

School of Accounting and Commercial Law

COML 307 LEGAL ISSUES FOR E-COMMERCE

Trimester One 2011

COURSE OUTLINE

Names and Contact Details

Course Coordinator &

Lecturer:

Susan Corbett RH722 463-5480
Email: Susan.corbett@vuw.ac.nz
Office hours: Monday & Wednesday 11am -12pm.

Course Administrator:

Lee Vassiliadis RH708 463-5383
Email: Lee.vassiliadis@vuw.ac.nz
(Office hours: Monday-Friday 8.30am-5pm)
Office is closed: 10.30-10.45am and 3.30-3.45pm.)

Trimester Dates

Teaching Period: Monday 28th February-Friday 3rd June 2011

Study Period: Monday 6th June – Thursday 9th June 2011

Examination Period: Friday 10th June – Saturday 2nd July (inclusive)

Withdrawal from Courses

Your fees will be refunded if you withdraw from this course on or before **11 March 2011.**

The last date for withdrawal from this course is **14 May 2011.** After this date, 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

Thursday: 1540-1730

Venue: LT4, Government Buildings, Pipitea Campus

Course Content

This course will examine selected legal issues relating to the evolving area of electronic commerce, including legal aspects of information management in an electronic environment. As electronic commerce is not necessarily confined to the domestic market, there is an international dimension to many of the topics discussed. Therefore the course will consider both the potential for conflict of laws and also the increasing calls for international harmonisation of laws relating to electronic commerce. Because this area of law is still evolving, the course also encourages students to read and evaluate selected recent research articles on various legal issues.

Topics covered will include: jurisdictional issues, intellectual property, domain names, electronic transactions, privacy, defamation, consumer protection, and computer crime.

Provisional Lecture Programme			
	<i>Date</i>	<i>Lecturer</i>	<i>Topic</i>
Week 1	3 March	SC	Introduction to course. Overviews of the Internet and E-Commerce. Jurisdictional issues
Week 2	10 March	SC	Formation and validity of online contracts.
Week 3 <i>(Tutorial 1)</i>	17 March	SC	Electronic Transactions Act 2002
Week 4 <i>(Tutorial 2)</i>	24 March	Guest speaker: NZ Domain Name Commissioner, Debbie Monahan.	Internet Governance and domain name regulation. Registering a domain name Domain names and trade marks.
Week 5 <i>(Tutorial 3)</i>	31 March	SC	e-Privacy - the Privacy Act 1993 and the Unsolicited Electronic Messages Act 2007.

12 noon 1 April			
Outline and First Paragraph of ASSIGNMENT DUE			
Week 6 <i>(Tutorial 4)</i>	7 April		Online trading- terms and conditions, choice of law, consumer rights, potential liabilities under tort law
Week 7 <i>(No Tutorial)</i>	14 April	SC	Copyright, digital rights management, linking.
Weeks 8-9 Mid-semester Break			
Week 10 <i>(Tutorial 5)</i>	5 May	SC	Trade marks and patents Tax issues
Week 11 <i>(Tutorial 6)</i>	12 May	SC	Computer crime
12 noon 13 May			
ASSIGNMENT DUE			
Week 12 <i>(Tutorial 7- student presentation practice)</i>	19 May	Guest Speaker: NetSafe SC	“Cybersafety for your business”. Computer Crime
Week 13 <i>(No tutorial)</i>	26 May	SC	Student presentations Alternative Dispute Resolution
Week 14 <i>(No tutorial)</i>	2 June	SC	Student presentations Review

Course Learning Objectives

- Explain the application of existing laws to electronic commerce.
- Describe the areas of law that should be considered when setting up an e-business.
- Analyse legal problems in 'real-life' scenarios and provide advice for their solution.
- Demonstrate interpersonal and communication skills (oral and written) in analysing and explaining a question on a specific area of electronic commerce law.

Course Delivery: Lectures and tutorials

Expected Workload

This is a 15-point course. One point is equated to 10 hours of work, which means a total of 150 hours is expected for this course, spread over the 12 teaching weeks, mid-trimester break, study week and the examination period. This involves attending all lectures and tutorials, preparation and participation in the group presentation, submission of assignments, and preparation for the exam.

Group Work: Presentations. Topics TBA

Materials and Equipment

1. COML 307 Course Materials (2011)
2. Any business legislation text, provided it includes the following statutes: Copyright Act 1994, Privacy Act 1993, and the Electronic Transactions Act 2002. Legislation can also be accessed online, free of charge, from the government legislation website: <http://www.legislation.govt.nz/>

The following books have been placed on reserve for COML 307 at the Commerce Library:

1. *Electronic commerce and the law* by Patrick Quirk and Jay Forder.
2. *A guide to e-commerce law in New Zealand* by Simpson Grierson's x-tech group.
3. *Internet and e-commerce law: technology, law and policy* by Brian Fitzgerald et al.
4. *Internet.law.nz : selected issues* by Judge David Harvey.
5. *Issues in internet law: Society, Technology and the Law* by Keith B Darrell.

Assessment Requirements

Assessment 1: Outline and opening paragraph of Assignment (Due **12 noon** Friday 1 April) - 10 %

Assessment 2: 1500-Word Assignment (Due **12 noon** Friday 13 May) - 25%

Assessment 3: Participation in preparation and oral presentation of **10 minute group presentation** – 15%

Assessment 4: A Two-hour **Final Exam** Time & Venue TBA - 50%

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 audit purposes. The findings may be used to inform changes aimed at improving the quality of FCA programmes. All material used for such processes will be treated as confidential, and the outcome will not affect your grade for the course.

