TE WHARE WĀNANGA O TE ŪPOKO O TE IKA A MĀUI

VICTORIA
UNIVERSITY OF WELLINGTON

School of Accounting and Commercial Law

COML 307 LEGAL ISSUES FOR E-COMMERCE

Trimester One 2012

COURSE OUTLINE

Names and Contact Details

Course Coordinator & Lecturer:	Susan Corbett Email: Susan.Corbett@vuw.ac.nz Office hours: TBA.	RH722	463 5480
Course Administrator:	Lucy May Email: Lucy.May@vuw.ac.nz (Office hours: Monday-Friday 8.30am-5pm) Office is closed: 10.30-10.45am and 3.30-3.45pm.)	RH708	463 5775

Trimester Dates
Teaching Period: Monday 5 March – Friday 8 June
Study Period: Monday 11 June – Thursday 14 June
Examination Period: Friday 15 June – Wednesday 4 July (inclusive)

Withdrawal from Courses
Your fees will be refunded if you withdraw from this course on or before Friday 16 March 2012.

The last date for withdrawal from this course is Friday 18 May 2012. 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
Wednesday: 11.30 – 13.20
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 and dispute resolution, intellectual property, domain names, electronic contracts, privacy, online tort, and computer crime.

Provisional Lecture Programme			
	Date	*Lecturer*	*Topic*
Week 1	**7 March**	**SC**	**Introduction to course.** **Internet NZ presentation.** **Jurisdiction**
Week 2	**14 March**	**SC**	**Jurisdiction** **Alternative Dispute Resolution online**
Week 3 *(Tutorial 1)*	**21 March**	**SC**	**Online Privacy** **- the Privacy Act 1993, cookies, web bugs, data protection, cloud computing**
Week 4 *(Tutorial 2)*	**28 March**	**SC**	**Trade Marks and Domain names**
Week 5	**4 April**	**Guest speaker: NZ Domain Name Commissioner, Debbie Monahan.**	**Domain name regulation in New Zealand.** **Registering a .nz domain name** **Domain name disputes**
BREAK			

Week 6	**25 April**	**ANZAC DAY NO LECTURE**	
	26 April 2 p.m.	**Assignment due**	**Your assignment should be placed in the COML 307 assignment box on RH Mezzanine Floor**
Week 7 *(Tutorial 3)*	**2 May**	**SC**	**Formation and validity of online contracts. Electronic Transactions Act 2002, ss 1-13.**
Week 8 *(Tutorial 4)*	**9 May**	**SC**	**Copyright: copyright and the e-trader's website, linking, digital rights management, file sharing.**
Week 9		**TEST**	**Date, time, and venue to be confirmed**
Week 10 *(Tutorial 5)*	**23 May**	**SC** **Guest Speaker: Chris Hails, Cybersafety and Security Consultant, NetSafe**	**Computer crime** **Cyber-security**
Week 11 *(Tutorial 6)*	**30 May**	**SC**	**Computer crime (*continued*)** **Torts: viruses and worms, spam, defamation.**
Week 12 *(No tutorial)*	**6 June**	**SC**	**Course Review**

Course Learning Objectives

The subject matter of the course is electronic commerce. The course examines selected areas of law that are relevant to the e-trader and analyses and critiques the application of those laws to the online environment. Because electronic commerce has an international dimension there will be a component of comparative study incorporated into the course.

Students successfully completing this course are expected to:

1. Explain the application of existing laws to e-commerce.
2. Compare and critique selected regulatory frameworks relevant to e-commerce in New Zealand with those in overseas jurisdictions.
3. Describe the areas of law that should be considered when setting up an e-business.
4. Analyse legal problems in 'real-life' scenarios and provide advice for their solution.

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 the lectures and tutorials every week, assignments, and preparation for exams.

Materials and Equipment

1. COML 307 Course Materials (2012)

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: **1200-Word Assignment** (Due 2 pm Thursday 26 April) - 20%

Assessment 2: **Test** – 20% (Date, venue and time to be advised)

Assessment 3: A Two-hour **Final Exam** Time & Venue TBA - 60%

The assignment will consist of a comparative study of the domain name regulatory system in New Zealand and overseas. (Course objective 2) 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, 3, 4).

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.

InternetNZ Academic Prize
An annual prize of $750 is awarded by InternetNZ for the top student in COML 307 - Legal Issues for E-Commerce.

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 15 June – Wednesday 4 July 2012 (inclusive).**

Mandatory Course Requirements
To pass the course it will be necessary to sit both the test and the exam, to complete the assignment, and to obtain an overall course mark of at least 50%.

Attendance and satisfactory participation in the tutorials 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. Sitting the test.
3. Obtaining a mark of 40% or better in the **Final Exam**
4. 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 Assignment is due by 2.00 pm on 26th April. 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/

Te Putahi Atawhai
Maori and Pacific Mentoring Programme
http://www.victoria.ac.nz/tpa/