



Course Code:	2105AFE
Course Name:	Introduction to Business Law
Trimester:	Trimester 2, 2017
Program:	Associate Degree in Commerce & Business
Credit Points:	10
Course Coordinator:	Mark Magner
Document modified:	17 February 2017

#### Teaching Team

Your lecturer/tutor can be contacted via the email system on the portal.

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#### Staff Consultation

Your lecturer/tutor is available each week for consultation outside of normal class times. Times that your lecturer/tutor will be available for consultation will be given in the first week of lectures. A list of times and rooms will be published on the Griffith College Portal under the “myTimetable” link.

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#### Prerequisites

There are no prerequisites for this course

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## Brief Course Description

Introduction to Business Law is a 10 Credit Point course within the Associate Degree in Commerce and Business. The course is situated within the second year of the program. The Associate Degree in Commerce and Business is designed to provide students with a pathway to:

- further university studies in Commerce, Business and related degrees or
- direct employment

This course provides students with an overview of the Australian legal system as it pertains to commerce and management. It also provides detailed knowledge in the area of contract law and knowledge of the law as it applies to torts, particularly professional negligence, Australian Consumer Law and to partnership.

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## Rationale

This course introduces students to the Australian legal environment in which they will be conducting business, and addresses specific legal issues that relate to business, such as contract law, consumer law, partnership law and negligence. These issues are pertinent regardless of which field of business a student may choose to major in.

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## Aims

This course aims to provide students with:

1. An overview of the Australian courts and the legal system;
  2. A working knowledge of contract law, the tort of negligence, consumer protection and partnership law;
  3. The skills necessary to answer legal problems in contract law, the tort of negligence, consumer protection and partnership law;
  4. The foundational knowledge to proceed with future law courses such as Company Law, Law of Finance and Revenue Law Theory and Policy.
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## Learning Outcomes

Upon successful completion of this course you will be able to:

1. Demonstrate knowledge and understanding of the various components of the Australian legal system, in particular, the doctrine of precedent, the jurisdiction of Federal and State Courts and the sources of our law;
  2. Possess a working knowledge and understanding of the key principles related to contract law, tort law, consumer protection law and partnership law;
  3. Use problem solving and decision making skills to apply your legal knowledge to critically evaluate the preferred solution to a factual situation;
  4. Apply your legal knowledge to complex factual situations, through oral and/or written communication, to achieve a reasoned conclusion.
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## Texts and Supporting Materials

### **Required Text:**

- Gibson, A., & Fraser, D., (2016) Introduction to Business Law (Custom Edition) Compiled for Griffith University (9th ed.), Pearson: Australia. ISBN: 9781486019274

### **We strongly recommend that students purchase a copy of this edition of the textbook before the beginning of Week 1**

All course material such as tutorial questions, lecture notes and course announcements will be made available through the course notes section of the Griffith College portal.

You will be required to use the web to access the education content necessary for study within this course and in order to communicate with staff via e-mail.

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## Organisation and Teaching Strategies

Each week, you are required to attend a two-hour lecture, and then the lecture material will be considered using practical examples in the following week's two-hour tutorial and workshop session.

During the lectures you will be presented with an overview of the substantive material for the course, an understanding of the links between topics and explanation of the rationale for each topic.

Attendance in lectures is compulsory - students must attend every lecture for the full two hours every week if they wish to pass this course.

The tutorial and workshop sessions provide you with an opportunity to discuss the material covered in the topic from the previous week in more detail and to develop a range of skills that will support learning objectives and foster certain generic skills that are helpful to your professional development. Legal analysis skills will be taught so that you will be able to answer legal hypotheticals and discussion questions. Since you will be assessed on the same skills in some assessment items, attending and actively participating in tutorials will assist you in completing the course. Attendance is compulsory.

Attendance in the tutorial and workshop sessions is compulsory - students must attend every lecture for the full two hours every week if they wish to pass this course.

This course will require you to devote time and focus to your studies.

Studying the Law will be different from the other courses you have studied so far. Most students find legal language and concepts difficult to understand at first. However, after a few weeks of attending the lectures and workshops, reading the textbook and practising problems, it does become easier. The textbook is written in a simple and concise style with many examples. The modules provide additional material to guide you in your study.

You are reminded that satisfactory Program Progression requires that attendance in classes is maintained at equal to or greater than 80%, and that GPA is maintained at equal to or greater than 3.5 with passing grades achieved in more than 50% of courses in any trimester [please see Griffith College Policy Library - Program Progression Policy - for more information].

**Attendance:**

You are expected to attend all classes throughout the trimester. Your attendance in class will be marked twice each week; the first time during the two hour lecture; and the second time during the two-hour tutorial and workshop session.

You must attend the two hour lecture and the two hour tutorial and workshop session each week to receive your full record of attendance.

