



# BUSL250

## Business Law

MQC3 Evening 2015

*Dept of Accounting & Corporate Governance*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Lecturer

Julian Dight

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Contact via Email

N/A

To be advised in class

Moderator

Verity Greenwood

[verity.greenwood@mq.edu.au](mailto: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
<u>Online Quiz</u>	30%	Week 4, 8, 12
<u>Class Participation</u>	10%	Weeks 2-13
<u>Class test</u>	15%	Lecture 9
<u>Final Examination</u>	45%	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 is made to the Disruption to studies policy and is 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.

## Class Participation

Due: **Weeks 2-13**

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 2 -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 is made to the disruption to studies policy and is approved.

On successful completion you will be able to:

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

## Class test

Due: **Lecture 9**

Weighting: **15%**

Examination conditions In-class contract law written test. Based on Lectures 2-6 (based on contract law only.)

One A4 Handwritten contract 'cheat sheet' double sided (written in English) allowed. This sheet is not to be typed or copied but only hand written.

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 is application is made to the disruption to studies policy and is 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.

## Final Examination

Due: **University Examination Period**

Weighting: **45%**

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 an approved application to the disruption to studies policy 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 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

### Required textbook:

*Business Law BUSL250* (compiled by Dr Verity Greenwood and Julian Dight) (3rd Edition, Pearson Publishing) (ISBN: 9781488609411).

The book can be purchased from the Macquarie University Co-Op Bookshop. This is a custom book compiled from Andy Gibson and Douglas Fraser, *Business Law* (7th ed, 2013). The pack includes a 'MyLawLab' access card providing access to a variety of online resources.

### Recommended texts:

#### Business Law

- Latimer, P. *Australian Business Law* (33rd ed., 2014) CCH, Australia.
- James, N. *Business Law* (3rd ed., 2014) Wiley Publishers, Queensland.
- Davenport, S. and Parker, D. *Business and Law in Australia* (2012) Lawbook Co., Sydney.
- Barron, M. L. *Fundamentals of Business Law* (7th ed., 2012) McGraw-Hill, Australia.

#### Studying Law

- Krever, R., *Mastering Law Studies and Law Exam Techniques* (8th ed., 2013) LexisNexis Butterworths.
- Crosling, G. M., and Murphy, H. M., *How to Study Business Law* (4th ed., 2009) LexisNexis Butterworths.

## Unit Structure and Requirements

- The course will consist of 13 x 2 hour lectures beginning in week one (1); and
- 12 x 1 hour tutorials beginning in week two (2). (The timetable for classes can be found on the University web site at: <http://www.timetables.mq.edu.au/>).
  - Students can only change their lecture or tutorials in the first three (3) weeks through the eStudent system and only when there is space in the other tutorial or lecture.
  - All lectures are recorded audio and screen-capture video.
  - If a student changes tutorials in the first 3 weeks it is their responsibility to inform both their old tutor and their new tutor.
  - Failure to inform tutors about changing tutorials may result in a student missing out on eligible participation marks.
  - It is strongly advised that students attend all lectures and tutorials. Tutorials are not compulsory but failure to attend tutorials will mean that students will not be awarded any tutorial participation marks.
  - Medical certificates must be provided justifying tutorial absence and in order to avoid the deduction of tutorial participation marks.
  - If you have a recurring problem that makes you late, or forces you to leave early, please discuss this with your lecturer/tutor.
- Mobile phone should not be used in lectures or tutorials.
- Laptops can be used in tutorials only if prior arrangements have been made with the tutor.
- Students who disturb or disrupt in lectures and tutorial class will be asked to leave.
- As a guide the workload for the semester 150 hours should be allocated for BUSL250. This includes all classes, assessments, personal study and other learning activities.
  - sample breakdown of workload

Activities	Hours	
1	Weekly Seminars/Lectures/Tutorials (3 hours x 13) (minus no tutorial in week 1)	38
2	Assessment Task 1 (Online Quizzes + preparation for each quiz)	12
3	Assessment Task 2 (In-class test)	15
4	Assessment Task 3 (Class Presentation)	5

6	Assessment Task 4 (Final exam)	30
6	Readings/self-study	50
	TOTAL	150

## 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><b>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>Chapters 1 - 4</li> </ul>
2	<p><b>Lecture 2</b></p> <p>Contract law - Intention &amp; Agreement</p> <p>Readings</p> <ul style="list-style-type: none"> <li>Chapters 10, 11 &amp; 12</li> </ul>
3	<p><b>Lecture 3</b></p> <p>Contract Law - Consideration &amp; Capacity</p> <p>Readings</p> <ul style="list-style-type: none"> <li>Chapters 13 &amp; 14</li> </ul>
	<p><b>* ONLINE QUIZ OPEN AND AVAILABLE *</b></p> <p>QUIZ 1 - Chapters 1 - 4 on the Australian Legal System</p>
4	<p><b>Lecture 4</b></p> <p>Contract Law - Consent &amp; Illegality and Form</p> <p>Readings - Chapters 15 &amp; 16</p>



5	<p><b>Lecture 5</b></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><b>Lecture 6</b></p> <p><b>Agency Law</b></p> <p>Reading: Chapter 22</p>
7	<p><b>Lecture 7</b></p> <p>Torts - negligence</p> <p>Reading – Chapters 6, 7 (Reference will be made to the Civil Liability Act 2002)</p>
	<p><b>** ONLINE QUIZ OPEN AND AVAILABLE *</b></p> <p>QUIZ 2 - Chapters 11 - 19 on Contract Law</p>
8	<p><b>Lecture 8</b> Torts - Negligence</p> <p>Readings : Chapter 8</p>
9	<p><b>Lecture 9</b></p> <p>Business Related Torts</p> <p>Reading: Chapter 9</p>
10	<p><b>Lecture 10</b></p> <p>Consumer Protection I – General and Specific Prohibited Conduct</p> <p>Readings: Chapter 21</p>
11	<p><b>Lecture 11</b></p> <p>Consumer Protection II – Consumer Guarantees and Product Safety</p> <p>Reading: Chapter 20</p>

