



# BUSL250

## Business Law

S3 Day 2014

*Dept of Accounting & Corporate Governance*

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## General Information

Unit convenor and teaching staff

Unit Convenor

Verity Greenwood

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Contact via [BUSL250@mq.edu.au](mailto:BUSL250@mq.edu.au)

E4A 310

Tuesday 1pm-2pm; Thursday 1pm-2pm

Tutor

Andrew Dahdal

[andrew.dahdal@mq.edu.au](mailto:andrew.dahdal@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:

Understand how laws are made and enforced.

Know the legal principles that apply to business law in Australia.

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

Critically assess and make judgments on the merits of legal arguments.

Research business law related topics through using hard copy materials and electronic/online information retrieval systems.

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

## General Assessment Information

- No extensions will be granted. Students who have not submitted or sat for required assessment tasks prior to the deadline will be awarded a mark of 0 for that assessment task, except for cases in which an application for disruption to studies is made and approved.
- Instructions for the online quiz and in-class test are available on the unit website.
- Failure to complete required assessment tasks during Session 3 (online quizzes and one contract in-class test) may result in exclusion of students from continuing in a unit. (Bachelor Degree Rule 10, Assessment Procedure- Policy Central) see [universitycouncil.mq.edu.au/pdfs/2012-UndergraduateRules.pdf](http://universitycouncil.mq.edu.au/pdfs/2012-UndergraduateRules.pdf)

## Assessment Tasks

Name	Weighting	Due
<a href="#"><u>Online Quizzes</u></a>	30%	Week 2,3,4
<a href="#"><u>Tutorial Participation</u></a>	10%	Weeks 1-4
<a href="#"><u>Contract In-class test</u></a>	15%	Lecture 10 (13 January 2015)
<a href="#"><u>Final Examination</u></a>	45%	University Examination Period

### Online Quizzes

Due: **Week 2,3,4**

Weighting: **30%**

Submission via BUSL250 unit website

Extension: No extensions

**Quiz 1:** Saturday 20 December- Monday 22 December 2014 -*Ch. 1,2,3,4, 5,10,11,12*

**Quiz 2:** Saturday 10 January- Monday 12 January 2015 -*Ch. 13,14,15,16,17,18,19*

**Quiz 3:** Saturday 17 January- Monday 19 January 2015 - *Ch. 6,7,8,9,21,23*

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

On successful completion you will be able to:

- Understand how laws are made and enforced.
- Know the legal principles that apply to business law in Australia.
- Analyse the legal aspects of particular case studies relevant to business law.
- Critically assess and make judgments on the merits of legal arguments.

## Tutorial Participation

Due: **Weeks 1-4**

Weighting: **10%**

Quality of class Participation (10%)

What is required to complete the unit satisfactorily

- Class participation assessed throughout Session  
-based on actual class participation,  
group work,discussion and problem solving

On successful completion you will be able to:

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

## Contract In-class test

Due: **Lecture 10 (13 January 2015)**

Weighting: **15%**

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

30 minutes long. Five minutes reading time. One A4 Handwritten double sided contract 'cheat sheet' (written in English) allowed.

On successful completion you will be able to:

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

## Final Examination

Due: **University Examination Period**

Weighting: **45%**

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

Four topics:

- Tort Law
- Agency Law
- Consumer protection Law Including e-commerce)
- Property/Intellectual Property Law

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:

- Understand how laws are made and enforced.
- Know the legal principles that apply to business law in Australia.
- Analyse the legal aspects of particular case studies relevant to business law.
- 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 Session 3 and 12 tutorials in one or two hour formats also beginning the second week of semester.
- Session 3 information can be found at [http://www.mq.edu.au/courses/session\\_3/](http://www.mq.edu.au/courses/session_3/)
- 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 tutorial class in the first two (2) 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 2 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 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.
- 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 convenor.
- 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*, 3<sup>rd</sup> Edition, 2015 compiled by Dr Verity Greenwood and Julian Dight (includes MyLawLab Access Card), Pearson Publishing, ISBN 9781488609411 (Can be purchased from the Macquarie University Co-Op Bookshop).

#### Other recommended texts:

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](http://www.austlii.edu.au)
- Australian Law Online: [www.law.gov.au](http://www.law.gov.au)
- NSW Legislation: [www.legislation.nsw.gov.au](http://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
- Access online Discussion Forum
- See Announcements
- 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.

## **Teaching and Learning Strategy**

- This unit is taught through a combination of two-hour lecture style seminars and smaller one and two-hour tutorial discussion groups. Each week a set topic is covered in the lecture and subsequently discussed in following tutorials. Tutorial questions are allocated for each week 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 in 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 class and demonstrate enthusiasm for the subject.

