

MMBA 502 COMMERCIAL LAW

Trimester 1, 2016

COURSE OUTLINE

Prescription

The implications of commercial law for business organisations. Particular emphasis will be placed on the contract and tort laws, the law of organisations, intellectual property law 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 awareness of the general legal concept of property, including the importance of, specifically, intellectual property law for business.
3. 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.
4. be aware of the different legal structures available for business and their comparative advantages.
5. have a good grasp corporate governance, including the regulation of companies, ethical concerns arising from the corporate form, and corporate failure.

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

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 2016. 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 COORDINATOR

A/Prof Susan Corbett BSc, LLM

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PROGRAMME ADMINISTRATOR

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TEACHING STAFF

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Class Times and Room Numbers

Lectures: Monday
Time: 19:40-21:30
Venue: GB LT1

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 2016

Session	Date	Topics	
Session	Date	Lecturer	Topics
Pre-Course Reading			Leigh Miller <i>Understanding Commercial Law</i> (8 th edn) 2014, LexisNexis, pages 1-55.
1	29 February	SC	Introduction to the New Zealand legal system: the legislative process and the role of the Courts.
2	7 March	SC	Case law, statutory interpretation, judicial review
3	14 March	SC	Overview of property law: personal, real and intellectual property
4	21 March	SC	Test (80 minutes)
Easter Break (24-30 March)			
6	4 April	SC	Intellectual property law: copyright, patents, trade marks, registered designs.
7	11 April	SC	Managing intellectual property for business
8	18 April	CD	Civil obligations: contract
Mid-Trimester Break (25-29 April)			

Assignment due 2 May 7.30 pm			
9	2 May	CD	Civil obligations: tort
10	9 May	CD	Key statutes for business: Commerce Act 1986, Fair Trading Act 1986; Consumer Guarantees Act 1993
11	16 May	CD	Business organisations
12	23 May	CD	Corporate governance and regulation
13	30 May	CD	Sessions 8-12 review

Readings

Readings and copies of PowerPoint 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.

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

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.

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

Assignment	Title	Weight	Date
1	Assignment	30%	Issued 14 March and due 2 May
2	Test: 80 minutes (7.45 to 9.05 pm)	20%	21 March 2016
3	Open-Book Final Examination 2 hours	50%	3 rd June – Wednesday 29 th June 2016 (inclusive)
	TOTAL	100%	

Assignment (30%) – 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 intellectual property law to business. This assignment constitutes “individual work” in terms of MBA Programme requirements.

Test (20%) - A trimester test will be held during which students will be expected to apply their knowledge of business law both in problem situations and short opinion answers.

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.

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

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.

Materials and Equipment

It is not expected that any other materials or equipment will be required.

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

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.

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.