**Lecture Notes & Course Materials:**

Each week you will be required to download, print and bring with you a copy of the relevant lecture slides and any other relevant reading materials for that week to the lecture.

Each week you will also be expected to have attempted the necessary pre-reading and preparation for lectures and tutorial/workshops for that week.

Each week you will also be expected to prepare and contribute to the tutorial/workshops for that week, to respond to questions from your teacher and to ask questions of your teacher about the tutorial/workshop material.

Do not bring or rely on copies of lecture slides, reading materials or tutorial/workshops from previous trimesters - they may not be up to date.

**Independent Study:**

You are **STRONGLY** expected to reinforce your learning gained during class time by undertaking sufficient independent study.

For this 10CP course, you **MUST** spend at least 10 hours per week engaged in activities that will help your learning and fulfil the course objectives.

This means that, provided you have fully utilised the 2 hours per week of lectures and 2 hours per week of tutorial/workshops, you **MUST** then complete at least a further 6 hours per week of independent study towards this course.

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## Content Schedule

This course covers 5 major areas of business law. A summary of each area of law is set out in the table below. Weekly lecture slides and tutorial questions will be posted on the Griffith College portal throughout the trimester.

### *Weekly Teaching Schedule*

<b>Week</b>	<b>Topic</b>	<b>Activity</b>	<b>Readings</b>
1	What is Law? Rules of Statutory Interpretation Ethics and the Law Distinction between Common Law and Equity	Lecture	Chs 1, 2 and 4
	Expectations in this course (non-assessable tutorial/workshop that goes through the Course Outline, assessment items and course expectations)	Workshop	Course Outline; Note: This Introductory Tutorial/Workshop in Week 1 is not assessable - however students are still required to attend both the Lecture and the Tutorial/Workshop in Week 1)
2	Courts and Tribunals The Hierarchy of the Courts and Tribunals Doctrine of Precedent	Lecture	Chs 3 & 4
	Assessable Tutorial/Workshop1: What is Law? Rules of Statutory Interpretation Ethics and the Law Distinction between Common Law and Equity	Workshop	Text and Lecture Slides
3	Formation of Contract Intention to Create Legal Relations Acceptance Offer	Lecture	Chs 12, 13 & 14
	Assessable Tutorial/Workshop 2: Courts & Tribunals The Hierarchy of the Courts & Tribunals Doctrine of Precedent	Workshop	Text and Lecture Slides
4	Contracts Consideration, Promissory Estoppel & Privity of Contract	Lecture	Chs 15 & 20 (pp 508-510 only)
	Assessable Tutorial/Workshop 3: Formation of Contract Intention to Create Legal Relations Acceptance Offer	Workshop	Text and Lecture Slides
5	Contents of Contract Express & Implied Terms of a Contract Interpretation of Exclusion Clauses Exclusion Clauses (Exemption Terms)	Lecture	Chs 15, 19 & 23
	Assessable Tutorial/Workshop 4: Contracts Consideration, Promissory Estoppel & Privity of Contract	Workshop	Text and Lecture Slides
6	Discharge of Contract	Lecture	Chs 20 & 21
	Assessable Tutorial/Workshop 5: Contracts Consideration, Promissory Estoppel & Privity of Contract	Workshop	Text and Lecture Slides

7	Consumer Protection, Mid-course review and Mid-exam preparation.	Lecture	Ch 24
	Assessable Tutorial/Workshop 6: Discharge of Contract	Workshop	Text and Lecture Slides
8	Introduction to Torts Negligence: Duty of Care, Standard of Care, Causation and Damage Civil liability law reforms and negligence	Lecture	Chs 7 & 8
	Assessable Tutorial/Workshop 7: Consumer Protection Unconscionable Conduct s20-22 Misleading Conduct s18 False or Misleading Representations s29 Remedies for breaches of consumer protection provisions ss218-287 Manufacturer's liability ss138-141	Workshop	Text and Lecture Slides
9	Application of Negligence to Business Professional Negligence (e.g. auditors and financial advisors) Negligent Misstatement Occupier's Liability	Lecture	Chs 8, 9 & 10
	Tutorial/Workshop 8 - Assessable Hand-In Assignment 1 Introduction to Torts Negligence: Duty of Care, Standard of Care, Causation and Damage Civil liability law reforms from negligence	Workshop	Text and Lecture Slides
10	Partnerships Agency Principles: forms of agency, express authority, implied authority, apparent authority Definition & Nature of Partnerships Joint Ventures, Limited liability partnership Relations of Partners to Outsiders	Lecture	Chs 26 & 28
	Tutorial/Workshop 9 - Assessable Hand-In Assignment 2 Application of Negligence to Business Professional Negligence (e.g. auditors and financial advisors) Negligent Misstatement Occupier's Liability	Workshop	Text and Lecture Slides
11	Liability of Partners Relations of Partners to One Another Dissolution of Partnership	Lecture	Ch 28
	Tutorial/Workshop 10 - Assessable Hand-In Assignment 3 Partnerships Agency Principles Definition & Nature of Partnerships Joint Ventures, Limited liability partnership Relations of Partners to Outsiders	Workshop	Text and Lecture Slides
12	Final Exam Preparation and Revision	Lecture	Revision for Final Exam
	Tutorial/Workshop 11 - Assessable Hand-In Assignment 4 Liability of Partners Relations of Partners to One Another Dissolution of Partnership	Workshop	Text and Lecture Slides

## Assessment

This section sets out the assessment requirements for this course.