- Students please note: The readings, study and assessment for this subject will require approximately 20 hours per week above the hours allocated for formal lecture and tutorial times.
- Week-by-week list of the topics is in this guide.
- 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 3 ( online quizzes and one 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 under the Disruptions to Studies Policy is made and approved.

## Unit Schedule

Week	Day/Date/Lecture	Tutorial
1	<p><b>Tuesday 9 December Lecture 1</b></p> <ul style="list-style-type: none"> <li>• Part 1: Introduction to Business Law</li> <li>• Part 2: Introduction to the Australian Legal System</li> </ul> <p>Readings</p> <ul style="list-style-type: none"> <li>• Chapter 1</li> <li>• Chapter 2</li> <li>• Chapter 5</li> </ul>	* NO TUTORIALS FIRST WEEK *



<p>2</p>	<p><b>Tuesday 16 December -Lecture 2- AM</b></p> <p><b>Part 1: The Australian Legal System</b></p> <p>Readings</p> <ul style="list-style-type: none"> <li>• Chapter 3</li> <li>• Chapter 4 (pp 96-108)</li> </ul> <p><b>Part 2: Introduction to Contract Law-Intention and Agreement</b></p> <p>Readings</p> <ul style="list-style-type: none"> <li>• Chapter 10,11 and 12</li> </ul> <p><b>Tuesday 16 December - Lecture 3- PM</b></p> <p><b>Contract Law- Consideration; real or Genuine Consent</b></p> <p>Reading</p> <ul style="list-style-type: none"> <li>• Chapter 13 and 15</li> </ul>	<p><b>Tuesday 16 December Tutorial 1</b></p> <p><b>Introduction to Business Law / The Australian Legal System</b></p> <p>Readings:</p> <ul style="list-style-type: none"> <li>• Chapter 2</li> <li>• Chapter 3 (pp. 47-720; pp.76-90)</li> <li>• Chapter 4 (pp.91-99)</li> </ul> <p><i>Questions and Exercises:</i></p> <p>p.44 questions 2.11;2.13;</p> <p>p.100 question 4.1;</p> <p>p.119 Tutorial question 7.</p>
<p>2</p>	<p><b>Thursday 18 December- Lecture 4- AM</b></p> <p><b>Contract Law- Capacity, Illegality and Form</b></p> <p>Readings - Chapter 14 and 16</p> <p><b>Thursday 18 December- Lecture 5- PM</b></p> <p><b>Contract Law – Terms, Discharge of Contracts and Remedies for Breach of Contract</b></p> <p>Reading</p> <p>Chapter 17,18 and 19</p>	<p><b>Thursday 18 December Tutorial 2</b></p> <p><b>Introduction to Contract Law-Intention and Agreement</b></p> <p>Readings: Chapter 10,11, and 12</p> <p><i>Questions and Exercises:</i></p> <p>p.318 - 319 questions 1-4, 8 and 11;</p> <p>p. 341 questions 4, 7 and 9</p>

<p>2</p>		<p><b>Friday 19 December- Tutorial 3 &amp; 4</b></p> <p><b>Contract Law- Consideration; Real and Genuine Consent</b></p> <p>Readings:</p> <ul style="list-style-type: none"> <li>• Chapters 13 and 15</li> </ul> <p>Questions and Exercises: p. 362 questions 1,3,4 and 7; p. 413-414 questions 4, 5 and 8</p> <p><b>Contract Law- Capacity, Illegality and Form</b></p> <p>Readings: Chapter 14 and 16</p> <p><i>Questions and Exercises:</i></p> <p>p.379 questions 4, 5 and 6</p> <p>p. 436 questions 2 and 5</p>
	<p><b>* ONLINE QUIZ OPEN AND AVAILABLE *</b></p> <p>QUIZ 1- SATURDAY 20 DECEMBER- MONDAY 22 DECEMBER</p>	
<p>3</p>	<p><b>Tuesday 6 January- Lecture 6- AM</b></p> <p><b>Introduction to Torts</b></p> <p>Reading: Chapter 6</p> <p>Chapter 7 (pp.153-179)</p> <p><b>Tuesday 6 January - Lecture 7- PM</b></p> <p><b>Torts- negligence</b></p> <p>Reading – Chapters 7 (pp.179- 190)</p> <p>Chapter 8</p>	<p><b>Tuesday 6 January Tutorial 5</b></p> <p><b>Contract Law- Terms, Discharge and Remedies from Breach of Contract</b></p> <p>Readings:Chapters 17,18 and 19</p> <p><i>Questions and Exercises:</i></p> <p>p.472 questions 3 and 4</p> <p>p.499 questions 2,3,4 and 7; p.527 questions 3,4,5,6 and 9</p>
<p>3</p>	<p><b>Thursday 8 January - Lecture 8- AM</b></p> <p><b>Business Related Torts</b></p> <p>Readings : Chapters 9</p> <p><b>Thursday 8 January - Lecture 9- PM</b></p> <p>Agency Law</p> <p>Reading: Chapter 23</p>	<p><b>Thursday 8 January Tutorial 6</b></p> <p><b>Torts- Negligence</b></p> <p>Reading: Chapter 7 (pp. 153-178)</p> <p><i>Questions and Exercises:</i></p> <p>p.170 question 7.4 and 7.5;</p> <p>p.178-179 questions 7.7 and 7.9</p>

