

TE WHARE WĀNANGA O TE ŪPOKO O TE IKA A MĀUI



**VICTORIA**  
UNIVERSITY OF WELLINGTON

## **FCOM 111**

**GOVERNMENT, LAW and BUSINESS**

**2011**

### **COURSE OUTLINE**

STUDENT NAME:	
STUDENT ID NUMBER:	
CRN NUMBER:	STREAM NUMBER:

**TRIMESTER ONE**

**Teaching Period: Monday 28 February – Friday 3 June 2011**

Welcome to FCOM 111, Government, Law and Business. Please refer to this Course Outline where you have queries relating to the course. If anything cannot be found in the Course Outline, please contact the Course Coordinator (Dr Michael Cash).

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<b>AN OVERVIEW OF FCOM 111</b>		
<b>Weeks</b>	<b>Lectures &amp; Assignment Due Dates</b>	
<b>Week 1</b> <i>28 Feb</i> <b>First lecture</b> <i>March 1</i>	Lectures begin on (T)uesday and (W)ednesday (T) Introductory Lecture (W) State and Market See Page 14 for times and locations of lectures	<ul style="list-style-type: none"> <li>• <b>IMPORTANT:</b> Enrol for your tutorials this week. Details on page 19.</li> <li>• Check Blackboard for tutorial information and Course Readings (under Documents)</li> </ul>
<b>Week 2</b> <i>7 March</i>	(T) Constitution (W) Executive and Legislative	<ul style="list-style-type: none"> <li>• <b>Writing Skills Workshop #1 this week</b></li> </ul>
<b>Week 3</b> <i>14 March</i>	(T) The Public Sector/Service (W) Election 2008 (MMP etc)	<ul style="list-style-type: none"> <li>• <b>Writing Skills Workshop #2</b></li> <li>• Do your readings for Tutorial Assignment worksheet #1</li> </ul>
<b>Week 4</b> <i>21 March</i>	(T) What is Law? (W) Map of the Legal World • <b>Tutorial Assignment 1 Due</b>	<ul style="list-style-type: none"> <li>• <b>Writing Workshop #3 this week</b></li> <li>• Reading for Tutorial <b>Worksheet #2</b></li> </ul>
<b>Week 5</b> <i>28 March</i>	(T) Process of Making Law 1 (W) Process of Making Law 2 • <b>Tutorial Assignment 2 Due in tutorials</b>	<ul style="list-style-type: none"> <li>• Readings for Tutorial Worksheet 3</li> <li>• <b>Government Assignment due Thursday 31 March (10am –1 pm) in EA 114.</b></li> </ul>
<b>Week 6</b> <i>4 April</i>	(T) How Law Develops and Changes 1 (W) How Law Develops and Changes 2 • <b>Tutorial Assignment 3 Due in tutorials</b>	
<b>Week 7</b> <i>11 April</i>	(T) Is there a Legal Duty to Honour Promises? 1 (W) Is there a Legal Duty to Honour Promises? 2 • <b>No Tutorial Worksheet this week</b>	<ul style="list-style-type: none"> <li>• Readings for Worksheet #4</li> <li>• Check Blackboard for information on the Legal Test to be held on May 2 (6.15 pm)</li> </ul>
	MID TRIMESTER BREAK	16 April – 1 May
<b>Week 8</b> <i>2 May</i>	(T) Is there a Legal Duty to Honour Promises? 3 (W) Is there a Legal Duty to Take Care? 1 • <b>Tutorial Assignment 4 Due in tutorials</b>	<ul style="list-style-type: none"> <li>• Readings for Worksheet #5</li> <li>• <b>Legal Test- Monday 2 May at 6.15 pm. Check Blackboard for details.</b></li> </ul>
<b>Week 9</b> <i>9 May</i>	(T) Is there a legal duty to Take Care? 2 (W) Is there a legal duty to Take Care? 3 • <b>Tutorial Assignment 5 Due in tutorials</b>	<ul style="list-style-type: none"> <li>• Readings for Worksheet # 6</li> </ul>
<b>Week 10</b> <i>16 May</i>	(T) Ethics (W) Public Policy / Process • <b>Tutorial Assignment 6 Due in tutorials</b>	<ul style="list-style-type: none"> <li>• Readings for Worksheet # 7</li> </ul>
<b>Week 11</b> <i>23 May</i>	(T) Politics, Economics and Business (W) Case Study • <b>Tutorial Assignment 7 Due in tutorials</b>	<ul style="list-style-type: none"> <li>• Readings for Worksheet # 8</li> </ul>
<b>Week 12</b> <i>30 May</i>	(T) Government, Law and Business (W) Conclusion and Exam Discussion • <b>Tutorial Assignment 8 Due in tutorials</b> <b>CHECK BLACKBOARD FOR DATE, TIME AND LOCATION OF THE EXAM</b>	<ul style="list-style-type: none"> <li>• Attend the final lecture – it WILL help you with your exam</li> <li>• Check your grades on Blackboard NOW and contact us if you have any questions.</li> </ul>

## PART A: ALL ABOUT THE COURSE...

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### Course Objectives

### Rationale and Reach

Perhaps the underlying rationale for a course of this kind can be captured by a speech given by a New Zealand politician back in 2003. At that time he said the following:

There is certain timelessness about the core functions of government: what governments do. They create the nation state and ensure the safety and security of the citizenry. They create internal order, and they create markets through which the citizens can specialise in economic production and exchange the rewards from their labour and the returns to their capital.

I make this rather obvious point because debate on the role of government sometimes sees the state as the enemy of the market. The reality is that the market is a product of the state. Without a government to define property rights, and establish and enforce the terms under which property rights transfer, there is anarchy, not markets.

I will come back to this, because the fundamental role of the government in defining property rights is potentially one of the more contentious roles it has to carry out. We see this in arguments about foreign investment, access to land, and the seabed and foreshore issue in the high public profile cases. But governments are constantly aligning property rights and market rules as different participants feel that existing laws disadvantage them. Competition laws and rules around the issuing of securities, on takeovers and the like all fall into this category.

How governments do these things evolves slowly and continuously. As an example, the notion of the safety and security of the population can be limited to safety of life and limb, or it can extend to cradle-to-grave welfare. History tells us that we move along a continuum over time, rather than redefine the role of the state through episodic but dramatic ideological repositioning.

The politician was Dr Michael Cullen, then Minister of Finance, but the personality and more to the point the political preferences of that particular politician are less important than the substance of what he had to say. In many respects his comments capture the overall theme for this course, and that theme is ‘governing the market’.

Of course the state of the international economy is such that we would not have to go far to find other more recent illustrative examples of statements that go to the relationship between state and market. The past year has seen unprecedented levels of market instability, and – in historical terms – unprecedented levels of state or government action designed to remedy that instability.

Here are some extracts from a speech given in January 2009:

Nor is the question before us whether the market is a force for good or ill. Its power to generate wealth and expand freedom is unmatched, but this crisis has reminded us that without a watchful eye, the market can spin out of control - and that a nation cannot prosper long when it favours only the prosperous. The success of our economy has always depended not just on the size of our gross domestic product, but on the reach of our prosperity; on our ability to extend opportunity to every willing heart - not out of charity, but because it is the surest route to our common good.

And here are some more recent remarks by the same man made on 4 February 2009

But in order to restore trust in our financial system, we're going to have to do more than just put forward our plans. In order to restore trust, we've got to make certain that taxpayer funds are not subsidizing excessive compensation packages on Wall Street.

We all need to take responsibility. And this includes executives at major financial firms who turned to the American people, hat in hand, when they were in trouble, even as they paid themselves customary lavish bonuses. As I said last week, this is the height of irresponsibility. It's shameful. And that's exactly the kind of disregard of the costs and consequences of their actions that brought about this crisis: a culture of narrow self-interest and short-term gain at the expense of everything else.

