

School of Accounting and Commercial Law

COML 307 LEGAL ISSUES FOR E-COMMERCE

Trimester Two 2015

COURSE OUTLINE

Names and Contact Details

Course Coordinator &

Lecturer: Assoc.Professor Susan Corbett RH722 463 5480
Email: susan.corbett@vuw.ac.nz
Office hours: Thursday 2.00 - 4.00 pm

Course Administrator: Lucy May RH708 463 5775
Email: lucy.may@vuw.ac.nz
(Office hours: Monday-Friday 8.30am-5pm)
Office is closed: 10.30-10.45am and 3.30-3.45pm.)

Trimester Dates

Teaching Period: Monday 13 July – Friday 16 October

Study Period: Monday 19 October – Thursday 22 October

Examination Period: Friday 23 October – Saturday 14 November (inclusive)

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 24 July.
2. The standard last date for withdrawal from this course is Friday 25 September. 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

Tuesday: 2.40 – 4.30pm

Venue: RH LT2

Course Content

This course will examine selected legal issues relating to the evolving area of electronic commerce, including legal aspects of information management in an electronic environment. As electronic commerce is not necessarily confined to the domestic market, there is an international dimension to many of the topics discussed. Therefore the course will consider both the potential for conflict of laws and also the increasing calls for international harmonisation of laws relating to electronic commerce. Because this area of law is still evolving, the course also encourages students to read and evaluate selected recent research articles on various legal issues.

Topics covered will include: privacy, security, copyright, trade marks, domain names, electronic contracts and computer crime.

Provisional Lecture Schedule		
	<i>Date</i>	<i>Topic</i>
Week 1	14 July	(i) Introduction to course. (ii) Online Privacy Readings: <i>E-Commerce and the Law</i> pages 174-202 <i>Privacy Act 1993</i> (excerpt posted on Blackboard)
Week 2	21 July	(i) Breach of confidence (ii) Spam Readings: <i>E-Commerce and the Law</i> pages 202-219 <i>Unsolicited Electronic Messages Act 2007</i> (excerpt posted on Blackboard)
Week 3 <i>Tutorial 1:</i> <i>Privacy, Spam</i>	28 July	Electronic Contracts Jurisdictional issues Readings: <i>E-Commerce and the Law</i> Chapter 3 <i>Electronic Transactions Act 2002</i> (excerpt posted on Blackboard)
Week 4 <i>Tutorial 2:</i> <i>Electronic contracts,</i> <i>Jurisdictional issues</i>	4 August	Electronic Contracts (continued)
Week 5 <i>Tutorial 3:</i> <i>Electronic Transactions Act</i>	11 August	Trade marks Readings: <i>E-Commerce and the Law</i> Chapter 2
Week 6 <i>(No Tutorial)</i>	18 August	TEST (2.45-3.45 pm in RH LT 2) (the Test will examine material taught in Weeks 1-4)

Mid-trimester Break		
Week 7	8 September	Domain names. Readings: <i>E-Commerce and the Law</i> Chapter 1 <i>nikeshoes.net.nz</i> (pdf posted on Blackboard)
Week 8 <i>Tutorial 4:</i> <i>Domain names,</i> <i>Trade marks</i>	15 September	Guest Lecture: Debbie Monahan, NZ Domain Name Commissioner
Week 9	22 September	Copyright Readings: <i>E-Commerce and the Law</i> Chapter 7
Assignment Due Friday 25 September at 2pm		
Week 10	29 September	Copyright (continued)
Week 11 <i>Tutorial 5:</i> <i>Copyright</i>	6 October	Internet Security Readings: <i>E-Commerce and the Law</i> Chapter 5 <i>Crimes Act 1961</i> (excerpt posted on Blackboard) <i>Electronic Transactions Act 2002</i> (excerpt posted on Blackboard) <i>Various cases and headnotes pertaining to this topic will be posted on Blackboard</i>
Week 12 <i>Tutorial 6:</i> <i>Security</i>	13 October	Internet security (continued)

Course Learning Objectives

The subject matter of the course is electronic commerce. The course examines selected areas of law that are relevant to the e-trader and analyses and critiques the application of those laws to the online environment. Because electronic commerce has an international dimension there will be a component of comparative study incorporated into the course.

