

School of Accounting and Commercial Law

MMPA 503 BUSINESS LAW

Trimester 3, 2015

COURSE OUTLINE

<u>Names and Contact Details</u>	Office	Telephone
<i>Course Coordinator & Lecturer</i> Palitha de Silva palitha.desilva@vuw.ac.nz Office hours: TBA	RH 611	463 6960
<i>Course Administrator</i> Rebekah Sage rebekah.sage@vuw.ac.nz Office hours: Monday-Friday, 8.30 am-5.00 pm	RH 728	463 6921

Trimester Dates

From the week starting Monday 16th November to the week ending Friday 19th February.

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before 27 November 2015.
2. The standard last date for withdrawal from this course is 26 January 2016.

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

Wednesdays: 12.40-3.30 pm

Venue: GB LT4 (Government Buildings Lecture Theatre 4), Pipitea Campus

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 civil obligations that relate 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* (5th ed.). Auckland: Pearson.

Additional Texts and Materials

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 (2,000 words max)	25%	due in class on Wednesday 6 January	a & f
Assignment 2 (2,000 words max)	25%	due in class on Wednesday 3 February	c, d & e
Test (Open Book; 2 hours)	50%	12.40 pm, Wednesday 17 February in GB LT4	a, c, d, e & f

Penalties

• ***Assignment***

The assignment must be handed in on or before the due date and time. In fairness to other students, any assignment submitted after the deadline will be subject to a penalty of 5% of the total marks available for every day or part of a day (including Saturdays and Sundays) that the assignment is submitted late. For example, an assignment marked out of 100 due by 2pm on

Monday 1 January but submitted at 1pm on Wednesday 3 January, would have 10 marks deducted.

An extension or waiver (with no penalty) will be considered on the grounds of exceptional personal circumstances. Students must complete the 'Assignment Extension/Waiver Application Form' available on Blackboard and submit the form (with the relevant supporting documentation) to the MPA Administrator, preferably before the assignment due date.

Note: The submission of an application does not mean that the extension has been approved. Penalties, as detailed above, will apply if the extension is not granted.

- **Test**

Unjustifiable absence from a test will result in a mark of 'zero' for that test and may result in a student not meeting the mandatory course requirements.

Students unable to take scheduled tests due to exceptional circumstances, must complete the 'Consideration of Exceptional Personal Circumstances for Tests Application Form' available on Blackboard. Submit this form to the MPA Administrator as early as possible, preferably before the test date.

Note: The submission of an application does not mean that the test requirement has been changed or waived. Penalties, as detailed above, will apply if it is not successful.

Exceptional Personal Circumstances include an impairment assessed by Disability Services, illness, bereavement, circumstances involving the health or wellbeing of a relative or close friend, compulsory attendance at court, national or international representative commitments, significant cultural commitments, or activities in which the student is representing the University.

*Note: Not being organised or failing to plan ahead are **not** exceptional circumstances.*

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 achieving an overall pass mark of at least 50%, students must obtain at least 40% for the Assignments combined.

If you believe that exceptional circumstances may prevent you from meeting the mandatory course requirements, contact the Course Coordinator for advice as soon as possible.

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

Student feedback on University courses may be found at 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.

Lecture Schedule

Wk	Date	Lecture Topic	Reading Material
1	18 Nov	Introduction to Law: Function, Development & Classification; Framework of Government	Chapters 1 & 2 Hubbard
2	25 Nov	Legislative Process; Treaty of Waitangi Judicial Method – Statutory Interpretation	Chapters 3, 5 & 6 Hubbard
3	2 Dec	The Structure of the Courts Judicial Method – Case Law & Precedent	Chapters 7 & 8 Hubbard
4	9 Dec	Civil Legal Obligations: Statute, Equity	See Blackboard
5	16 Dec	Civil Legal Obligations: Contract Law The Phenomena of Agreement	Chapters 10 & 11 Hubbard
Mid-Trimester Break (Tuesday 22nd December 2015 till Monday 4th January 2016 (inclusive))			
6	6 Jan	Contents of the Contract Assignment 1 due	Chapter 14 Hubbard
7	13 Jan	Mistake & Misrepresentation	Chapters 13 & 15 Hubbard
8	20 Jan	Unfair Contracts & Illegal Contracts	Chapter 13 Hubbard
9	27 Jan	Termination & Breach	Chapters 14 & 15 Hubbard
10	3 Feb	Contractual Remedies Assignment 2 due	Chapter 15 Hubbard
11	10 Feb	Civil Legal Obligations: Negligence & Professional Negligence	Chapter 9 Hubbard
12	17 Feb	Final Test 12.40 pm, Wednesday 17 February	