

School of Management

MMBA 502 COMMERCIAL LAW

Trimester 1, 2014

COURSE OUTLINE

Names and Contact Details

COURSE COORDINATOR

Trish Keeper BA, LLB, LLM

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PROGRAMME ADMINISTRATOR

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TEACHING STAFF

Trish Keeper BA, LLB, LLM

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Trimester Dates

Teaching Period: Monday 3rd March – Friday 6th June

Study Period: Monday 9th June – Thursday 12th June

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

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 14th March 2014.
2. The standard last date for withdrawal from this course is Friday 16th May. 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: Monday
Time: 19:40-21:30
Venue: Rutherford House Lecture Theatre 3 (RHLT3)

Monday 2 June - Queen's Birthday: class will be rescheduled to Monday 9 June venue RHLT3

Course Delivery

Delivery of the course is centred on a schedule of lectures. There will generally be pre-lecture or post-lecture reading or other preparation. There is a pre-course compulsory reading which will be provided in advance of the first lecture.

Lecture Schedule – MMBA 502 2014

Session	Date	Topics
Pre-Course Reading		J Hubbard, C Thomas, S Varnham, "Principles of Law for New Zealand Business Students" (5 th edn, 2013, Pearson) Ch 1 'The basis of New Zealand Law', pgs 1-20.
1	3 March	Sources of law and introduction to the legislative process The New Zealand Constitution and its importance for business
2	10 March	Statutory interpretation and the role of the Courts.
3	17 March	Parliamentary controls of delegated legislation and judicial review Law, ethics, and business.
4	24 March	Overview of liability and obligations
5	31 March	Overview of tort and contract Tort: imposed obligations Contract: assumed obligations
6	7 April	Choice of business structure
7	14 April	Key features of limited liability companies
		Easter break
8	5 May	Fund raising Assignment Two (individual) due 5 May 5.30 pm
9	12 May	Assignment Two due: Group Assignment and hard copy of presentations due. Presentations Week One
10	19 May	Presentations Week Two
11	26 May	Property in the digital age and managing intellectual property
12	9 June	Intellectual property continued, course review and legal problem-solving practice.

Group Work

The course does contain some group work. Additional information about this is provided in the coverage of assessment elsewhere in this outline. It is expected that the time commitment for this group work outside class will fit inside the expected workload.

Expected Workload

Workload expectations for this course are 10 hours per week for the 12 teaching weeks and 30 hrs total during the mid-trimester break and prior to the examination.

Prescription

The implications of commercial law for business organisations. Particular emphasis will be placed on the law of contract, the law of organisations, and administrative law with respect to business decision-making.

Course Learning Objectives

This course will provide participants the opportunity:

1. to develop oral and written communication skills
 - a) through active participation in class discussion
 - b) through the development and presentation of written reports, in particular the two assignments that form the in-term assessment for the course
 - c) through formal and informal classroom debate
2. to develop critical and creative thinking skills
 - a) through the assignments requiring analysis, evaluation, interpretation and synthesis
 - b) through debate and classroom discussion
3. to develop problem solving skills
 - a) through preparation for the Final Exam questions which require the application of legal rules to hypothetical fact situations
 - b) through preparation for tutorial, project or group exercise
4. to develop leadership skills
 - a) through structuring independent study
 - b) through fulfilling spokesperson duties, reporting on a group's activities or ideas to a class

Overall Course Objectives

By the end of this course, you should:

1. be familiar with the New Zealand constitution and legal system and its relevance to business,
2. have an appreciation of the nature of the civil legal obligations arising under statute, contract and tort and be able to apply these legal concepts to provide written advice for typical business scenarios.
3. be aware of the different legal structures available for business and their comparative advantages; collaborate with a team in order to carry out extended research into one aspect of this topic and articulate the findings in a formal oral presentation.
4. have a good grasp of the legal obligations associated with corporate governance, including the legal separation of the corporate identity from the personnel in business, the ethical implications of business, and other issues important in corporate governance
5. understand the significance of intellectual property law and its application in the context of business including the preparation of appropriate intellectual property policies.

Course Content

This course is aimed at professional managers who perform strategic roles within the private sector and government enterprises. Integral to the effective performance of such roles is an understanding of the legal principles that impact on business

Readings

Students will be provided with readings and copies of Power-point presentations. Where necessary other materials such as textbooks and practitioner or academic journals will be recommended.

Materials and Equipment

It is not expected that any other materials or equipment will be required.

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-.

Assessment Requirements

Assignment	Title	Weight	Date
1	Assignment	15%	Issued 10 March and due 7 April
2	Group Assignment	15%	Issued 7 April and 12 May
	Individual	10%	Issued 7 April and due 5 May 2014
3	Open-Book Final Examination 2 hours	60%	13 th June – 2 nd July (inclusive)
	TOTAL	100%	

First Assignment (15%) – In the first part of the course a take-home assignment will be provided as an opportunity for students to research, analyse, and write on an application of business law. In total this Assignment will require you to write 1500 words. This assignment constitutes “individual work” in terms of MBA Programme requirements.

Second Assignment

Group Assignment (15%) - In the second part of the course there will be a Group Assignment. In this Assignment groups will work on a task and present the results to the whole class both in written form and in an oral presentation. The mark obtained by members of the group, for both pieces of assessment, will be the mark awarded to the group.

Individual Exercise (10%) – This will run in parallel with the Group Assignment. The Individual Exercise constitutes "individual work" in terms of MBA programme requirements and will be of a length between 1000-1200 words.

Final Examination (60%) - A final examination will be held during which students will be expected to apply their knowledge of business law both in problem situations (including small case vignettes) and short opinion or essay type answers. In accordance with Victoria MBA programme policy, students must obtain a minimum of forty percent (40%) of the marks available on the final examination in order to pass the course.

Assignment One, the Individual Exercise in Assignment Two and the exam will give students the opportunity to convey business and legal concepts concisely in appropriate written format (Course objectives 1, 2 and 3). The Group Assignment will give students the opportunity to co-operate in teams to present business information to their colleagues and to display their individual oral skills (Course objective 4).

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<i>Pass/Fail</i>	<i>Grade</i>	<i>Normal Range</i>	<i>Indicative Characterisation</i>
Pass	A+	90%-100%	Outstanding performance
	A	85%-89%	Excellent performance
	A-	80%-84%	Excellent performance in most respects
	B+	75%-79%	Very good performance
	B	70%-74%	Good performance
	B-	65%-69%	Good performance overall, but some weaknesses
	C+	60%-64%	Satisfactory to good performance
	C	55%-59%	Satisfactory performance
	C-	50%-54%	Adequate evidence of learning
Fail	D	40%-49%	Poor performance overall, some evidence of learning
	E	0-39%	Well below the standard required

Penalties

In fairness to other students, work submitted after the deadline will be subject to a penalty of 5% of the total marks available per day of lateness. Assignments more than one week late will not be accepted. A “zero” mark will be applied. In the event of unusual, unforeseen circumstances (e.g., serious illness, family bereavement), students should discuss waiver of the penalty with the course controller prior to the deadline date.

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 13th June – Wednesday 2nd July (inclusive)

Mandatory Course Requirements

In addition to obtaining an overall course mark of 50 or better, students must submit the two assignments and obtain at least 40 per cent of the marks in the Final Examination.

If you cannot complete an assignment or sit a test or examination, refer to

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

Information on course-related matters will be announced at class and posted on the Blackboard website at <http://blackboard.vuw.ac.nz/>. It will be crucial for you to regularly check Blackboard for messages, announcements and materials.

Student feedback

Student feedback on University courses may be found at

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.
