

BUSL250

Business Law

S1 Day 2014

Dept of Accounting & Corporate Governance

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General Information

Unit convenor and teaching staff Unit Convenor Verity Greenwood verity.greenwood@mq.edu.au Contact via verity.greenwood@mq.edu.au

Credit points 3

Prerequisites 12cp

Corequisites

Co-badged status

Unit description

This unit introduces students to the Australian legal system and to essential legal principles and concepts that inform the way in which commercial activities are regulated. The unit prepares students for more advanced units such as BUSL301 and BUSL315. Studying this unit may also be of interest to students from varied disciplines as it provides them with a broad knowledge and understanding of how the laws apply to ordinary commercial transactions. A range of assessment tasks are used in the unit to monitor the progress of students and to develop important analytical and generic professional skills. Topics include: contract law, tort law (with a focus on negligence), property law (including intellectual property), consumer protection law, and the law of agency.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes

On successful completion of this unit, you will be able to:

Understanding of how laws are made and enforced.

Understanding of the legal principles that apply to business law in Australia.

Ability to analyse the legal aspects of particular case studies relevant to business law.

Ability to critically assess and make judgments on the merits of legal arguments.

Ability to research business law related topics through using hard copy materials and

electronic/online information retrieval systems.

Ability to work in a team to solve legal problems likely to arise in a business setting.

Assessment Tasks

Name	Weighting	Due
Online Quiz	30%	Week 4, 8, 12
Class Participation	10%	Weeks 3-13
Class test	10%	Tutorial 4
Final Examination	50%	University Examination Period

Online Quiz

Due: Week 4, 8, 12 Weighting: 30%

Submission via BUSL250 unit website

10 questions each quiz. 40 minutes time limit (4 minutes per question). Feedback given. Weight of each quiz : 10% of final assessment mark.

Extension: No extensions will be granted.

Penalty: Students who have not submitted the task prior to the deadline will be awarded a mark of 0 except for cases in which an application for special consideration is made and approved.

On successful completion you will be able to:

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to critically assess and make judgments on the merits of legal arguments.

Class Participation

Due: Weeks 3-13 Weighting: 10%

Student class Presentations (5%) and Quality of class Participation (5%)

What is required to complete the unit satisfactorily

- Student class presentations are held in Tutorials 3-6
- · Presentation topic list and marking criteria on unit website

Class participation assessed throughout Session

The mark will be awarded based on the following criteria:

- The extent to which each student has prepared for each class.
- The ability of students to complete set tasks during classes.
- The ability of students to actively participate in group discussions.
- The willingness of students to co-operate with and assist other students in their learning.
- The willingness of students to express their ideas in class.
- The ability of students to articulate their thoughts.
- The performance of students on tasks completed during class.

Information concerning each student's final participation mark will be made available on the subject website prior to the date of the final examination.

Extension: No extensions will be granted.

Penalty: Students who have not made a presentation prior to the deadline will be awarded a mark of 0 except for cases in which an application for special consideration is made and approved.

On successful completion you will be able to:

- Understanding of the legal principles that apply to business law in Australia.
- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to critically assess and make judgments on the merits of legal arguments.
- Ability to research business law related topics through using hard copy materials and electronic/online information retrieval systems.
- Ability to work in a team to solve legal problems likely to arise in a business setting.

Class test

Due: **Tutorial 4** Weighting: **10%**

Examination conditions In-class contract law written test. Based on Lectures 2 (Part 2)-5 and Tutorials 1 (Part 2)-3 (based on contract law only.)

One A4 Handwritten contract 'cheat sheet' (written in English) allowed.

Extension: No extensions will be granted.

Penalty: Students who have not sat the assessment task on the due date will be awarded a mark of 0 except for cases in which an application for special consideration is made and approved.

On successful completion you will be able to:

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to critically assess and make judgments on the merits of legal arguments.
- Ability to research business law related topics through using hard copy materials and electronic/online information retrieval systems.

Final Examination

Due: University Examination Period Weighting: 50%

Examination conditions Formal written exam based on Weeks 2 (Part 2) -13. Exam length:Three hours plus ten minutes reading time. Two double sided A4 handwritten 'cheat sheets' allowed (written in English). No typed or photocopied sheets allowed.

