



# LAWS528

## Competition and Consumer Law

S1 Day 2019

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

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6 First Walk, Room 517

Wednesdays, 3-4 pm

Credit points

3

Prerequisites

(24cp in LAW or LAWS units) or (39cp at 100 level or above including (BUSL250 and BUSL301) or BUSL251)

Corequisites

Co-badged status

LAWS820

Unit description

This unit explores the Competition and Consumer Act 2010 (Cth) , which contains Australia's national competition law and consumer protection law. The unit investigates both topics, by reference to different policy frameworks, including Australia's National Competition Policy and the Australian Consumer Law. Considerable time is spent reading and interpreting statutes and on the administration of schemes of government regulation.

## 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:

Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.

Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.

Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.

Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.

Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.

Apply the CCA to solve problems in competition and consumer law.

## General Assessment Information

### MACQUARIE LAW SCHOOL POLICY ON ASSESSMENTS

Applications for a Special Consideration Policy are made electronically via [ask.mq.edu.au](http://ask.mq.edu.au) and should be accompanied by supporting documentation. Students should refer to the Special Consideration Policy for complete details of the policy and a description of the supporting documentation required.

Word limits will be strictly applied and work above the word limit will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.

### MODERATION POLICY

Detailed marking rubrics will be made available on iLearn. All Fail papers are double marked.

## Assessment Tasks

Name	Weighting	Hurdle	Due
Online tests	25%	No	Week 5, 9 and 12 online

Name	Weighting	Hurdle	Due
<u>Assignment</u>	35%	No	03/05/19 at 11.59 p.m.
<u>Take home exam</u>	25%	No	07/06/19 at 5 p.m.
<u>Class Participation</u>	15%	No	each tutorial

## Online tests

Due: **Week 5, 9 and 12 online**

Weighting: **25%**

There will be three Quizzes each worth 8.33%. These will be available through iLearn on Fridays of Weeks 5, 9 and 12 assessing the content from preceding weeks. Each quiz must be completed within 40 minutes of commencement and each quiz will be available from 12 pm to 11:59 pm on Friday. More information regarding the quizzes will be provided on iLearn. This is a timed assessment and no late submissions will be accepted.

On successful completion you will be able to:

- Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.
- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.
- Apply the CCA to solve problems in competition and consumer law.

## Assignment

Due: **03/05/19 at 11.59 p.m.**

Weighting: **35%**

### Hypothetical Problem and Theoretical Question

Students will be required to solve a hypothetical problem and theoretical question. The question

will be made available at least four weeks prior to the due date. The hypothetical problem will cover all material presented prior to the due date. The theoretical question will be based on concepts in course materials already introduced by the due date. The distribution of marks shall be indicated on the assignment itself when it is distributed.

**Total word limit: no more than 2,500 words - excluding references.** (Note: references are excluded, not footnotes. If footnotes contain argument they will be included in the word count. Penalties apply for exceeding the word limit.)

### **Further instructions:**

You should provide an integrated discussion of the issues raised, well supported by appropriate legal references. It is expected that your work will demonstrate a strong understanding of the current debate around the relevant law, informed by your reading. This reading will be reflected in your references, but more importantly in your demonstrated understanding of the arguments.

Your work should **not** be presented in point form and all standard conventions of grammar and spelling should be observed. Please proof read before submission.

- Referencing should be in accordance with AGLC 4th edn.
- Please use a font size no smaller than 12 point font. Headings and sub-headings may be used as appropriate to assist in the clear structure of your argument.
- All assignments are to be submitted through the Turnitin portal on the iLearn webpage.

### **Late Submission and extensions**

The following policy for late penalties applies to all students in the Arts Faculty. Unless a Special Consideration request has been submitted and approved,

(a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and

(b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

A timed assessment is any assessment where the question is released five days or less before the answer is due. So for instance a multiple choice quiz that students have a limited time to complete once they open it is a 'timed assessment'. A take home assessment where the question is released on the Monday and the answer is due on the Thursday is a 'timed assessment'.