### *Summary of Assessment*

Item	Assessment Task	Weighting	Relevant Learning Outcomes	Due Date
1	Weekly tutorial homework check (2 marks per tutorial for 7 tutorial weeks)	14%	1-4	Weeks 2-7 (genuine attempt)
2	Hand-in assignments	16%	1-4	Weeks 10,11,12
3	Mid Trimester Exam (30 multiple choice questions worth 1 mark each)	30%	1,2,3	8
4	End of Trimester Exam (Short answer and/or Narrative ILAC answers)	40%	2,3,4	Exam Period

### *Assessment Details*

#### **1. Weekly Tutorial Homework Check 2% each x 7 = Total 14%**

The first period for the Weekly Tutorial/Workshop Homework Check will start with the assessable Tutorial/Workshop 1 which is due in Week 2 and end with the assessable Tutorial/Workshop 7 which is due in Week 8.

The assessable tutorials will run one week behind the lectures. The process is that you will have the weekly lecture, then the following week you will be required to present your tutorial work from the previous weeks lecture.

During tutorial/workshop sessions we will discuss the tutorial/workshop problems in the form of a hypothetical fact situation, where you will be asked to advise X or Y, and to identify and explain legal arguments and remedies which are available. These questions will be discussed in class with emphasis placed on a legal solution, and with a clear identification of relevant legal principles.

You are expected to participate in the tutorial/workshop discussion and to demonstrate that you have adequately prepared for each of your tutorial/workshop sessions by completing the prescribed readings relevant to each tutorial/workshop and preparing answers to all tutorial questions every week.

Your tutorial/workshop answers are required to be typed. They also must have your name, student number and tutorial time clearly visible. Answers to ILAC questions should be written in the format of Issues, Law, Application, and Conclusion.

\* The seven assessable Weekly Tutorial/Workshop Homework Check answers will be assessed on a 'genuine attempt' basis and marked by your tutor in the tutorial/workshop.

- If you submit a complete (genuine attempt) set of answers you will receive 2 marks for the first six tutes per tutorial week.
- If you do not submit a genuine attempt at the answers then you will receive 0 for that week's tutorial questions.

All submissions must be made in the respective tutorial.

No marks will be given for any submissions that are not made in the tutorial/workshop or for any student who does not attend the tutorial/workshop. You will not be considered for a tutorial/workshop homework mark unless you provide a doctors certificate or appropriate documentation.

There are no marks for merely attending tutorial/workshops.

You are strongly advised that academic misconduct rules apply to the Weekly Tutorial Homework Check. There are no group or collective homework assignment in this course and as such assessment must be completed individually. Please read the information about Academic Misconduct at the end of this Course Outline.

## **2. Hand-In Assignments 16%**

The Hand-In assignments are all the tutorial questions for the tutorials in weeks 10, 11, 12.

All of the tutorial questions in those weeks, including the ILAC questions in those weeks, will be assessable. The answers you provide for the Hand-In assignments will be assessed as to the correctness of all of your answers to all of the questions, not merely genuine attempt, and as to answering of the ILAC questions.

All submissions must be made in the respective tutorial and must be typed.

The Hand-In Assignments will be taken up by your tutor in the tutorial/workshop and returned to you no later than 14 days with appropriate comments designed to assist you in regard to enhancing your ability to come to terms with legal problems and their resolution. All Hand-In Assignments must be submitted in the respective tutorial. No marks will be given for any Hand-In Assignments that are not made in the tutorial/workshop or for any student who does not attend the tutorial/workshop. You will not be considered for a Hand-In Assignment mark unless you provide a doctors certificate or appropriate documentation.



There are no marks for merely attending tutorial/workshops.

You are strongly advised that academic misconduct rules apply to the Hand-In Assignments. There are no group or collective homework assignments in this course and as such assessment must be completed individually. Please read the information about Academic Misconduct at the end of this Course Outline.

### **3. Mid-Trimester Examination 30%**

The mid-trimester exam will be held in Week 8. It is worth 30% and consists of 30 multiple-choice questions. The mid-trimester exam provides you with the opportunity to demonstrate your understanding of the material covered from week 1 up to and including week 8 and assess your progress in the course.

