



The University of Southern Queensland

## Course specification

This version produced 20 Dec 2007.

The current and official versions of the course specifications are available on the web at  
<<http://www.usq.edu.au/coursespecification/current>>.

Please consult the web for updates that may occur during the year.

### Description: Australian Law and Business

Subject	Cat-nbr	Class	Term	Mode	Units	Campus
LAW	5503	66202	2, 2007	EXT	1.00	Toowoomba

<b>Academic group:</b>	FOBUS
<b>Academic org:</b>	FOB010
<b>Student contribution band:</b>	3
<b>ASCED code:</b>	090901

### STAFFING

Examiner: Des Taylor

Moderator: Anthony Gray

### OTHER REQUISITES

Pre-requisite: Enrolment in a postgraduate program. Students are required to have access to a personal computer, e-mail capabilities and Internet access to USQConnect. Current details of computer requirements can be found at <http://www.usq.edu.au/business/aboutfob.htm>

### RATIONALE

Law provides a framework within which businesses may operate - regulating, to a greater or lesser extent, their structures, management and transactions. An appreciation of the legal ramifications of particular actions and inactions is important for those entrusted with managerial responsibility.

### SYNOPSIS

In order to introduce students to the impact of law on business, this course looks at the Australian legal system and the courts (for example, the way in which legislation and legal decisions are made and their significance). It also covers in some detail areas of the law relevant to business, such as contract law (including agency law), selected topics from the law of torts, remedies, aspects of the law relating to some of the main business structures, aspects of property law and aspects of bankruptcy law.

### OBJECTIVES

The course objectives define the student learning outcomes for a course. The assessment item/s that may be used to assess student achievement of an objective is/are shown in parentheses after each objective. On successful completion of this course, students should be able to:

1. understand and, where necessary, describe the Australian legal system, its components and the way it operates (Assignment, Examination)
2. demonstrate basic skills in statutory interpretation and the operation of precedent (Assignment, Examination)

3. explain the basic principles of law in the specific substantive topics covered (Assignment, Examination)
4. identify the legal issues raised by case studies and apply the relevant legal principles to resolve those issues (Assignment, Examination)
5. demonstrate satisfactory skills in communication (Assignment, Examination).

## TOPICS

	Description	Weighting (%)
1.	The Australian legal system	5.00
2.	The courts	5.00
3.	Torts	15.00
4.	Contract law (including agency)	25.00
5.	Remedies	10.00
6.	Business structures	20.00
7.	Aspects of property law	10.00
8.	Bankruptcy law	10.00

## 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).

Gibson, A 2005, *Commercial law in principle*, 3rd edn, Lawbook Company, Sydney.

Gibson, A & Fraser, D 2007, *Business law*, 3rd edn, Pearson Prentice Hall, Frenchs Forest, New South Wales.

IPP, The Honourable Justice & Weerasooria, WS 2002, *Butterworths business and law dictionary*, 2nd edn, LexisNexis Butterworths, Sydney.

(or any similar legal dictionary)

## 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.

Crosling, GM & Murphy, HM 2000, *How to study business law: reading, writing and exams*, 3rd edn, Butterworths, Sydney.

## STUDENT WORKLOAD REQUIREMENTS

ACTIVITY	HOURS
Assessment	17.00
Directed Study	84.00
Private Study	64.00

## ASSESSMENT DETAILS

Description	Marks out of	Wtg(%)	Due date
ASSIGNMENT	30.00	30.00	31 Aug 2007
PART A OF 2-HOUR EXAMINATION	45.00	45.00	END S2 (see note 1)
PART B OF 2-HOUR EXAMINATION	25.00	25.00	END S2

### 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. 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:  
To satisfactorily complete an individual assessment item a student must achieve at least 50% of the marks. (Depending upon the requirements in Statement 4 below, students may not have to satisfactorily complete each assessment item to receive a passing grade in this course.)
- 3 Penalties for late submission of required work:  
If students submit assignments after the due date without prior approval of the examiner, then a penalty of 5% of the total marks gained by the student for the assignment may apply for each working day late up to ten working days at which time a mark of zero may be recorded.
- 4 Requirements for student to be awarded a passing grade in the course:  
To be assured of receiving a passing grade a student must achieve at least 50% of the total weighted marks available for the course.
- 5 Method used to combine assessment results to attain final grade:  
The final grades for students will be assigned on the basis of the aggregate of the weighted marks obtained for each of the summative assessment items in the course.
- 6 Examination information:

This is a closed examination. Candidates are allowed to bring only writing and drawing instruments into the examination.

- 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 Student Academic Misconduct for further information and to avoid actions which might contravene university regulations. These regulations can be found at <http://www.usq.edu.au/corporateservices/calendar/part5.htm>. Students should also read the Faculty of Business Policies and Procedures which can be found at <http://www.usq.edu.au/business/aboutfob.htm>.

## **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 assignment submitted for assessment. This must be produced within 24 hours if required by the examiner. (iii) In accordance with university policy, the examiner may grant an extension of the due date of an assignment in extenuating circumstances. (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 or by e-mail. (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).
- 4 Internet access: It will be assumed by the examiner that all students enrolled in LAW5503 will have Internet access and can access such facilities as the course electronic discussion group.
- 5 All LAW5503 assignments must be lodged in paper-format in the prescribed manner and must be accompanied by a CD containing a copy of the complete assignment answer in Word format.

## **OTHER REQUIREMENTS**

- 1 Learning resources: Prescribed texts and materials (see above); recommended reference materials (see above); printed Introductory Book and Study Book/s; and course Website accessible via USQConnect.