If you are applying for special consideration, please submit your work in progress through Turnitin with a note that an application for special consideration has been lodged.

**Grading Criteria: please see this Unit Guide for grading criteria.**

**Submission shall be via a Turnitin link which will be set up in iLearn.**

On successful completion you will be able to:

- Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.
- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.
- Apply the CCA to solve problems in competition and consumer law.

## Take home exam

Due: **07/06/19 at 5 p.m.**

Weighting: **25%**

The take home will consist of a hypothetical problem question which may raise any issues discussed in the unit.

Word length: max. 2,000 words.

Footnotes: As this task is in lieu of a formal exam there is no need for footnotes or AGLC referencing. However all cases and legislation should be referenced in appropriate exam style (that is short name, no need for full citation), and if footnotes are included they will be counted in the word length.

Release date: the Take home will be released on the Unit web site on 3 June before 5 pm.

Students will have four days to complete this task. This is not an indication of the length or complexity of the task. A very well prepared student should be able to complete this task in much less than a day. The extended time period allows students to plan the completion of this task around their other commitments. This should obviate the need for any requests for extensions - which are unlikely to be given.

On successful completion you will be able to:

- Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.
- Demonstrate knowledge of and skills in statutory interpretation by working closely with

the CCA's provisions.

- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Apply the CCA to solve problems in competition and consumer law.

## Class Participation

Due: **each tutorial**

Weighting: **15%**

Students must read, understand in advance (at least prior to their tutorials) various issues scheduled for discussions (see Unit Guide for week-by-week topics), and be prepared to actively participate in class discussions to enhance oral communication skill.

On successful completion you will be able to:

- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Apply the CCA to solve problems in competition and consumer law.

## Delivery and Resources

### DELIVERY

#### INTERNAL STUDENTS

Students are expected to listen to one 2-hour lecture each week which will be posted online.

**Lectures** begin in Week 1. Lectures are also available on ilecture, but students are reminded that if they have not either attended a lecture or completed the ilecture prior to the tutorial they will not understand the tutorial discussion, will not benefit from it, and will not be able to participate in the discussion.

**Tutorials** will commence in Week 1. Questions for tutorials will be posted on the iLearn page regularly. Students are expected to have prepared for the tutorials.

#### EXTERNAL STUDENTS

Students are expected to and complete the essential readings and listen to one 2-hour lecture which will be available online each week.

Students are expected to attend the OCS sessions for this unit. Attendance at the OCS is necessary for all external students. Please carefully check the dates, times and rooms for these sessions. Materials for discussion, including tutorial questions, will be posted online in Week 3.

## TECHNOLOGY

Students are encouraged to check the unit webpage regularly, which can be accessed through <http://ilearn.mq.edu.au> Unit materials, including tutorial questions, are available through the unit webpage.

The assignment and the final assessment are to be submitted using the Turnitin portal on the unit webpage.

PC and internet access are required, as are basic computer and word processing skills.

## REQUIRED READING

### Mandatory Texts

- For Competition Law:
  - A. Bruce, *Australian Competition Law* (3<sup>rd</sup> edn, LexisNexis, 2018);
  - Jurisprudentia, *Competition Law I, II and III* (Student Guide Card, 2019)
- For Consumer Law: A. Coorey, *Australian Consumer Law* (LexisNexis, 2015)

NB: A full reading list will be posted online prior to the commencement of the semester once the text books have been released from the publisher.

Please note that the earlier editions of Bruce's text are not adequate. The latest edition included the comprehensive changes brought about when the Harper Review changes and recommendations which have now been enacted.

