



BUSL250

Business Law

S3 Day 2016

Dept of Accounting & Corporate Governance

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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

Unit Convenor

Verity Greenwood

verity.greenwood@mq.edu.au

Contact via BUSL250@mq.edu.au

E4A 310

Wednesday 12md-2pm

Administration

Claudia Chau

claudia.chau@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, property law (including intellectual property), consumer protection law, e-commerce 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 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.

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.

Assessment Tasks

Name	Weighting	Due
<u>Online Quizzes</u>	30%	Week 2,3,4
<u>Tutorial Participation</u>	10%	Weeks 2-5
<u>Contract In-class test</u>	15%	Lecture 9 (13 January 2017)
<u>Final Examination</u>	45%	Final Examination Period

Online Quizzes

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

Weighting: **30%**

Submission via BUSL250 unit website

Extension: No extensions

Quiz 1:

Quiz opens: Saturday 12.01am 17 December 2016

Quiz closes: Sunday 11.59pm 18 December 2016

Materials covered

Ch. 1,2,3,4,7, 8, 9,10,11,12,13,14,15,16

Quiz 2:

Quiz opens: Saturday 12.01am 14 January 2017

Quiz closes: Sunday 11.59pm 15 January 2017

Materials covered

Ch.5, 6, 19,20.

Quiz 3:

Quiz opens: Saturday 12.01am 21 January 2017

Quiz closes: Sunday 11.59pm 22 January 2017

Materials covered

Ch. 17,18, 21,22.

Each quiz contains 10 questions.

Time limit for each quiz is 40 minutes (4 minutes per question). Once the quiz starts the timer cannot be stopped- even if you log out. Must complete quiz once started.

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.

The quiz will not be re-opened.

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.

Tutorial Participation

Due: **Weeks 2-5**

Weighting: **10%**

Quality of class Participation (10%)

What is required to complete the unit satisfactorily

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

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 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.

Contract In-class test

Due: **Lecture 9 (13 January 2017)**

Weighting: **15%**

Examination conditions

Contract law in-class written test.

Based on Lectures 2 (Part 2)-5 and Tutorials 2-5.

- Will be held during Lecture 9 in Week 4 (Friday 2.00pm 13th January 2017) in E7B T2).
- Exam will be in two parts (A and B)
- 40 minutes long. Five minutes reading time.
- One (1) A4 back-to-back handwritten notes (written in English) is allowed in this assessment. No other materials allowed.

Students who miss this assessment will be awarded a mark of 0 subject to the 'Disruptions to Studies' policy.

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 retrieval systems.

Final Examination

Due: **Final Examination Period**

Weighting: **45%**

Examination conditions Formal written exam based on Lectures 2 (Part 2) -12. Contract law is NOT in the final exam.

Exam length: Two hours and thirty minutes plus ten minutes reading time. Two double sided A4

handwritten notes (written in English) allowed. No typed or photocopied sheets allowed.

Four topics:

- Tort Law (Parts A and B)
- Agency Law
- Consumer Protection Law
- Property/Intellectual Property Law

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.

Delivery and Resources

Required and Recommended Texts and/or Materials

Prescribed Textbook (required):

Business Law BUSL250, 4th Edition, (compiled by Dr Verity Greenwood and Julian Dight (includes MyLawLab Access Card), Pearson Publishing, ISBN 978488613197 (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
- 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
- Access online Discussion Forum
- Access ilectures on ECHO
- 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.

Unit Structure and Requirements

- The course will consist of 12 x 2 hour lectures beginning the first week of Session 3 and 12 tutorials in one or two hour formats beginning the second week of semester (see Unit Schedule).
- Session 3 information can be found at 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/> .
- All lectures re available on ECHO as recorded audio and screen-capture video.
- 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.
- It is strongly advised that students attend all lectures and tutorials with their BUSL250 student workbook (available on the BUSL250 iLearn portal).
- Tutorials are not compulsory but failure to attend tutorials will mean that students will not be awarded any tutorial participation marks for the tutorial that is missed.
- Medical certificates must be provided justifying tutorial absence and in order to avoid the deduction of tutorial participation marks.

- Students are expected to arrive on time, and not to leave until the tutorial class ends.
- If you have a recurring problem that makes you late, or forces you to leave early, please discuss this with your lecturer/tutor.
- Students must be quiet during classes, unless of course when class participation is required.
- Mobile phones should not be used in lectures or tutorials.
- Laptops can be used in tutorials only if prior arrangements have been made with the convenor.
- Students who disturb or disrupt in lectures and tutorial class will be asked to leave.
- As a guide, the workload for the session of 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 Lectures/Tutorials (10 hours per week x 5) (exception: only one 2 hour lecture in Week 1- no tutorials)	43
2	Assessment Task 1 (online quizzes + preparation for each quiz)	12
3	Assessment Task 2 (Contract Law exam)	15
4	Assessment Task 3 (Final exam)	30
5	Readings/self-study	50
	TOTAL	150

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 under the Disruptions to Studies Policy.
- 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>Monday 5 December Lecture 1 - 3.00PM</p> <ul style="list-style-type: none"> • Part 1: Introduction to Business Law • Part 2: Introduction to the Australian Legal System 	* NO TUTORIALS FIRST WEEK *
2	<p>Monday 12 December -Lecture 2- 3.00PM</p> <p>Part 1: The Australian Legal System</p> <p>Part 2: Introduction to Contract Law-Intention and Agreement</p>	Monday 12 December Tutorial 1: 5.00PM

