Description: Business Law Honours A

Subject: LAW
Cat-Nbr: 4102
Class: 10219
Term: 1, 2002
Mode: ONC
Units: 1.00
Campus: TWMB

Academic Group: FOBUS
Academic Org: FOB010
HECS Band: 3
ASCED Code: 090901

STAFFING
Examiner: Mark Byrne
Moderator: Rosalind Mason

PRE-REQUISITES
Pre-requisite: LAW 2104 and LAW 2106 or LAW 3108

RATIONALE
This course concentrates on the study of one or more aspects of business law which is or are of contemporary interest and importance. It is justified by the fact that many areas of business law significantly impact on the accounting and banking and finance fields. There is a need to be able to advise clients of the legal ramifications of conducting businesses.

SYNOPSIS
This course seeks to provide students with an appreciation of the current trends and issues in one or more selected fields of business law such as negligence, corporations law, trade practices law. Attention is given to recent case law and statutory developments. The effect of developments in the law are examined to see how they impact on the carrying on of businesses.

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

- identify recent trends in civil liability particularly as it applies to those involved in business;
- apply the general concept of civil liability (contract tort restitution and statutory liability) to the fields of: director's duties, professional negligence generally, auditors liability, trade practices and to solve problems arising in those fields;
• evaluate the policy considerations relevant to the law in each of the areas identified in paragraph 2 above;
• predict the likely future trends in each of the substantive areas of law studied.

TOPICS

<table>
<thead>
<tr>
<th>Description</th>
<th>Weighting (%)</th>
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<tbody>
<tr>
<td>1. Recent developments in civil liability</td>
<td>15.00</td>
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<tr>
<td>2. The increasing scope of directors' duties</td>
<td>20.00</td>
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<td>3. Professional negligence with particular reference to auditor's liability</td>
<td>35.00</td>
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<td>4. Trade practices - both consumer actions and developments in restrictive trade practices</td>
<td>20.00</td>
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<td>5. Summary, overlap and trends</td>
<td>10.00</td>
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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.

To be advised.

ASSESSMENT DETAILS

<table>
<thead>
<tr>
<th>Description</th>
<th>Marks Out of</th>
<th>Wtg(%)</th>
<th>Required</th>
<th>Due Date</th>
</tr>
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<tbody>
<tr>
<td>ASSIGNMENT 1</td>
<td>20.00</td>
<td>20.00</td>
<td>Y</td>
<td>04 Mar 2002</td>
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<tr>
<td>SEMINAR PRESENTATION</td>
<td>10.00</td>
<td>10.00</td>
<td>Y</td>
<td>04 Mar 2002</td>
</tr>
<tr>
<td>ASSIGNMENT 2</td>
<td>40.00</td>
<td>40.00</td>
<td>Y</td>
<td>04 Mar 2002</td>
</tr>
<tr>
<td>EXAMINATION (3 HOURS)</td>
<td>30.00</td>
<td>30.00</td>
<td>Y</td>
<td>END S1</td>
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(see note 4)

NOTES:
4. Students will be advised of the official examination date after the timetable has been finalised.

OTHER REQUIREMENTS

1. To be assured of a passing grade in this course, students must attempt all of the assessments, achieve at least 50% in the examination and at least 50% of the available marks for the course. Final grades for the course will be determined by the addition of the marks obtained in each assessment item, weighted as in the Assessment Details and by considering the student's level of achievement of the objectives of the course.

2. Students must retain a copy of all pieces of assessment which must be produced if/when required by the lecturer.
3 LATE ASSIGNMENTS (i) All assessments submitted after the due date (and not approved for extension) in accordance with university policy will be penalised 20% per working day. (ii) 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. (iii) The course examiner shall consider the statement accompanying a late assignment and decide on the outcome.

4 DISHONEST ACTIONS (i) Any student who is alleged to having performed a dishonest action relating to any assessment in the course will have a course of action taken against him/her as outlined in the Academic Regulations. (ii) Pieces of assessment should be the work of individual students unless otherwise indicated in the assessment details. In other circumstances, joint pieces of assessment are not permitted unless written approval has been obtained from the course leader. (iii) Dishonest action in relation to assessment includes: - copying or attempting to copy the work of others; - use of or attempting to use information prohibited from use in that form of assessment; - submitting the work of another as your own; - consciously committing acts of plagiarism, ie: taking and using another’s thoughts or writings as one’s own with intent to deceive, which occurs when: . paragraphs, sentences, a single sentence or significant parts of a sentence which are copied directly, are not enclosed in quotation marks and appropriately footnoted or referenced in the text; . direct quotations are not used, but text is paraphrased or summarised, and the source of the material is not acknowledged by footnoting or other reference in the text.

5 DEFERRED EXAMINATIONS (i) Deferred examinations will be granted at the Dean's discretion based on non-attendance for medical, compassionate or employment-related reasons having regard to item 1. If a deferred examination is granted students shall sit the deferred examination in the next semester examination period. If, for whatever reason, this deferred examination is not taken then the student will be graded 'F'. (ii) To be eligible for consideration for a deferred examination, students must have submitted a genuine attempt at all mandatory assessment items. (iii) Deferral of an examination CANNOT be granted on an existing deferral in that course. (iv) Requests must be in writing to the Faculty Operations Manager clearly stating student name, student number, current address, course alpha-numeric identifier and name for the examination not attended. (v) Requests MUST BE supported by original or suitably authenticated documentation. (vi) Requests and documentation must be submitted to the Faculty Operations Manager within ten (10) calendar days of the missed examination date. (vii) Requests based on medical reasons must be supported by medical evidence on the appropriate University of Southern Queensland medical certificate or doctor’s certificate. A medical certificate must be dated with the same date as the period of illness for which the absence from examination is being sought and clearly indicate the student’s name and, if possible, student number (retrospective medical certificates will not be accepted for either assignment work or examinations). Only original or authenticated medical certificates will be accepted. A student’s medical condition must be stated clearly (IN ENGLISH). (Certificates stating a student has a ‘medical condition’ may not be sufficient grounds for deferment of examination). Medical evidence must cover the student for the day(s) of the missed examination(s).
(viii) Requests based on family/personal reasons must be supported by a clear statement (IN ENGLISH) from a medical practitioner, counsellor or independent member of the community. (ix) Requests based on employment-related reasons must be supported by a clear statement (IN ENGLISH) from the student's employer. (x) Students who have a medical condition or genuine compassionate or employment-related problems on the day of the examination are advised to obtain the relevant documentary evidence and NOT attempt the examination. If a student makes an attempt at the examination, the assessment item will be marked and a grade awarded. In these cases, a student cannot, after receiving a 'fail' grade, request a deferred examination or special consideration. (xi) Students who have been granted deferred examinations will not be granted a waiver of prerequisites, without the permission of the Heads of Department, in subsequent semesters (if they do not have a passing grade).

6 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.

7 Mechanised erasers, mobile telephones and other electronic media are not permitted in exam venues.

8 The examination will be part open/part closed. Dictionaries are NOT to be used in the examination. Dictionaries are NOT to be used in the examination.