Students successfully completing this course are expected to:

1. Explain the application of existing laws to e-commerce.
2. Compare and critique selected regulatory frameworks relevant to e-commerce in New Zealand with those in overseas jurisdictions.
3. Describe the areas of law that should be considered when setting up an e-business.
4. Analyse legal problems in 'real-life' scenarios and provide advice for their solution.

Course Delivery

Lectures and tutorials.

Tutorial sign up instructions for 'MyAllocator' can be found on Blackboard under 'Tutorials'.

Note: Everyone is expected to prepare the assigned reading for each class and to prepare for tutorials irrespective of whether a question has been specifically allocated to them. Even a modest amount of preparation for class and tutorials will greatly assist you in mastering the materials.

Expected Workload

This is a 15-point course. One point is equated to 10 hours of work, which means a total of 150 hours is expected for this course, spread over the 12 teaching weeks, mid-trimester break, study week and the examination period. This involves attending the lectures and tutorials every week, assignments, and preparation for exams.

Prescription

Selected aspects of the law relating to e-commerce, including electronic transactions, intellectual property, privacy, consumer payment and protection, cross-border concerns and tax implications.

Readings

Required Textbooks

S Corbett and A Sims “*E-Commerce and the Law*” (2014) Thomson Reuters.

Recommended

Any business legislation text, provided it includes the following statutes: Copyright Act 1994, Privacy Act 1993, the Unsolicited Electronic Messages Act 2007, and the Electronic Transactions Act 2002. Legislation can also be accessed online, free of charge, from the government legislation website: <http://www.legislation.govt.nz/>

Supplementary Readings

The following books have been placed on reserve for COML 307 at the Commerce Library:

1. *E-Commerce and the Law* S Corbett and A Sims (2014)
2. *Internet.law.nz: selected issues*, David Harvey (2011)
3. *Issues in Internet Law: society, technology and the law*, Keith B. Darrell (2011)
4. *Internet and E-Commerce Law*, Jay Forder & Dan Svantesson (2008)
5. *The Law of Electronic Commerce*, Alan Davidson, (2009)

Materials and Equipment

Any additional reading will be available on Blackboard.

Assessment Requirements

The Assessment Handbook will apply to all VUW courses: see <http://www.victoria.ac.nz/documents/policy/staff-policy/assessment-handbook.pdf>.

Assessment 1: Test (open book) – 20% (2.45 pm-3.45 pm 18 August in RH LT 2)

Assessment 2: 1200-Word Assignment (Due 2 pm Friday 25 September) - 20%

Assessment 3: Final Exam (2 hours, open book) Time & Venue TBA - 60%

The assignment will consist of a comparative study of laws in New Zealand and overseas. (Course objective 2) 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, 3, 4).

InternetNZ Academic Prize

An annual prize of \$750 is awarded by InternetNZ for academic achievement in COML 307 – this will be awarded to the student who receives the highest overall marks.

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 23 October – Saturday 14 November (inclusive)

Mandatory Course Requirements

In addition to obtaining an overall course mark of 50 or better, students must:

1. Complete the assignment.
2. Sit the test.

Any student who is concerned that they have been (or might be) unable to meet any of the MCRs because of exceptional personal circumstances, should contact the course coordinator as soon as possible.

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

www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat

Penalties

The Assignment is due by 2.00 pm on 25 September. If submitted later, without prior permission from the Course Coordinator, 5% of the mark will be deducted for each additional day. If the word limit is exceeded, additional words will not be marked.

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 will be available on Blackboard.

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.

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.