### Legislation

- You will need access to the *Competition and Consumer Act 2010* (Cth). As we will see, this legislation is the subject of heavy and almost constant amendment, so it is critical to have access to an up-to-date version. The versions online are usually up to date, but not as helpful as the printed, annotated legislation. Two versions of the annotated legislation are available - one by Miller and one by Steinwall. Both are excellent, and it will be advantageous if you obtain a copy of the annotated legislation of your choice:
  - R. Miller, *Miller's Australian Competition and Consumer Law Annotated 2018* (40th edn, Thomson Reuters, 2018)
  - R. Steinwall, *Annotated Competition and Consumer Legislation, 2018 Edition* (LexisNexis 2018)

### Useful websites

- Australian Competition and Consumer Commission [www.accc.gov.au](http://www.accc.gov.au)



- Australian Federal government consumer site [www.consumer.gov.au](http://www.consumer.gov.au)
- Australian Productivity Commission [www.pc.gov.au](http://www.pc.gov.au)
- Consumers Federation [www.consumersfederation.com](http://www.consumersfederation.com)
- European Union consumer materials [www.europa.eu.int/comm/consumers/](http://www.europa.eu.int/comm/consumers/)
- Home Page of Recalled Items [www.recalls.gov.au](http://www.recalls.gov.au)
- Ministerial Council on Consumer Affairs [www.consumer.gov.au](http://www.consumer.gov.au)
- New Zealand Consumer Affairs [www.consumeraffairs.govt.nz/productsafety/](http://www.consumeraffairs.govt.nz/productsafety/)
- Office of Fair Trading New South Wales [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)
- Standards Australia [www.standards.org.au](http://www.standards.org.au)

## GRADING CRITERIA

### GRADING CRITERIA FOR INDIVIDUAL AND GROUP ASSESSMENTS

#### FAIL (49% AND BELOW)

- fails to identify and discuss relevant issues of law raised by facts;
- contains incorrect statements of law;
- does not provide relevant authorities for propositions of law;
- inappropriate and/or irrelevant content;
- plagiarism, use of other students' work, 'recycling' own work from other units;
- difficult to read and/or understand through poor grammar, expression or structure
- fails to comply with formatting instructions.

#### PASS (50% - 64%)

- correctly identifies and discusses a limited number of issues of law raised by the facts
- contains no significant errors of law;
- provides correct authorities for propositions of law;
- attempts to apply relevant law to the given facts;
- adequate expression.

#### CREDIT (65%-74%)

- correctly identifies and discusses most of the issues of law raised by the facts;
- contains no errors of law;
- provides correct authorities for propositions of law;
- successfully applies relevant law to the given facts;
- identifies differences between facts in the question and fact patterns in cases, and attempts to discuss relevance of this to the solution;

- identifies discrepancies/inconsistencies within the law, and attempts to resolve these where they are relevant to the given facts;
- attempts to explain which outcome is more likely where there is more than 1 possible solution to the problem;
- has clear structure and clear expression

#### DISTINCTION (75%-84%)

- correctly identifies and discusses all of the issues of law raised by the facts;
- contains no errors of law
- provides correct authorities for propositions of law;
- successfully applies relevant law to the given facts;
- identifies differences between facts in the question and fact patterns in cases, and successfully discusses the relevance of this to the solution;
- identifies discrepancies/inconsistencies within the law, and successfully resolves these where they are relevant to the given facts;
- successfully explains which outcome is more likely where there is more than 1 possible solution to the problem;
- has very clear structure and clear expression

#### HIGH DISTINCTION (85% and above)

- satisfies all the criteria for a Distinction;
- is exceptionally well written and exceptionally well-structured.
- demonstrates superior and original analytical skills.

## Unit Schedule

Week/ Lecture Date	Lecture Content	Assessment
Week 1 25 February	1 – Evolution of Competition Law and Policy 2 – Restraint of Trade	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
Week 2 4 March	3 – Goals of Competition Law 4 – Market Definition, Market Power and Substantial Lessening of Competition	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.

