



The University of Southern Queensland

Course specification

Description: e-Commerce Law						
Subject	Cat-nbr	Class	Term	Mode	Units	Campus
LAW	8301	40947	1, 2005	EXT	1.00	Toowoomba

Academic group:	FOBUS
Academic org:	FOB010
Student contribution band:	3
ASCED code:	090901

STAFFING

Examiner: Judith McNamara

Moderator: Caroline Hart

OTHER-REQUISITES

Pre-requisite: Enrolment in a postgraduate program

SYNOPSIS

This course seeks to give students a detailed understanding of the law as it relates to the Internet and in particular e-commerce. It will examine the most problematic areas from a legal point of view. These areas include consumer protection, electronic payment systems, copyright, trademarks, patents, privacy, censorship, electronic crime and also taxation. In each area the application of existing legal principles to e-commerce as well as the newly developed 'cyberlaw' principles will be examined. In some of these areas of law the growth in e-commerce has outstripped the growth in the law. In these areas we will identify the legal issues and look at any proposed laws that seek to clarify these new issues. Students must have access to the Internet to complete this course.

OBJECTIVES

On successful completion of this course students will be able to:

1. explain the general legal issues that have arisen as a result of the establishment and growth of e-commerce;
2. analyse the existing legislation and case law that is relevant to e-commerce apply it to given case studies;
3. evaluate the Australian legislation that impacts on e-commerce;
4. compare developments in e-commerce law in jurisdictions outside Australia;
5. demonstrate satisfactory skills in communication.

TOPICS

	Description	Weighting (%)
1.	Introduction and regulation of the Internet	5.00
2.	Jurisdiction	10.00
3.	Issues for contract law (including digital signatures)	15.00
4.	Payment	10.00
5.	Intellectual property	20.00
6.	Privacy and Censorship	15.00
7.	Electronic crime	10.00
8.	Tax and electronic commerce	15.00

TEXT and MATERIALS required to be PURCHASED or ACCESSED

ALL textbooks and materials are available for purchase from USQ BOOKSHOP (unless otherwise stated). Orders may be placed via secure internet, free fax 1800642453, phone 07 46312742 (within Australia), or mail. Overseas students should fax +61 7 46311743, or phone +61 7 46312742. For costs, further details, and internet ordering, use the 'Textbook Search' facility at <http://bookshop.usq.edu.au> click 'Semester', then enter your 'Course Code' (no spaces).

Fitzgerald, B & Fitzgerald, A 2002, *Cyber law: cases and materials on the Internet, digital intellectual property and electronic commerce*, LexisNexis Butterworths, Chatswood, New South Wales.

REFERENCE MATERIALS

Reference materials are materials that, if accessed by students, may improve their knowledge and understanding of the material in the course and enrich their learning experience.

Akindemowo, O 1999, *Information technology law in Australia*, LBC Information Services, North Ryde, New South Wales.

Fitzgerald, AM, Fitzgerald, B, Cifuentes, C & Cook, P (eds) 1999, *Going digital 2000: legal issues for e-commerce, software and the Internet*, 2nd edn, Prospect Media, St Leonards, New South Wales.

Forder, J & Quirk, P 2002, *Electronic commerce and the law*, 2nd edn, John Wiley & Sons Australia, Milton, Queensland.

(Students with no prior knowledge of the law or the Internet may find this text a useful purchase as it avoids the use of legal and technical jargon)

Yee, FL 2002, *Cyberspace law: commentaries and materials*, Oxford University Press, Melbourne.

STUDENT WORKLOAD REQUIREMENTS

ACTIVITY	HOURS
Assessment	30.00
Directed Study	52.00
Private Study	83.00

ASSESSMENT DETAILS

Description	Marks out of	Wtg(%)	Due date
ASSIGNMENT OUTLINE	5.00	5.00	21 Mar 2005
ASSIGNMENT	25.00	25.00	01 Apr 2005
ANNOTATED BIBLIOGRAPHY	10.00	10.00	01 Apr 2005
2.5 HOUR EXAMINATION	60.00	60.00	END S1 (see note 1)

NOTES

1. The examination is scheduled to be held in the end-of-semester examination period. Students will be advised of the official examination date after the timetable has been finalised.

