



# BUSL250

## Business Law

S1 Day 2015

*Dept of Accounting & Corporate Governance*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Unit Convenor and Lecturer

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E4A317

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

## Assessment Tasks

Name	Weighting	Due
<a href="#">Online Quizzes</a>	30%	Weeks 4, 8 and 12
<a href="#">Class Participation</a>	10%	weeks 2-13
<a href="#">In Class Test</a>	15%	week 7
<a href="#">Final Exam</a>	45%	Final Exam Period

### Online Quizzes

Due: **Weeks 4, 8 and 12**

Weighting: **30%**

#### Quiz 1 (week 4):

*Quiz opens:* 12.01am 19 March

*Quiz closes:* 11.59pm 21 March

*Materials covered:*

Chapters 1-4

(Legal foundations, Origins of Australian Law, Legal Systems, How Law is Made: Precedent and Statute Law) and

Chapters 10-13 and 15

(Introduction to Contracts, Agreement Between the Parties, Intention to Create Legal Relations, Consideration, Genuine Consent)

#### Quiz 2 (week 8):

*Quiz opens:* 12.01am 30 April

*Quiz closes:* 11.59pm 1 May

*Materials covered:*

Chapters 6-8

(Introduction to the Law of Torts, The Tort of Negligence, Applications of Negligence to Business)

14,16-19 and 22

(Capacity of the Parties, Legality of Object, Construction of the Contract, Rights of the Parties and Discharge; Remedies in Contract; Electronic Commerce)

**Quiz 3 (Week 12):**

*Quiz opens:* 12.01am 28 May

*Quiz closes:* 11.59pm 30 May

*Materials covered:*

Chapter 9

(Other Business Related Torts)

Chapter 23

(Agency)

Chapters 20-21

(Consumer Guarantees Implied into Contract; Australian Consumer Law)

Submission via BUSL250 unit iLearn portal.

Each quiz contains 10 questions.

The time limit for each quiz is 40 minutes (4 minutes per question).

Once the quiz is open the timer cannot be stopped - even if you log out.

At the conclusion of the quiz period, general feedback will be given based on the results.

**Weight of each quiz:** 10% of final assessment mark (30% total).

Students who have not submitted the task prior to the deadline will be awarded a mark of 0 subject to the 'Disruption to Studies' policy (see below).

The quiz will not be re-opened.

This assessment task relates to the following 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 problems relevant to business
- Ability to critically assess and make judgements on the merits of legal arguments

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 problems relevant to business
- Ability to critically assess and make judgements on the merits of legal arguments
- Ability to research business law related topics through using hard copy materials and electronic/online information systems

## Class Participation

Due: **weeks 2-13**

Weighting: **10%**

### Class presentation (5%):

- Student class presentations are held in Tutorials 3-13
- Presentation topic list and marking criteria are at the back of this unit guide.

### Class participation (5%)

- The mark will be awarded based on the following criteria:
  - Class participation assessed throughout session
  - 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.

No extensions will be granted. Students who fail to complete a presentation will not be given a second chance to do the presentation subject to the 'Disruption to Studies' policy.

This Assessment Task relates to the following 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 judgements 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.

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 critically assess and make judgements on the merits of legal arguments
- Ability to research business law related topics through using hard copy materials and electronic/online information systems
- Ability to work in a team to solve legal problems likely to arise in a business setting

## In Class Test

Due: **week 7**

Weighting: **15%**

In-class contract law written test. Based on Lectures 2 (Part 2)- Lecture 5 and Tutorials 3 - 6.

One (1) A4 back-to-back handwritten 'cheat sheet' (written in English) is allowed in this assessment.

Students who miss this assessment will be awarded a mark of 0 subject to the 'Disruption of Studies' policy (see below).

This Assessment Task relates to the following 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 critically assess and make judgements on the merits of legal arguments.

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 problems relevant to business
- Ability to critically assess and make judgements on the merits of legal arguments

## Final Exam

Due: **Final Exam Period**

Weighting: **45%**

Formal written exam based on Weeks 6 - Week 12 (Contracts is NOT in the final exam).

**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 a 'Disruption to Studies' 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.