	<p><b>** ONLINE QUIZ OPEN AND AVAILABLE *</b></p> <p>QUIZ 3 - Chapters 6 - 9 on Tort Law</p>
12	<p><b>Lecture 12</b></p> <p>Property Law – Intellectual Property</p> <p>Readings: Chapter 23 and 24</p>
13	<p><b>Lecture 13</b></p> <p>Revision: Practice exam in class</p>

<b>TUTORIAL SCHEDULE</b>	
Tutorial	* NO TUTORIAL FIRST WEEK *
1	<p style="text-align: center;"><b>Introduction to Business Law / The Australian Legal System</b></p> <p><i>Readings:</i> Chapter 2</p> <p>Chapter 3 (pp. 50 -72; pp.78-87) ; Chapter 4 (pp.96-108)</p> <p><i>Questions and Exercises:</i></p> <p>p.44 questions 2.11 &amp; 2.13; p.56 questions 3.2 &amp; 3.6: p.60 question 3.11: p.87, question 3.18: p.100 question 4.2: p.119 Tutorial question 7.</p>
2	<p style="text-align: center;"><b>Introduction to Contract Law – Intention and Agreement</b></p> <p><i>Readings:</i> Chapter 10, 11 and 12</p> <p><i>Questions and Exercises:</i></p> <p>p. 319 questions 9 &amp; 11 &amp; 12; p.341: questions 4, 7 and 9</p>
3	<p style="text-align: center;"><b>Contract Law – Consideration &amp; Capacity</b></p> <p><i>Readings:</i> Chapter 13 and 14</p> <p><i>Questions and Exercises:</i></p> <p>p. 362 questions 3, 4 and 7; p. 379 questions 4, 5, 6</p>
4	<p style="text-align: center;"><b>Contract Law – Consent &amp; Illegality and Form</b></p> <p><i>Readings –</i> Chapters 15 and 16</p> <p><i>Questions and Exercises:</i></p> <p>p. 395, questions 15.4 &amp; 15.6: p 400 question 15.8: p. 431 - 432: questions 16.9 and 16.10</p>

<p>5</p>	<p style="text-align: center;"><b>Contract Law – Terms, Discharge and Remedies for Breach of Contract</b></p> <p><i>Readings:</i> Chapters 17, 18 and 19</p> <p><i>Questions and Exercises:</i></p> <p>p.473 questions 7 &amp; 8; p.499 questions 4, 6, 7; p.527 questions 3, 6, 7 and 9</p>	
<p>6</p>	<p style="text-align: center;"><b>Law of Agency</b></p> <p><i>Reading:</i> Chapter 23</p> <p><i>Questions and Exercises:</i></p> <p>p 646 tutorial questions 5, 7, 8, 9, 10</p>	
<p>7</p>	<p style="text-align: center;"><b>Torts – Negligence</b></p> <p><i>Readings:</i> Chapter 7</p> <p><i>Questions and Exercises:</i></p> <p>p.178 -179 question 7.7, 7.8, 7.9 pp. 192 -193 tutorial questions 5 - 7.</p>	
<p>8</p>	<p style="text-align: center;"><b>Torts - Negligence</b></p> <p><i>Reading:</i> Chapter 8</p> <p><i>Questions and Exercises:</i></p> <p>p. 222 exercise 8.10 &amp; 8.11, p 231, Tutorial questions 7 &amp; 8</p>	
<p>9</p>	<p style="text-align: center;"><b>Business Related Torts</b></p> <p><i>Reading:</i> Chapter 9</p> <p><i>Questions and Exercises:</i></p> <p>pp 265 - 266 Tutorial questions 6 - 10</p>	
<p>10</p>	<p style="text-align: center;"><b>Consumer Protection I</b></p> <p><i>Reading:</i> Chapter 21</p> <p><i>Questions and Exercises:</i></p> <p>p. 566 questions 21.4; p. 594 Tutorial questions 1 - 5</p>	
<p>11</p>	<p style="text-align: center;"><b>Consumer Protection II</b></p> <p><i>Reading:</i> Chapter 20</p> <p><i>Questions and Exercises:</i></p> <p>p. 547 -548 questions 2, 3 and 4</p>	

12	<p style="text-align: center;"><b>Property Law &amp; Intellectual Property</b></p> <p><i>Readings:</i> Chapter 24 and 25</p> <p><i>Questions and Exercises:</i></p> <p>Chapter 24, p. 684, question 3, 4, 5: Chapter 25, p. 713, questions 3, 4 and 5</p>	
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## 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/)

## Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](http://ask.mq.edu.au).

**In addition, there is a requirement to pass the final**

## examination to be awarded a final grade of a Pass or a higher grade.

### 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

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- 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

## 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.
- 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 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

## Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

## Learning outcomes

- 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

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

## 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

- Understanding of how laws are made and enforced.
- 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.

## Assessment tasks

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

## 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 outcome

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

## Changes from Previous Offering

N/A

## Research and Practice, Global and Sustainability

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

This unit addresses global and sustainability issues as direct areas of study and as necessary implications arising from the materials, assessment and academic discussion and debate in classes/seminars. We promote sustainability by developing ability in students to research and locate information within the accounting discipline in particular legal rules and regulations. We aim to provide students with an opportunity to obtain skills which will benefit them throughout their career.

The unit materials have a reference list at the end of each chapter/module/text containing all references cited by the author. These provide some guidance to references that could be used to research particular issues.