

VICTORIA MANAGEMENT SCHOOL

**MMBA 502 BUSINESS LAW**

Trimester 1 2007

**COURSE OUTLINE**

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**Start Date:** 26 February 2007

**Format:** 12 two-hour sessions

**Lecture Times:** Monday 17.40 – 19.30

**Location:** Rutherford House LT 3

**Final Examination Period:** 8 June – 27 June 2007

**Course Objectives**

The Master of Business Administration Programme serves to produce professional managers capable of fulfilling strategic roles within corporate and government enterprises. Integral to this capability is an understanding of legal principles that impact on business. Broadly, an understanding of civil legal obligations that arise in business is vital to any manager. Such legal obligations arise from commercial relationships and in corporate governance.

The course is divided into two main parts, and each part consists of topics important to managers. After an introduction to law and an explanation of some key concepts, Part One will concentrate on the incidence of civil legal obligations. The emphasis in Part Two will be legal issues arising in corporate governance. The coverage of each of the topics will take a conceptual approach and therefore will be jurisdiction neutral in the introduction, however the New Zealand law applicable to each topic will be specially emphasised.

By the end of this course, you should:

1. Have a clear understanding of the New Zealand legal system, its sources and its origins.
2. Have an understanding of the judicial method, in particular how judges decide cases and interpret statutes.
3. Have an appreciation of the nature of the civil legal obligations arising under statute, contract, tort and equity, and any defences available against them.
4. Have an understanding of the different legal structures available for business and their comparative advantages.
5. Have a good grasp of the main legal obligations associated with corporate governance, including the legal separation of the corporate identity from the personnel in business, and other issues important in corporate governance.

### **Course Content**

See the Course Programme.

### **Readings**

The recommended text for Part One of the course (first six sessions) is: Louise Longdin et al, Law in Business and Government in New Zealand, Palatine Press, 4th Edition, 2006.

Students will be provided with lecture summaries. These summaries will explain how each of the topics in the course will be covered. Where necessary, other materials such as textbooks, and practitioner or academic journals will be recommended.

### **Materials and Equipment**

It is expected that all assignment submissions will be prepared on white bond paper using PC technology and submitted in hard copy. All other assessment materials will be supplied. The final examination will require hand-written responses to be submitted in a VUW examination booklet.

### **Workload**

Workload expectations for this course are 10 hours per week for the 12 teaching weeks and 30hrs during the mid-trimester break.

### **Assessment Requirements**

2 × Take-Home Assignments	20% each during the trimester 1st issued 12 March and due 2 April 2nd issued 30 April and due 21 May
1 × Final Examination (open book)	60 %      University Exam Period

*Take-Home Assignments (20% each – two required)* – At two intermediate stages of the course a take-home assignment will be provided as an opportunity for students to research, analyse, and write on an application of business law. Typically these assignments would be of a length of between 1500 words and 2500 words (exclusive of footnotes or other references and bibliography). These assignments constitute “individual work” in terms of MBA Programme requirements.

*Final Examination (60%)* - A final examination will be held during which students will be expected to apply their knowledge of business law both in problem situations (including small case vignettes) and short opinion or essay type answers. In accordance with Victoria MBA programme policy, students must obtain a minimum of forty percent of the marks available on the final examination in order to pass the course. The final examination will be scheduled during the University Mid-Year Examination Period – 8 June to 27 June 2007. MMBA 502 students need to be available during this period.

## **Penalties**

In fairness to other students, work submitted after the deadline will be subject to a penalty of 5% of the total marks available per day of lateness. Assignments more than one week late will not be accepted. A “zero” mark will be applied. In the event of unusual, unforeseen circumstances (e.g., serious illness, family bereavement), students should discuss waiver of the penalty with the course controller prior to the deadline date.

## **Mandatory Course Requirements**

To meet the mandatory course requirements for this course, students must sit the final examination, attend and participate in classes, submit both take-home assignments, achieve at least forty percent of the total marks available for term work and obtain at least forty percent of the final examination marks available.

### **Victoria MBA Grading Standards are as follows:**

#### Excellent Category

A- (75 – 79%) to A (80 – 85%) to A+ (above 85%): The quality is performed to a very high level of proficiency, i.e. it is at a standard that makes it exceptional at Master’s level.

#### Very Good Category

B+ (70 – 74%): The quality is performed at a high standard. Students have reached a level that clearly exceeds “competency”.

#### Good Category

B (65 – 69%): The quality is clearly demonstrated without being exceptional in any way. Students can be thought of as competent in respect of this quality.

#### Satisfactory Category

B- (60 – 64%): The quality is clearly demonstrated without being exceptional in any way. Students can be thought of as competent in respect of this quality.