Supplementary Examination If a supplementary examination is granted as a result of the Special Consideration process the examination will be scheduled after the conclusion of the official examination period as per the Supplementary examination timetable of the Faculty. Please note the supplementary examination will be in a similiar format as the final examination. No deferred supplementary examination will be offered.

What is required to complete the unit satisfactorily

There is a requirement to pass the final examination to be awarded a final grade of a Pass or a higher grade.

On successful completion you will be able to:

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to critically assess and make judgments on the merits of legal arguments.

Delivery and Resources

Classes

- The course will consist of 13 x 2 hour lectures beginning the first week of semester and 6 x 2 hour tutorials (Group A beginning the second week of session and then Weeks 4,6,8,10 and 12; Group B beginning third week of session and then weeks 5,7,9,11,13).
- The two hour tutorial component is a <u>change to the unit</u> since last offering to allow more time for students to discuss legal concepts and case studies within the tutorial.
- The timetable for classes can be found on the University web site at: http://www.timetables.mq.edu.au/.
- Students can only change their allocated lecture or tutorial class in the first three (3) weeks through the eStudent system and only when there is a vacancy in that class or lecture.
- If a student changes classes in the first 3 weeks it is their responsibility to inform both their old tutor and their new tutor. Failure to inform tutors about the change in class allocation may result in a student not obtaining all the class marks for which all students are eligible.
- Attendance will be taken in the tutorials.
- Warning: You must attend at least 5 of the 6 tutorials failure to do so will lead to major deduction from your tutorial participation mark.
- Medical certificates must be provided if you are not able to attend a class without incurring a penalty.
- Students are expected to arrive on time, and not to leave until the class ends.
- If you have a recurring problem that makes you late, or forces you to leave early, have the courtesy to discuss this with your lecturer/tutor.
- Students must be quiet during classes, unless of course when class participation is required.
- Mobile phone must be turned OFF in tutorials and not simply set to 'silent'.
- All laptops must be turned OFF in class unless a prior arrangement has been made with

the tutor.

• Students who disturb or disrupt in lectures and tutorial class will be asked to leave.

Required and Recommended Texts and/or Materials

Prescribed Textbook (required):

Business Law BUSL250 compiled by Dr Verity Greenwood and Julian Dight (Custom Book compiled from Gibson & Fraser Business Law (7th ed, 2013) includes MyLawLab Access Card, 7/E ISBN: 9781486016211 (Can be purchased from the Macquarie University Co-Op Bookshop).

Other recommended texts:

Davenport, S. and Parker, D. *Business and Law in Australia* (2012) Lawbook Co., Sydney (ISBN9780455229591)

Barron, M.L. Fundamentals of Business Law (7th ed.2012) McGraw-Hill Australia

James, N (2014) Business Law (3rd Ed)Wiley Publishers, Queensland.

Villa, D., Annotated Civil Liability Act 2002 NSW

Krever, R., Mastering Law Studies and Law Exam Techniques, Butterworths, KU51.7.K74/2001

Crosling, G.M., and Murphy, H.M., How to Study Business Law, Butterworths, KU856.C76/2000

Useful Internet Sites:

- Finding case law and legislation: www.austlii.edu.au
- Australian Law Online: www.law.gov.au
- NSW Legislation: www.legislation.nsw.gov.au

Technology Used and Required

Unit Web Page

Course material is available on the learning management system (ilearn)

The web page for this unit can be found at: http://learn.mq.edu.au You will find important information posted there.

On ilearn you can also:

- Download BUSL250 ilectures (available on ECHO)
- · Access BUSL250 online quizzes during set dates as shown in unit schedule
- As an extension to the BUSL250 Tutorial program exercises will be posted when necessary on ilearn. Students are encouraged to attempt to answer these exercises. However this is not assessable.
- Access model exam questions and answers as the unit progesses through the Session.

