



The University of Southern Queensland

Course specification

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: e-Law

Subject	Cat-nbr	Class	Term	Mode	Units	Campus
LAW	2301	74100	1, 2008	EXT	1.00	Toowoomba

Academic group:	FOBUS
Academic org:	FOB010
Student contribution band:	3
ASCED code:	090999

STAFFING

Examiner: Caroline Hart
Moderator: Pauline Collins

OTHER REQUISITES

Bachelor of Laws students: pre-requisite/co-requisite LAW1201; Juris Doctor students: pre-requisite/co-requisite LAW5501; all other students: pre-requisite LAW1101. 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>

SYNOPSIS

This course seeks to introduce students to 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 regulatory models, jurisdiction, consumer protection, electronic payment systems, copyright, domain name disputes, patents, privacy, content regulation (for example, censorship) and also electronic crime. 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

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. explain the general legal issues that have arisen as a result of the establishment and growth of e-commerce (Assignment, Examination)
2. apply the existing legislation and case law that is relevant to e-commerce to given case studies (Assignment, Examination)
3. evaluate the Australian legislation that impacts on e-commerce (Assignment, Examination)

4. describe developments in e-commerce law in jurisdictions outside Australia (Assignment, Examination)
5. demonstrate satisfactory skills in communication (Assignment, Examination).

TOPICS

Description	Weighting (%)
1. Introduction and regulation of the Internet	5.00
2. Jurisdiction	10.00
3. Electronic contracts	15.00
4. Payment	10.00
5. Intellectual property	20.00
6. Domain name disputes	10.00
7. Privacy	10.00
8. Content regulation	10.00
9. Electronic crime	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).

Fitzgerald, B, Fitzgerald, A, Middleton, G, Lim, Y & Beale, T 2007, *Internet and e-commerce law: technology, law and policy*, Thomson LawBook Co, Sydney, 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.

Banks, C & Douglas, H 2002, *Law on the Internet*, The Federation Press, Annandale, New South Wales.

Brien, C & Brien, J 2004, *NetLaw*, LexisNexis Butterworths, Chatswood, New South Wales.

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

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

Forder, J & Quirk, P 2003, *Electronic commerce and the law*, 2nd edn, John Wiley & Sons, Milton, Queensland.

Lim, YF 2002, *Cyberspace law: commentaries and materials*, Oxford University Press, South Melbourne, Victoria.

STUDENT WORKLOAD REQUIREMENTS

ACTIVITY	HOURS
Assessments	40.00
Directed Study	52.00
Private Study	73.00

ASSESSMENT DETAILS

Description	Marks out of	Wtg (%)	Due date
ASSIGNMENT	30.00	30.00	03 Mar 2008 (see note 1)
2 HOUR EXAMINATION	70.00	70.00	END S1 (see note 2)

NOTES

1. Submission date and details to be advised via the study desk.
2. 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 an OPEN examination. Candidates may have access to any material during the examination except the following: electronic communication devices (for example, mobile telephones, pagers), bulky materials, devices requiring mains power and material likely to disturb other students.

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 item 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. (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.