Week 3 11 March	5 – Cartels	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
Week 4 18 March	6 – Anti-Competitive Arrangements and Concerted Practices	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
Week 5 25 March	7 – Misuse of Market Power	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.  <b>1<sup>st</sup> Online test</b>
Week 6 1 April	8 – Exclusive Dealing and Resale Price Maintenance	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
Week 7 8 April	9 – Mergers 10 – Access Regime	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
	RECESS 15-26 April	
Week 8 29 April	11 – Introduction to Consumer Protection Regulation 12 – Warranties and Guarantees	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.  <b>Group Assignment due</b>
Week 9 6 May	13 – Misleading or Deceptive Conduct	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.  <b>2<sup>nd</sup> Online Test</b>
Week 10 13 May	14 – Unconscionable Conduct and Unfair Contract Terms	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
Week 11 20 May	15 – Other Sharp Practices and Manufacturer's Liability	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.
Week 12 27 June	16 – Remedies and enforcement of both consumer and competition law.	It is necessary to listen to this lecture, complete the set readings for the week, and prepare the hypothetical question for the tutorial.  <b>3<sup>rd</sup> Online Test</b>
Week 13 3 June	No lecture or tutorials this week	<b>Individual Assignment</b>  Available 4 June by 5 p.m.  Due: 7 June by 5 p.m.

## Learning and Teaching Activities

### Tutorial Problem and Discussion Questions

Questions will be posted on iLearn weekly. It is expected that students come well prepared to

tutorials with indicative answers to these questions.

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/student-policy-gateway) (<https://students.mq.edu.au/support/study/student-policy-gateway>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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](https://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Student Support

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

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](https://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)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@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/](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

### Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

### Learning outcomes

- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.
- Apply the CCA to solve problems in competition and consumer law.

### Assessment tasks

- Assignment
- Take home exam
- Class Participation

### Learning and teaching activities

- Questions will be posted on iLearn weekly. It is expected that students come well

prepared to tutorials with indicative answers to these questions.

## Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

### Learning outcomes

- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.
- Apply the CCA to solve problems in competition and consumer law.

### Assessment tasks

- Online tests
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### Learning and teaching activities

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally

and socially.

This graduate capability is supported by:

## **Assessment task**

- Assignment

## **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**

- Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.
- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Apply the CCA to solve problems in competition and consumer law.

## **Assessment tasks**

- Online tests
- Assignment
- Take home exam
- Class Participation

## **Learning and teaching activities**

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## 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

- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
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- Apply the CCA to solve problems in competition and consumer law.

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### Learning and teaching activities

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## 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**

- Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.
- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.
- Apply the CCA to solve problems in competition and consumer law.

## **Assessment tasks**

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## **Learning and teaching activities**

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## **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**

- Describe the scope of the Competition and Consumer Act 2010 (Cth) ('CCA'), its provisions, and how it affects daily life.

- Demonstrate knowledge of and skills in statutory interpretation by working closely with the CCA's provisions.
- Examine the differences between the previous legislation and its current form; analyse ongoing amendments and proposed amendments, appreciate the process of legislative change, the relationship between the courts and Parliament and the dynamic nature of the law.
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- Apply the CCA to solve problems in competition and consumer law.

## **Assessment tasks**

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- Class Participation

## **Learning and teaching activities**

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## **Engaged and Ethical Local and Global citizens**

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

## **Learning outcomes**

- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.
- Apply the CCA to solve problems in competition and consumer law.

## Assessment tasks

- Assignment
- Take home exam
- Class Participation

## Learning and teaching activities

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## 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

- Analyse the role of regulatory bodies, in particular the ACCC, in law enforcement and the policy considerations which may influence enforcement.
- Critically appraise the CCA, considering: whether it achieves its stated aims; the difficulties of translating policy into legislation; and the tensions between competing aims in the legislation.

## Assessment tasks

- Take home exam
- Class Participation

## Learning and teaching activities

- Questions will be posted on iLearn weekly. It is expected that students come well prepared to tutorials with indicative answers to these questions.

## Changes from Previous Offering

- Jurisprudentia, *Competition Law I, II and III* (Student Guide Card, Sydney, 2019) have been prescribed as additional mandatory reading.
- Legislative texts have been updated.
- Class participation has been added as a form of assessment.
- Competition law is now being taught first, and consumer law second.
- Weekly topics have been modified.