Teaching and Learning Strategy

- This unit is taught through a combination of two-hour lecture style seminars and smaller two-hour tutorial discussion groups. Each week a set topic is covered in the lecture and subsequently discussed in the following tutorial. Tutorial questions are allocated for each tutorial and these questions will form the basis of the discussion in the tutorial. It is important to note that issues covered in the lecture but not in the tutorial ARE STILL EXAMINABLE. For students to benefit most from this learning and teaching structure completion of tutorial questions and preparation for lecture and tutorial classes is strongly advised.
- Students are expected to read lecture topics in advance. A reading plan is listed at the end of this guide. Students are also required to prepare and complete all compulsory tutorial questions prior to attending their tutorial class. Tutorial classes may include a mixture of group work, open class discussion and tutor facilitated discussion and problem solving. Students are expected to respond to questions raised in the tutorial and demonstrate enthusiasm for the subject.
- Students please note: The readings, study and assessment for this subject will require approximately 6 hours per week above the 3 hours allocated for formal lecture and session times.
- Week-by-week list of the topics to be covered in the lectures and the scheduled tutorial topics and readings are in the unit schedule.
- Students are asked to select their presentation date in Tutorial 2. If a student changes classes in the first 3 weeks after already selecting a presentation topic, the student is responsible for informing their previous tutor that they will not be doing their presentation in that class.
- Any requests for extensions or alternative arrangements must be submitted to a unit convenor at least 2 weeks before an assessment task. If unavoidable circumstances are involved satisfactory supporting documentation must accompany any such request.
- Instructions for the online quizzes and in-class tests will be available on the unit website.
- Given the nature of the assessment tasks the issue of late submission of assessment tasks is not relevant to this unit.
- Attendance: A component of the tutorial mark is based on class participation. Although attendance is not a condition of passing this unit, failing to attend tutorial classes regularly may result in a low tutorial mark which will affect a student's final results.
 Participation includes being involved in organised class group work when required, being prepared for open class discussion and tutor facilitated discussion and problem solving.

Students are expected to respond to questions raised in the class and demonstrate enthusiasm for the subject.

- Failure to complete required assessment tasks during Session 1 (Presentation, online quizzes and tutorial contract in-class test) may result in exclusion of students from continuing in the unit.
- No extensions will be granted. Students who have not submitted or sat for required assessments tasks prior to the deadline will be awarded a mark of 0 for that assessment task, except for cases in which an application for special consideration is made and approved.

Unit Schedule

	LECTURE SCHEDULE
Week	Please note: Tutorial Schedule listed at the end of this lecture table. All readings listed in schedule refer to <i>Business Law</i> (BUSL250) custom book.
1	Lecture 1 (Commencing Monday 3 March) Part 1: Introduction to Business Law Part 2: Introduction to the Australian Legal System Readings Chapter 1 Chapter 2 Chapter 5
2	Lecture 2 (Commencing Monday 10 March) Part 1: The Australian Legal System Readings • Chapter 3 • Chapter 4 (pp 96-106) Part 2: Introduction to Contract Law-Intention and Agreement Readings • Chapter 10,11 and 12
3	Lecture 3 (Commencing Monday 17 March) Contract Law- Consideration; real or Genuine Consent Reading • Chapter 13 and 15

	* ONLINE QUIZ OPEN AND AVAILABLE *
	QUIZ 1- SATURDAY 22 MARCH- FRIDAY 28 MARCH
4	Lecture 4 (Commencing Monday 24 March)
	Contract Law- Capacity, Illegality and Form
	Readings - Chapter 14 and 16
5	Lecture 5 (Commencing Monday 31 March)
	Contract Law – Terms, Discharge of Contracts and Remedies for Breach of Contract
	Reading
	Chapter 17,18 and 19
6	Lecture 6 (Commencing Monday 7 April)
	Introduction to Torts
	Reading: Chapter 6
	Chapter 7 (pp.136-159)
	* MID SESSION BREAK *
7	Lecture 7 (Commencing Monday 28 April)
	Torts- negligence
	Reading – Chapters 7 (pp.160-169)
	Chapter 8
	** ONLINE QUIZ OPEN AND AVAILABLE *
	QUIZ 2- SATURDAY 3 MAY- FRIDAY 9 MAY
8	Lecture 8 (Commencing Monday 5 May)
	Business Related Torts
	Readings : Chapters 9
9	Lecture 9 (Commencing Monday 12 May)
	Agency Law
	Reading: Chapter 22

