strategy*** |
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| The unit will be delivered through a mixture of formal lectures, seminars and directed private study. In addition, other methods may be included such as discussion, debate and workshops. The lectures will be used to provide exposition of the law, procedures and other related issues, whilst seminars and directed private study will be used to underpin and develop understanding of the topic in questions. The lecture and seminar will be delivered in three hours teaching per week. |

| ***Scheduled Activities*** | |
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| Week 1 | Introduction to provisions of commitment. This includes definition, nature, history, objectives, source, divisions, protection and legal frameworks. |
| | Obligation (definition, elements, parties … etc.), civil obligation vs natural obligation vs other type of obligation + applications |
| Week 2 | • Subjects of obligation<br>• Legal effects of simple and pure obligation<br>• Applications |
| | • Creditor and debtor (qualification, possibility and legality of the subject of obligation)<br>• Execution (best execution vs any failure cases)<br>• Fulfilment (parties and requirements) |
| Week 3 | • Rejection of discharge + provisions of commitment and procedures<br>• Time, place, expenses and proof of execution<br>• Applications |
| | ***First exam***<br>• Alternative way of execution<br>• Equivalent performance<br>• Substitute settlement |
| Week 4 | • Set-off (conventional, legal and judicial) + (requirements, provisions of commitment and application)<br>• Merger |
| | • Compensation<br>• Suspended obligation<br>• Terms<br>• Conditions |
| Week 5 | Condition types, requirements, provision of commitment, legal effect before and after the condition, validity and legality and applications |
| | Term types, requirements, provision of commitment, legal effect before and after the condition, validity and legality and applications |

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| Week 6 | • Penal clause<br>• Deposit<br>• Second exam |
| | • Single obligation<br>• Multiple obligation<br>• Alternative obligation |
| Week 7 | • Optional obligation<br>• Joint obligation |
| | • Joint obligation<br>• Solidarity<br>• Liability |
| Week 8 | Applications |
| | Revision |

*Best of luck my dear students*