2	Wednesday 14 December - Lecture 3- 2.00PM Contract Law- Consideration; Real or Genuine Consent	Wednesday 14 December Tutorial 2 and 3: 4.00PM
2	Friday 16 December- Lecture 4- 2.00PM Contract Law- Capacity, Illegality and Form	Friday 16 December- Tutorial 4 : 4.00PM
2	ONLINE QUIZ OPEN AND AVAILABLE * QUIZ 1- SATURDAY 17 DECEMBER - SUNDAY 18 DECEMBER	
Mid session break (19 December 2016- 1 January 2017)		
3	Monday 2 January 2017 PUBLIC HOLIDAY	NO CLASSES HELD THIS DATE
3	Wednesday 4 January- Lecture 5- 2.00PM Contract Law – Terms, Discharge of Contracts and Remedies for Breach of Contract	Wednesday 4 January Tutorial 5 and 6 : 4.00PM
3	Friday 6 January- Lecture 6- 2.00PM Introduction to Torts	Friday 6 January Tutorial 7 4.00PM
4	Monday 9 January - Lecture 7- 3.00PM The Tort of Negligence	Monday 9 January Tutorial 8 : 5.00PM
4	Wednesday 11 January- Lecture 8- 2.00PM Business Related Torts	Wednesday 11 January: Tutorial 9 and 10: 4.00PM
4	Friday 13 January- Lecture 9- 2.00PM *Contract Law in-lecture exam held in lecture commencing 2.00pm* Agency Law	Friday 13 January: Tutorial 11: 4.00PM
4	* ONLINE QUIZ OPEN AND AVAILABLE * QUIZ 2- SATURDAY 14 JANUARY- SUNDAY 15 JANUARY	
5	Monday 16 January- Lecture 10- 3.00PM Consumer Protection I – General and Specific Prohibited Conduct	Monday 16 January Tutorial 12 : 5.00PM
5	Wednesday 18 January -Lecture 11- 2.00PM Consumer Protection II – Consumer Guarantees and Product Safety	NO TUTORIAL

5	Friday 20 January-Lecture 12- 2.00PM Property Law – Intellectual Property	NO TUTORIAL
5	* ONLINE QUIZ OPEN AND AVAILABLE * QUIZ 3- SATURDAY 21 JANUARY- SUNDAY 22 JANUARY	

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

New Assessment Policy in effect from Session 2 2016 http://mq.edu.au/policy/docs/assessment/policy_2016.html. For more information visit http://students.mq.edu.au/events/2016/07/19/new_assessment_policy_in_place_from_session_2/

Assessment Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy prior to Session 2 2016 <http://mq.edu.au/policy/docs/grading/policy.html>

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

Complaint Management Procedure for Students and Members of the Public http://www.mq.edu.au/policy/docs/complaint_management/procedure.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/

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.

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://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources 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 Quizzes
- Tutorial Participation
- Contract In-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.
- 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 retrieval systems.

Assessment tasks

- Contract In-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

- 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.

Assessment tasks

- Online Quizzes
- Tutorial Participation
- Contract In-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 outcomes

- Understanding of how laws are made and enforced.
- Understanding of the legal principles that apply to business law in Australia.
- Ability to 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 is to be held in Lecture 9 instead of Lecture 10
- Wednesday tutorials held in the session will be of two hours duration (4- 6pm) in Weeks 2-5.

Research and Practice, Global and Sustainability

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. We promote sustainability by developing ability in students to research and locate information within accounting discipline. We aim to provide students with an opportunity to obtain skills which will benefit them throughout their career.

The unit uses research by the Unit Convenor:

Verity A. Greenwood and Larry Dwyer (2016) 'Reinventing Macau tourism: gambling on creativity?' *Current Issues in Tourism*, 05/2016; DOI:10. 1080/13683500. 2016.1187585.

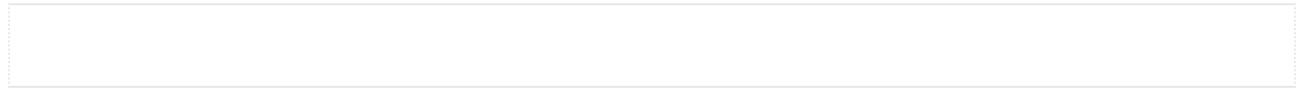
Greenwood, V and Larry Dwyer (2015) Consumer protection legislation: A neglected determinant of destination competitiveness? *Journal of Hospitality and Tourism Management* 09/201

Field, L. and Verity Greenwood (2015) 'Appraising academic appraisal in the new public

management university', *Journal of Higher Education Policy and Management*, 37:2, pp172-189
2.

Field, L. and Verity Greenwood (2015) 'Using outperformance pay to motivate academics', *Australian University Review*, 57: 2, pp 5-16.

Greenwood, V and Larry Dwyer (2014) 'Challenges to Consumer Protection Legislation in Tourism Contexts' *Journal of Tourism Consumption and Practice*, Vol. 6, 2.
<http://www.tourismconsumption.org/current.htm>



The convenor/ lecturer is affiliated with the following organisations:

The Association of Certified Fraud Examiners (ACFE) (Director- ACFE Sydney Chapter)

The Australian Legal Teacher's Association (ALTA)

Transparency International

This unit uses research from external sources:

See the prescribed and recommended reading list above and tutorial readings instructions in the BUSL250 student workbook.