

School of Management

## MMBA 502 COMMERCIAL LAW

Trimester 1, 2015

### COURSE OUTLINE

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#### Names and Contact Details

##### **COURSE COORDINATOR**

**Trish Keeper** BA, LLB, LLM

Room: RH 617, Rutherford House  
Phone: 463 5203  
Email: [trish.keeper@vuw.ac.nz](mailto:trish.keeper@vuw.ac.nz)  
Office hours: Please email for an appointment

##### **PROGRAMME ADMINISTRATOR**

**Nicky McInnes**

Room: RH 1004, Rutherford House  
Phone: 463 5367  
Email: [nicky.mcinnis@vuw.ac.nz](mailto:nicky.mcinnis@vuw.ac.nz)

##### **TEACHING STAFF**

**Trish Keeper** BA, LLB, LLM

Room: RH 617, Rutherford House  
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#### Trimester Dates

Teaching Period: Monday 2nd March – Friday 5<sup>th</sup> June  
Study Period: Monday 8<sup>th</sup> June – Thursday 11<sup>th</sup> June  
Examination Period: Friday 12<sup>th</sup> June – Wednesday 1<sup>st</sup> July (inclusive)

#### **Withdrawal from Course**

1. Your fees will be refunded if you withdraw from this course on or before Friday 13<sup>th</sup> March 2015.
2. The standard last date for withdrawal from this course is Friday 15<sup>th</sup> 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 or [online](#).

## Class Times and Room Numbers

Lectures: Monday  
Time: 17:40-19:30  
Venue: Government Buildings Lecture Theatre 2 (GBLT2)

Monday 27 April (ANZAC Day): class will be rescheduled to Friday 1 May venue RHLT3  
Monday 1 June (Queens Birthday): class will be rescheduled to Thursday 4 June venue GBLT3

## 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 2015

Session	Date	Topics
<b>Pre-Course Reading</b>		J Hubbard, C Thomas, S Varnham, “Principles of Law for New Zealand Business Students” (5 <sup>th</sup> edn, 2013, Pearson) Ch 1 ‘The basis of New Zealand Law’, pgs 1-20.
<b>1</b>	2 March	Sources of law and introduction to the legislative process The New Zealand Constitution and its importance for business
<b>2</b>	9 March	Sources of law and statutory interpretation.
<b>3</b>	16 March	Secondary legislation, court hierarchy and precedent
<b>4</b>	23 March	Overview of civil obligations and liability
<b>5</b>	30 March	Contract law
		<b>Break/Easter</b>
<b>6</b>	20 April	Contract law and introduction to torts Assignment due
<b>7</b>	1 May (Friday)	Negligence and negligent misstatement
<b>8</b>	<b>4 May</b>	<b>Test</b>
<b>9</b>	11 May	Business structures and introduction to key features of limited liability companies
<b>10</b>	18 May	Key features of companies continued, including directors duties
<b>11</b>	25 May	Corporate Insolvency: Liquidations, receiverships and other options
<b>12</b>	4 June (Thursday)	Introduction to statutory obligations of a business

### **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 communication skills
  - 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.
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 and failures of corporate governance and corporate failures generally

### **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**

Readings and copies of Power-point presentations will be made available on blackboard for each topic or session. 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**

The Assessment Handbook will apply to all VUW courses: see

<http://www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf>.

### **Assessment Requirements**

<b>Assignment</b>	<b>Title</b>	<b>Weight</b>	<b>Date</b>
1	Assignment	<b>20%</b>	Issued 9 March and due 20 April
2	Test: 80 minutes (5.45 to 7.05 pm)	<b>30%</b>	4 May 2015
3	Open-Book Final Examination 2 hours	<b>50%</b>	12 <sup>th</sup> June – 1 <sup>st</sup> July (inclusive)
	<b>TOTAL</b>	<b>100%</b>	

*Assignment (20%)* – 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. This assignment constitutes “individual work” in terms of MBA Programme requirements.

*Final Examination (50%)* - 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.

### **Penalties**

In fairness to other students, work submitted after the deadline will be subject to a penalty of 3 marks 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 12<sup>th</sup> June – Wednesday 1st July (inclusive)

### **Mandatory Course Requirements**

In addition to obtaining an overall course mark of 50 or better, the student must complete all items of assessment 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](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**

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](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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