

School of Accounting and Commercial Law

COML 310 BUSINESS CONTRACTS

Trimester 1, 2016

COURSE OUTLINE

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

	Date	Topics (provisional)
Week 1	Wed 2 March Fri 4 March	Essentials of Valid Contract
Week 2	Wed 9 March Fri 11 March	Express Terms Implied Terms
Week 3 Tutorial one	Wed 16 March Fri 18 March	Incapacity
Week 4	Wed 23 March Fri 25 March (Good Friday)	Illegal Contracts No lecture
Week 5	Wed 30 March (University closed) Fri 1 April	No lecture Mistake and misrepresentation

Week 6	Wed 6 April Fri 8 April	Test (during class time TBC) Mistake and misrepresentation
Week 7 Tutorial 2	Wed 13 April Fri 15 April	Electronic Contracts Electronic Contracts
Week 8	Wed 20 April Fri 22 April	Insurance Contracts Insurance Contracts
	Mid-Trimester Break (25 April -29 April)	
Week 9 Tutorial 3	Wed 4 May Fri 6 May	Sale of Goods
Week 10 (Assignment due 2pm Friday 13 May)	Wed 11 May Fri 13 May	Sale of Goods
Week 11 Tutorial 4	Wed 18 May Fri 20 May	International Sale of Goods
Week 12	Wed 25 May Fri 27 May	PPSA Termination of Contract
Week 13 Tutorial 5	Wed 1 June Fri 3 June	Dispute Resolution

Trimester Dates

Teaching Period: Monday 29th February – Friday 3rd June

Study Period: Monday 6th June – Thursday 9th June

Examination Period: Friday 10th June – Wednesday 29th June (inclusive)

Withdrawal from Course

1. Your fees will be refunded if you withdraw from this course on or before Friday 11th March 2016.
2. The standard last date for withdrawal from this course is Friday 13th 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](#).

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

Class Times and Room Numbers

Wednesday & Friday 1.40 – 2.30pm, Rutherford House RHLT1

Course Delivery

There will be five tutorials in Weeks 3, 7, 9, 11 13 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.

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.

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.

If you believe that exceptional circumstances may prevent you from meeting the mandatory course requirements, contact the Course Coordinator for advice 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

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.

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 Wednesday 6 April during class time (TBC)
Assignment (<i>1500 words</i>)	20%	Due 2.00 pm Friday 13 May
Exam (<i>open book</i>)	60%	During examination period (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).

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 10th June – Wednesday 29th June (inclusive)

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.

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.

Materials and Equipment

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.

Student feedback

Student feedback on University courses may be found at www.cad.vuw.ac.nz/feedback/feedback_display.php.

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.

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.