This is America. We don't disparage wealth. We don't begrudge anybody for achieving success. And we certainly believe that success should be rewarded. But what gets people upset - and rightfully so - are executives being rewarded for failure, especially when those rewards are subsidized by U.S. taxpayers, many of whom are having a tough time themselves.

For top executives to award themselves these kinds of compensation packages in the midst of this economic crisis isn't just bad taste - it's bad strategy - and I will not tolerate it as President. We're going to be demanding some restraint in exchange for federal aid - so that when

firms seek new federal dollars, we won't find them up to the same old tricks

*The person speaking? - Barack Obama, President of the United States of America.*

And here is a final and further extract given by another prominent politician in January of this year...

There's one final thing we in Europe need to have more confidence about and that is our values. The value of liberal democracy used to be sacred in the West.

Now some people are doubting it. They've seen authoritarian capitalism and the way it works. They see political leaders with the power of juggernauts, forcing decisions through and they argue that against this, our liberal values look outdated, ineffective - even an obstacle to success.

I passionately disagree. It's those values that create the climate for innovation. Look at where the big ideas come from - from the Facebooks and the Spofifys - and the vast majorities are from open societies.

That's because good ideas come through freedom- free thinking and the free association of like-minded people. Our values create the right climate for business, too.

If you're looking to set up headquarters abroad, are you going to invest?

- Where your premises can be taken away from you?
- Where contracts are routinely dishonoured?
- Where there's a threat of political upheaval?
- Or, are you going to invest where there are property rights, the rule of law, democratic responsibility?

These values aren't some quaint constitutional add-on they are an integral and invaluable part of our success today and tomorrow - and all of us must always remember that.

*The speaker - The British Prime Minister, David Cameron*

These extracts go to many things, but at their core they go to governing the market.

But the formal title of this course is not 'governing the market', but 'Government, Law and Business' - less catchy perhaps, but accurate nonetheless.

The main rationale for the course is to set out for those who take it - BCA and other students – the governmental and legal context for business in New Zealand. This is not to suggest that the focus will be exclusively on New Zealand, and we hope both that the content will speak to issues and challenges in other jurisdictions, and that the process of teaching and learning will allow those of us who are not originally of this place (Aotearoa/New Zealand) to bring our own knowledge and experience to that learning.

### **Teaching and Learning Objectives**

At the end of this course students will be able to:

1. Demonstrate an understanding of the key elements of New Zealand's constitutional and political arrangements, explaining the role of formal and conventional institutional arrangements
2. Identify how those constitutional and political arrangements might variously impact on the New Zealand commercial environment
3. Survey and appraise possible changes to those constitutional and political arrangements over the medium to long term
4. Demonstrate an awareness of the nature of the law and the law-making process, and the general operation of the legal system
5. Explain the way in which the law is reformed and developed through legislation and case law to meeting the changing needs of government, business and society, including by the illustrative use of a particular area of law reform
6. Demonstrate the competence to apply legal problem-solving skills in selected case situations
7. Illustrate an understanding of the significance of ethics in the context of the private and the public sectors, the nature of some ethical dilemmas and the various ways in which some ethical problems and issues of control and guidance are dealt with under the law and under other instruments of guidance and control
8. Demonstrate an understanding of the public policy process, including the various stages of the process and the interrelationships between them, and explain how civil society actors, including business may be able to engage with the policy process and exercise some measure of influence

9. Analyse New Zealand's links with the rest of the world in terms of trade, financial institutions and governance.
10. Plan, write and edit an essay to an acceptable first year/100-level academic standard of presentation. This includes full and accurate referencing, using APA style where appropriate.

Victoria University of Wellington has identified a number of graduate attributes. The intention is that students graduating from Victoria University of Wellington will be able to demonstrate and apply knowledge, skills and competencies in:

- Communication
- Critical and creative thinking
- and Leadership

To complement these graduate attributes, Learning Goals have also been developed for the BCA degree. FCOM 111 is one of the core courses for the Bachelor of Commerce and Administration Degree.

**The Learning Goals for the BCA are as follows:**

- Learning Goal 1 Critical and Creative Thinking
- Learning Goal 2 Communication
- Learning Goal 3 Global and Multicultural Perspectives
- Learning Goal 4 Leadership

Taken together the intention is to ensure that the core of the BCA degree will enable you to meet the learning goals.

**Teaching and Learning Objectives and Assessment Mix**

The teaching and learning objectives will be assessed using the following instruments:

<b>Teaching and learning objective</b>	<b>Assessment instrument</b>
1, 2, 3, 10	1500 word essay due by 1pm 31 March 2011 (Government Assignment)
4, 5, 6	Legal test ; 2 May2011
1, 2, 3, 4, 5, 6, 7, 8, 9	Final Course Examination – Date TBA

Students should note that additional Mandatory Requirements must be met for a pass in this Course.

The mandatory course requirements are described in full on page 10 of this Course Outline.



## USE OF BLACKBOARD: NOTICES, LECTURE SLIDES AND OVERHEADS

### HOW TO GET ONTO BLACKBOARD:

1. Log onto the student page: [www.myvictoria.ac.nz](http://www.myvictoria.ac.nz)
2. Click on **Blackboard**.
3. This lets you into the sign-up page.
4. Enter in your **user id** and **password**.
5. You should now be logged in.
6. If you have any trouble with logging onto Blackboard contact the ITS helpdesk.

All notices will be posted on Blackboard (<http://www.blackboard.vuw.ac.nz>).

**Only an OUTLINE of lectures will be posted on Blackboard.** Full overheads will only be provided in lectures. It is essential that you attend all lectures and tutorials to gain full benefit from the course. Interaction with the lecturers, tutors and fellow students plays an important part in developing your critical competence.

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### SENDING EMAILS

All emails sent to the Course Administrator should use the following email address: [FCOM111@vuw.ac.nz](mailto:FCOM111@vuw.ac.nz) and contain your full name and Student ID number in the subject line.

All emails sent directly to staff must have the following words at the beginning of the subject line: "FCOM 111". Put your specific subject after that. This is so that your email can be distinguished from 'Spam' (unsolicited email) by staff.

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### WITHDRAWAL FROM COURSES:

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

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 FCA Student Customer Service Desks located in EA005 or at the Pipitea Campus on the ground floor.

## EXPLANATION OF GRADES

The following is a schedule of percentage marks to grades, which are applicable to your internal assessment and your final result notifications.

<b>Grade</b>	<b>Percentage Range</b>
A+	85% and above
A	80-84%
A-	75-79%
B+	70-74%
B	65-69%
B-	60-64%
C+	55-59%
C	50-54%
D	40-49%
E	39% and under
K	Failed course due to not satisfying mandatory requirements (see BELOW)

**In addition to achieving a 50% average across assessments, students must also meet the mandatory course requirements in order to pass the course (see BELOW).**

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## WHAT ARE THE MANDATORY COURSE REQUIREMENTS?

To complete the mandatory requirements for this course you must:

- a) Attend all three of the Writing Skills Workshops (Weeks 2, 3, and 4).

**AND**

- b) Attend at least SIX of the EIGHT tutorials (starting in Week 5) and be marked off as present by your tutor. If you arrive late to a tutorial then your tutor may not award you with 'attendance' for that tutorial.

**AND**

- c) Submit at least SIX of the EIGHT Tutorial Assignment Worksheets as per the Schedule on Page 3 of this Course Outline. Note that the first Tutorial Worksheet is due in Week 4 (the third Writing Skills Workshop).

**AND**

- d) Submit the Government Assignment.