IMPORTANT ASSESSMENT INFORMATION

- 1 Attendance requirements:
If you are an international student in Australia you are advised to attend all classes at your campus. Failure to attend may infringe the conditions of your student visa. For all other students, there are no attendance requirements for this course. However, it is the students' responsibility to study all material provided to them or required to be accessed by them to maximise their chance of meeting the objectives of the course and to be informed of course-related activities and administration.
- 2 Requirements for students to complete each assessment item satisfactorily:
Students must submit assignments that represent a reasonable attempt as determined by the Examiner. Students must obtain at least 50% of the marks available for the examination.
- 3 Penalties for late submission of required work:
If students submit assignments after the due date without prior approval then a penalty of 20% of the total marks gained by the student for the assignment will apply for each working day late.
- 4 Requirements for student to be awarded a passing grade in the course:
To be assured of receiving a passing grade a student must attempt all of the summative assessment items, achieve at least 50% in the examination and achieve an aggregated mark of at least 50% of the available weighted marks for the summative assessment items.
- 5 Method used to combine assessment results to attain final grade:
The final grades for students will be assigned on the basis of the weighted aggregate of the marks obtained for each of the summative assessment items in the course.
- 6 Examination information:

This is a restricted examination. Candidates are allowed access to specific materials during the examination. The only materials that candidates may use in the restricted examination for this course are: (i) writing materials (non-electronic and free from material which could give the student an unfair advantage in the examination); (ii) English translation dictionaries (but not technical dictionaries); (iii) a copy of the 'Examination Materials Booklet'. Item (ii) may not be marked or flagged. Item (iii) may be flagged, highlighted or underlined but may not be marked in any other way. Students are not permitted to take mobile telephones, pagers or other electronic means of communication into the examination room.

- 7 Examination period when Deferred/Supplementary examinations will be held:
Any Deferred or Supplementary examinations for this course will be held during the next examination period.
- 8 University Regulations:
Students should read USQ Regulations 5.1 Definitions, 5.6. Assessment, and 5.10 Academic Misconduct for further information and to avoid actions which might contravene University Regulations. These regulations can be found at the URL <http://www.usq.edu.au/corporateservices/calendar/part5.htm>. Students should also read the Faculty of Business Guide to Policies and Procedures of the Faculty which can be found at the URL <http://www.usq.edu.au/handbook/current/buspolproc.html>.

ASSESSMENT NOTES

- 1 Assignments: (i) The due date for an assignment is the date by which a student must despatch the assignment to the USQ. The onus is on the student to provide proof of the despatch date, if requested by the Examiner. (ii) Students must retain a copy of each item submitted for assessment. This must be produced within five days if required by the Examiner. (iii) The Examiner may grant an extension of the due date of an assignment in extenuating circumstances. If students submit assignments after the due date and wish to claim extenuating circumstances then they shall provide validated documentary evidence with the assignment, explaining the circumstances. The Examiner shall consider the statement accompanying a late assignment and decide on the outcome. (iv) Assignments are to be submitted in the appropriate assignment folders. (v) The Examiner will normally only accept assessments that have been written, typed or printed on paper-based media. (vi) The Examiner will not accept submission of assignments by facsimile. (vii) Students who do not have regular access to postal services or who are otherwise disadvantaged by these regulations may be given special consideration. They should contact the Examiner to negotiate such special arrangements. (viii) In the event that a due date for an assignment falls on a local public holiday in their area, such as a Show holiday, the due date for the assignment will be the next day. Students are to note on the assignment cover the date of the public holiday for the Examiner's convenience.
- 2 Course Weightings: Course weightings of topics should not be interpreted as applying to the number of marks allocated to questions testing those topics in an examination paper. The examination may test material already tested in assignments.
- 3 Deferred Work: Students who, for medical, family/personal, or employment-related reasons, are unable to complete an assignment or to sit for an examination at the scheduled time may apply to defer an assessment in a course. Such a request must be accompanied by appropriate supporting documentation. One of the following temporary grades may be awarded: IDS (Incomplete - Deferred Examination); IDM (Incomplete Deferred Make-up); IDB (Incomplete - Both Deferred Examination and Deferred Make-up).

OTHER REQUIREMENTS

- 1 E-mail and Internet Access: Students will require access to e-mail and the Internet for this course.
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