10	Lecture 10 (Commencing Monday 19 May) Consumer Protection I – General and Specific Prohibited Conduct	
	Readings: Chapter 21	
11	Lecture 11 (Commencing Monday 26 May)	
	Consumer Protection II – Consumer Guarantees and Product Safety Reading: Chapter 20	
	** ONLINE QUIZ OPEN AND AVAILABLE *	
	QUIZ 3- SATURDAY 31 MAY- FRIDAY 6 JUNE	
12	Lecture 12 (Commencing Monday 2 June)	
12	Property Law – Intellectual Property	
	Readings: Chapter 23 and 24	
13	Lecture 13	
	Revision (recorded on ECHO- audio only)	
	TUTORIAL SCHEDULE	
	* NO TUTORIAL FIRST WEEK *	
	Note: Group A commence Week 2 and continue fortnightly in even weeks.	
Tutorial	Group B commence Week 3 and continue fortnightly in uneven weeks	
1	Introduction to Business Law / The Australian Legal System	
	Readings: Chapter 2	
	Chapter 3 (pp. 46-70; pp.74-87) ; Chapter 4 (pp.88-96)	
	Questions and Exercises:	
	Quesnons una Exercises.	
	p.42 questions 2.11;2.13; p.96 question 4.2;p.115 Tutorial question 7.	
	p.42 questions 2.11;2.13; p.96 question 4.2;p.115 Tutorial question 7.	
	p.42 questions 2.11;2.13; p.96 question 4.2;p.115 Tutorial question 7. Introduction to Contract Law – Intention and Agreement	

2	Contract Law – Consideration; Real or Genuine Consent
	Readings: Chapter 13 and 15
	Questions and Exercises:
	p. 336 questions 1, 3, 4 and 7; p. 386 questions 4,5 and 8
	Contract Law – Capacity, Illegality and Form
	Readings – Chapters 14 and 16
	Questions and Exercises:
	p.352 questions 4, 5 and 6 ;p. 407 questions 2 and 5
3	Contract Law – Terms, Discharge and Remedies from Breach of Contract
	Readings: Chapters 17, 18 and 19
	Questions and Exercises:
	p.444 questions 3 and 4; p.470 questions 2, 3, 4 and 7; p.498 questions 3, 4, 5, 6 and 9
	Torts- Negligence
	Reading: Chapter 7 (pp. 136- 159)
	Questions and Exercises:
	p.151 question 7.4 and 7.5; p.159 questions 7.7 and 7.9)
4	**Tutorial Contract In-Class Test**
	Torts – Negligence
	Readings: Chapter 7 (pp.160-169); Chapter 8
	Questions and Exercises:
	p.159 question 7.8; pp. 169 tutorial questions 5-7.
	Business Related Torts
	Reading: Chapter 9
	Questions and Exercises:

pp. 240-241 Tutorial questions 6-10

5	Agency Law
	Reading: Chapter 22
	Questions and Exercises:
	p.579 questions 22.2-22.3; p.590 questions 8-10
	Consumer Protection I
	Reading: Chapter 21
	Questions and Exercises:
	p. 537 questions 21.1-21.4; p. 562 question 5
6	Consumer Protection II
	Reading: Chapter 20
	Questions and Exercises:
	p. 519-520 questions 2, 3 and 4
	Property Law – Intellectual Property
	Troperty Law Interfectual Troperty
	Readings: Chapter 23 and 24

Learning and Teaching Activities

Learning & Teaching Activities

See under unit guide 'Delivery and Resources'

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central. Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy <u>http://mq.edu.au/policy/docs/academic_honesty/policy.ht</u> ml

Assessment Policy http://mq.edu.au/policy/docs/assessment/policy.html

Grading Policy http://mq.edu.au/policy/docs/grading/policy.html

Grade Appeal Policy http://mq.edu.au/policy/docs/gradeappeal/policy.html

Grievance Management Policy <u>http://mq.edu.au/policy/docs/grievance_managemen</u> t/policy.html

Disruption to Studies Policy <u>http://www.mq.edu.au/policy/docs/disruption_studies/p</u> <u>olicy.html</u> The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.

In addition, a number of other policies can be found in the Learning and Teaching Category of Policy Central.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/support/student_conduct/

Academic Honesty

The nature of scholarly endeavour, dependent as it is on the work of others, binds all members of the University community to abide by the principles of academic honesty. Its fundamental principle is that all staff and students act with integrity in the creation, development, application and use of ideas and information. This means that:

- all academic work claimed as original is the work of the author making the claim
- all academic collaborations are acknowledged
- · academic work is not falsified in any way
- when the ideas of others are used, these ideas are acknowledged appropriately.