The Government Assignment must be put into your tutor's marked box in EA005 with your name, Student ID number, your tutor's name, and your tutorial number on the front.

**AND**

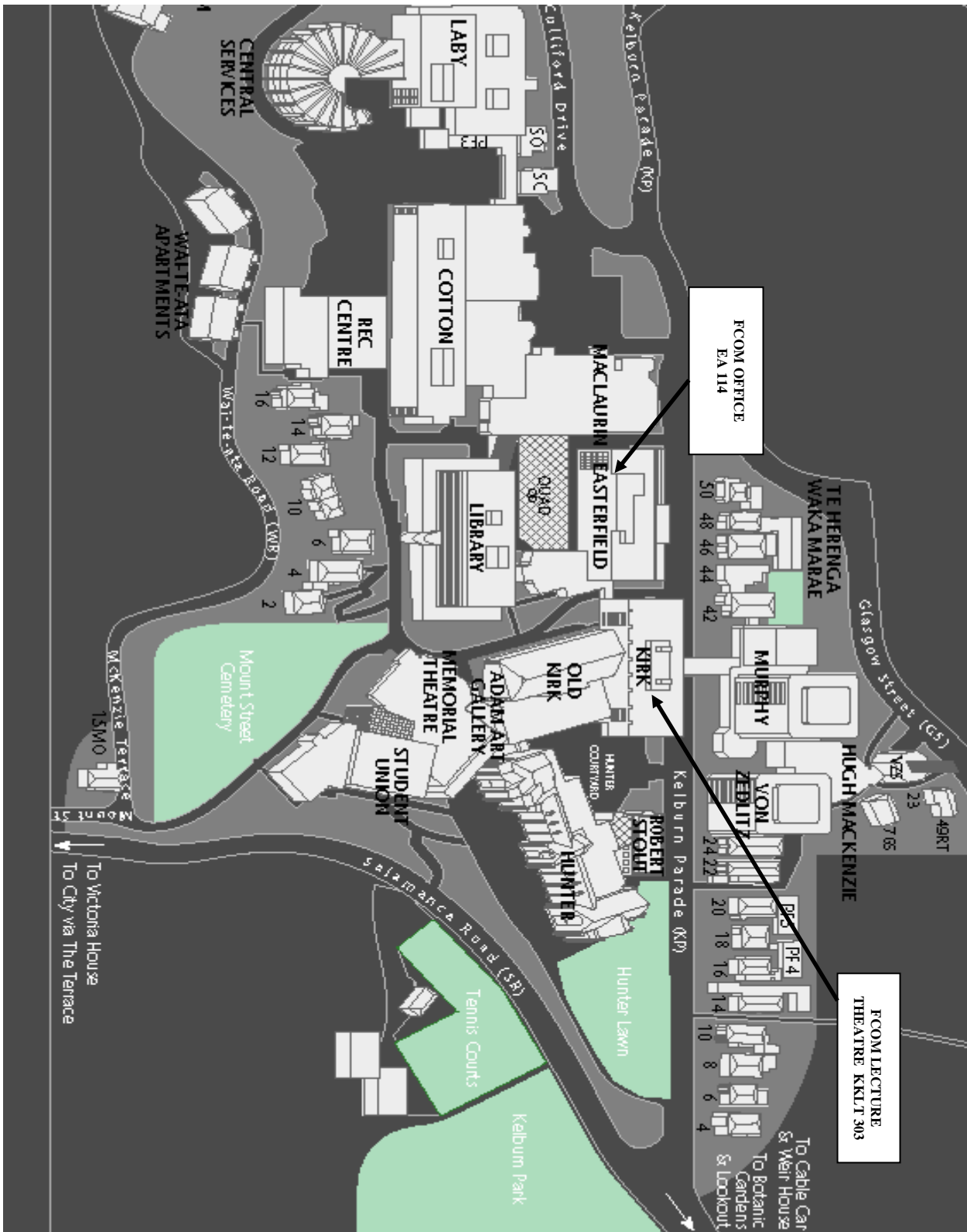
- e) Sit the Legal Test and the Final Course Examination.

Students whose total course marks are greater than 50%, but who do not fulfil **ALL** of the Mandatory Course Requirements will fail the course. They will not receive a graded result for FCOM 111. Their records will show a "K" (an ungraded fail).

**To pass FCOM 111 a student must fulfill all the mandatory requirements and achieve at least an aggregate of 50% over all the assessments.**

## WHERE IS EVERYTHING LOCATED?

The map below indicates where the FCOM Office (EA 114) and Lecture Theatre (KKLT 303) are. Please refer to this map in order to find these spaces on campus. The FCOM tutorials will be held on the Kelburn campus, specifically within the Easterfield (EA), Old Kirk (OK), Kirk (KK), Murphy (MY) and, Von Zedlitz (VZ) Buildings.



## **PART B: ALL THE PEOPLE INVOLVED IN THE COURSE...**

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### **COURSE COORDINATORS**

#### **Dr. Chris Eichbaum**

Room: RH 811, Rutherford House, Pipitea Campus  
Phone: 463 5675  
Email: [Chris.Eichbaum@vuw.ac.nz](mailto:Chris.Eichbaum@vuw.ac.nz)



#### **Dr. Michael Cash**

Room: EA 114, Easterfield Building, Kelburn Campus  
Faculty of Commerce Kelburn Campus Office, First Floor.  
Go to the Faculty Office and proceed to the end of the corridor.  
Phone: 463 5233 then Extn. 8416 (if inside VUW, just x 8416)  
Email: [Michael.Cash@vuw.ac.nz](mailto:Michael.Cash@vuw.ac.nz)  
Hours: Monday 11am- 1pm, Tuesday 12pm -2pm, Thursday 11am -2pm.



### **COURSE ADMINISTRATOR**

#### **Lorna Sandila**

**Room:** EA 114, Easterfield Building, Kelburn Campus  
Faculty of Commerce Kelburn Campus Office, First Floor,  
Easterfield.  
To find EA 114 go to the Faculty Office and proceed to the end of  
the corridor.  
Phone: 463 5233 then Extn. 8155 (if inside VUW, just x 8155)  
Email: [FCOM111@vuw.ac.nz](mailto:FCOM111@vuw.ac.nz)  
Hours: Monday 1pm-3pm, Tuesday 10am-12pm, Wednesday 1pm -5pm.



### **LECTURERS**

#### **Prof. Jonathan Boston**

Room: RH 825, Rutherford House, Pipitea Campus  
Phone: 463 5456  
Email: [Jonathan.Boston@vuw.ac.nz](mailto:Jonathan.Boston@vuw.ac.nz)



#### **Leslie Brown**

Room: RH 714, Rutherford House, Pipitea Campus  
Phone: 463 6787  
Email: [Leslie.Brown@vuw.ac.nz](mailto:Leslie.Brown@vuw.ac.nz)



#### **Palitha De Silva**

Room: RH 611, Rutherford House, Pipitea Campus  
Phone: 463 6960  
Email: [Palitha.Desilva@vuw.ac.nz](mailto:Palitha.Desilva@vuw.ac.nz)



**Dr. Antong Victorio**

Room: RH 807, Rutherford House, Pipitea Campus

Phone: 463 5709

Email: [Antong.Victorio@vuw.ac.nz](mailto:Antong.Victorio@vuw.ac.nz)



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**GETTING TO RUTHERFORD HOUSE**

**Please Note** that Rutherford House Building, 23 Lambton Quay is at the Pipitea Campus (which also includes the Old Government Building housing the Law Faculty, and the Railway West Wing).

Students can catch a one section bus (route numbers 17, 23, 20) to the Pipitea campus. Free one section student bus tickets are available to students who have classes at two or more of the Victoria campuses. These can be collected from the VUWSA Office in the Student Union Building.

