

School of Accounting and Commercial Law

## **MMPA 503 BUSINESS LAW**

Trimester 1, 2014

### **COURSE OUTLINE**

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<b>Names and Contact Details</b>	<b>Office</b>	<b>Telephone</b>
<i>Course Coordinator &amp; Lecturer</i> Palitha de Silva <a href="mailto:palitha.desilva@vuw.ac.nz">palitha.desilva@vuw.ac.nz</a> Office hours: TBA	RH 611	463 6960
<i>Course Administrator</i> Pinky Shah <a href="mailto:pinky.shah@vuw.ac.nz">pinky.shah@vuw.ac.nz</a> Office hours: Monday-Friday, 9am-5.30pm	RH 728	463 6921

#### **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**

**Tuesdays:** 5.40-8.30pm

**Venue:** RHLT2 (Rutherford House Lecture Theatre 2), Pipitea Campus

#### **Course Delivery**

The course is delivered in one three-hour lecture per week. A lecture schedule is provided on page 5.

## **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.

## **Expected Workload**

It is expected that students will work for 150 hours across the course. Lectures account for 36 hours of this time. Accordingly, students are expected to allocate seven hours per week during the teaching weeks (outside of class) to lecture preparation, lecture review, readings, and assignments, and a further 30 hours preparing for the final assessment.

## **Prescription**

The impact of the legal system and the legislative process on selected aspects of the business environment.

## **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 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.

## **Readings**

The required book is:

Hubbard, J., Thomas, C., & Varnham, S. (2012). *Principles of Law for New Zealand Business Students* (5<sup>th</sup> ed.). Auckland: Pearson.

Other readings: Lecture summaries and other handouts will be 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

From Trimester 1, 2014, a revised Assessment Handbook will apply to all Victoria 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 Item	%	Date	Course Learning Objectives Assessed
Assignment 1 (2000 words max)	25%	due in class on Tuesday 15 April 2014	a & f
Assignment 2 (2000 words max)	25%	due in class on Tuesday 27 May 2014	c, d & e
Exam (Open Book; 2 hours)	50%	TBC – See ‘Examinations’ section on p. 4	a, c, d, e & f

## Penalties

Assignments must be handed in on or before the due date and time. In fairness to other students, any assignment submitted after the deadline will be subject to a penalty of 5% of the total marks available for every day or part of a day (including Saturdays and Sundays) that the assignment is submitted late. For example, an assignment marked out of 100 due by 2pm on Monday 1 January but submitted at 1pm on Wednesday 3 January, will have 10 marks deducted.

An extension or waiver (with no penalty) will be considered on the grounds of exceptional personal circumstances. Students must complete the ‘Assignment Extension/Waiver Application Form’ available on Blackboard and submit the form (with the relevant supporting documentation) to Pinky Shah, preferably before the assignment due date.

*Note: The submission of an application does not mean that the extension has been approved. Penalties, as detailed above, will apply if the extension is not granted.*

**Exceptional Personal Circumstances** include an impairment assessed by Disability Services, illness, bereavement, circumstances involving the health or wellbeing of a relative or close friend, compulsory attendance at court, national or international representative commitments, significant cultural commitments, or activities in which the student is representing the University.

*Note: Not being organised or failing to plan ahead are **not** exceptional circumstances.*

## 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:

- obtain at least 40% for the Assignments combined.

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**

Additional information concerning this course will be provided in lectures and posted on Blackboard: <http://blackboard.vuw.ac.nz>. Urgent notices will be circulated by email.

## **Student feedback**

Any feedback is considered and followed up on.

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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## Lecture Schedule

<b>Wk</b>	<b>Date</b>	<b>Lecture Topic</b>	<b>Reading Material</b>
1	4 Mar	Introduction to Law: Function, Development & Classification; Framework of Government	Chapters 1 & 2 Hubbard
2	11 Mar	Legislative Process; Treaty of Waitangi Judicial Method – Statutory Interpretation	Chapters 3, 5 & 6 Hubbard
3	18 Mar	The Structure of the Courts Judicial Method – Case Law & Precedent	Chapters 7 & 8 Hubbard
4	25 Mar	Civil Legal Obligations: Statute, Equity	See Blackboard
5	1 Apr	Civil Legal Obligations: Contract Law The Phenomena of Agreement	Chapters 10 & 11 Hubbard
6	8 Apr	Contents of the Contract	Chapter 14 Hubbard
7	15 Apr	Mistake & Misrepresentation	Chapters 13 & 15 Hubbard
<b>Mid-Trimester Break (Friday 18 April – Sunday 4 May)</b>			
8	6 May	Unfair Contracts & Illegal Contracts	Chapter 13 Hubbard
9	13 May	Termination & Breach	Chapters 14 & 15 Hubbard
10	20 May	Contractual Remedies	Chapter 15 Hubbard
11	27 May	Civil Legal Obligations: Negligence	Chapter 9 Hubbard
12	3 Jun	Civil Legal Obligations: Professional Negligence	<i>Caparo v Dickman</i> <i>AG v North Shore City Council</i>