Further information on the academic honesty can be found in the Macquarie University Academic Honesty Policy at http://www.mq.edu.au/policy/docs/academic_honesty/policy.html

Grades

Macquarie University uses the following grades in coursework units of study:

- HD High Distinction
- D Distinction
- CR Credit
- P Pass
- F Fail

Grade descriptors and other information concerning grading are contained in the Macquarie University Grading Policy which is available at:

http://www.mq.edu.au/policy/docs/grading/policy.html

All final grades in the Department of Accounting and Corporate Governance are determined by a grading committee and are not the sole responsibility of the Unit Coordinator.

Students will be awarded one of these grades plus a Standardised Numerical Grade (SNG). The SNG is not necessarily a summation of the individual assessment components.

The final grade and SNG that are awarded reflect the corresponding grade descriptor in the Grading Policy.

In addition, there is a requirement to pass the final examination to be awarded a final grade of a Pass or a higher grade.

Grading Appeals and Final Examination Script Viewing

If, at the conclusion of the unit, you have performed below expectations, and are considering lodging an appeal of grade and/or viewing your final exam script please refer to the following website which provides information about these processes and the cut off dates in the first instance. Please read the instructions provided concerning what constitutes a valid grounds for appeal before appealing your grade.

http://mq.edu.au/policy/docs/gradeappeal/policy.html

Special Consideration Policy

The University is committed to equity and fairness in all aspects of its learning and teaching. In stating this commitment, the University recognises that there may be circumstances where a student is prevented by unavoidable disruption from performing in accordance with their ability. A special consideration policy exists to support students who experience serious and unavoidable disruption such that they do not reach their usual demonstrated performance level. The policy is available at:

http://www.mq.edu.au/policy/docs/special_consideration/policy.html

Student Support

Macquarie University provides a range of support services for students. For details, visit <u>http://stu</u> dents.mq.edu.au/support/

Learning Skills

Learning Skills (<u>mq.edu.au/learningskills</u>) provides academic writing resources and study strategies to improve your marks and take control of your study.

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

Student Services and Support

Students with a disability are encouraged to contact the **Disability Service** who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

IT Help

For help with University computer systems and technology, visit <u>http://informatics.mq.edu.au/hel</u>p/.

When using the University's IT, you must adhere to the <u>Acceptable Use Policy</u>. The policy applies to all who connect to the MQ network including students.

Graduate Capabilities

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to research business law related topics through using hard copy materials and electronic/online information retrieval systems.
- Ability to work in a team to solve legal problems likely to arise in a business setting.

Assessment tasks

- Online Quiz
- Class Participation
- Class test
- Final Examination

Learning and teaching activities

· See under unit guide 'Delivery and Resources'

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

Learning outcomes

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to critically assess and make judgments on the merits of legal arguments.
- Ability to research business law related topics through using hard copy materials and electronic/online information retrieval systems.

Assessment tasks

- Class test
- Final Examination

Learning and teaching activities

· See under unit guide 'Delivery and Resources'

Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

Learning outcomes

- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to critically assess and make judgments on the merits of legal arguments.
- Ability to research business law related topics through using hard copy materials and electronic/online information retrieval systems.
- Ability to work in a team to solve legal problems likely to arise in a business setting.

Assessment tasks

- Online Quiz
- · Class Participation
- Class test
- Final Examination

Learning and teaching activities

· See under unit guide 'Delivery and Resources'

Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

Learning outcomes

- · Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to analyse the legal aspects of particular case studies relevant to business law.
- Ability to work in a team to solve legal problems likely to arise in a business setting.

Assessment task

Class Participation

Research and Practice

This Unit has been designed as a 3 credit point undergraduate Unit, requiring the equivalent of 13 weeks of work over one session. Being a three credit-points Unit you should expect to spend a minimum of 9 hours per week to meet the requirements of the Unit.

As you work through the Unit, try to:

- share your insights with others in your tutorial group
- contribute to critical analysis and debate of business law concepts and the views of other class members.

In completing the Unit, you are expected to:

- participate fully in tutorial classes
- · complete all three online quizzes
- pre-read and prepare all compulsory tutorial questions prior to attending tutorial classes
- research, prepare and present to the tutorial class a selected business law case or topic.