

School of Accounting and Commercial Law

COML 310 BUSINESS CONTRACTS

Trimester One 2011

COURSE OUTLINE

Names and Contact Details

<i>Course Coordinator & Lecturer:</i>	Dr Amanda Reilly Amanda.Reilly@vuw.ac.nz Office hours: TBA	RH720	463 6958
<i>Lecturer:</i>	Mr Palitha De Silva Palitha.deSilva@vuw.ac.nz Office hours: TBA	RH611	463 6960
<i>Lecturer:</i>	Mrs Susan Corbett Susan.Corbett@vuw.ac.nz Office hours: TBA	RH722	463 5480
<i>Course Administrator</i>	Ms Pinky Shah Pinky.Shah@vuw.ac.nz Office hours: Monday-Friday 8.30am-5pm Office is closed: 10.30-10.45am and 3.30-3.45pm	RH 708	463 5775

Trimester Dates

Teaching Period: Monday 28 February – Friday 3rd June

Study Period: Monday 6 June – Thursday 9 June

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

Withdrawal from Courses

1. Your fees will be refunded if you withdraw from this course on or before 11 March 2011.
2. The standard 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

Monday & Thursday 10.30-11.20

Venue: RHLT 1

Tutorials

There will be four tutorials in Weeks 3, 7, 9 and 12 respectively. It is compulsory to attend three out of four of the tutorials and recommended that you attend all four. Tutorials provide an opportunity to practice applying the law which you will be required to do in both the test and the exam.

Tutorial Sign-up

Tutorial sign-up should be done during the second week of term. The instructions for signing up are attached as page 6 of this Course Outline and will also be posted on the Announcements section of **Course COML 310** on Blackboard. The completed tutorial lists will be posted on Blackboard and on the Commercial Law notice board on the Mezzanine Floor of Rutherford House.

Course Learning Objectives

The subject matter of the course is business contracts. The first part of the course examines general principles of contract law as expressed in common law principles, case law and statutes. In the second some particular types of business contracts are examined in more depth.

Students successfully completing this course would be expected to:

1. Explain the role of the law of contractual obligations operative in business transactions;
2. Describe and explain the structure, concepts and principles of New Zealand contract law;
3. Critically reflect on the limitations of contract law and the need for possible reform;
4. Identify contractual issues within a commercial fact situation and apply the relevant law towards their resolution

Course Delivery

Lectures and tutorials are an important delivery mechanism for material in this course but it is expected that students will complement these with careful thorough reading of the required readings. Any exercises and questions for reflection and discussion presented during lectures and tutorials are designed to assist the learning process and students are expected to fully engage with these. Be aware that the test and exam questions will be consistent with the content covered in lectures and tutorials. PowerPoint slides utilised during lectures will be posted on Blackboard however they are likely to be brief and are not a substitute for attendance at lectures.

Expected Workload

For 300-level 15 points trimester courses an average student should expect to spend 10 hours per week. This includes attendance at lectures and tutorials as well as preparation, reading and writing.

Course Content

Course Content 2011 (NB. Provisional only. There may be some variance)	Date	Lecturer	Topic
Week 1	Mon 28 Feb Thurs 3 March	AR	Introduction, the nature of contract, the elements of contract
Week 2	Mon 7 March Thurs 10 March	AR	Terms of Contract
Week 3 Tutorial 1	Mon 14 March Thurs 17 March	AR	Vitiating elements, illegality,
Week 4	Mon 21 March Thurs 24 March (test)	PDS	Vitiating elements mistake, misrepresentation
Week 5	Mon 28 March Thurs 31 March	PDS	Discharge and remedies
Week 6	Mon 4 April Thurs 7 April	PDS	Discharge and Remedies
Week 7 Tutorial 2	Mon 11 April Thurs 14 April	AR	Sale of Goods
	BREAK		
Week 8	Mon 2 May Thurs 5 May	AR	Sale of Goods
Week 9 Tutorial 3	Mon 9 May Thurs 12 May	AR	Personal Property Securities
Week 10	Mon 16 May Thurs 19 May	SC	Electronic Commerce
Week 11	Mon 23 May Thurs 26 May	SC	Insurance
Week 12 Tutorial 4	Mon 30 May Thurs 2 June	SC	Alternative Dispute Resolution

Readings

Required: COML 310 *Course Materials* (2011) purchased through Student Notes.

Lecturers may recommend other readings in the course of lectures.

Materials and Equipment

The Law Library, located in the Old Government Building, contains additional resources that may be used for completing the Research Essay. The Law Library is a University resource and is open to students of all Faculties. Library staff will assist with reasonable research requests, however students should be prepared to find most of the materials they need without assistance. Note that the Law Library is a reference library only and no journals may be removed from the premises. However, photocopying cards may be purchased. The Commerce Library also has items available for loan.

Materials permitted in test and examination

The test and exam are both open book and you may bring whatever materials you like into the exam room. Be aware that lecturers do not have spare copies of the course materials book available for loan and it is your responsibility to make sure you have a copy of anything you may wish to refer to during the Test and Exam.

Assessment Requirements

Test (<i>open book</i>)	30%	Thursday 24 March (50 minutes)
Exam (<i>open book</i>)	70%	2 hours June (exact date TBA) (2 hours)

The test will examine topics to be advised in lectures. The test is open book. You are advised to arrive early so that you are seated and ready to begin the test on time.

The test and the exam will predominantly consist of problem questions. The problem questions will give students the opportunity to describe, explain and apply the law (Course objectives 1,2, 4). One or more short type questions in the exam will give students the opportunity to critically reflect on the limitations of contract law and the need for possible reform (Course objective 3).

Note: 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 10 June – Saturday 2 July 2011**.

Mandatory Course Requirements

To pass the course it will be necessary to sit both the test and the exam and to obtain an overall course mark of 50 or better.

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

Notices will be posted on **Blackboard** to which all students have access. **Urgent notices** will be circulated by email.

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 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/avcademic/default.aspx

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

http://www.victoria.ac.nz/home/about_victoria/avcademic/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.