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**TRIMESTER DATES:**

**Teaching Period:** Monday 28 Feb – Friday, 5 June 2011.

**End of Trimester Study Period:** Monday 6 June – Thursday 12 June 2011.

**Examination Period:** Friday 10 June - – Saturday 2 July 2011  
(Inclusive).

**Note:** Students who enrol in courses with examinations are obliged to attend an examination at the University at any time during the formal examination period.

## **PART C: ALL ABOUT THE LECTURES...**

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### **THE TWO LECTURE STREAMS**

You must attend the lecture stream that you are enrolled in unless permitted by the Course Coordinator, who will sign a Change of Course form, to change into another stream. Personal convenience is not an acceptable basis for switching streams.

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### **WHEN AND WHERE ARE THE LECTURES?**

	<b>WHEN</b>	<b>WHERE</b>
<b>CRN 17242</b>	Tuesday: 12pm – 12.50pm	KKLT 303
<b>STREAM1</b>	Wednesday: 5.10pm – 6.00pm	KKLT 303
<b>CRN 17243</b>	Tuesday 2.10pm – 3.00pm	KKLT 303
<b>STREAM2</b>	Wednesday: 2.10pm – 3.00pm	KKLT 303

Students are expected to be in the lecture theatre promptly for their lecture. Because of the size of this class it is important that students be seated before class starts. Please note that the Occupational Health and Safety Act prohibits people sitting in aisles in situations such as this.

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### **COURTESY CODE FOR FCOM 111 LECTURES AND TUTORIALS**

The fundamental lesson of a University is that YOU need to be responsible for your own learning. If you engage with the course, then you have a wonderful opportunity for a creative exploration of the ideas presented. As part of this learning experience please be courteous to your lecturers and fellow students by adhering to the following:

1. Turn off all mobile phones while attending the lectures and tutorials. This also includes sending and receiving text messages.
2. Be punctual. The 12 noon lecture starts on the hour. The other lectures start at 10 mins past the hour. Tutorials start on the hour in the morning and 10 minutes after the hour from 1.10pm.
3. Do not be late for your lectures. If, for some good reason, you do arrive after the lecture has started, enter from the back only and avoid disrupting the lecture and distracting other students.
4. Refrain from talking to your friends during your lectures as this is distracting for the lecturers and other students.
5. Avoid sitting in the aisles.
6. Show respect towards the lecturer/tutor and your fellow students at all times.
7. Lastly - enjoy the course!

## EXPECTED WORKLOAD

FCOM 111 is a first year, Introductory Course worth 15 points towards your final degree. As such a total of 150 hours should be devoted to your course of study over the entire Trimester.

These hours should be divided between the following areas of study that are necessary to achieve a passing grade in FCOM 111:

- Lecture Attendance
  - Tutorial Attendance and Preparation of Tutorial Assignment Worksheets
  - Assignment Research and Writing
  - Study for the Legal Test and Final Course Examination
- 

## WHAT ARE THE COURSE READINGS?

The essential readings for this course are included on the FCOM 111 Blackboard site under Course Documents. Additional material and readings may be distributed at lectures or Tutorials or posted on Blackboard.

Students need to study the readings closely, and make full use of them in their tutorials and written assignments. In marking assignments, it will be assumed that you have studied the relevant readings, reflected on them, and formed a considered view of the issues raised. This is what is meant by “critically” as set out in the Course Objectives. Note that the Course Criteria for marking the Essays in this Course includes marks for “...showing evidence of completing the relevant readings”.

Students are reminded that a substantial part of their overall grade is based on tutorial Worksheets which directly test your understanding of the Course Readings. The specific Readings for each Worksheet are listed at the top of each Worksheet.

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## WHAT WILL BE COVERED IN LECTURES?

**NOTE:** Lectures are Held EVERY Tuesday and Wednesday. Check Page 14 for your stream time and venue

### **Week 1. Starting Feb 28**

**L1:** Course Requirements and Introduction – FCOM 111 Course Outline

*Michael Cash & Lorna Sandila*

**L1:** Introduction

*Chris Eichbaum*

**L2:** State and Market

*Jonathan Boston*

## **Week 2. Starting March 7**

**L3:** Constitution *Chris Eichbaum*

**L4:** Executive & Legislative *Chris Eichbaum*

### Readings:

- Keith, K. (2008), *Cabinet Manual – On the constitution of New Zealand: An introduction to the foundations of the current form of government*. (Retrieved from <http://www.cabinetmanual.cabinetoffice.govt.nz/node/68>)
- Shaw, R. & Eichbaum, C. (2008) *Public policy in New Zealand: institutions, processes and outcomes*. (2<sup>nd</sup> ed.). Auckland, New Zealand: Pearson Education New Zealand.

## **Week 3. Starting March 14**

**L5:** The Public Sector / Service *Chris Eichbaum*

**L6:** Election 2011 and MMP *Chris Eichbaum*

### Readings:

- Elections New Zealand. (2006). *From FPP to MMP*. from [http://www.elections.org.nz/democracy/history/history-mmp\\_plain.html](http://www.elections.org.nz/democracy/history/history-mmp_plain.html))
- Elections New Zealand. (n.d.) *Royal Commission criteria for judging voting systems*. (Retrieved from <http://www.elections.org.nz/study/researchers/rc-voting-system-judging-criteria.html>)
- Boston, J., Church, S., & Bale, T. (2003). The impact of proportional representation on government effectiveness: The New Zealand experience. *Australian Journal of Public Administration*, 62 (4), 7-22.

## **Week 4. Starting March 21**

**L7:** What is Law? *Leslie Brown*

**L8:** Map of the Legal World *Leslie Brown*

### Readings:

- Longdin, L. (2006). The role of law. In L. Longdin (Ed.), *Law in business and government in New Zealand* (pp. 2-14). Auckland, New Zealand: Palentine.
- Longdin, L. (2006). Classification of law. In L. Longdin (Ed.), *Law in business and government in New Zealand* (pp. 15-22). Auckland, New Zealand: Palatine.
- Supreme Court. (2004, November 25). *Media release – Ahmed Zaoui v The Attorney-General & ORS*. Wellington.
- Legal notice. (1999, October 31). *New York Times*, p. 80.
- *Knyvett v Christchurch Casinos Ltd*. [1999] 2 NZLR 559.



## **Week 5 Starting 28 March**

**L9:** Process of Making Law 1 *Leslie Brown*

**L10:** Process of Making Law 2 *Leslie Brown*

### **Readings:**

- Hubbard, J., Thomas, C., & Varnham, S. (2010). The process of government and business. In J. Hubbard, C. Thomas & S. Varnham (Eds) *Principles of law for New Zealand business students* (4<sup>th</sup> ed.) (pp. 48-70). North Shore, New Zealand: Pearson.
- *Lee v Lee's Air Farming Ltd* [1961] NZLR 325
- Mortimer, J. (1993). *The best of Rumpole* (pp. 88–94). Harmondsworth, United Kingdom: Penguin.

