

School of Accounting and Commercial Law

MMPA 503 BUSINESS LAW

Trimester One 2012

COURSE OUTLINE

Names and Contact Details	Office	Telephone
<i>Course Coordinator & Lecturer</i> Yvonne van Roy Yvonne.vanRoy@vuw.ac.nz Office Hours: TBA	RH 605	463 6762
<i>Lecturer</i> Palitha De Silva Palitha.DeSilva@vuw.ac.nz Office Hours: TBA	RH 611	463 6960
<i>Course Administrator</i> Pinky Shah Pinky.Shah@vuw.ac.nz Office hours: Monday-Friday, 8.30am-5pm	RH 728	463 6921

Trimester Dates

Teaching Period: Monday 5 March – Friday 15 June

Study Period: Monday 18 June – Friday 22 June

Examination Period (for MPA courses): Saturday 23 June – Wednesday 4 July (inclusive)

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 16 March 2012.
2. The standard 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 5.40-8.30pm, Government Buildings Lecture Theatre 3 (GBLT3)

Course Content

The aim of this course is to provide an understanding of the legal principles that impact on business, in particular an understanding of the legal system and of the law relating to civil obligations in business. The course is divided into two main parts. The first part provides an introduction to law, an explanation of some key concepts and the legal method. Within this part, the participants will also get an understanding of how civil legal obligations arise in business – under statute, rules of equity, torts and contracts. The second part deals with that part of the law of civil obligations which relates to the law of contracts.

Course Learning Objectives

At the end of this course, students should be able to:

- (a) Understand the functions of the New Zealand legal system;
- (b) Have an understanding of the Treaty of Waitangi and legal issues arising from it;
- (c) Analyse contractual issues;
- (d) Have a general understanding of specific areas of commercial law;
- (e) Analyse legal issues and potential solutions to legal problems;
- (f) Analyse and understand legislation.

Course Delivery

Please see page 5 for an overview of the course.

Expected Workload

Workload obligations for this course are 150 hours which will typically be spread over the teaching weeks and the mid-trimester break.

Group Work

Collaboration on individual assignments is not allowed beyond general discussion as to the nature of the assignment question. Please do not work together to produce any written work and do not loan out your completed assignments.

Readings

The required books are:

- Louise Longdin et al, Law in Business and Government in New Zealand, Palatine Press, 4th Edition, 2006 (for weeks 1-5 topics)
- John Burrows et al, Law of Contract in New Zealand, LexisNexis NZ Ltd, 3rd Edition, 2007 (for weeks 6-12 topics)

Other readings: Lecture summaries and other handouts will be given out, and made available on Blackboard.

Students are expected to read the readings set for each session in preparation for that session. They are also expected to prepare answers to any tutorial or workshop questions in order to participate fully in that part of the session.

Assessment Requirements

<u>Assignment 1</u> (2000 words max) (due in class on Wednesday 4 April)	25%
<u>Assignment 2</u> (1500 words max) (due in class on Wednesday 30 May)	25%
<u>Exam</u> (Open Book; 120 minutes) (To be advised)	50%

Quality Assurance 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 Saturday 23 June – Wednesday 4 July (inclusive).

Penalties

The due date for the Assignments will be strictly adhered to. However, if you consider you have a good reason for not meeting these deadlines, please see the course co-ordinator as soon as you know you will have this problem. Otherwise, the penalty will be 5% per day (after the due date).

Mandatory Course Requirements

To meet mandatory course requirements students are required to obtain at least 40% for the Assignments combined.

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

Information of course-related matters will be announced in class and posted on the Blackboard website: <http://blackboard.vuw.ac.nz> or via My Victoria. It is important that you regularly check Blackboard for messages, announcements, and materials.

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/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/>

MMPA 503: Business Law
(Wednesday 5.40pm-8.30pm, GBLT3)

Wk	Date	Lecturer	Content	Reading
PART ONE: Introduction to the Legal System and to the Law of Civil Obligations				
1	7 Mar	PDS	Introduction to Law: Function, Development & Classification; Framework of Government	Chapters 1-5 (inclusive) Longdin
2	14 Mar	PDS	Legislative Process; Treaty of Waitangi Judicial Method – Statutory Interpretation	Chapters 6, 7 & 10 Longdin
3	21 Mar	PDS	Judicial Method – Case Law & Precedent	Chapter 9 Longdin
4	28 Mar	PDS	Civil Legal Obligations: Statute, Equity	Chapters 17, 18, 20, 22, Longdin
5	4 Apr	PDS	Civil Legal Obligations: Torts (Negligence); Negligent Statements	Chapters 21 & 28 (pp. 549-61 Longdin)
Mid-Trimester Break (6 April – 22 April)				
PART TWO: Contract Law				
6	2 May	PDS	Crime and Property	Chapters 13, 16, 35 & 36 Longdin
7	9 May	YvR	The Phenomenon of Agreement	Chapters 1-5 Burrows
8	16 May	YvR	Contents of the Contract	Chapters 6-9 Burrows
9	23 May	YvR	Unfair Contracts & Illegal Contracts	Chapters 12 & 13 Burrows
10	30 May	YvR	Mistake & Misrepresentation	Chapters 10 & 11 Burrows
11	6 Jun	YvR	Termination, Breach and Remedies	Chapters 18-21 Burrows
12	13 Jun	YvR	The Fair Trading Act 1986 The Consumer Guarantees Act 1993	Chapter 11 Burrows Additional readings
			Final Exam (To be advised)	