The Mid-Trimester exam will be CLOSED BOOK. This means that textbooks, written materials or electronic devices will not be permitted in the exam. Translation dictionaries will be permitted but only if they are in hardcopy book form and not electronic form.

### **4. End of Trimester Examination 40%**

The end of trimester exam will be held in Exam Period. It is worth 40% and may consist of ILAC questions and/or short answer questions. The end of trimester examination is designed to assess your ability to apply the skills and knowledge gained during the course with respect to specific areas of law, as well as your ability to take a wider view of legal problems under time pressure. The questions and will be drawn from lecture and tutorial materials provided from week 9 to week 12.

The End of Trimester Exam will be OPEN BOOK. This means that textbooks and written materials will be permitted in the exam, but not electronic devices or library books. Translation dictionaries will be permitted but only if they are in hard copy book form and not electronic form.

#### *Submission and Return of Assessment Items*

Normally you will be able to collect your assignments in class within fourteen [14] days of the due date for submission of the assignment.

### **Retention of Originals**

You must be able to produce a copy of all work submitted if so requested. Copies should be retained until after the release of final results for the course.

#### *Extensions*

To apply for an extension of time for an assignment, you must submit an Application for Extension of Assignment form to your teacher at least 24 hours before the date the assignment is due. Grounds for extensions are usually: serious illness, accident, disability, bereavement or other compassionate circumstances and must be able to be substantiated with relevant documentation [e.g. Griffith College Medical Certificate]. Please refer to the Griffith College website - Policy Library - for guidelines regarding extensions and deferred assessment.

Marks awarded for assessment items will also be available on the on-line grades system on the Student Website within fourteen [14] days of the due date.

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## Generic Skills

Griffith College aims to develop graduates who have an open and critical approach to learning and a capacity for lifelong learning. Through engagement in their studies, students are provided with opportunities to begin the development of these and other generic skills.

Studies in this course will give you opportunities to begin to develop the following skills:

Generic Skills	Taught	Practised	Assessed
Written Communication	Yes	Yes	Yes
Oral Communication	Yes	Yes	
Information Literacy	Yes	Yes	Yes
Secondary Research		Yes	
Critical and Innovative Thinking		Yes	Yes
Academic Integrity		Yes	Yes
Self Directed Learning		Yes	Yes
Team Work		Yes	
Cultural Intelligence		Yes	
English Language Proficiency		Yes	

### Additional Course Generic Skills

Specific Skills	Taught	Practised	Assessed
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## Additional Course Information

In addition to formal contact hours, you are provided with extra support through individual consultation with teaching staff, tutorials in English language, and self-access computer laboratories.

## Teacher and Course Evaluations

A recent assessment initiative trialled in 2105AFE is structured tutorial homework submissions and Hand-In assignments. The initiative was designed to increase student engagement with course work and student's performance ability. Students have commented that they prefer this initiative, rather than have two pieces of online assessment, a Mid-Trimester and Final Exam. The Hand-In assignments in the second half of the trimester are also great practice for the hypothetical ILAC questions in the Final Exam.

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## Academic Integrity

Griffith College is committed to maintaining high academic standards to protect the value of its qualifications. Academic integrity means acting with the values of honesty, trust, fairness, respect and responsibility in learning, teaching and research. It is important for students, teachers, researchers and all staff to act in an honest way, be responsible for their actions, and show fairness in every part of their work. Academic integrity is important for an individual's and the College's reputation.

All staff and students of the College are responsible for academic integrity. As a student, you are expected to conduct your studies honestly, ethically and in accordance with accepted standards of academic conduct. Any form of academic conduct that is contrary to these standards is considered a breach of academic integrity and is unacceptable.

Some students deliberately breach academic integrity standards with intent to deceive. This conscious, pre-meditated form of cheating is considered to be one of the most serious forms of fraudulent academic behaviour, for which the College has zero tolerance and for which penalties, including exclusion from the College, will be applied.

However, Griffith College also recognises many students breach academic integrity standards without intent to deceive. In these cases, students may be required to undertake additional educational activities to remediate their behaviour and may also be provided appropriate advice by academic staff.

As you undertake your studies at Griffith College, your lecturers, tutors and academic advisors will provide you with guidance to understand and maintain academic integrity; however, it is also your responsibility to seek out guidance if and when you are unsure about appropriate academic conduct.

In the case of any allegation of academic misconduct made against a student he or she may request the guidance and support of a Griffith College Student Learning Advisor or Student Counsellor.

Please ensure that you are familiar with the [Griffith College Academic Integrity Policy](#); this policy provides an overview of some of the behaviours that are considered breaches of academic integrity, as well as the penalties and processes involved when a breach is identified.

For further information please refer to the Academic Integrity Policy on the Griffith College website – Policy Library.

### *Risk Assessment Statement*

There are no out of the ordinary risks associated with this course.

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