



BUSL250

Business Law

MQC2 Day 2014

Dept of Accounting & Corporate Governance

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	6
<u>Unit Schedule</u>	8
<u>Learning and Teaching Activities</u>	13
<u>Policies and Procedures</u>	13
<u>Graduate Capabilities</u>	15
<u>Research and Practice</u>	17

Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Lecturer

Julian Dight

Julian.dight@mq.edu.au

Contact via Email

N/A

To be advised in class

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 10
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 Class Participation (5%)

What is required to complete the unit satisfactorily

- Student class presentations are held in Tutorials 3 -12
- Students will present from the list of tutorial questions given to the students in class
- Class participation is assessed throughout Session

The mark will be awarded based on the following criteria:

- How prepared the student is which is reflected in the quality of their answers
- How the student demonstrates their level of understanding of the law which is reflected in types of legal issues they raise in class
- If the student expresses themselves in their own words rather than just reading an answer from the textbook
- To what extent does the student engage with other students during tutorials when attempting to answer questions?
- More marks will be allocated to the students who either lead the discussion or articulate comprehensive responses to the legal issues that arise in 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.

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 10**

Weighting: **10%**

Examination conditions In-class contract law written test. Based on Lectures 3-5 (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 3-13. 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 similar format as the final examination.

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 12 x 1 hour tutorials
- The timetable for classes can be found on the University web site at: <http://www.timetables.mq.edu.au>
- Attendance will be taken in the tutorials.
- Warning: You must attend at least 10 of the 12 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
- Mobile phone must be turned OFF in tutorials and not simply set to 'silent'.

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

Teaching and Learning Strategy

- This unit is taught through a combination of two-hour lecture style seminars and smaller one-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 should select their presentation date in Tutorial 2 but as long as the student gives the tutor enough notice they can choose their topic two weeks before they are due to present.
- Any requests for extensions or alternative arrangements must be submitted to the 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 or in class.
- 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 (BUSL250)</i> custom book.

1	<p>Lecture 1</p> <ul style="list-style-type: none">• Part 1: Introduction to Business Law• Part 2: Introduction to the Australian Legal System <p>Readings</p> <ul style="list-style-type: none">• Chapters 1 - 4
2	<p>Lecture 2</p> <p>Contract law - Intention & Agreement</p> <p>Readings</p> <ul style="list-style-type: none">• Chapters 10, 11 & 12
3	<p>Lecture 3</p> <p>Contract Law - Consideration & Capacity</p> <p>Readings</p> <ul style="list-style-type: none">• Chapters 13 & 14
	<p>* ONLINE QUIZ OPEN AND AVAILABLE *</p> <p>QUIZ 1 - Chapters 1 - 4 on the Australian Legal System</p>
4	<p>Lecture 4</p> <p>Contract Law - Consent & Illegality and Form</p> <p>Readings - Chapters 15 & 16</p>
5	<p>Lecture 5</p> <p>Contract Law – Terms, Discharge of Contracts and Remedies for Breach of Contract</p> <p>Reading</p> <p>Chapter 17, 18 and 19</p>
6	<p>Lecture 6</p> <p>Agency Law</p> <p>Reading: Chapter 22</p>

7	<p>Lecture 7</p> <p>Torts - negligence</p> <p>Reading – Chapters 6, 7 (Reference will be made to the Civil Liability Act 2002)</p>
	<p>** ONLINE QUIZ OPEN AND AVAILABLE *</p> <p>QUIZ 2 - Chapters 11 - 19 on Contract Law</p>
8	<p>Lecture 8 Torts - Negligence</p> <p>Readings : Chapter 8</p>
9	<p>Lecture 9</p> <p>Business Related Torts</p> <p>Reading: Chapter 9</p>
10	<p>Lecture 10</p> <p>Consumer Protection I – General and Specific Prohibited Conduct</p> <p>Readings: Chapter 21</p>
11	<p>Lecture 11</p> <p>Consumer Protection II – Consumer Guarantees and Product Safety</p> <p>Reading: Chapter 20</p>
	<p>** ONLINE QUIZ OPEN AND AVAILABLE *</p> <p>QUIZ 3 - Chapters 6 - 9 on Tort Law</p>
12	<p>Lecture 12</p> <p>Property Law – Intellectual Property</p> <p>Readings: Chapter 23 and 24</p>
13	<p>Lecture 13</p> <p>Revision: Practice exam in class</p>