There is a requirement to in order to at pass this course **you must also pass the final exam.**

This assessment task relates to the following 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 a problem relevant to business
- Ability to critically assess and make judgements on the merits of legal arguments

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 problems relevant to business
- Ability to critically assess and make judgements 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
	<b>TOTAL</b>	<b>150</b>

## Unit Schedule

Date	Lecture Topic	Tutorial
Week 1	Lecture 1 Introduction to the legal and political system	Tutorial 1 (No tutorial)
Week 2	Lecture 2 Introduction to the judicial system + Contracts law (Intention and Agreement)	Tutorial 2
Week 3	Lecture 3 Contract law (Consideration and consent)	Tutorial 3
Week 4	Lecture 4 Contract law (Capacity, Legality, Form and Construction of a contract)	Tutorial 4 (online quiz 1 open this week)
Week 5	Lecture 5 Contract Law (Termination and E-commerce)	Tutorial 5
Week 6	Lecture 6 Introduction to Torts	Tutorial 6
<b>Mid-semester break (3 April -19 April)</b>		
<b>Classes re-commence (Week 7) Monday 20 April</b>		
Week 7	Lecture 7 The Tort of Negligence	Tutorial 7 (in-class test)
Week 8	Lecture 8 Business Related Torts	Tutorial 8 (online quiz 2 open this week)
Week 9	Lecture 9 Agency Law	Tutorial 9
Week 10	Lecture 10 Consumer Protection	Tutorial 10

Week 11	Lecture 11 Consumer Protection	Tutorial 11
Week 12	Lecture 12 Property	Tutorial 12 (online quiz 3 open this week)
Week 13	Lecture 13 Revision	Tutorial 13

## Learning and Teaching Activities

### How the Unit is Taught

As noted, this unit is taught through a combination of two (2) -hour lecture style seminars and smaller one (1)-hour tutorial discussion groups. Each week certain topics are covered in the lecture and subsequently discussed in the tutorial that is held in the following week. Tutorial questions form the basis of discussion in each weeks tutorial. A tutorial may include a mixture of group work, open class discussion, tutor facilitated discussion and individual problem solving. Tutorials also provide the context where students are encouraged to openly discuss related issues and ask questions of their tutor and peers. Issues covered in the lecture but not in the tutorial ARE STILL EXAMINABLE.

### Suggested learning strategies:

Everyone is different and learns differently. Some general suggestions that may benefit students include i) completing the tutorial questions prior to tutorials. ii) previewing the lecture notes prior to lecture. A small investment of time prior to lectures and tutorials will save a large amount of time later in the session. The readings for this course can be demanding - particularly the language used to discuss legal issues. If there is a word that you do not understand spend a few seconds looking it up immediately (even on your smartphone). The time invested understanding that word now will make your reading easier as the course advances. If you cannot understand a particular word or phrase even after looking it up - ask your lecturer or tutor. As a guide, the readings, study and assessment for this subject will require approximately 6 hours per week above the 3 hours allocated for formal lectures and tutorials.

## 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>.

**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>

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

### Assessment tasks

- Online Quizzes
- Class Participation
- In Class Test
- Final Exam

### 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 problems relevant to business
- Ability to critically assess and make judgements 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 Quizzes
- Class Participation
- In Class Test
- Final Exam

## 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 problems relevant to business
- Ability to critically assess and make judgements on the merits of legal arguments
- Ability to research business law related topics through using hard copy materials and electronic/online information systems
- Ability to work in a team to solve legal problems likely to arise in a business setting

## Assessment tasks

- Online Quizzes
- Class Participation
- In Class Test
- Final Exam

## 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.
- Understanding of the legal principles that apply to business law in Australia
- Ability to analyse the legal aspects of problems relevant to business
- Ability to critically assess and make judgements on the merits of legal arguments

## Assessment tasks

- Online Quizzes
- Class Participation
- In Class Test
- Final Exam

## Research and Practice, Global and Sustainability

The following are some selected works of interest that are being worked on or have been published by BUSL250 teaching staff:

FOFA Legislation: A Brief Overview, *BUTTERWORTHS CORPORATION LAW BULLETIN*, 2012. (Co-authored by Andrew Dahdal and Ms Eylem Kammerakas, Vice-President Legal Morgan Stanley Smith Barney)

Dahdal, A. The Survival of Fiduciary Obligations despite the Death of a Commercial Opportunity: The case of Omnifab Media, *BUTTERWORTHS CORPORATION LAW BULLETIN*, 2012.

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.