## **Week 6. Starting 4 April**

**L11:** How Law Develops and Changes 1 *Leslie Brown*

**L12:** How Law Develops and Changes 2 *Leslie Brown*

## **Week 7. Starting 11 April**

**L13:** Is there a Legal Duty to Honour Promises? 1 *Palitha De Silva*

**L14:** Is there a Legal Duty to Honour Promises? 2 *Palitha De Silva*

### **Readings:**

- *Carlill v Carbolic Smoke Ball Company* [1893] 1 QB 256
- *Central London Property Trust v High Trees House* [1947] KB. 130
- *Williams v Roffey Brothers & Nicholls (Contractors) Ltd* [1990] 1 A11 ER 512

## **MID-TRIMESTER BREAK: 16 April - 1 May**

## **Week 8. Starting 2 May**

**L15:** Is there a legal duty to Honour Promises? 3 *Palitha De Silva*

**L16:** Is there a Legal Duty to Take Care? 1 *Palitha De Silva*

### **Readings:** In addition to Readings for Week 7:

- *Donoghue v Stevenson* (1932) SC31
- *Rylands v Fletcher* (1868) LR 3 HL 330

**Week 9. Starting 9 May**

**L17:** Is there a legal duty to Take Care? 2

*Palitha De Silva*

**L18:** Is there a legal duty to Take Care? 3

*Palitha De Silva*

Readings:

- *Donoghue v Fletcher (1932) SC 31*
- *Rylands v Fletcher (1868) LR3 HL 330*

**Week 10. Starting 16 May**

**L19:** Ethics and Trust

*Chris Eichbaum*

**L20:** Public Policy / Process

*Chris Eichbaum*

Reading

- Uhr, J. (2005). National security and government: At war with ethics, In *Terms of trust: Argument over ethics in Australian Government*. Sydney NSW: University of New South Wales Press.

**Week 11. Starting 16 May**

**L21:** Politics, Economics and Business

*Antong Victorio*

**L22:** Case Study

*Antong Victorio*

Readings:

- Globalisation and its Critics (2001, September 29). *The Economist*, 360, 3-6.
- Pettinger, T. R. (2008). *Five blogs on the global financial crisis of 2007-2008*. (Retrieved from [www.economicshelp.org](http://www.economicshelp.org))

**Week 12. Starting 30 May**

**L23:** Government, Law and Business

*Chris Eichbaum and Leslie Brown*

**L24:** Conclusion & Exam Discussion  
Course Evaluation

*Chris Eichbaum*

*Michael Cash & Lorna Sandila*

## PART D: ALL ABOUT THE WORKSHOPS & TUTORIALS...

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### IMPORTANT:

- You **MUST** sign up by the end of the **FIRST** week of lectures.
- All workshops & tutorials start in **Week 2** beginning Monday 7 March.
- You will be in the same room for the Writing Skills Workshops and Tutorials.

### HOW DO YOU SIGN UP?

1. You can start the signup process on **Tuesday 1 March at 6.30pm**. Signups close at 6.30pm on **Thursday 4 March** – you must have signed up for a class by then! Be aware most students will enrol early to get maximum choice of session.
2. Go to the signup website: <https://signups.vuw.ac.nz>
3. Enter your SCS username and password to get in.
4. The “Signup Home” page opens. It displays all of the courses you are enrolled in that will use the Signups system. Click on **FCOM 111**.
5. The FCOM 111 course page opens, showing the schedule of session times and locations.
6. If there are spaces left in a particular session, then you will see the “ENROL” button next to it. You can click the “**ENROL**” button to enrol in that particular session.
7. If there are no more spaces left you must enrol in another session!
8. You can choose to “WITHDRAW” from a session you have already enrolled for. There are NO waitlists for FCOM 111.
9. A “FULL” button indicates all seats are full for that particular tutorial session. **You must choose another session.**
10. The “KEY” section at the bottom of the page contains information about the buttons.
11. You can view/confirm the details of the sessions that you are enrolled in and waitlisted for by clicking on “My Signups” on the left hand menu. **You should confirm the details on Monday 14 March.**
12. If you are having problems using the Signups system, then click on the “Support” link on the left hand menu.

### SESSION CONFIRMATION

Confirmation of your writing skills workshop/tutorial group will be posted on signup: <https://signups.vuw.ac.nz>

<b>TUTORIAL NUMBER:</b>	<b>TUTOR'S NAME:</b>
<b>TUTORIAL ROOM:</b>	<b>TUTORIAL DAY/TIME:</b>

## WHAT WILL BE COVERED IN THE WRITING SKILLS WORKSHOPS?

Writing skills are essential for university and your later working life. The Faculty of Commerce has key learning objectives related to communication and supports this writing component of the course to help students gain the basic skills required for tertiary level learning. This is a first step to develop and build on your writing skills.

### Writing Skills Workshop #1: Week Two    **The Writing Process**

Why is writing important: The Writing Process and Essay Question analysis

Readings: FCA Writing Resource booklet – available at your writing session

### Writing Skills Workshop #2: Week Three    **Structure & Academic Integrity**

How to structure an essay; How to reference and why it is important

Readings: FCA Writing Resource booklet – please bring your booklet to the session

### Writing Skills Workshop #3: Week Four    **Polishing Your Writing**

Developing the skills of editing and proofing

Readings: FCA Writing Resource booklet – please bring your booklet to the session

Keith, K. (2008), *Cabinet Manual – On the constitution of New Zealand: An introduction to the foundations of the current form of government*. (Retrieved from <http://www.cabinetmanual.cabinetoffice.govt.nz/node/68>)

Shaw, R. & Eichbaum, C. (2008) *Public policy in New Zealand: institutions, processes and outcomes*. (2<sup>nd</sup> ed.) Auckland, New Zealand: Pearson Education New Zealand.

**NOTE: Tutorial Worksheet #1 is due to be handed in this week**

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## WHAT WILL BE COVERED IN TUTORIALS?

The tutorials aim to provide you with general assistance with the course requirements. Tutors will give you guidance about how to approach the set assessments, and give you feedback on assignments. You will be expected to think for yourself and develop your own view on the issues raised in the course. Your tutors will help you to debate and discuss these issues.

At the start of each tutorial students are required to hand in the TUTORIAL ASSIGNMENT WORKSHEET due that week. Students should refer to the schedule on Page 3 of this Course Outline regarding the due dates of Worksheets. These assignments are attached at the back of this Course Outline and will also be available on the Blackboard site. **Students are to handwrite these assignments and are reminded that their handwriting should be clear and legible.**

All Students must attend **AT LEAST 6 TUTORIALS** in order to pass FCOM 111.

The Tutorial Assignment Worksheets make up 20% of the overall course grade for FCOM 111. All students **MUST** submit **AT LEAST 6** tutorial assignment worksheets. Each Assignment worksheet is worth a maximum of 4%. The best 5 marked worksheets will be used to calculate this proportion of your FCOM 111 final grade. Please refer to Part E of this Course Outline (Course Assessments – Page 23) for more information.

### **Tutorial One: Week Five**

### **The New Zealand Electoral System**

#### **Readings:**

- Elections New Zealand. (2006) *From FPP to MMP*. Retrieved from [http://www.elections.org.nz/democracy/history/history-mmp\\_plain.html](http://www.elections.org.nz/democracy/history/history-mmp_plain.html))
- Elections New Zealand. (n.d.) *Royal Commission criteria for judging voting systems*. (Retrieved from <http://www.elections.org.nz/study/researchers/rc-voting-system-judging-criteria.html>)
- Boston, J., Church, S., & Bale, T. (2003). The impact of proportional representation on government effectiveness: The New Zealand experience. *Australian Journal of Public Administration*, 62 (4), 7-22.

### **Tutorial Two: Week Six**

### **What is Law?**

#### **Readings:**

- Longdin, L. (2006). The role of law. In L. Longdin (Ed.), *Law in business and government in New Zealand* (pp. 2–14). Auckland, New Zealand: Palatine.
- Longdin, L. (2006). Classification of law. In L. Longdin (Ed.), *Law in business and government in New Zealand* (pp. 15-22). Auckland, New Zealand: Palatine.
- Supreme Court. (2004, November 25). *Media release – Ahmed Zaoui v The Attorney-General & ORS*. Wellington.
- Legal notice. (1999, October 31). *New York Times*, p. 80.
- *Knyvett v Christchurch Casinos Ltd* [1999] 2 NZLR 559.

