

School of Accounting and Commercial Law

## **MMPA 503 BUSINESS LAW**

Trimester 3, 2013/4

### **COURSE OUTLINE**

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<b>Names and Contact Details</b>	<b>Office</b>	<b>Telephone</b>
<i>Course Coordinator &amp; Lecturer</i> Palitha de Silva <a href="mailto:palitha.desilva@vuw.ac.nz">palitha.desilva@vuw.ac.nz</a> Office hours: TBA	RH 611	463 6960
<i>Course Administrator</i> Pinky Shah <a href="mailto:pinky.shah@vuw.ac.nz">pinky.shah@vuw.ac.nz</a> Office hours: Monday-Friday, 9am-5.30pm	RH 728	463 6921

#### **Trimester Dates**

Monday 18 November 2013 – Friday 28 February 2014

#### **Withdrawal from Course**

1. Your fees will be refunded if you withdraw from this course on or before 29 November 2013.
2. The standard last date for withdrawal from this course is 28 January 2014.

After the last date stated in #2, students forced to withdraw by circumstances beyond their control must apply for permission on an '*Application for Associate Dean's Permission to Withdraw Late*' including supporting documentation. The application form is available from either of the Faculty's Student Customer Service Desks.

#### **Class Times and Room Numbers**

**Thursdays:** 12.40-3.30pm

**Venue:** GB LT 3 (Government Buildings Lecture Theatre 3), Pipitea Campus

**Exceptions:** Lecture 10 will take place on Monday 3 February in GBLT3 (12.40-3.30pm)

## **Course Delivery**

The course is delivered in one three-hour lecture per week. A lecture schedule is provided on page 4.

## **Group Work**

Collaboration on individual assignments is not allowed beyond general discussion as to the nature of the assignment question. Please do not work together to produce any written work and do not loan out your completed assignments.

## **Expected Workload**

It is expected that students will work for 150 hours across the course. Lectures account for 36 hours of this time. Accordingly, students are expected to allocate seven hours per week during the teaching weeks (outside of class) to lecture preparation, lecture review, readings, and assignments, and a further 30 hours preparing for the final assessment.

## **Prescription**

The impact of the legal system and the legislative process on selected aspects of the business environment.

## **Course Learning Objectives**

At the end of this course, students should be able to:

- (a) Understand the functions of the New Zealand legal system;
- (b) Have an understanding of the Treaty of Waitangi and legal issues arising from it;
- (c) Analyse contractual issues;
- (d) Have a general understanding of specific areas of commercial law;
- (e) Analyse legal issues and potential solutions to legal problems;
- (f) Analyse and understand legislation.

## **Course Content**

The aim of this course is to provide an understanding of the legal principles that impact on business, in particular an understanding of the legal system and of the law relating to civil obligations in business. The course is divided into two main parts. The first part provides an introduction to law, an explanation of some key concepts and the legal method. Within this part, the participants will also get an understanding of how civil legal obligations arise in business – under statute, rules of equity, torts and contracts. The second part deals with that part of the law of civil obligations which relates to the law of contracts.

## **Readings**

The required book is:

- Hubbard, J., Thomas, C., & Varnham, S. (2012). *Principles of Law for New Zealand Business Students* (5<sup>th</sup> ed.). Auckland: Pearson.

Other readings: Lecture summaries and other handouts will be made available on Blackboard.

Students are expected to read the readings set for each session in preparation for that session. They are also expected to prepare answers to any tutorial or workshop questions in order to participate fully in that part of the session.

## Assessment

Assessment Item	%	Date	Course Learning Objectives Assessed
Assignment 1 (2000 words max)	25%	due in class on Thursday 9 January 2014	a & f
Assignment 2 (2000 words max)	25%	due in class on Thursday 30 January 2014	c, d & e
Final Test (Open Book; 2 hours)	50%	Monday 24 February 2014 (time tbc)	a, c, d, e & f

## Penalties

The due date for the Assignments will be strictly adhered to. However, if you consider you have a good reason for not meeting these deadlines, please see the course coordinator as soon as you know you will have this problem. Otherwise, the penalty will be 5% per day (after the due date).

## Use of Turnitin

Student work provided for assessment in this course may be checked for academic integrity by the electronic search engine <http://www.turnitin.com>. Turnitin is an on-line plagiarism prevention tool which compares submitted work with a very large database of existing material. At the discretion of the Head of School, handwritten work may be copy-typed by the School and submitted to Turnitin. A copy of submitted materials will be retained on behalf of the University for detection of future plagiarism, but access to the full text of submissions will not be made available to any other party.

## Mandatory Course Requirements

In addition to obtaining an overall course mark of 50 or better, students must:

- obtain at least 40% for the Assignments combined.

If you cannot complete an assignment or sit a test or examination, refer to

[www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat](http://www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat)

## Class Representative

A class representative will be elected in the first class, and that person's name and contact details made available to VUWSA, the course coordinator and the class. The class representative provides a communication channel to liaise with the course coordinator on behalf of students.

## Communication of Additional Information

Additional information concerning this course will be provided in lectures and posted on Blackboard: <http://blackboard.vuw.ac.nz>. Urgent notices will be circulated by email.

## Student feedback

Any feedback is considered and followed up on.

Student feedback on University courses may be found at

[www.cad.vuw.ac.nz/feedback/feedback\\_display.php](http://www.cad.vuw.ac.nz/feedback/feedback_display.php)

## Link to general information

For general information about course-related matters, go to

<http://www.victoria.ac.nz/vbs/studenthelp/general-course-information>

## Note to Students

Your assessed work may also be used for quality assurance purposes, such as to assess the level of achievement of learning objectives as required for accreditation and academic audit. The findings may be used to inform changes aimed at improving the quality of VBS programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

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## Lecture Schedule

Wk	Date	Lecture Topic	Reading Material
1	21 Nov	Introduction to Law: Function, Development & Classification; Framework of Government	Chapters 1 & 2 Hubbard
2	28 Nov	Legislative Process; Treaty of Waitangi Judicial Method – Statutory Interpretation	Chapters 3, 5 & 6 Hubbard
3	5 Dec	The Structure of the Courts Judicial Method – Case Law & Precedent	Chapters 7 & 8 Hubbard
4	12 Dec	Civil Legal Obligations: Statute, Equity	See Blackboard
5	19 Dec	Civil Legal Obligations: Contract Law The Phenomena of Agreement	Chapters 10 & 11 Hubbard
<b>Mid-Trimester Break (Saturday 21 December 2013 – Sunday 5 January 2014)</b>			
6	9 Jan	Contents of the Contract	Chapter 14 Hubbard
7	16 Jan	Mistake & Misrepresentation	Chapters 13 & 15 Hubbard
8	23 Jan	Unfair Contracts & Illegal Contracts	Chapter 13 Hubbard
9	30 Jan	Termination & Breach	Chapters 14 & 15 Hubbard
10	3 Feb*	Contractual Remedies	Chapter 15 Hubbard
11	13 Feb	Civil Legal Obligations: Negligence and Professional Negligence	Chapter 9 Hubbard
12	20 Feb	Revision and Evaluations (1 hour class)	
	24 Feb	Final Test (Monday 24 February 2014)	

\* Lecture 10 will take place on Monday 3 February (12.40-3.30pm) in GBLT3