TUTORIAL SCHEDULE	
Tutorial	* NO TUTORIAL FIRST WEEK *
1	<p style="text-align: center;">Introduction to Business Law / The Australian Legal System</p> <p><i>Readings:</i> Chapter 2</p> <p>Chapter 3 (pp. 46-70; pp.74-87) ; Chapter 4 (pp.88-96)</p> <p><i>Questions and Exercises:</i></p> <p>p.42 questions 2.11 & 2.13; p.54 questions 3.2 & 3.6: p.60 question 3.11: p.85, question 3.18: p.96 question 4.2: p.115 Tutorial question 7.</p>
2	<p style="text-align: center;">Introduction to Contract Law – Intention and Agreement</p> <p><i>Readings:</i> Chapter 10, 11 and 12</p> <p><i>Questions and Exercises:</i></p> <p>p. 294 questions 9 & 11 & 12; p.316 questions 4, 7 and 9</p>
3	<p style="text-align: center;">Contract Law – Consideration & Capacity</p> <p><i>Readings:</i> Chapter 13 and 14</p> <p><i>Questions and Exercises:</i></p> <p>p. 336 questions 3, 4 and 7; p. 352 questions 4, 5, 6</p>
4	<p style="text-align: center;">Contract Law – Consent & Illegality and Form</p> <p><i>Readings –</i> Chapters 15 and 16</p> <p><i>Questions and Exercises:</i></p> <p>p. 368, questions 15.4 & 15.6: p 373 question 15.8: p. 402 - 403: questions 16.9 and 16.10</p>
5	<p style="text-align: center;">Contract Law – Terms, Discharge and Remedies for Breach of Contract</p> <p><i>Readings:</i> Chapters 17, 18 and 19</p> <p><i>Questions and Exercises:</i></p> <p>p.445 questions 7 & 8; p.470 questions 4, 6, 7; p.498 questions 3, 6, 7 and 9</p>
6	<p style="text-align: center;">Law of Agency</p> <p><i>Reading:</i> Chapter 22</p> <p><i>Questions and Exercises:</i></p> <p>p 590 tutorial questions 8, 9, 10</p>

7	<p style="text-align: center;">Torts – Negligence</p> <p><i>Readings:</i> Chapter 7</p> <p><i>Questions and Exercises:</i></p> <p>p.159 question 7.7, 7.8, 7.9 pp. 169- 170 tutorial questions 5 - 7.</p>
8	<p style="text-align: center;">Torts - Negligence</p> <p><i>Reading:</i> Chapter 8</p> <p><i>Questions and Exercises:</i></p> <p>p. 198 exercise 8.11, p 206, Tutorial questions 7 & 8</p>
9	<p style="text-align: center;">Business Related Torts</p> <p><i>Reading:</i> Chapter 9</p> <p><i>Questions and Exercises:</i></p> <p>pp 240 - 241 Tutorial questions 6 - 10</p>
10	<p style="text-align: center;">Consumer Protection I</p> <p><i>Reading:</i> Chapter 21</p> <p><i>Questions and Exercises:</i></p> <p>p. 537 questions 21.4; p. 562 Tutorial questions 1 - 5</p>
11	<p style="text-align: center;">Consumer Protection II</p> <p><i>Reading:</i> Chapter 20</p> <p><i>Questions and Exercises:</i></p> <p>p. 519-520 questions 2, 3 and 4</p>
12	<p style="text-align: center;">Property Law & Intellectual Property</p> <p><i>Readings:</i> Chapter 23 and 24</p> <p><i>Questions and Exercises:</i></p> <p>Chapter 23, p. 627, question 3 and 4; Chapter 24, p. 655, questions 4 and 5</p>

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

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

Disruption to Studies Policy http://www.mq.edu.au/policy/docs/disruption_studies/policy.html *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>

Student Support

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

Learning Skills

Learning Skills (mq.edu.au/learningskills) 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 <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). 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.