

School of Accounting and Commercial Law

## COML 310 BUSINESS CONTRACTS

Trimester 1, 2014

### COURSE OUTLINE

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#### Names and Contact Details

<i>Course Coordinator &amp; Lecturer</i>	Amanda Reilly <a href="mailto:amanda.reilly@vuw.ac.nz">amanda.reilly@vuw.ac.nz</a> Office hours: TBA	RH 723	463 6958
<i>Course Administrator</i>	Lee Vassiliadis <a href="mailto:lee.vassiliadis@vuw.ac.nz">lee.vassiliadis@vuw.ac.nz</a> Office hours: Monday-Friday, 8.30am-5pm (Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm)	Enquiries Counter, RH Level 7	463 5383

#### Trimester Dates

Teaching Period: Monday 3 March – Friday 6 June

Study Period: Monday 9 June – Thursday 12 June

Examination Period: Friday 13 June – Wednesday 2 July (inclusive)

#### Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 14 March 2014.
2. The standard last date for withdrawal from this course is Friday 16 May 2014. 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**

### *Lectures*

Tuesday and Friday 1.40pm – 2.30pm  
Government Buildings GBLT1

### *Tutorials*

There will be five tutorials in Weeks 3, 5, 8, 10 and 12 respectively. Tutorials are non-compulsory but highly recommended. 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 trimester. The instructions for signing up are attached at the back of this Course Outline and will also be posted in the Tutorials section of the course **COML 310** on Blackboard. The completed tutorial lists are available on S-cubed.

## **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.

## **Prescription:**

The law relating to business contracts.

## **Course Learning Objectives**

The subject matter of the course is business contracts. The course examines general principles of contract law as expressed in common law principles, case law and statutes and applies these principles to various kinds of business contracts.

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

## **Readings**

Required: COML 310 *Course Materials* (2014) purchased through Vic Books.

**Course Content 2014 (provisional only- there may be some variance in the timing of topics)**

	<b>Date</b>	<b>Topic</b>
Week 1	Tues 4 March Fri 7 March	Essentials of Valid Contract
Week 2	Tues 11 March Fri 14 March	Electronic Contracts
Week 3 <b>Tutorial 1</b>	Tues 18 March Fri 21 March	Express Terms Implied Terms
Week 4 <b>Test week, details to be confirmed</b>	Tues 25 March Fri 28 March	Incapacity Test (TBC)
Week 5 <b>Tutorial 2</b>	Tues 1 April Fri 4 April	Illegal Contracts Mistake and Misrepresentation
Week 6	Tues 8 April Fri 11 April	Insurance Law (Guest Lecturer Susan Corbett)
Week 7	Tues 15 April Fri 18 April : <b>Easter</b> (No lecture)	Sale of Goods
Week 8 <b>Tutorial 3</b>	Tues 6 May Fri 9 May	Sale of Goods Sale of Goods
Week 9 <b>Assignment due 2pm Monday 12 May</b>	Tues 13 May Fri 16 May	International Sale of Goods International Sale of Goods
Week 10 <b>Tutorial 4</b>	Tues 20 May Fri 23 May	PPSA PPSA
Week 11	Tues 27 May Fri 30 May	Termination of Contract
Week 12 <b>Tutorial 5</b>	Tues 3 June Fri 6 June	Dispute Resolution

### **Materials permitted in examination**

The test and the exam are open book and you may bring whatever materials you like into the exam room apart from computers or cell phones. 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**

From Trimester 1, 2014, a revised Assessment Handbook will apply to all VUW courses: see <http://www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf>.

In particular, there will be a new grade scheme, in which the A+ range will be 90-100% and 50-54% will be a C-.

Test ( <i>open book</i> )	20%	Week 4 Friday 28 March time and venue TBC
Assignment	30%	Due 2pm Monday 12 May (word limit 1000 words)
Exam ( <i>open book</i> )	50%	June/July (2 hours)

The test will examine topics to be advised in lectures. 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). The assignment will give students the opportunity to critically reflect on the limitations of contract law and the need for possible reform (Course objective 3).

*Note: Assignments are to be placed in boxes labelled "COML 310" on the Mezzanine floor of Rutherford House.*

### **Penalties**

The Assignment is due by 2.00 pm on 12<sup>th</sup> May. If submitted later, without prior permission from the Course Coordinator, 5% of the mark will be deducted for each additional day. Extensions will only be allowed in exceptional circumstances where a medical certificate or other appropriate documentation is provided in support.

### **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 submitted to Turnitin. A copy of submitted materials will be retained 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.

### **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 following period:

Friday 13 June – Wednesday 2 July (inclusive)

### **Mandatory Course Requirements**

In addition to obtaining an overall course mark of 50 or better, students must sit both the test and the exam, and complete the assignment.

If you cannot complete an assignment or sit a test or examination, refer to [www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat](http://www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat)

### **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.

### **Student feedback**

Student feedback on University courses may be found at [www.cad.vuw.ac.nz/feedback/feedback\\_display.php](http://www.cad.vuw.ac.nz/feedback/feedback_display.php)

### **Link to general information**

For general information about course-related matters, go to <http://www.victoria.ac.nz/vbs/studenthelp/general-course-information>

### **Note to Students**

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

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## 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.