

School of Accounting of Commercial Law

COML 310 BUSINESS CONTRACTS

Trimester 2, 2015

COURSE OUTLINE

Names and Contact Details

Course co-ordinator & Lecturer	Amanda Reilly amanda.reilly@vuw.ac.nz Office hours: TBA	RH 723	463 6958
Course Administrator	Lucy May lucy.may@vuw.ac.nz Office hours: Monday-Friday, 8.30am-5pm (Note: Office closed 10.30am-10.45am and 3.30pm-3.45pm)	RH 708	463 5775

Trimester Dates

Teaching Period: Monday 13th July – Friday 16th October
Study Period: Monday 19th October – Thursday 22nd October
Examination Period: Friday 23rd October – Saturday 14th November (inclusive)

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 24th July 2015.
2. The standard last date for withdrawal from this course is Friday 25th September 2015. 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' form 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

Wednesday and Friday 3.40 - 4.30pm RHLT 1

Course Delivery

There will be five tutorials in Weeks 3, 6, 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.

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.

Tutorial Sign-up

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

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

Course Content 2015 (provisional only- there may be some variance)

	Date	Topic
Week 1	Wed 15 July Fri 17 July	Essentials of Valid Contract
Week 2	Wed 22 July Fri 24 July	Electronic Contracts
Week 3 Tutorial one	Wed 29 July Fri 31 July	Express Terms Implied Terms
Week 4	Wed 5 August Fri 7 August	Incapacity Illegal Contracts
Week 5	Wed 12 August Fri 14 August	Mistake and Misrepresentation Test (TBC)

Week 6 Tutorial 2	Wed 19 August Fri 21 August	Sale of Goods
Week 7	Wed 9 Sept Fri 11 Sept	Sale of Goods
Week 8 Tutorial 3	Wed 16 Sept Fri 18 Sept	International Sale of Goods
Week 9	Wed 23 Sept Fri 25 Sept (Assignment due 2pm)	PPSA
Week 10 Tutorial 4	Wed 30 Sept Fri 2 Oct	Insurance Contracts
Week 11	Wed 7 Oct Fri 9 Oct	Termination of Contract
Week 12 Tutorial 5	Wed 14 Oct Fri 16 Oct	Dispute Resolution

Readings

Required: Cynthia Hawes (ed) *Introduction to Commercial Law: Custom Publication for Victoria Business School* (4th edn) (LexisNexis, 2014) available at Vic Books and as an e-book.

The Commerce Library, located in the Railway Building, has a few copies of the prescribed text on Reserve for COML 310 students.

Students will also need to refer to various statutes as the course progresses. Particular statutes can be downloaded from <http://www.legislation.govt.nz> as needed

Alternatively *CCH Introduction to New Zealand Commercial Legislation* (2015) (CCH New Zealand) contains all contract legislation – and is available at Vic Books. (This text includes consumer legislation so may be useful for other courses as well as for COML 310.)

The Law Library, located in the Old Government Building, contains additional resources which may be useful for the Assignment. The Law Library is a University resource and is open to students of all Faculties. Library staff will assist with reasonable research requests, but students should be prepared to find most of the materials they need without assistance. Note that the Law Library is a reference library only and no journals may be removed from the premises. However, photocopying cards may be purchased.

Materials permitted in examination

The test and the exam are open book and you may bring any materials you choose into the exam room apart from computers or cell phones. Be aware that the lecturer does not have spare copies of

the prescribed book available for loan. 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

The Assessment Handbook will apply to all VUW courses: see

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

Test (<i>open book</i>)	20%	50 minutes Friday 14 August in class time (TBC)
Assignment (<i>1000 words</i>)	20%	Due Friday 2.00 pm 25 September
Exam (<i>open book</i>)	60%	October/November (2 hours)

The test will examine topics to be advised. Room allocations will be advised. 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

If the assignment is submitted late, without prior permission from the Course Coordinator, 5 marks per day will be deducted. Extensions will only be allowed in exceptional circumstances such as illness or bereavement. Please note: it will be necessary to provide supporting documentation such as a medical certificate in support of any application for an extension.

The assignment word limit must be adhered to and, if it is exceeded, any excess words will not be marked.

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 23rd October – Saturday 14th November (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.

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

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

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.