### **Tutorial Three: Week Seven**

### **Legal Test Revision Tutorial**

NOTE: There is no Tutorial Worksheet due this week.

### **Tutorial Four: Week Eight**

### **The Process of Law-Making**

#### **Readings:**

- Hubbard, J., Thomas, C., & Varnham, S. (2010). The process of government and business. In J. Hubbard, C. Thomas & S. Varnham (Eds) *Principles of law for New Zealand business students* (4<sup>th</sup> ed.) (pp. 48-70). North Shore, New Zealand: Pearson.
- *Lee v Lee's Air Farming Ltd* [1961] NZLR 325
- Mortimer, J. (1993). *The best of Rumpole* (pp. 88–94). Harmondsworth, United Kingdom: Penguin.

### **Tutorial Five: Week Nine**

### **Contracts**

#### Readings:

- *Carlill v Carbolic Smoke Ball Company* [1893] QB 256
- *Central London Property Trust v High Trees House* [1947] KB 130.
- *Williams v Roffey Brothers & Nicholls (Contractors) Ltd* [1990] 1 A11 ER 512

### **Tutorial Six: Week Ten**

### **Torts**

#### Readings:

- *Donohue v Stevenson* (1932) SC 31
- *Rylands v Fletcher* (1868) LR 3 HL 330

### **Tutorial Seven: Week Eleven**

### **Ethics and Policy**

#### Reading:

- Uhr, J. (2005). National security and government: At war with ethics. In *Terms of trust: Argument over ethics in Australian government*. Sydney NSW: University of New South Wales Press.

### **Tutorial Eight: Week Twelve**

### **Government, Globalisation and Business**

#### Readings:

- Globalisation and its Critics (2001, September 29). *The Economist*, 360, 3-6.
- Pettinger, T. R. (2008) *Five blogs on the global financial crisis of 2007-2008*. (Retrieved from [www.economicshelp.org](http://www.economicshelp.org))

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### **PASS (PEER ASSISTED STUDY SUPPORT) “Makes information stickable”.**

PASS study groups are informal weekly sessions, led by students who have excelled in the course. Leaders won't give you the answers, but they will help you consolidate subject knowledge and develop effective learning strategies.

PASS is open to all who wish to improve their grades.

#### **To sign-up:**

1. Log on to CareerHub <http://careerhub.vuw.ac.nz/Login.chpx?ReturnUrl=%2fDefault.chpx>).
2. Go to 'Events'.
3. Select 'other'.
4. Select your FCOM111 PASS time.

Sign-up is in Week 2. PASS begins in Week 3.

For more information, go to [http://www.victoria.ac.nz/st\\_services/slss/whats-on/pass.aspx](http://www.victoria.ac.nz/st_services/slss/whats-on/pass.aspx).

## **PART E: ALL ABOUT THE COURSE ASSESSMENTS...**

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### **THERE ARE FOUR (4) ASSESSMENTS IN THIS COURSE:**

Assessment One: **Government Assignment (25%)**  
Due: Thursday 31 March between 10.00am and 1 pm  
(Week 5)

Assessment Two: **Legal Test (25%)**  
Date: Monday 2 May  
(Week 8)  
A one hour Test commencing at 6.15pm.  
Rooms will be advised in Tutorials and will be published on Blackboard.

Assessment Three: **Tutorial Assignment Worksheets (20%)**  
Due: To be handed in at the beginning of tutorials.

The Tutorial Assignment Worksheets make up 20% of the overall course grade for FCOM 111. All students **MUST** submit **AT LEAST 6** tutorial assignment worksheets. Each Assignment worksheet is worth a maximum of 4%. The best 5 marked worksheets will be used to calculate this proportion of your FCOM 111 final grade.

Assessment Four: **Final Course Examination (30%)**  
A two hour examination covering the material from the entire course.  
The final examination for this course will be scheduled at some time during the period from Friday 10 June – Saturday 2 July 2011 (inclusive).

Details of the Assessments are set out below.

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### **WHO MARKS THE ASSESSMENTS?**

Your FCOM tutor will mark and provide appropriate feedback for the Government Assignment and Tutorial Assignment Worksheets. If you feel that the mark or feedback you received is unfair, then you must discuss this matter with your tutor, who may remark your Assessment. If you still feel that you have been treated unfairly then you may ask that your Assessment be reconsidered by the Course Co-ordinator. Your assessment, signed by your tutor, should be taken to the FCOM Office (EA 114). Dr. Michael Cash will review the mark.

Requests to review the mark must be made within ten (10) days of the Assessment being handed back. Note that both your tutor and Michael Cash may increase or decrease your grade if you request a remark.

A system of Moderation is in place and all work will be moderated by FCOM 111 Academic Staff.

Students wishing to receive a copy of their final examination script should refer to:  
[http://www.victoria.ac.nz/fca/studenthelp/publications/Return\\_of\\_Script.doc](http://www.victoria.ac.nz/fca/studenthelp/publications/Return_of_Script.doc) for more information.



## WHAT ARE THE CRITERIA FOR MARKING THE GOVERNMENT ASSIGNMENT AND TUTORIAL ASSIGNMENT WORKSHEETS?

The criteria for marking this Assignment are that your essay should:

1. Be substantially your own work.
2. Succeed in answering the Question(s) asked.
3. Show a good understanding of the relevant issues.
4. Give evidence of knowledge of relevant readings and research.
5. Demonstrate the ability to critique ideas.
6. Attain a good first-year University level of presentation of academic writing and research. Students are expected to use the APA referencing system in their Assignments.

In order to pass these assessments and do well, you must avoid a “cut and paste” Assignment. You will be rewarded, above all else, for your own thinking and engagement with the topic

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## REFERENCING AND PLAGIARISM

Your essays will be checked for plagiarism, so you need to carefully read the section on plagiarism and Turnitin usage (page 28). All references from your readings, other research undertaken, or from the Internet must be cited correctly and fully, using the APA referencing system.

Information on the APA Referencing system can be found here:

[http://www.victoria.ac.nz/st\\_services/slss/studyhub/reference/APA.pdf](http://www.victoria.ac.nz/st_services/slss/studyhub/reference/APA.pdf)

**REMEMBER:** Direct quotes OR paraphrasing (including ideas and concepts) **MUST** be referenced. Plagiarised material will be given 0 marks.

*You must ensure to keep an electronic copy of all your submitted work that may be retrieved when requested. Teaching Staff and/or the Course Coordinator reserves the right to check for plagiarism using whatever means required, including running work through turnitin.com.*

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**ASSESSMENT ONE: GOVERNMENT ASSIGNMENT (25%)**

*The Government is holding a referendum at the same time as the 2011 General Election.*

*The referendum gives New Zealanders the chance to have their say on the voting system we use to elect our governments in the future.*

*The referendum will ask voters two questions. The first asks whether they want to keep MMP or change to another voting system.*

*The second question asks which of four other voting systems they would prefer if New Zealand decided to change from MMP.*

Critically evaluate the arguments for and against the Mixed member Proportional (MMP) electoral system.

Should MMP be modified or replaced?

All references from your readings, other research undertaken, or from the Internet must be cited correctly and fully, using the APA referencing system.

You should utilise the materials and skills you have acquired from the three Writing Skills Workshops to ensure your essay meets the standards required of a first year/100-level piece of academic writing.

Information on the APA Referencing system can be found here:

[http://www.victoria.ac.nz/st\\_services/slss/studyhub/reference/APA.pdf](http://www.victoria.ac.nz/st_services/slss/studyhub/reference/APA.pdf) and in the FCA Writing Resource booklet.