Examinations

Students who enrol in courses with examinations are obliged to attend an examination at the University at any time during the formal examination period. The final examination for this course will be scheduled at some time during the period from **Friday 10th June – Saturday 2nd July 2011**.

Mandatory Course Requirements.

You must complete both the Assignment and the Group Presentation and obtain at least a 40% grade in each. Attendance and satisfactory participation in the tutorials, peer assessment of group presentations, and regular attendance at lectures (and preparation), is also required.

Everyone is expected to prepare the assigned reading for each class and to prepare for tutorials irrespective of whether a question has been specifically allocated to them. Even a modest amount of preparation for class and tutorials will greatly assist you in mastering the materials.

The **minimum** course requirements which you must satisfy are:

1. Completion of the assignment.
2. Participation in a Group Presentation.
3. Peer assessment of group presentations by other students.
4. Obtaining a mark of 40% or better in the **Final Exam**
5. Overall mark of at least 50%.

Grades are awarded as follows:

A+	85% and over	
A	80-84%	
A-	75-79%	
B+	70-74%	
B	65-69%	
B-	60-64%	
C+	55-59%	
C	50-54%	
D	40-49%}	Fail

Penalties

The outline and opening paragraph of the Assignment are due by 5.00 pm on 1st April. If submitted later, without prior permission from the Course Coordinator, 2% of the mark will be deducted for each additional day.

The Assignment is due by 12noon on 13th May. If submitted later, without prior permission from the Course Coordinator, 5% of the mark will be deducted for each additional day.

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 will be available on Blackboard.

Use of Turnitin (if applicable)

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 subject to checking by Turnitin. Turnitin will retain a copy of submitted materials 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.

For the following important information follow the links provided:

Academic Integrity and Plagiarism

<http://www.victoria.ac.nz/home/study/plagiarism.aspx>

General University Policies and Statutes

Find key dates, explanations of grades and other useful information at www.victoria.ac.nz/home/study

Find out about academic progress and restricted enrolment at <http://www.victoria.ac.nz/home/study/academic-progress.aspx>

The University's statutes and policies are available at www.victoria.ac.nz/home/about/policy, except qualification statutes, which are available via the Calendar webpage at <http://www.victoria.ac.nz/home/study/calendar.aspx> (See Section C).

Further information about the University's academic processes can be found on the website of the Assistant Vice-Chancellor (Academic) at www.victoria.ac.nz/home/about_victoria/avcacademic/default.aspx

AVC (Academic) Website: information including: Conduct, Academic Grievances, Students with Impairments, Student Support

http://www.victoria.ac.nz/home/about_victoria/avcacademic/Publications.aspx

Faculty of Commerce and Administration Offices

<http://www.victoria.ac.nz/fca/studenthelp/>

Manaaki Pihipihinga Programme

http://www.victoria.ac.nz/st_services/mentoring/

Detailed Tutorial Signup Instructions

1. Go to the signup website at: <https://signups.victoria.ac.nz>
2. Enter your SCS username and password to login the system.
3. The “Signup Home” page opens. It displays all courses you are enrolled for and that use the S-Cubed Tutorial & Workshop Signup system. Click on the course you wish to sign up for.
4. The selected course page opens. It will show the course contact and brief details of the signup instructions. A “key” is provided at the bottom that explains all buttons and what they do.
5. The schedule of tutorials includes the day/time, location, maximum group size, and spaces left in the tutorial sessions.
6. If there are spaces left in a particular session, you will see the “ENROL” button next to it. You can click this button to enrol yourself into that tutorial session.
7. If there are NO more spaces left in a particular session, you will see the “JOIN WAITLIST” button, if available. You can click this button to join the waitlist for that tutorial session. Please note that you will be removed from any other waitlist you may have joined earlier. If somebody withdraws from this session, you will automatically be moved up the waitlist or enrolled into the session. In this case you are enrolled in the session; an email will be sent to you if you are enrolled into the session from a waitlist.
8. You can only “JOIN WAITLIST” if you have already enrolled in one of the other available sessions. In other words, “ENROL” in one session and then you can choose to join the waitlist for another preferred session.
9. You can choose to “WITHDRAW” from a session you have already enrolled for. You can also choose to “CANCEL WAITLIST” to remove yourself from a particular waitlist.
10. A “FULL” button indicates all seats and waitlist are full for that tutorial session. You must choose another session.
11. More details on the various buttons are available in the “Key” section at the bottom of the signup page.
12. You should “ENROL” in only ONE tutorial session and may “JOIN WAITLIST” for only ONE other tutorial session.
13. You can login and signup (or change your signup) anytime before the **closing date of the tutorial signup. You will NOT be able to sign up or change your choice after the tutorial signups have closed.**
14. You can view/confirm details of the sessions you are enrolled and waitlisted for, such as day/time and location by clicking on “My Signups” on the left hand menu.
15. Click on “Support” on the left hand menu if you are having problems.

This online signup system is available around the clock over the internet. Any requests after this date will need to be manually handled by the course administrator. You will need to submit a written application stating the reason why you were not able to sign up on time using the online system, along with other relevant documentation such as medical certificate etc.

Finally, **you must always attend the tutorial sessions that you have signed up for.** If you attend a different session, your attendance may not be recorded.