<p>3</p>		<p><b>Friday 9 January- Tutorial 7 &amp; 8</b></p> <p><b>Torts-Negligence</b></p> <p>Reading – Chapters 7 (pp.179- 192); Chapter 8</p> <p><i>Questions and Exercises:</i></p> <p>p.179 question 7.8; pp. 192-193 tutorial questions 5-7.</p> <p><b>Business Related Torts</b></p> <p>Readings: Chapters 9</p> <p><i>Questions and Exercises:</i></p> <p>pp. 265-266 Tutorial questions 6-10</p>
	<p><b>* ONLINE QUIZ OPEN AND AVAILABLE *</b></p> <p>QUIZ 2- SATURDAY 10 JANUARY- MONDAY 12 JANUARY</p>	
<p>4</p>	<p><b>Tuesday 13 January- Lecture 10- AM</b></p> <p><b>Consumer Protection I – General and Specific Prohibited Conduct</b></p> <p>Readings: Chapter 21</p> <p><b>Tuesday 13 January -Lecture 11- PM</b></p> <p><b>Consumer Protection II – Consumer Guarantees and Product Safety</b></p> <p>Reading: Chapter 20</p> <p><b>E-Commerce</b></p> <p>Reading: Chapter 22</p>	<p><b>Tuesday 13 January Tutorial 9</b></p> <p><b>Agency Law</b></p> <p>Reading: Chapter 23</p> <p><i>Questions and Exercises:</i></p> <p>p.635 questions 23.2-23.3; p.646 questions 8-10</p>
<p>4</p>	<p><b>Thursday 15 January-Lecture 12- AM</b></p> <p><b>Property Law – Intellectual Property</b></p> <p>Readings: Chapter 24 and 25</p> <p><b>Tuesday 14 January- Lecture 13- Final Revision</b></p>	<p><b>Thursday 15 January Tutorial 10</b></p> <p><b>Consumer Protection I</b></p> <p>Reading: Chapter 21</p> <p><i>Questions and Exercises:</i></p> <p>p. 566 questions 21.1-21.4</p> <p>p.594 question 5</p>

4		<p><b>Friday 16 January -Tutorial 11 &amp; 12</b></p> <p><b>Consumer Protection II</b></p> <p>Reading: Chapter 20</p> <p><i>Questions and Exercises:</i></p> <p>p. 547- 548 questions 2, 3 and 4</p> <p><b>E-Commerce</b></p> <p>p.617 Question 3</p> <p><b>Property Law - Intellectual Property</b></p> <p>Readings: Chapter 24 and25</p> <p><i>Questions and Exercises:</i></p> <p>Chapter 24, p. 684, question 3 and 4</p> <p>Chapter 24, p. 713, questions 4 and 5</p>
<p><b>* ONLINE QUIZ OPEN AND AVAILABLE *</b></p> <p>QUIZ 3- SATURDAY 17 JANUARY- MONDAY 19 JANUARY</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](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](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](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/](https://students.mq.edu.au/support/student_conduct/)

## 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](http://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](http://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

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

## Assessment tasks

- Online Quizzes
- Tutorial Participation
- Contract In-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

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

## Assessment tasks

- Contract In-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

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

### Assessment tasks

- Online Quizzes
- Tutorial Participation
- Contract In-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

- Understand how laws are made and enforced.
- Know the legal principles that apply to business law in Australia.
- Analyse the legal aspects of particular case studies relevant to business law.
- Work in a team to solve legal problems likely to arise in a business setting.

### Assessment task

- Tutorial Participation

## Changes from Previous Offering

- The Contract in-class test to be held in Lecture 10 is now weighted at 15% instead of 10%
- The final examination is now weighted at 45% instead of 50%