



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	87434	1, 2009	ONC	1.00	Toowoomba

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

STAFFING

Examiner: Caroline Hart
Moderator: Pauline Collins

REQUISITES

Pre-requisite: (Students must be enrolled in one of the following Programs: BLAW or BABL or BBBL or BCBL & Co-requisite: LAW1201) or (Students must be enrolled in Program: DJUR & Co-requisite: LAW5501) or (All other Students: Pre-requisite LAW1101)

OTHER REQUISITES

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/ict/students/standards/default.htm>.

SYNOPSIS

This course introduces students to the law as it relates to the Internet and in particular e-commerce. It examines key legal areas that are relevant to the establishment or use of a website. The areas covered include regulatory models, jurisdiction, consumer protection, 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. This course is particularly useful to students who are involved in developing websites or dealing with websites either from a legal, marketing, or information technology point of view.

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)
2. apply the existing legislation and case law that is relevant to e-commerce to given case studies (Assignment)
3. evaluate the Australian legislation that impacts on e-commerce (Assignment)
4. describe developments in e-commerce law in jurisdictions outside Australia (Assignment)
5. demonstrate satisfactory skills in communication (Assignment).

TOPICS

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

LAW2301 study package available from USQ Bookshop.

Fitzgerald, B, Fitzgerald, A, Middleton, G, Lim, Y & Beale, T 2007, *Internet and e-commerce law: technology, law and policy*, LawBook Co, Pyrmont, 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 2006, *Law on the Internet*, 3rd edn, 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.

Lim, YF 2007, *Cyberspace law: commentaries and materials*, 2nd edn, Oxford University Press, South Melbourne, Victoria.

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

STUDENT WORKLOAD REQUIREMENTS

ACTIVITY	HOURS
Assessments	40.00
Lectures	26.00
Private Study	73.00
Tutorials	26.00

ASSESSMENT DETAILS

Description	Marks out of	Wtg (%)	Due date
OUTLINE OF ASSIGNMENT	15.00	15.00	23 Mar 2009 (see note 1)
RESEARCH REVIEW	15.00	15.00	23 Mar 2009 (see note 2)
ASSIGNMENT	70.00	70.00	01 Jun 2009 (see note 3)

NOTES

1. Students are to provide an outline of their proposed assignment. Students will be provided with an overview of the course in the early weeks of the semester to assist with providing this outline. This outline will be a means to assist students in approaching the assignment appropriately. Students will be given the opportunity to discuss their outline.
2. The research review will include various research items to be relied on by the student to complete the assignment. Further details will be available on the StudyDesk.
3. The assignment will relate to an evaluation of a website in terms of the legal issues that must be addressed to ensure it is compliant with Australian regulations and case law.

IMPORTANT ASSESSMENT INFORMATION

- 1 Attendance requirements:
It is the students' responsibility to attend and participate appropriately in all activities (such as lectures, tutorials, laboratories and practical work) scheduled for them, and 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:
There is no examination in this course.
 - 7 Examination period when Deferred/Supplementary examinations will be held:
Not applicable.
 - 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 assessment.
- 3 Deferred work: Students who, for medical, family/personal, or employment-related reasons, are unable to complete an assignment at the scheduled time may apply to defer an assessment in a course. Such a request must be accompanied by appropriate supporting documentation. The temporary grade of IDM (Incomplete Deferred Make-up) may be awarded.

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- 1 Computer, e-mail and Internet access: 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/ict/students/standards/default.htm>.
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