**Due:** Thursday 31 March by 1pm

**Word length:** No more than 1500 words – PLEASE NOTE THE TOTAL WORD LENGTH OF YOUR ASSIGNMENT ON YOUR COVER SHEET.

Place your assignment in the box with your tutor's name on it.  
Boxes are located in Room EA 003, near the Faculty office.

*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.*

## **ASSESSMENT TWO: LEGAL TEST (25%)**

The Test covers legal material up to the end of week 6, that is up to and including the lectures on “How Law Develops and Changes” and also Tutorial Assignment Worksheet 3.

The Test will consist of a mixture of short to medium length written answer questions .

The rooms allocated for this test will be posted on Blackboard and advised in Lectures and Tutorials.

Date: Monday 2 May 2011.

A one hour test commencing at 6.15pm. Details of where to sit will be posted on Blackboard.

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## **ASSESSMENT THREE: TUTORIAL ASSIGNMENT WORKSHEETS (20%)**

The Tutorial Assignment Worksheets make up 20% of the overall course grade for FCOM 111. All students **MUST** submit **AT LEAST 6** tutorial assignment worksheets.

Each Assignment worksheet is worth a maximum of 4%. The best 5 marked worksheets will be used to calculate this proportion of your FCOM 111 final grade.

*The Worksheets are attached at the back of this Course Outline and will be available on Blackboard.*

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## **ASSESSMENT FOUR: THE FINAL COURSE EXAMINATION (30%)**

A two hour examination covering all the material from the entire course.

Students who enrol in courses with examinations are obliged to attend an examination at the University at any time during the formal examination period.

**Examination dates for Trimester one:** Friday 10 June – Saturday 2 July 2011 (inclusive).

**Check Blackboard for details and the date of this test.**

## **WHAT HAPPENS TO LATE ASSESSMENTS?**

Late Assignments and Essays will have their total mark reduced by 1 mark for each day they are overdue unless PRIOR permission has been granted. Late Assignments and Essays are to be brought to the FCOM Office (EA 114).

Assignments and Essays submitted over ten (10) days late will not be marked and you will be awarded 0% for this assessment.

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## **WHAT ARE THE MANDATORY COURSE REQUIREMENTS?**

To complete the mandatory requirements for this course you must:

- a) Attend all three of the Writing Skills Workshops (Weeks 2, 3, and 4).  
**AND**
- b) Attend at least SIX of the EIGHT tutorials (starting in Week 5) and be marked off as present by your tutor. If you arrive late then your tutor may not award you with 'attendance' for that tutorial.  
**AND**
- c) Submit at least SIX of the EIGHT Tutorial Assignment Worksheets as per the Schedule on Page 3 of this Course Outline. Note that the first Tutorial Assignment Worksheet is due in Week 4 (the third Writing Skills Workshop).  
**AND**
- d) Submit the Government Assignment.  
The Government Assignment must be put into your tutor's marked box near EA 114 with your name, Student ID number, your tutor's name, and your tutorial number on the front.  
**AND**
- e) Sit the Legal Test and the Final Course Examination.

Students whose total course marks are greater than 50%, but who do not fulfil ALL of the Mandatory Course Requirements will fail the course. They will not receive a graded result for FCOM 111. Their records will show a "K" (an ungraded fail).

**To pass FCOM 111 a student must fulfil all the mandatory requirements and achieve at least an aggregate of 50% over all the assessments.**

## **PART F: AND...GENERAL UNIVERSITY POLICIES AND STATUTES**

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

#### Rutherford House (RH) - FCA Student and Academic Services Counter

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 on the ground floor (EA005). This counter is the first point of contact for :

- 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**

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

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

Find out about academic progress and restricted enrolment at

[www.victoria.ac.nz/home/study/academic-progress](http://www.victoria.ac.nz/home/study/academic-progress)

The university's statutes and policies are available at [www.victoria.ac.nz/home/about/policy](http://www.victoria.ac.nz/home/about/policy)

Except qualification statutes, which are available at via the Calendar webpage at

[www.victoria.ac.nz/home/study/calendar](http://www.victoria.ac.nz/home/study/calendar) (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](http://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](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/](http://www.victoria.ac.nz/st_services/mentoring/)

## **Academic Integrity, Plagiarism, and the use of Turnitin**

Plagiarism is presenting someone else's work as if it were your own, whether you mean to or not.

'Someone else's work' means anything that is not your own idea. Even if it is presented in your own style, you must still acknowledge your sources fully and appropriately. This includes:

- material from books, journals or any other printed source
- the work of other students or staff
- information from the Internet
- software programs and other electronic material
- designs and ideas
- the organisation or structuring of any such material.

Acknowledgement is required for *all* material in any work submitted for assessment unless it is a 'fact' that is well-known in the context (such as "Wellington is the capital of New Zealand") or your own ideas in your own words. Everything else that derives from one of the sources above and ends up in your work – whether it is directly quoted, paraphrased, or put into a table or figure, needs to be acknowledged with a reference that is sufficient for your reader to locate the original source.

Plagiarism undermines academic integrity simply because it is a form of lying, stealing and mistreating others. Plagiarism involves stealing other people's intellectual property and lying about whose work it is. This is why plagiarism is prohibited at Victoria.

If you are found guilty of plagiarism, you may be penalised under the Statute on Student Conduct. You should be aware of your obligations under the Statute, which can be downloaded from the policy website ([www.victoria.ac.nz/home/about/policy/students.aspx](http://www.victoria.ac.nz/home/about/policy/students.aspx)). You could fail your course or even be suspended from the University.

Plagiarism is easy to detect. The University has systems in place to identify it.

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.

There is guidance available to students on how to avoid plagiarism by way of sound study skills and the proper and consistent use of a recognised referencing system. This guidance may be found at the following website <http://www.victoria.ac.nz/home/study/plagiarism.aspx>

If in doubt seek the advice of your course coordinator.

Plagiarism is simply not worth the risk

### **Class Representatives**

A class representative/s will be elected in the first class, and that person's name and contact details will be 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.

## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #8</b>	<u>Name of Student:</u>	<u>Tutorial Date and Time:</u>
	<u>Student ID Number:</u>	<u>Tutor:</u>
<p><b>Readings:</b></p> <p>Globalisation and its Critics (2001, September 29). <i>The Economist</i>, 360, 3-6.</p> <p>Pettinger, T. R. (2008). <i>Five blogs on the global financial crisis of 2007-2008</i>. (Retrieved from <a href="http://www.economicshelp.org">www.economicshelp.org</a>)</p>		
1. Discuss at least two ways by which globalisation makes countries more dependent upon one another.	<p>1.</p> <p>2.</p>	
2. Discuss how globalisation can lead to either an increase or a decrease in available jobs.	<p>Increase:</p> <p>Decrease:</p>	
3. Discuss how mortgage backed securities can be both beneficial and harmful to business.	<p>Beneficial:</p> <p>Harmful:</p>	
4. Discuss how lower interest rates can be both beneficial and harmful to businesses and homeowners.	<p>Beneficial:</p> <p>Harmful:</p>	
<b><u>Mark out of 10</u></b>	<b><u>Tutor comment:</u></b>	

## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #7</b>	<u>Name of Student:</u>	<u>Tutorial Date and Time:</u>
	<u>Student ID Number:</u>	<u>Tutor:</u>
<b><u>Reading:</u></b>  Uhr, J (2005). National security and government: At war with ethics. In <i>Terms of trust: Arguments over ethics in Australian government</i> . Sydney NSW: University of New South Wales Press.		
1. What was the nature of the dilemma faced by Clive Ponting?		
2. At the trial of Clive Ponting what was the essence of the Judge's advice (in his summing up) of the duty of Clive Ponting (and of other civil servants more generally)?		
3. How does Uhr define the "Ponting Principle"?		
4. What guidance is provided to NZ public servants on ethical standards and behaviour? Cite a reference to one official source using the APA referencing style.		
<b><u>Mark out of 10</u></b>	<b><u>Tutor comment:</u></b>	



## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #6</b>	<b><u>Name of Student:</u></b>	<b><u>Tutorial Date and Time:</u></b>
	<b><u>Student ID Number:</u></b>	<b><u>Tutor:</u></b>

### **Readings (see the Materials Book):**

*Rylands v Fletcher* (1868) LR 3 HL 330

1. In the above case, name the party who brought the original action (plaintiff) and the parties against whom the action was brought (defendants). Briefly state what the plaintiff claimed against the defendants and for what reasons.