#### Marginal Category

C (50 – 54%) to C+ (55 – 59%): The quality is demonstrated to a minimally acceptable level. There may be flaws but these are not serious enough to “fail” the student on this quality.

#### Unsatisfactory / Failure Category

E (0 – 39%) to D (40 – 49%): The quality is absent or performed to a very low level, or the performance is seriously flawed in this respect.

## **Individual Work**

While the Victoria MBA programme has a tradition of study group collaboration, there are important elements in the assessment process that are strictly individual. Collaboration on individual assignments is not allowed beyond general discussion as to how one might interpret the nature of the assignment question. Please do not work together to formulate a response and do not loan out your completed assignments.

## **Referencing**

There are many different styles of referencing and the Faculty of Commerce & Administration at VUW has decided to make APA (American Psychological Association) referencing style the common standard across the Faculty. The Commerce and Central Libraries hold the APA Style Guide. You can also access the information from the online VUW library site (<http://www.vuw.ac.nz/library/resources/virtualref.shtml#style>).

### **Communication of Additional Information**

Additional information and information on any changes will be conveyed to students via class announcements and in written form on the university blackboard server for MMBA 502.

### **Lecture Schedule – MMBA 502**

<u>Week</u>	<u>Date</u>	<u>Topic</u>
<u>Part 1: Legal Obligations in Commercial Relations</u>		
1	26 February	- Introduction: Part 1 Topics - Function, Development and Classification of law
2	5 March	- Legal Reasoning: Judge Made Law; Statutory Interpretation
3	12 March	- Civil Legal Obligations; Obligations under Statute; Fiduciary - Obligations
4	19 March	- Contract Law: Phenomena of Agreement
5	26 March	- Torts: Negligence; Economic Torts
6	2 April	- Crimes, with special emphasis on White Collar Crime - Revision: Part 1
<u>Part 2: Legal Obligations in Corporate Governance</u>		
7	23 April	- Introduction: Part 2 Topics
8	30 April	- TBA
9	7 May	- TBA
10	14 May	- TBA
11	21 May	- TBA
12	28 May	- - Revision: Part 2

## **Faculty of Commerce and Administration Offices**

### Railway West Wing (RWW) - FCA Student and Academic Services Office

The Faculty's Student and Academic Services Office is located on the ground and first floors of the Railway West Wing. The ground floor counter is the first point of contact for general enquiries and FCA forms. Student Administration Advisers are available to discuss course status and give further advice about FCA qualifications. To check for opening hours call the Student and Academic Services Office on (04) 463 5376.

### Easterfield (EA) - FCA/Education/Law Kelburn Office

The Kelburn Campus Office for the Faculties of Commerce and Administration, Education and Law is situated in the Easterfield Building - it includes the ground floor reception desk (EA005) and offices 125a to 131 (Level 1). The office is available for the following:

- Duty tutors for student contact and advice.
- Information concerning administrative and academic matters.
- Forms for FCA Student and Academic Services (e.g. application for academic transcripts, requests for degree audit, COP requests).
- Examinations-related information during the examination period.

To check for opening hours call the Student and Academic Services Office on (04) 463 5376.

## **General University Policies and Statutes**

Students should familiarise themselves with the University's policies and statutes, particularly the Assessment Statute, the Personal Courses of Study Statute, the Statute on Student Conduct and any statutes relating to the particular qualifications being studied; see the Victoria University Calendar or go to [www.vuw.ac.nz/policy](http://www.vuw.ac.nz/policy).

For information on the following topics, go to the Faculty's website [www.vuw.ac.nz/fca](http://www.vuw.ac.nz/fca) under Important Information for Students:

- Academic Grievances
- Academic Integrity and Plagiarism
- Student and Staff Conduct
- Meeting the Needs of Students with Impairments
- Student Support

## **Manaaki Pihipihinga Programme**

Manaaki Pihipihinga is an academic mentoring programme for undergraduate Māori and Pacific students in the Faculties of Commerce and Administration, and Humanities and Social Sciences. Sessions are held at the Kelburn and Pipitea Campuses in the Mentoring Rooms, 14 Kelburn Parade (back courtyard), Room 109D, and Room 210, Level 2, Railway West Wing. There is also a Pacific Support Coordinator who assists Pacific students by linking them to the services and support they need while studying at Victoria. Another feature of the programme is a support network for Postgraduate students with links to Postgraduate workshops and activities around Campus.

For further information, or to register with the programme, email [manaaki-pihipihinga-programme@vuw.ac.nz](mailto:manaaki-pihipihinga-programme@vuw.ac.nz) or phone (04) 463 5233 ext. 8977. To contact the Pacific Support Coordinator, email [pacific-support-coord@vuw.ac.nz](mailto:pacific-support-coord@vuw.ac.nz) or phone (04) 463 5842.