2. Why is this case regarded as an important development in civil legal liability?

3. What were the legal principles formulated by the House of Lords upon which a landowner becomes liable for the use of his/her land?

4. What are the defences available to a landowner against an action under the *Rylands v Fletcher* principles?

**Mark out of 10**

**Tutor comment:**

**FCOM 111: Government, Law and Business**

<b>Tutorial Worksheet #5</b>	<u>Name of Student:</u>	<u>Tutorial Date and Time:</u>
	<u>Student ID Number:</u>	<u>Tutor:</u>

**Readings (see the Materials Book):**

*Central London Property Trust v High Trees House* [1947] KB. 130

1. In the above case, after first claiming £7,916 against the defendant, why did the plaintiff finally decide to claim £695 only?

2. What was the defendant's reply to the plaintiff's claim?

3. What did the court (Denning J) decide about the claim of £695? What reasons did the court give for its finding?

4. What did the court (Denning J) say if the claim had been for £7,916? What reasons did the court give for its opinion?

**Mark out of 10**

**Tutor comment:**

## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #4</b>	<b><u>Name of Student:</u></b>	<b><u>Tutorial Date and Time:</u></b>
	<b><u>Student ID Number:</u></b>	<b><u>Tutor:</u></b>
<b><u>Readings:</u></b> Hubbard, J., Thomas, C., & Varnham, S. (2006) <i>Principles of law for New Zealand business students</i> (3 <sup>rd</sup> ed.) (pp. 48 - 70). Auckland: Prentice Hall. Lee v Lee's Air Farming Ltd [1961] NZLR, pp. 325 – 337. Mortimer, J. (1993). <i>The best of Rumpole</i> (pp. 88 – 94). Harmondsworth: Penguin.		
1. List the steps a Bill goes through, starting with the introduction to the House, in order to become law?		
2. Explain what a Select Committee is? Should all Bills have to go through the Select Committee process?		
3. What is the difference between an Act of Parliament and delegated legislation such as a Statutory Regulation?		
4. Looking at the court's decision in Lee's case, give a reason why Parliament did not include a section in the Workers Compensation Act making it clear what should have been the entitlement to compensation for a person who employed themselves in what was really a one person company?		
5. Using 50 words or less, write an extra section for the Workers Compensation Act to have made it clear that persons in Mr Lee's position were not entitled to compensation under that Act.		
<b><u>Mark out of 10:</u></b>	<b><u>Tutor comment:</u></b>	

## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #3</b>	<b><u>Name of Student:</u></b>	<b><u>Tutorial Date and Time:</u></b>
	<b><u>Student ID Number:</u></b>	<b><u>Tutor:</u></b>
<b><u>Readings:</u></b> Longdin, L. (2006). The role of law. In L. Longdin (Ed.), <i>Law in business and government in New Zealand</i> (pp. 2 – 14). Auckland: Palatine. Longdin, L. (2006). Classification of law. In L. Longdin (Ed.), <i>Law in business and government in New Zealand</i> (pp. 15 - 22). Auckland: Palatine. Supreme Court. (2004, November 25). <i>Media release – Ahmed Zaoui v The Attorney-General &amp; ORS</i> . Wellington. Legal notice. (1999, October 31). <i>New York Times</i> , p. 80. Knyvett v Christchurch Casinos Ltd. (1999) 2 NZLR 559.		
1. There is an old saying that ‘ignorance of the law is no excuse’. Explain what you think this saying might actually mean?		
2. In modern democracies governments need to take the property of citizens in order to fund government activity. Explain how taxation fits with the concept of ‘The Rule of Law’?		
3. Do you think that a judge when deciding a case should try to achieve the fairest result for the parties in that case? Or should the judge use their written decision to shape the law in a way that is more certain and predictable? Why?		
4. Write a warning sign to go on display in your casino stating a policy about awarding prizes to anyone gambling underage. This must be no more than 50 words.		
<b><u>Mark out of 10:</u></b>	<b><u>Tutor comment:</u></b>	

## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #2</b>	<u>Name of Student:</u>	<u>Tutorial Date and Time:</u>
	<u>Student ID Number:</u>	<u>Tutor:</u>
<b>Readings:</b> Elections New Zealand. (2006) <i>From FPP to MMP</i> . Retrieved December 1, 2008 from <a href="http://www.elections.org.nz/democracy/history/history-mmp_plain.html">http://www.elections.org.nz/democracy/history/history-mmp_plain.html</a> Elections New Zealand. (n.d.) <i>Royal Commission criteria for judging voting systems</i> . (Retrieved December 1, 2008 from <a href="http://www.elections.org.nz/study/researchers/rc-voting-system-judging-criteria.html">http://www.elections.org.nz/study/researchers/rc-voting-system-judging-criteria.html</a> ) Boston, J., Church, S., & Bale, T. (2003). The impact of proportional representation on government effectiveness: The New Zealand experience. <i>Australian Journal of Public Administration</i> , 62 (4), 7-22.		
1. What were the principal arguments advanced for changing from the First Past the Post (FPP) to the Mixed Member Proportional (MMP) electoral system?		
2. In terms of the criteria used by the Royal Commission, in your assessment on which of these does <u>First Past The Post</u> score highest, and on which does it score lowest?		
3. What are threshold (minimum) requirements for a political party to be represented in the New Zealand Parliament?		
4. Find and provide references for two speeches by New Zealand politicians since June 2010 relating to the strengths and/or weaknesses of New Zealand's present electoral arrangements.		
<b><u>Mark out of 10</u></b>	<b><u>Tutor comment:</u></b>	

## FCOM 111: Government, Law and Business

<b>Tutorial Worksheet #1</b>	<u>Name of Student:</u>	<u>Tutorial Date and Time:</u>
	<u>Student ID Number:</u>	<u>Tutor:</u>
<p><b>Readings:</b></p> <p>Keith, K. (2008), <i>Cabinet Manual – On the constitution of New Zealand: An introduction to the foundations of the current form of government</i>. (Retrieved from <a href="http://www.cabinetmanual.cabinetoffice.govt.nz/node/68">http://www.cabinetmanual.cabinetoffice.govt.nz/node/68</a>)</p> <p>Shaw, R. and Eichbaum, C. (2008) <i>Public policy in New Zealand: institutions, processes and outcomes</i>. (2<sup>nd</sup> ed.) Auckland, New Zealand: Pearson Education New Zealand.</p>		
1. Define what is meant by a constitution.		
2. What is meant by the notion of a ‘constitutional <u>convention</u> ’?		
3 List four statutes (Acts of Parliament) that form part of New Zealand’s overall constitutional arrangements.	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> </ol>	
4. Other than the readings in the Book of Course readings find <b>TWO</b> pieces of published work on the NZ Constitution (book, chapter, article, material from web) and provide references for them both.	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> </ol>	
<b>Mark out of 10</b> ↓	<b>Tutor comment:</b>	

